

ORDINANCE NO. 2021-38-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF LAURENCE AVENUE ABUTTING BLOCK 803, LOTS 50-57 AND BLOCK 804, LOTS 29-36

October 25, 2021

WHEREAS, there exists a right-of-way on Laurence Avenue, between Farrelly Avenue and Berkeley Avenue, Block 803, Lots 50-57 and Block 804, Lots 29-36, on the Berkeley Township Tax Map, County of Ocean, State of New Jersey; and

WHEREAS, the Township Engineer has reviewed the request to vacate portions of Laurence Avenue, described in Schedule A, provided by the property owners of adjacent property owners, Marlana Holm (Holm Living Trust), and approves of same; and

WHEREAS, N.J.S.A. 40A:12-13(b)(4) authorizes the Berkeley Township Council to extinguish and vacate said portions of the street provided that said action is authorized by Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Berkeley, County of Ocean, State of New Jersey, as follows:

SECTION 1. There is hereby vacated all of the right, title and interest of the public for all public usages and purposes in and to those portions of Laurence Avenue abutting Block 803, Lots 50-57 and Block 804, Lots 29-36, as is set forth on Schedule A, attached hereto and made a part hereof. However, the Township does hereby expressly reserve and except from the vacation all rights and privileges now possessed 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, (C. 48:5A-1, *et seq.*), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, being vacated by the provisions of this ordinance.

SECTION 2. At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, together with a notice stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

**TOWNSHIP OF BERKELEY
APPLICATION FOR VACATION OF STREET**

Application Fee: \$ 500.00

There are additional fees after approval.

1. Applicant's name, address, and telephone number:

Marlena Holm, Holm Living Trust, 668 Berkeley Ave, Bayville, NJ 08721,

2. Name, address, and telephone number of attorney representing applicant (if applicable) and/or the name, address, and telephone number of any other person to be contacted on behalf of the applicant:

n/a

3. Name and a general description of the street, highway, right-of-way or other public place to be vacated:

Laurence Avenue is a paper street. Access to the road is barricaded at Berkeley Ave.

4. If applicant is a corporation, partnership, or other entity, the name and address of each person holding an interest of the percent (10%) or more in the ownership of such corporation, partnership, or other entity:

Marlena Holm, owner and sole trustee of Holm Living Trust

5. List of the lot and block numbers of all property adjoining the area to be vacated, together with a list of the names and addresses of the assessed owners of such adjoining properties:

Holm Living Trust Block 803, Lots 50 - 57, 668 Berkeley Ave, Bayville, NJ 08721

Township of Berkeley, Block 804, Lots 29 - 36, PO Box B, Bayville, NJ 08721

6. Description of the current use of the area to be vacated:

Laurence Avenue is a paper street that is currently barricaded at Berkeley Ave. preventing any access to the road.

7. Description of the applicant's intended use of the area to be vacated:

Enlarge my current property

8. Description of any improvement on the area to be vacated including but not limited to paving, gravel, utilities or structures:

Laurence Ave is a wooded pathway with stone and sand

I certify that the information set forth or attached to this application are true and accurate.


Signature of Applicant or Applicant's Representative

June 15, 2021

Date

NOTES:

- (1) Applicant must furnish with this application a reproduction of the tax map showing the area surrounding the area to be vacated, as well as all intersecting roads and adjoining parcels. The reproduction may be obtained from the Township Assessor's Office.
- (2) Applicant must also furnish with this application a signed consent form in the attached format from each of the property owners of property adjoining the area to be vacated.
- (3) Applicant agrees to pay all additional fees and expenses as stipulated in the Township's Street Vacation Ordinance.
- (4) Applicant must supply (at the time of application) proof of notification to the property owners within two hundred (200) feet of the area to be vacated.
- (5) Affidavit of publication from local newspaper must be submitted at the time of application.



Bernard M. Collins

SURVEYING, INC.

7 Pelican Drive, Unit 2

Bayville, NJ 08721

Email: delcols@comcast.net

MICHAEL COLLINS, L.S.
President

PH: (732) 341-4200
FAX: (732) 237-2623

DATE: 10/6/2021

JOB NO. S-20635MB-1

DESCRIPTION OF A PORTION OF LAURENCE AVENUE TO BE VACATED
BERKELEY TOWNSHIP TAX MAP
OCEAN COUNTY, N.J.

DESCRIPTION- BEING A PORTION OF LAURENCE AVENUE TO BE VACATED, AS
SHOWN ON THE BERKELEY TOWNSHIP TAX MAP, OCEAN COUNTY, NEW JERSEY.

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF
LAURENCE AVENUE, (50.00 FT. R.O.W.), (UNIMPROVED), WITH THE WESTERLY LINE OF
BERKELEY AVENUE, (50.00 FT. R.O.W.), THENCE;

FROM SAID POINT OF BEGINNING- RUNNING:

1. SOUTH 09 DEGREES 16 MINUTES 00 SECONDS WEST, A DISTANCE OF 25.00 FT.,
TO A POINT, THENCE:
2. NORTH 80 DEGREES 44 MINUTES 00 SECONDS WEST, A DISTANCE OF 200.00 FT.,
TO A POINT IN THE EASTERLY LINE OF FARRELLY AVENUE, (50.00 FT. R.O.W.),
(UNIMPROVED), THENCE:
3. NORTH 09 DEGREES 16 MINUTES 00 SECONDS EAST, A DISTANCE OF 25.00 FT.,
TO A POINT, THENCE:
4. SOUTH 80 DEGREES 44 MINUTES 00 SECONDS EAST, A DISTANCE OF 200.00 FT.,
TO THE POINT OF BEGINNING.

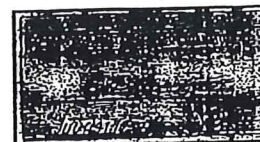
THE ABOVE DESCRIBED PROPERTY IS COMMONLY KNOWN AS A PORTION OF
LAURENCE AVENUE, TO BE VACATED, AS SHOWN ON THE BERKELEY TOWNSHIP TAX
MAP, OCEAN COUNTY, NEW JERSEY.

BERNARD M. COLLINS
LICENSED LAND SURVEYOR N.J. LIC. NO. 29181

NOTE: THIS MAP HAS BEEN RE-DRAWN USING COMPUTER AIDED DRAFTING (CAD)
FROM ORIGINAL TAX MAPS PREPARED BY JOHN C. FELLOWS & SON - CIVIL ENGINEERS, ON DECEMBER 19587

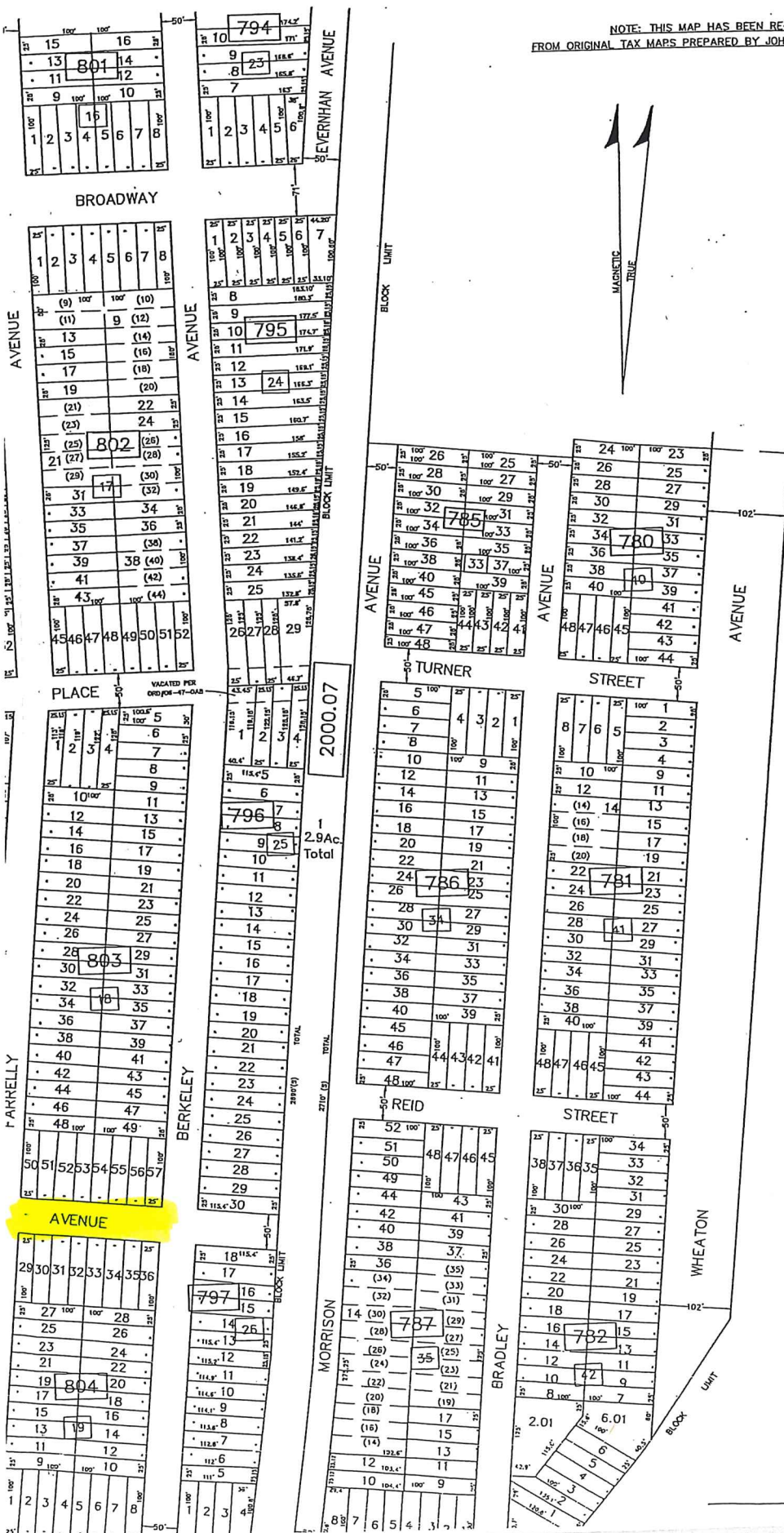
REVISIONS		
DATE	NAME	NUMBER
12-70	ALFRED L. MESSANO	
02-71	ALFRED L. MESSANO	
03-72	ALFRED L. MESSANO	
08-76	ALFRED L. MESSANO	
01-77	ALFRED L. MESSANO	
12-87	SHEPHERD, WEINERT & SMILDZINS, C.P.C.	
08-11-88	EDWARD M. WEINERT	LS 31284
01-30-89	EDWARD M. WEINERT	LS 31284
06-01-89	EDWARD M. WEINERT	LS 31284
06-06-90	EDWARD M. WEINERT	LS 31284
12-22-08	THOMAS CRADER	LS 21782
12-20-16	CHARLES E. ADAMSON	LS 42627
12-5-2018	CHARLES E. ADAMSON	LS 42627

SEE SHEETS
No 124 & No 128



BERKELEY TOWNSHIP TAX MAP
OCEAN COUNTY NEW JERSEY
SCALE: 1"=100' DECEMBER 1958

JOHN C. FELLOWS & SON - CIVIL ENGINEERS
310 MAIN STREET TOMS RIVER, N.J.



#21-35-OAB

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF THE HOUSES LOCATED AT 12 BEACH AVENUE, 23 DORRANCE DRIVE, 43 DORRANCE DRIVE AND 49 DORRANCE DRIVE FROM THE COUNTY OF OCEAN IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(1)

Foregoing Ordinance was duly passed after Public Hearing held October 25, 2021 at a regular meeting of the Township of Berkeley and were approved by the Mayor on 10/25/2021.

#21-36-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 994, LOT 16 ON THE MUNICIPAL TAX MAP TO MICHAEL & MICHELLE DRIES IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (NORWOOD DRIVE; \$7,600.00)

#21-38-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF LAURENCE AVENUE ABUTTING BLOCK 803, LOTS 50-57 AND BLOCK 804, LOTS 29-36

#21-39-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER XIV, ENTITLED "ESTABLISHMENT OF THE POLICE DEPARTMENT AND VOLUNTEER FIRE DEPARTMENT" (Chaplain 14-5.7)

#21-40-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEE TITLES AND ESTABLISHING THE METHOD OF SUCH COMPENSATION (Supervising EMT)

The foregoing ordinances were introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on October 25, 2021, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 22nd day of November, 2021, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, or through virtual means, if needed (instructions to attend or join and provide public comment at the Township's meeting on that date are located on the Township's website <http://www.berkeleystownship.org/>). During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same.

BEVERLY M. CARLE, RMC Township Clerk
Berkeley Township

(\$51.30)

0004993301-01

BERKELEY TOWNSHIP

THE REORGANIZATION MEETING OF THE TOWNSHIP COUNCIL AND THE BERKELEY BOARD OF HEALTH WILL BE HELD AT THE BERKELEY TOWNSHIP MUNICIPAL BUILDING, 627 PINEWALD-KESWICK ROAD, BAYVILLE, NJ, ON MONDAY, JANUARY 3, 2022 AT 5:00 PM. PUBLIC INVITED. OFFICIAL ACTION WILL BE TAKEN.

Beverly M. Carle, RMC
Township Clerk

#21-36-OAB

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 994, LOT 16 ON THE MUNICIPAL TAX MAP TO MICHAEL & MICHELLE DRIES IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (NORWOOD DRIVE; \$7,600.00)

#21-38-OAB

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF LAURENCE AVENUE ABUTTING BLOCK 803, LOTS 50-57 AND BLOCK 804, LOTS 29-36

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AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING THE TOWNSHIP CODE, SO AS TO AMEND CHAPTER XIV, ENTITLED "ESTABLISHMENT OF THE POLICE DEPARTMENT AND VOLUNTEER FIRE DEPARTMENT" (Chaplain 14-5.7)

#21-40-OAB

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR CERTAIN EMPLOYEE TITLES AND ESTABLISHING THE METHOD OF SUCH COMPENSATION (Supervising EMT)

Foregoing Ordinances were duly passed after Public Hearing held November 22, 2021 at a regular meeting of the Township of Berkeley and were approved by the Mayor on 11/22/2021.

#21-41-OA

ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 301, LOT 18 ON THE MUNICIPAL TAX MAP TO FRANK & TIFFANI NIGRO IN ACCORDANCE WITH THE PROVISIONS OF N.J.S.A. 40A:12-13 (b) AND N.J.S.A. 40A:12-13.2 (GRAND CENTRAL PARKWAY; \$9,900.00)

#21-42-OA

AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF SPARROW AVENUE (SIXTH AVENUE) ABUTTING BLOCK 1372, LOTS 1 & 2, AND BLOCK 1362, LOTS 21-24

The foregoing ordinances were introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on November 22, 2021, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 20th day of December, 2021, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, or through virtual means, if needed (instructions to attend or join and provide public comment at the Township's meeting on that date are located on the Township's website <http://www.berkeleytownship.org/>). During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same.

BEVERLY M. CARLE, RMC Township Clerk
Berkeley Township

(\$65.70)

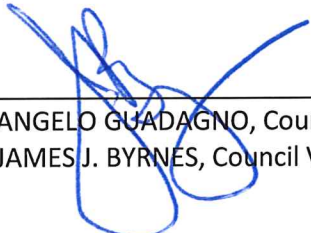
SECTION 3. This ordinance shall be published at least once in an official newspaper of the Township of Berkeley at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

SECTION 4. The Township Clerk, if this ordinance is adopted on final reading, shall submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk's Office for recording in the Book of Vacations.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

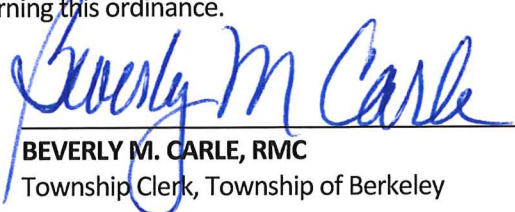
SECTION 6. A copy of Schedule A as referenced herein shall be kept on file and made available for public inspection in the Township Clerk's Office during normal business hours.

SECTION 5. A condition of the vacation of the portion of Laurence Avenue is that this street must be consolidated with Block 803, Lots 50-57 and Block 804, Lots 29-36 and the property owners must execute a full access utility easement in favor of the Berkeley Township Municipal Utilities Authority, if required by same.


CARMEN F. AMATO, JR., Mayor
ANGELO GUADAGNO, Council President
JAMES J. BYRNES, Council Vice President

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Township Council of the Township of Berkeley, in the County of Ocean, State of New Jersey, held on October 25, 2021, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 22nd day of November, at 6:00 p.m., or as soon thereafter as this matter can be reached, at the meeting room of the Municipal Building located at 627 Pinewald-Keswick Road, Bayville, New Jersey, at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.


BEVERLY M. CARLE, RMC
Township Clerk, Township of Berkeley