

WEST DEPTFORD

ORDINANCE # 2016-17

AN ORDINANCE OF THE TOWNSHIP OF WEST DEPTFORD VACATING ANY AND ALL EXISTING SANITARY SEWER EASEMENTS LOCATED ONLY WITHIN BLOCK 500.10/LOT 1 IN THE TOWNSHIP OF WEST DEPTFORD (ST. REGIS DRIVE) IN WHICH THE TOWNSHIP OF WEST DEPTFORD MAY HAVE A RIGHT, TITLE OR INTEREST

WHEREAS, within Block 500.10/Lot 1 in the Township of West Deptford (hereinafter referred to as "Township"), there may exist at least one sanitary sewer easement running to the benefit of the Township; and

WHEREAS, this sanitary sewer easement was originally designated for the development of the adjacent Moore Farm located to the rear of Block 500.10/Lot 1; and

WHEREAS, the adjacent Moore Farm has been preserved and designated as Green Acres and can no longer be developed; and

WHEREAS, the sanitary sewer easement located on Block 500.10/Block 1 is impeding the ability by the property owner to develop the lot; and

WHEREAS, all other properties adjacent to Block 500.10/Lot 1 are connected to public water/sewer through water/sewer lines fronting the properties; and

WHEREAS, there may be additional sanitary sewer easements located within Block 500.10/Lot 1 in which the Township may have a right, title or interest; and

WHEREAS, the Township Water and Sewer Superintendent has determined that any and all existing sanitary sewer easements located only within Block 500.10/Lot 1 (in which the Township may have a right, title or interest) are no longer needed for any public purpose due to the preservation and designation of the adjacent Moore Farm as Green Acres; and

WHEREAS, the Township Committee has determined that the Township no longer has any public interest or need for any and all existing sanitary sewer easements located only within Block 500.10/Lot 1 (in which the Township may have a right, title or interest) due to the

preservation and designation of the adjacent Moore Farm as Green Acres and has no objection to the vacation of any and all existing sanitary sewer easements located only within Block 500.10/Lot 1 in the Township of West Deptford in which the Township may have a right, title or interest; and

WHEREAS, pursuant to N.J.S.A. 40:67-1(b), the Township expressly reserves and excepts from vacation all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13 and by any cable television company, as defined in N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace existing facilities in, adjacent to, over or under any and all easements, or any part thereof, to be vacated.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of West Deptford, County of Gloucester and State of New Jersey that the Township of West Deptford does hereby vacate any right, title or interest in any and all existing sanitary sewer easements located only within Block 500.10/Lot 1 in the Township of West Deptford in which the Township may have a right, title or interest, since said usage is no longer needed due to the preservation and designation of the adjacent Moore Farm as Green Acres.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

TOWNSHIP OF WEST DEPTFORD



DENICE DICARLO, Mayor

Attest:



LEE ANN DEHART, Acting Municipal Clerk

INTRODUCED at a meeting of the Township Committee of the Township of West Deptford, held on September 21, 2016.

ROLL CALL VOTE				
	AYES	NAYS	ABSTAIN	ABSENT
Denice DiCarlo	✓			
Jeff Hansen	✓			
James Mehaffey	✓			
Jerry Maher	✓			
Adam Reid	✓			
TALLY:	5			

ADOPTED at a meeting of the Township Committee of the Township of West Deptford, held on October 19, 2016.

ROLL CALL VOTE				
	AYES	NAYS	ABSTAIN	ABSENT
Denice DiCarlo	✓			
Jeff Hansen	✓			
James Mehaffey	✓			
Jerry Maher	✓			
Adam Reid	✓			
TALLY:	5			