

**TOWNSHIP OF WANTAGE**

**ORDINANCE TO VACATE A PORTION OF TURNER ROAD  
IN THE TOWNSHIP OF WANTAGE**

**ORDINANCE #2013-09**

**WHEREAS**, there exists in the Township of Wantage a public street known as Turner Road, a portion of which is currently abandoned, not maintained, and unused by the public; and

**WHEREAS**, the Mayor and Committee of the Township of Wantage received a request from the property owners of Block 41, Lot 5.01 seeking to have a portion of Turner Road vacated, as shown on the attached sketch, which bisects Lot 5.01; and

**WHEREAS**, the Mayor and Committee have agreed that this portion of Turner Road is not necessary for public use, since it is now abandoned, unused and not maintained, and therefore have determined it may be vacated without any detriment to the public.

**NOW THEREFORE BE IT ORDAINED** by the Township Committee of the Township of Wantage as follows:

1. The rights of the public in and to a portion of the public street known as Turner Road, as depicted on Exhibit "A", is hereby extinguished and vacated.
2. Expressly reserved and accepted from this vacation ordinance are all rights and privileges possessed by public utilities as defined in N.J.S.A. 48:2-13 and any cable television company as defined in the "Cable Television Act", N.J.S.A. 48:5A-1 et seq., to maintain or repair their existing facilities adjacent to, over and under the street to be vacated. A perpetual easement, if the same is required, is reserved for the benefit of public utility companies for the purpose of ingress and egress over and upon the same in order to maintain, repair or replace existing utility facilities, if any, including water lines, gas lines, and telephone, electric and cable television wires and poles which may be located beneath the surface of the vacated road.
3. The remainder portion of Turner Road now lying between Rose Morrow Road and the boundary of Block 41, Lot 5.01, shall be renamed "Bluestone Road".
4. The Township Clerk shall within sixty (60) days of the effective date of this ordinance file a copy of this ordinance certified by him under the seal of the Township to be a true copy thereof, together with proof of publication thereof, in the Office of the Clerk of the County of Sussex in the Book of Vacations in accordance with the provisions of N.J.S.A. 40:67-21.

**Severability.** If any provision of this ordinance or the application of this ordinance to any person or circumstances is held invalid, the remainder of this ordinance shall not be affected and shall remain in full force and effect.

**Repealer.** All ordinances or parts of ordinances or resolutions inconsistent or in opposition to the provisions of this ordinance are hereby repealed in their entirety.

**Effective Date.** This ordinance shall take effect after publication and passage according to law.

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Ronald Bassani, Mayor

ATTEST:

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James R. Doherty, Clerk/Administrator

**NOTICE** is given that this ordinance was introduced and passed upon first reading at a meeting of the Mayor and Township Committee of the Township of Wantage, in the County of Sussex, New Jersey, held on the 10<sup>th</sup> day of October, 2013. It will be further considered for final passage with the proposed ordinance after public hearing at a meeting of the Mayor and Township Committee to be held in the Wantage Township Municipal Building, 888 Route 23, Wantage, New Jersey 07461, on November 14, 2013, at 7:00 o'clock P.M., and copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

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James R. Doherty, Clerk/Administrator

**EXHIBIT "A"**