

ORDINANCE NO. 6 - 2024

TOWNSHIP OF FAIRFIELD

COUNTY OF CUMBERLAND

AN ORDINANCE OF THE TOWNSHIP OF FAIRFIELD AUTHORIZING THE VACATION OF PORTIONS OF ASHWOOD DRIVE

WHEREAS, the Township of Fairfield (the “Township”) has determined that portions of Ashwood Avenue, as shown on the official Tax Map of Fairfield Township, are not needed for any public purpose(s) of the Township, and that the public interest would be best served by vacating and extinguishing all public right, title and interest in and to those portions of Ashwood Avenue, so that the underlying lands may be combined with, and become and form parts of, the adjoining properties; and

WHEREAS, the area to be vacated (the “Subject Area”) is known as a portion of Block 19, Lots 22 through 26 and Block 19.13, Lots 1 and 18 through 22 on the Tax Map of Fairfield Township; and

WHEREAS, the Subject Area is more particularly depicted in the “Street Vacation Exhibit” as prepared by Fralinger Engineering, a copy of which is attached hereto as Exhibit “A” and made a part hereof; and

WHEREAS, it is the intention of the Township that once the Subject Area has been vacated, then ownership of the underlying lands shall revert to the adjoining property owners of the adjacent Block 19, Lots 22 through 26 and Block 19.13, Lots 1 and 18 through 22 by operation of law and as indicated on the Street Vacation Plan; and

WHEREAS, a vacation of a public street, or part thereof, may be authorized by the municipal governing body by Ordinance pursuant to N.J.S.A. 40:67-19, et seq., when there is no longer any need for the use of said area by the public; and

WHEREAS, the Township Committee believes that the vacation of all public right, title and interest in and to in the Subject Area, is in the best interests of the Township of Fairfield.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Fairfield, in the County of Cumberland and State of New Jersey, as follows:

1. That, pursuant to N.J.S.A. 40:67-19, et seq., the Township of Fairfield hereby vacates, extinguishes, releases and abandons all public right, title and interest in and to that portion of Ashwood Avenue, which is a portion of Block 19, Lots 22 through 26 and Block 19.13, Lots 1 and 18 through 22 on the Tax Map of Fairfield Township, as more particularly shown on Exhibit “A” attached hereto and known as the “Subject Area.”

2. That it is the intention of the Township that once the Subject Areas have been vacated, then ownership of the underlying lands shall revert to the owners of the adjacent properties by operation of law, as shown on Exhibit A.

3. That the provisions of this Ordinance shall not be deemed to vacate any rights and privileges which may be possessed by any public utility company (as defined in N.J.S.A. 48:2-13), or by any cable television company (as defined in N.J.S.A. 48:5A-1, et seq.), to maintain, repair, and replace any existing facilities in, adjacent to, over, or under the said vacated area.

4. That, following the introduction of this Ordinance, the Township Clerk shall provide notice of its pending status as mandated by N.J.S.A. 40:49-6, and at least one week prior to the time fixed for further consideration and final passage of the Ordinance the Township Clerk shall mail a copy of the Ordinance, together with a notice of the introduction thereof, and information as to the time and place of when and where the Ordinance will be further considered for final passage, to every person whose lands may be affected by this Ordinance, by certified mail return receipt requested and regular mail, to their last known post office address(es).

5. That, pursuant to N.J.S.A. 40:49-6, this ordinance after being introduced and having passed a first reading shall be published at least once not less than ten days, instead of one week, prior to the time fixed for further consideration for final passage.

6. That, following the adoption of this Ordinance, the Township Clerk shall, within sixty (60) days of the effective date thereof, file a copy of this Ordinance along with the attached Exhibit, certified by the Clerk, under seal of the Township, to be a true and exact copy of the Ordinance, together with a copy of the proof of publication thereof, in the Office of the Cumberland County Clerk for recordation in the County's Book of "Vacations," pursuant to N.J.S.A. 40:67-21.

7. That once the Subject Area have been vacated then the Township's interests in and to the said area shall be released.

8. That the Township Attorney and Township Engineer are hereby authorized and directed to undertake all actions and to prepare all documents that are necessary in order to effectuate the intentions of the within Ordinance.

9. That the Mayor and/or the Township Administrator is authorized to execute, and the Municipal Clerk is authorized to attest any and all documents, and to perform all actions, which may be necessary in order to effectuate the intentions of the within Ordinance.

10. All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed as to said inconsistencies and conflict.


11. If any section, part of any section, or clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the remaining provisions of this ordinance. The governing body of the Township of Fairfield declares that it would have passed the ordinance and each section and subsection thereof, irrespective of the fact that any one or more of the subsections, sentences, clauses or phrases may be declared unconstitutional or invalid.


12. The ordinance shall take effect immediately upon passage and publication according to law.

STATE OF NEW JERSEY :
: ss






COUNTY OF CUMBERLAND :

Please take notice that the above Ordinance was adopted by the Township Committee of Fairfield Township after a public hearing on the 26th day of June, 2024.

ATTEST

Linda M. Gonzales, Municipal Clerk

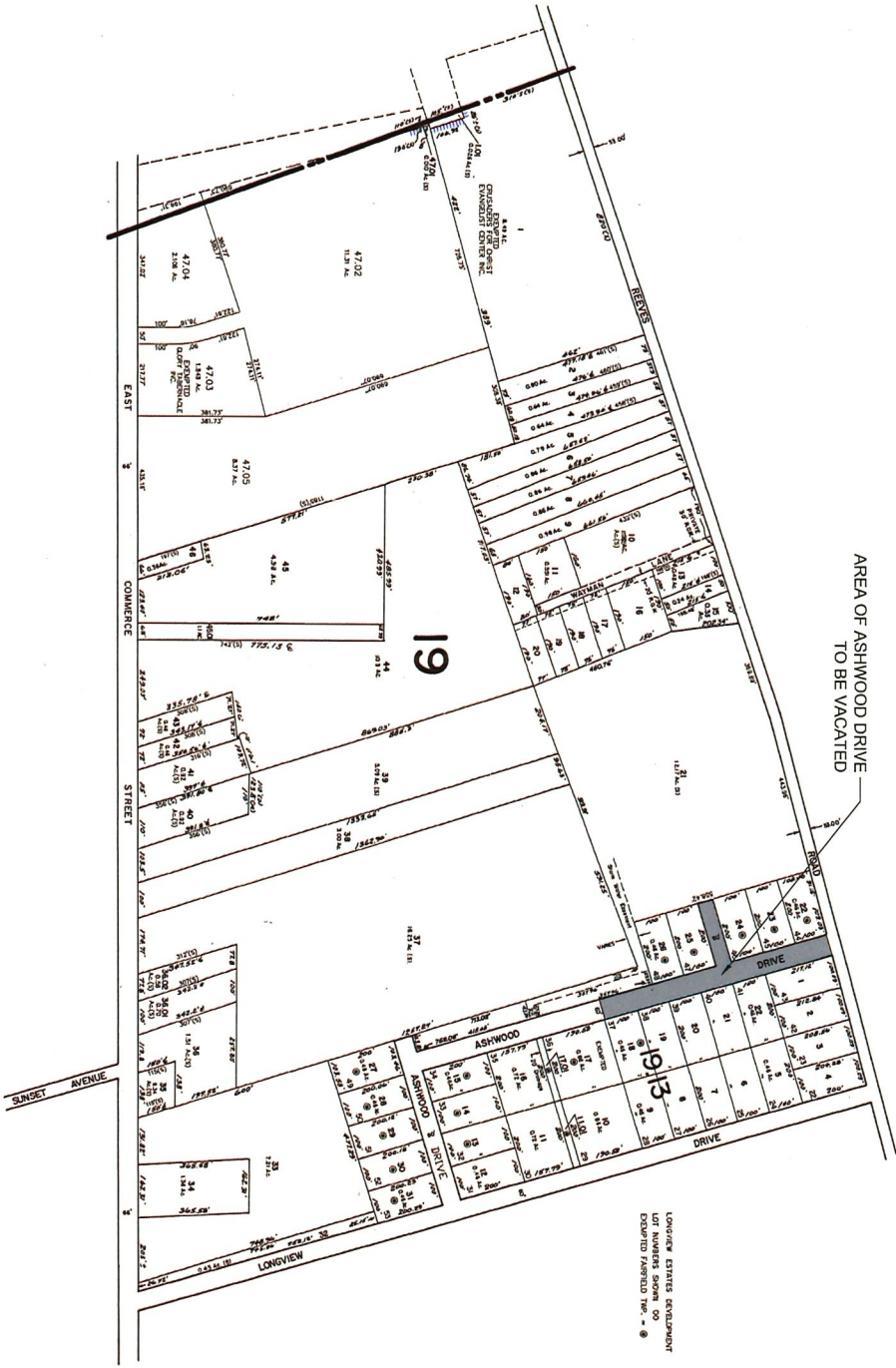

Marvin Pierce, Jr., Mayor

Adoption First Reading: May 15, 2024
Publication on First Reading: June 12, 2024
Second Reading/Public Hearing: June 26, 2024
Publication on Second Reading: July 2, 2024
Final Adoption: June 26, 2024

Motion by: 
Seconded by: 
Aye: 
Nay: 
Abstain: 

DRAWING LOCATION	P:\0000-9999\0004\00\CADD\DWG\0004\00.DWG
LAST DATE SAVED/CTB	5/1/2024 11:23:58 AM PSEG-CRG.CTB
LAST SAVE BY	Bob Mulford

DATE	BY	REVISION
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SHEET 1

SHEET 16

LONG VIEW ESTATES EQUIPMENT
 LOCAL PROPRIETARY SOFTWARE
 APPROVED AS A TAX MAP PRESENT TO THE
 BOARD OF TAXATION OF FAIRFIELD TOWNSHIP
 ON FEB 27 978 7 503
 J. A. DeB...

TAX MAP
FAIRFIELD TOWNSHIP
 CUMBERLAND COUNTY, N.J.
 SCALE : 1"=200'
 SEPTEMBER, 1975
ALBERT A. FRALINGER JR.
 629 SHILOH PIKE, BRIDGETON, NJ

SHEET 14

LONG VIEW ESTATES IN Township of Fairfield, Cumberland County	
MUNICIPALITY: FAIRFIELD TOWNSHIP	PROJECT # 01840.00
COUNTY: CUMBERLAND COUNTY	DATE/FIELD # 01840.00.dwg
STATE: NEW JERSEY	DATE 01/29/2024
SCALE: 1"=100'	DRAWN BY: BMM
	CHECKED BY:

Fralinger Engineering PA
 CONSULTING ENGINEERS • PLANNERS • LAND SURVEYORS • ENVIRONMENTAL SERVICES

629 Shiloh Pike
 Bridgeton, NJ 08302
 Phone: (856) 455-2500
 Fax: (856) 455-9702
 www.fralinger.com

NO.	DATE	REVISION	BY

GUY M. DE FABRITES, P.L.S., P.P.
 PROFESSIONAL LAND SURVEYOR, N.J. Lic. No. 240000000
 1000 ELECTRA PLAZA, BRIDGEVILLE, PA 15005-1000

guy@fabrites.com DATE