



Legislation Details (With Text)

File #: 16-0500 **Version:** 1 **Name:** Blanchard St - Street Vacation
Type: Ordinance **Status:** Filed
File created: 3/11/2016 **In control:** Engineering
On agenda: 4/20/2016 **Final action:** 5/4/2016
Title: AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF BLANCHARD STREET AS LAID OUT 50 FEET IN WIDTH AND BEGINNING AT A POINT 957.06 FEET FROM THE NORTHERLY LINE OF RAYMOND BOULEVARD, A DISTANCE OF 1,615 FEET NORTHERLY MORE OR LESS TO ITS TERMINUS.
Sponsors: Chaneyfield Jenkins/ Ramos
Sponsors: Gayle Chaneyfield Jenkins, Anibal Ramos, Jr.
Indexes:
Code sections:

Date	Ver.	Action By	Action	Result
5/4/2016	1	Municipal Council	Close on Public Hearing and Adopt	Pass
4/20/2016	1	Municipal Council	Advance and Adopt on First Reading as 6F-	
4/20/2016	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE PROVIDING FOR THE VACATION OF A PORTION OF BLANCHARD STREET AS LAID OUT 50 FEET IN WIDTH AND BEGINNING AT A POINT 957.06 FEET FROM THE NORTHERLY LINE OF RAYMOND BOULEVARD, A DISTANCE OF 1,615 FEET NORTHERLY MORE OR LESS TO ITS TERMINUS.

Sponsors: Chaneyfield Jenkins/ Ramos

WHEREAS, on March 15, 2006, the Municipal Council adopted Resolution 7RG, which designated Morris Fairmount Associates Urban Renewal as Redeveloper under contract with the City to implement the City's Redevelopment Plan - Industrial River Project at Block 2438, Lots 74, 76, 78, 80, 82, 84, 85, and 92 and Block 5001, Lots 40, 42, 46, 48, 49, 50, and 93; and

WHEREAS, the Redevelopment Agreement was amended twice by the Municipal Council through Resolution 7R3-A(AS)(S), adopted on January 23, 2008, and Resolution 7R3-A, adopted on May 6, 2015; and

WHEREAS, on October 19, 2015, the Central Planning Board voted to grant and on November 9, 2015 to memorialize preliminary and final site plan approval for the redevelopment project, namely construction and development of an industrial warehouse at Block 2438, Lots 74, 76, 78, 80, 82, 84, 85, and 92 and Block 5001, Lots 40, 42, 46, 48, 49, 50, and 93; and

WHEREAS, a portion of Blanchard Street must be vacated in order to accommodate the construction; and

WHEREAS, the Department of Economic and Housing Development and the Department of

Engineering, have determined that the street vacation of a portion of Blanchard Street is necessary and in the best interest because of the redevelopment project which is anticipated to yield positive benefits to the City in keeping with the Redevelopment Plan, including improvement of a redevelopment area, a significant investment in the City and new employment opportunities.

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 Blanchard Street, as laid out 50 feet in width on the Map of the Commissioners to lay out streets, avenues and squares, beginning at a point 957.06 feet by survey from the northerly line of Raymond Boulevard, 66 feet wide, a distance of 1,615 feet northerly more or less to its terminus at the Passaic River, shall be vacated as a public street or public right-of-way, reserving and excepting any and all rights and privileges possessed by the City of Newark and, for so long as they continue to exist at this location, the rights of any 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, with 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 accomplishing the removal, relocating, relaying, rebuilding, reconstructing, or maintaining their respective water, sewer, electric, gas, telephone and cable utilities and appurtenances thereto, now laid or to be laid, within the above described easement reservation area of said public street to be vacated. Any and all such easement rights and privileges shall continue until such time when the easement reservation is no longer needed due to the proposed relocation, removal and/or abandonment of any and all existing utilities and said easement rights and privileges are terminated and extinguished. The erection, construction, or placing of any building, vault, or structure upon or within the above described easement reservation area which will interfere with the laying, relaying, rebuilding, reconstructing or maintenance of any existing utility and their appurtenances, prior to said termination and release of said easement rights and privileges, are prohibited and contrary to this ordinance. Except for emergency repairs, the property owner shall be given 48 hours' notice before doing any work in the utility easement area.

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 A-1620, dated February 18, 2016, is on file in the Office of the Director of the Department of Engineering.

Section 2. The vacated portion of Blanchard Street shall be divided at the centerline and become part and parcel of the adjacent properties.

Section 3. Any and all fees associated with the consideration and/or completions of the public right-of-way vacation request are to be paid by the redeveloper. 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) and N.J.S.A. 40A:12A-10.

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 a portion of Blanchard Street beginning at a point 957.06 feet from the northerly line of Raymond Boulevard, a distance of 1,615 feet northerly more or less to its terminus.