

ORDINANCE NO. 3791

AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING THE RIGHTS OF THE PUBLIC IN A WALKWAY BETWEEN HAWTHORNE DRIVE AND THE TERMINUS OF JEFFERSON STREET IN THE TOWNSHIP OF FRANKLIN, COUNTY OF SOMERSET, STATE OF NEW JERSEY.

SUMMARY

An Ordinance releasing, extinguishing and vacating a walkway between Hawthorne Drive and the terminus of Jefferson Street.

WHEREAS, it has been determined by the Township Council as follows:

1. That the walkway between Hawthorne Drive and the terminus of Jefferson Street described hereinbelow are not needed for use for public road purposes; and
2. That the said walkway between Hawthorne Drive and the terminus of Jefferson Street lend themselves to higher and better use than for public road purposes and that it is in the best interest of the general public and the Township of Franklin that any public easements, rights and interests in and to same shall be vacated, released and extinguished;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey as follows:

SECTION I

All public easements, rights and interests to the walkway between Hawthorne Drive and the terminus of Jefferson Street described hereinbelow, are hereby vacated, released and extinguished except for said easements and rights specifically set forth in the description hereinbelow and except for all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace their existing facilities in, adjacent to, over and under the street, or any part thereof, to be vacated subject to the conditions described herein, all conditions herein, unless otherwise noted, shall be satisfied prior to said vacation being effective:

**DESCRIPTION OF A TEN FEET WIDE WALKWAY
TO BE VACATED BETWEEN HAWTHORNE DRIVE
AND THE TERMINUS OF JEFFERSON STREET,
FRANKLIN TOWNSHIP, SOMERSET COUNTY, NEW JERSEY**

Beginning at a point, said point being the intersection of the westerly sideline of Hawthorne Drive (68 feet wide) and the southerly sideline of a walkway (10 feet wide), said point also being 220.00 feet northerly along said westerly sideline of Hawthorne Drive from its intersection with the northerly sideline of Hamilton Street (66 feet wide – Somerset County Route 514), if extended, all as shown on current Tax Map of Franklin Township, Somerset County, New Jersey and running; thence

- 1.) Along said southerly sideline of the walkway and along the northerly property line of Lot 126 in Block 194, South 74 degrees, 12 minutes 00 seconds West a distance of 125.22 feet to a point, said point being the most northwesterly corner of Lot 126; thence
- 2.) Crossing said walkway and partially along the easterly terminus of Jefferson Street (50 feet wide), North 16 degrees 25 minutes 00 seconds West a distance of 10.00 feet to a point, said point being the most southwesterly corner of Lot 125 in Block 194; thence
- 3.) Along the northerly line of the walkway, ten feet distant and parallel with the first course and along the southerly property line of Lot 125 in Block 194, North 74 degrees 12 minutes 00 seconds East, 125.33 feet to a point on the aforesaid westerly sideline of Hawthorne Drive; thence
- 4.) Crossing said walkway and along said westerly sideline of Hawthorne Drive, South 15 degrees 48 minutes 00 seconds East, 10.00 feet to the point and place of beginning.

Containing 1,252.8 square feet of land, more or less.

The above-described parcel in its entirety is subject to a Storm Drainage Easement to Franklin Township.

The above-described parcel in its entirety is also subject to a Sanitary Sewer Easement to the Franklin Township Sewerage Authority.

The above-described parcel in its entirety is also subject to a Blanket Utility Easement to all Public Utilities having utility lines running over, under or through the property.

Above description prepared by the Franklin Township Engineering Department in accordance with a map entitled "Map of Twin Pines Manor, Property of Veterans Building Cooperative, Situate in Franklin Township, Somerset County, New Jersey", prepared by William H. Baker, Civil Engineer, New Brunswick, N.J., dated March 1947, and filed in the Somerset County Clerk's Office on April 18, 1947 as Map No. 173.

SECTION II

This ordinance shall take effect immediately upon adoption and publication in accordance with law.

ORDINANCE NO. 3791

**THIS IS A TRUE COPY OF AN ORDINANCE ADOPTED BY THE
TOWNSHIP COUNCIL, TOWNSHIP OF FRANKLIN, SOMERSET, NJ**

Introduced:	September 23, 2008
Public Hearing:	October 28, 2008
Adopted:	October 28, 2008
Notice of Final Adoption:	November 5, 2008
Effective:	November 17, 2008

Ann Marie McCarthy, Township Clerk