

**TOWNSHIP OF WANTAGE
ORDINANCE #02-2022**

**AN ORDINANCE REPEALING ORDINANCE NUMBER 04-2021 AND AUTHORIZING
AND DIRECTING THAT AN EASEMENT ON A PORTION OF CERTAIN REAL
PROPERTY LOCATED IN TAX LOT 11 IN BLOCK 143 AS SET FORTH ON THE
OFFICIAL TAX MAP OF THE TOWNSHIP OF WANTAGE SHALL BE ACQUIRED
BY PURCHASE OR GIFT**

WHEREAS, Gemmer Road, a portion of which is unimproved, is a right-of-way and/or paper street located within the Township of Wantage, County of Sussex which was previously created for public use; and

WHEREAS, the Township Committee of the Township of Wantage previously determined that the public interest would be best served by abandoning, vacating, releasing and extinguishing any and all public rights which the Township may have in and to a portion of Gemmer Road; and

WHEREAS, the Township Committee of the Township of Wantage previously adopted Ordinance No. 04-2021, directing that title and possession of a portion of certain real property located in Tax Lot 11 in Block 143 as set forth on the Official Tax Map of the Township of Wantage be acquired by Purchase or Gift; and,

WHEREAS, the Township and Property Owner has determined that acquisition of the portion of the Property as set for in that Ordinance by fee simple was not advisable; and,

WHEREAS, the Township Committee of the Township of Wantage has determined that in order to provide adequate turn around on Gemmer Road to replace the portion of Gemmer Road which is being vacated, it is necessary to create a k-turn adjacent to Gemmer Road, and

WHEREAS, the Property Owner which adjoins the portion of Gemmer Road which will be vacated has offered to convey an easement on a portion of the property to the Township for the creation of the area for the k-turn and has agreed to pay all costs associated therewith; and

WHEREAS, it is in the Township's best interest to accept the aforementioned easement and any associated dedications, if any.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wantage that:

Section 1. Ordinance No. 04-2021 is repealed in its entirety, and shall have no force and effect.

Section 2. The Township is authorized to acquire a roadway dedication and any other dedications, if any, as contained on a map entitled “Proposed K-Turn at Gemmer Road, Wantage Township, Sussex County, New Jersey, R.O.W. Vacation Plan” prepared by Harold E. Pellow, P.E. & L.S. dated November 21, 2019.

Pursuant to the provisions of the “Local Land and Buildings Law”, N.J.S.A. 40A:12-1 et seq., the Township Council of the Township of Wantage hereby accepts the aforementioned roadway easement for “Proposed K-Turn” as contained on a map entitled “Proposed K-Turn at Gemmer Road, Wantage Township, Sussex County, New Jersey, R.O.W. Vacation Plan” prepared by Harold E. Pellow, P.E. & L.S. dated November 21, 2019 and as further described by metes and bounds dated November 7, 2019 prepared by Harold E. Pellow & Associates, Inc. which are annexed hereto and incorporated herein.

Section 3. Authority of Agent. The Mayor, Municipal Attorney, Municipal Engineer and such other officials, employees and agents of the Township, are hereby authorized and directed to perform all acts necessary to acquire the aforementioned roadway easement and any other easement or dedication, if any, set forth herein on behalf of the Township and the Mayor and Municipal Clerk are hereby authorized and directed to execute any and all documents necessary for the acquisition of the roadway easement and any other easement, if any, as set forth herein.

Section 4. All costs, if any, connected with title reports, appraisal reports, attorney fees, professional consulting fees and other costs necessary for the acquisition of said easements and dedications shall be paid by the Grantor.

Section 5. Copies of this Ordinance shall be on file in the Office of the Township Clerk and are available for inspection.

Section 6. If any part of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of the Ordinance. Any Ordinance or portion thereof that may be inconsistent with the Ordinance is hereby repealed to the extent of the inconsistency.

Section 7. Effective Date. This Ordinance shall take effect in the time and manner prescribed by law.

Ronald Bassani, Mayor
Township of Wantage

ATTEST:

Michael Restel, Acting Municipal Clerk
Township of Wantage

NOTICE OF INTRODUCTION

Notice is hereby given that the foregoing Ordinance was submitted in writing at a meeting of the Mayor and Committee of the Township of Wantage in the County of Sussex, New Jersey held on the _____ day of _____, 2020. Introduced and read by title and passed on the first reading and that the said Township Committee will further consider the same for the second reading and final passage thereof at a meeting to be held on the _____ day of _____, 2020 at 7:00 p.m. in the evening prevailing time at the Township of Wantage Municipal Building, 888 State Highway Route 23, Wantage, New Jersey, at which time and place a public hearing will be held thereon by the Township Committee and all persons and citizens in interest shall have an opportunity to be heard concerning same.

The purpose of the above Ordinance is authorizing and directing that title and possession of a portion of certain real property located in Tax Lot 11 in Block 143 as set forth on the official tax map of the Township of Wantage shall be acquired by purchase or gift as described in the Ordinance.

A copy of the Ordinance is available to any member of the general public, at no cost at the Township of Wantage Municipal Building, 888 State Highway Route 23, Augusta, New Jersey, office of the Township Clerk, during regular business hours.

Michael Restel, Acting Municipal Clerk
Township of Wantage