



Legislation Text

File #: 12-0396, Version: 1

AN ORDINANCE PROVIDING FOR THE VACATION OF SEARING STREET, EXTENDING FROM THE SOUTHERLY LINE OF WARREN STREET A DISTANCE OF APPROXIMATELY 261 FEET SOUTHERLY TO ITS TERMINUS, AND LAID OUT 20 FEET IN WIDTH ON THE MAP OF THE COMMISSIONERS TO LAY OUT STREETS, AVENUES AND SQUARES.

Invitation: Manager of Traffic & Signals, May 1, 2012

WHEREAS, the Department of Engineering and the Department of Economic and Housing Development of the City of Newark have determined that the street vacation of Searing Street from Warren Street to its terminus is necessary and in the public interest because of a planned development on the campus of the New Jersey Institute of Technology.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:

Section 1. All that portion, part and parcel of Searing Street, extending from the southerly line of Warren Street a distance approximately 261 feet southerly to its terminus, and laid out 20 feet in width on the Map of the Commissioners to lay out streets, avenues and squares shall be vacated as a public street or public right-of-way, reserving and excepting all rights and privileges possessed by the City of Newark and, for so long as they continue to exist at this location, by public utilities as defined in R.S. 48:2-13 and by any cable television company as defined in the Cable Television Act, P.L. 1972, c.186, the right of entry and easement for the entire length and total width of said portion of the public street or public right-of-way to be vacated for the purpose of relaying, rebuilding, reconstruction, or maintaining their respective water, sewer, electric, gas, telephone and cable utilities and appurtenances thereto, until such time as they are vacated or abandoned. No utility easements are retained upon the vacation of the street. All is as shown on a map prepared under the direction of this Council, which map is hereto attached and made a part hereof, and a copy of which map, known and designated as Map No. A-1615, 1881V, dated 1/20/ 2012, is on file in the Office of the Director, Department of Engineering.

Section 2. Any and all utilities in Searing Street shall be abandoned at the sole cost and expense of New Jersey Institute of Technology.

Section 3. Title to the vacated Searing Street shall revert back to all adjacent property owners.

Section 4. Any and all fees associated with the consideration and /or completion of the public right-of-way vacation request are to be paid by the property owner(s) who makes this request. These expenses include but are not limited to engineering fees, attorney fees, survey fees, publication and mailing expenses and recording fees.

Section 5. All publication and notice requirements of this ordinance are subject to N.J.S.A. 40:49-6.

Section 6. This Ordinance is adopted under and by virtue of the provisions of N.J.S.A. 40:67-1 (b).

Section 7. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This Ordinance vacates Searing Street.