



## Legislation Text

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**AN ORDINANCE PROVIDING FOR THE VACATION OF WARREN PLACE, EXTENDING FROM THE NORTHERLY LINE OF WARREN STREET A DISTANCE OF APPROXIMATELY 492 FEET NORTHERLY TO ITS TERMINUS, AND LAID OUT 40 FEET IN WIDTH ON THE MAP OF THE COMMISSIONERS TO LAY OUT STREETS, AVENUES AND SQUARES**

**WHEREAS**, on March 18, 2013 Rutgers University sent a letter to the Director of the Department of Engineering requesting a street vacation for Warren Place; and

**WHEREAS**, the Director of the Department of Engineering had no objections to the street vacation and on April 1, 2014 sent a memorandum to the Central Planning Board referring the matter to their attention for their review and consideration; and

**WHEREAS**, on April 21, 2014 the Central Planning Board held a hearing and passed a resolution recommending the vacation of Warren Place to the Newark Municipal Council for further action.

**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 Warren Place, extending from the northerly line of Warren Street a distance approximately 492 feet northerly to its terminus and laid out 40 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 however, to 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 and gas utilities and appurtenances thereto, now laid or to be laid, within the above described easement reservation area of said street to be vacated. The easement rights shall continue until such time that the easement is no longer needed and is extinguished. The erection, construction, or placing of any building, vault, or structure upon or within the above described reservation area which will interfere with the laying, relaying, rebuilding, reconstructing or maintenance of the existing any existing utility and their appurtenances are prohibited and contrary to this ordinance.

All is as shown on a map prepared under the direction of the Municipal Council, which map is hereto attached and made a part hereof, and a copy of which map, known and designated as Map No.: A-1617, Plan No.: 1883V, dated 04/01/14, is on file in the Office of the Director, Department of Engineering.

**Section 2.** Title to the vacated Warren Place shall revert back to Rutgers University as outlined on Map No.: A-1617, Plan No.: 1883V, dated 04/01/14.

**Section 3.** 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, recording fees and tax map revision fees.

**Section 4.** All publication and notice requirements of this ordinance are subject to *N.J.S.A. 40:49-6*.

**Section 5.** This ordinance is adopted under and by virtue of the provisions of *N.J.S.A. 40:67-1(b)*.

**Section 6.** 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 Warren Place extending from the northerly line of Warren Street a distance approximately 492 feet northerly to its terminus and laid out 40 feet in width on the Map of the Commissioners to lay out streets, avenues and squares, as a public street or public right-of-way.