

TOWNSHIP OF FAIRFIELD
ORDINANCE NO. 3 - 2018

AN ORDINANCE PROVIDING FOR THE VACATION OF A CERTAIN RIGHT-OF-WAY KNOWN AS
BEACH AVENUE LOCATED IN SEABREEZE, NEW JERSEY

WHEREAS, the Township Committee of the Township of Fairfield, County of Cumberland and State of New Jersey is of the opinion 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 right-of-way and/or street located in the former area of Seabreeze, New Jersey extending southward beyond Block 52, Lot 33 along what formerly has been referred to as Beach Avenue; and

WHEREAS, the Township Committee has entered into a Settlement Agreement in that matter known as Wildlife Preserves, Inc. v. NJDEP, Fairfield Township and Tri-State Dredging Company, under Docket No: CUM-L-000698-10 calling for the allowance of use, dominion and control by Wildlife Preserves, Inc. of the aforementioned street area; and

WHEREAS, it is the Township Committee's election to abandon its interest in same pursuant to the Settlement Agreement in the matter of the above; and

WHEREAS, upon successful adoption of the Vacation Ordinance, the Township of Fairfield shall have no further right or responsibility for the former roadway extending to the end of the former area of Seabreeze situate in Fairfield Township, County of Cumberland and State of New Jersey;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Fairfield, County of Cumberland and State of New Jersey that the public rights and interests are hereby vacated with respect to a certain right-of-way and/or street located in the former area of Seabreeze, New Jersey formerly referred to as Beach Avenue.

Section One. Repealer. All former Ordinances of the Township of Fairfield which are in conflict with the provisions contained in this Ordinance are hereby repealed upon the adoption of this Ordinance.

Section Two. Severability. If any part or parts of this Ordinance are held to be invalid for any reason such decision shall not affect the validity of the remaining portions of this Ordinance.

Section Three. This Ordinance shall take effect after final approval and publication as required by law.

DATE: August 15, 2018

TOWNSHIP OF FAIRFIELD

BY:


Benjamin Byrd, Sr. - Mayor


Linda M. Gonzales - Municipal Clerk

STATE OF NEW JERSEY :
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COUNTY OF CUMBERLAND :

Please take notice that the above Ordinance was adopted after a Public Hearing at a meeting of the Fairfield Township Committee on the 15th day of August, 2018 at the Fairfield Township Municipal Building in Fairton, New Jersey.

ATTEST



Linda M. Gonzales - Municipal Clerk

Adoption: First Reading: August 1, 2018
Publication on First Reading: August 5, 2018
Second Reading/ Public Hearing: August 15, 2018
Publication on Second Reading: August 20, 2018
Final Adoption: August 15, 2018

Motion By: **Pierce**

Seconded: **Clark**

Aye: **Clark, Gonzalez, Pierce & Byrd**

Nay: **None**

Abstain: **None**

Absent: **Manson**