



Legislation Details (With Text)

File #: 20-0391 **Version:** 1 **Name:** Ordinance-Columbia St. Dedication/Accept
Type: Ordinance **Status:** Adopted
File created: 3/5/2020 **In control:** Engineering
On agenda: 3/24/2020 **Final action:** 4/7/2020
Title: AN ORDINANCE DEDICATING AND ACCEPTING COLUMBIA STREET BETWEEN EDISON PLACE AND LAFAYETTE STREET ADJOINING BLOCKS AND LOTS: BLOCK 159, LOT 10.03; BLOCK 159.01, LOT 11; BLOCK 166, LOT 10.01 AND BLOCK 167, LOT 10.02, IN THE CITY OF NEWARK, COUNTY OF ESSEX, STATE OF NEW JERSEY, AS A PUBLIC STREET AND RIGHT-OF-WAY. (EAST WARD)
Sponsors: Augusto Amador, Luis A. Quintana
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Date	Ver.	Action By	Action	Result
4/7/2020	1	Municipal Council	Close on Public Hearing and Adopt	Pass
3/24/2020	1	Municipal Council	Advance and Adopt on First Reading as 6F-	Pass

AN ORDINANCE DEDICATING AND ACCEPTING COLUMBIA STREET BETWEEN EDISON PLACE AND LAFAYETTE STREET ADJOINING BLOCKS AND LOTS: BLOCK 159, LOT 10.03; BLOCK 159.01, LOT 11; BLOCK 166, LOT 10.01 AND BLOCK 167, LOT 10.02, IN THE CITY OF NEWARK, COUNTY OF ESSEX, STATE OF NEW JERSEY, AS A PUBLIC STREET AND RIGHT-OF-WAY. (EAST WARD)

WHEREAS, on July 7, 2016, as a result of various redevelopment agreements within the Downtown Core District Redevelopment Plan and a proposed project over 10 years in the making, the City of Newark received the following properties from the Newark Housing Authority: Block 159, Lot 10.03; Block 159.01, Lot 11; Block 166, Lot 10.01 and Block 167, Lot 10.02, for the purpose of constructing a park, which was formerly referred to as Triangle Park and is currently referred to as Mulberry Commons; and

WHEREAS, the above property was developed in accordance with the requirements of the redevelopment agreements and the Downtown Core District Redevelopment Plan, which included the construction of Columbia Street, between Edison Place and Lafayette Street, within Blocks 159, 159.01, 166 and 167, to the City of Newark for public street and right-of-way purposes; and

WHEREAS, Columbia Street between Edison Place and Lafayette Street within Blocks 159, Lots 10.03; 159.01, Lot 11; Blocks 166, Lots 10.01 and 167, Lots 10.02, consists of completed and approved street and roadway improvements and appurtenances as constructed in association with the Newark Downtown Core Redevelopment Area and the completion of Mulberry Commons; and

WHEREAS, the City of Newark wishes to dedicate Columbia Street between Edison Place and Lafayette Street within Blocks 159, 159.01, 166 and 167, to the City of Newark for public street

and right-of-way purposes; and

WHEREAS, the Central Planning Board of the City of Newark, upon application, adopted Resolution dated March 2, 2020, concluding that there was adequate proof in support of the acceptance of right-of-way dedication of portions of Columbia Street and recommended that the Municipal Council of the City of Newark accept the right-of-way dedication of portions of Columbia Street; and

WHEREAS, pursuant to N.J.S.A. 40:67-1, et seq., City of Newark wishes to accept the dedication of Columbia Street between Edison Place and Lafayette Street within Blocks 159, 159.01, 166 and 167, for public street and right-of-way purposes and amend the Official Map of the City.

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

Section 1. The Municipal Council of the City of Newark has reviewed the recommendation of the Central Planning Board of the City of Newark, dated March 2, 2020, and accepts the right of way dedication of portions of Columbia Street consistent with the documentation submitted to the Central Planning Board, which is attached hereto.

Section 2. This ordinance formally accepts the Columbia Street right of way and its associated roadway improvements as dedicated to the City of Newark for public street and right of way purposes. The right of way area dedicated and accepted is shown on a map entitled "Columbia Street Dedication, Blocks 159, 159.01, 167 and 166, City of Newark", dated March 5, 2020 and prepared by the City of Newark, Department of Engineering, which map is attached hereto and made a part hereof.

Section 3. The legal description of the Columbia Street right of way dedication between Edison Place and Lafayette Street within Blocks 159, 159.01, 166 and 167 is as follows:

Beginning at a point formed by the intersection of the southerly right of way line of Edison Place, width varies, with the proposed westerly right of way line of Columbia Street, 76 feet wide for the most part as delineated and dedicated on a certain filed map herein referred to, said beginning point being distant 323.57 feet on a course bearing South 69° 41' 56" East from the point formed by the intersection of said southerly line of Edison Place with the easterly line of Mulberry Street as shown on a certain map entitled "Major Subdivision: Newark Downtown Core Redevelopment - Drawing Nos. 09.05, 09.06 & 09.07," prepared by Langan dated October 9, 2015 and revised through June 7, 2016 and filed at the Essex County Hall of Records on July 12, 2016 as Map Nos. 4662-A, 4662-B & 4662-C and running thence from said beginning point:

- 1.) Along the westerly right of way line of Columbia Street as dedicated on a course bearing South 20° 18' 04" West a distance of 174.17 feet to an angle point in said right of way line, thence
- 2.) Continuing along said dedicated right of way line on a course bearing South 23° 19' 19" West a distance of 472.87 feet to a point located in the northerly right of way line of Lafayette Street, 80 feet wide, said point of intersection being distant 301.42 feet along the various courses of said northerly line of Lafayette Street from its intersection with the easterly line of Mulberry

Street as shown on the aforementioned filed map, thence

- 3.) Along the northerly line of Lafayette Street on a course bearing South 72° 52' 50" East a distance of 76.45 feet more or less to a point located in the northerly right of way line of Lafayette Street, 80 feet wide, said point being formed by the intersection of said line of Lafayette Street with the easterly right of way line of Columbia Street, 76 feet wide as dedicated, thence
- 4.) Along said easterly right of way line of Columbia Street as dedicated, distant easterly 76 feet parallel and perpendicular to the second course described herein, on a course bearing North 23° 19' 19" East a distance of 464.61 feet to an angle point in said dedicated right of way line, thence
- 5.) Continuing along said Columbia Street right of way line as dedicated, distant easterly 76 feet parallel and perpendicular to the first course as described herein, on a course bearing North 20° 18' 04" East a distance of 133.22 feet to an angle point in said dedicated right of way line, thence
- 6.) Continuing along said Columbia Street right of way line as dedicated on a course bearing North 14° 25' 37" East a distance of 48.83 feet to a point of intersection formed in the aforementioned southerly right of way line of Edison Place, width varies, thence
- 7.) Along the southerly line of Edison Place on a course bearing North 77° 15' 10" West a distance of 27.49 feet more or less to an angle point, thence
- 8.) Continuing along the southerly line of Edison Place on a course bearing North 69° 41' 56" West a distance of 43.65 feet more or less returning to the point and place of beginning.

Said description of Columbia Street as dedicated to be accepted and opened as a public street and right of way contains 48,942 square feet or 1.1236 acres of land more or less.

Section 4. This dedication shall be subject to any and all easements affecting Columbia Street between Edison Place and Lafayette Street within Blocks 159, 159.01, 166 and 167 to the City of Newark recorded in the Office of Essex County Register for the benefit of public or private entities for the purpose of operating and maintaining, inspecting, protecting, repairing, replacing or reconstructing any existing water, sewer or utility lines including wires and poles, together with the right of egress at all time for such purposes and all other purposes in connection with or in any way relating to the operation of water, sewer or utility lines.

Section 5. The Director of the Department of Engineering shall record this ordinance together with the map showing the location, bounds and dimensions thereof, in the Essex County Register's Office.

Section 6. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

Section 7. If any section, paragraph, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, clause or provision so adjudged and the remainder shall be deemed valid and effective.

Section 8. This ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey.

STATEMENT

This ordinance accepts as a public street and right-of-way a newly constructed section of Columbia Street, between Edison Place and Lafayette Street, within Block 159, Lot 10.03; Block 159.01, Lot 11; Block 166, Lot 10.01 and Block 167, Lot 10.02, in the City of Newark.