

**TOWNSHIP OF EDGEWATER PARK
NOTICE OF PENDING ORDINANCE
ORDINANCE NO. 2013-10**

**An Ordinance of the Township of Edgewater Park Vacating the Public Interest in a
Certain Portion of Kove Road located in the Township of Edgewater Park, Burlington
County, New Jersey**

WHEREAS, N.J.S.A. 40:67-1 et seq. authorizes a municipality to vacate the public interest in any public street, highway, lane or alley or any part thereof; and

WHEREAS, N.J.S.A. 40:67-19 states that where there has been a dedication of lands as a public place and the same has not been accepted or opened by the municipality, the governing body may, by Ordinance, release and extinguish the public right arising from the dedication

WHEREAS, the Township Committee of the Township of Edgewater Park finds and determines that a certain portion of Kove Road as further and particularly described in Section 2 of this Ordinance is not needed for any public purpose and that the public interest therein should be vacated and extinguished.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey as follows:

Section 1. Statutory Authority: This Ordinance is enacted pursuant to the authorization provided in N.J.S.A. 40:67-1 et seq.

Section 2. Findings and Vacation: The certain 60' wide Kove Road located off Cooper Street in the Township of Edgewater Park, Burlington County, New Jersey, described as follows:

ALL THAT CERTAIN tract or parcel of land situate in the Township of Edgewater Park, County of Burlington, State of New Jersey, being more particularly described in accordance with the description attached hereto and prepared by Robert E. Lee, PLS, of Lippincott Jacobs Consulting Engineers, dated August 20, 2012, and entitled "Right of Way Transfer over a portion of Kove Road, Township of Edgewater Park, Burlington County, New Jersey", is no longer needed for any public purpose and that the public interest therein should be vacated and extinguished and all rights and title thereto shall be conveyed to the abutting property identified as Block 1202, Lot 4.01 which is currently owned by the Township of Edgewater Park and is under Agreement for conveyance to K-2 Management, LLC. It is the intention that the area being vacated shall be part of the conveyance.

Section 3. Within sixty (60) days of the effective date of this ordinance, the Township Clerk shall file a certified true copy of this ordinance and a copy of the proof or publication with the office of the Burlington County Clerk.

Section 4. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court or competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

Section 5. All ordinances or parts of ordinances of the Township of Edgewater Park heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

NOTICE

Take Notice that the Ordinance identified above vacates the public interest in a certain portion of Kove Road, as particularly described in Section 2 of the Ordinance, and provides for the conveyance of the vacated portion of Kove Road to the Township of Edgewater Park, as the abutting property owner, as specifically set forth in the Ordinance. The Ordinance has been adopted on first reading by the Township Committee of the Township of Edgewater Park, County of Burlington, State of New Jersey, held on November 18, 2013. It will be considered for final passage after public hearing to be held on December 3, 2013, at 7:30 P.M. in the Municipal Building, 400 Delanco Road, Edgewater Park, New Jersey. Copies of the full ordinance are on file with the Township Clerk of the Township of Edgewater Park. Copies may be obtained on request and a copy is posted on the municipal bulletin board in the Municipal Building at 400 Delanco Road, Edgewater Park, New Jersey.

Linda M. Dougherty, R.M.C.,
Municipal Clerk/Administrator