

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

Application Fee: \$ 1,000.00

There are additional fees and documents required after initial approval.

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

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:

3. Name and a general description of the street, highway, right-of-way or other public place to be vacated (*If part of a Planning or Zoning Board Application please Provide Application Number*):

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:

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:

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

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

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

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

Signature of Applicant or Applicant's Representative

Date

Email Address: _____

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.

Incomplete Applications will not be accepted

§17-2.4 Favorable Determination; Additional Fees

Where the applicant has been notified that the Township Council has determined to act favorably on the application, the applicant shall forthwith provide the Township Clerk with a metes and bounds description of the area to be vacated, prepared and sealed by a surveyor, and a survey map of the area to be vacated including all properties involved in the vacation, together with such other information as may be requested by the Township Council in its notification to the applicant. In addition, the applicant shall forward the following additional fees to the Township Clerk, which shall be payable to the Township of Berkeley:

- a. The sum of \$350 toward the preparation of the ordinance to be enacted by the Township Council in connection with the proposed vacation.
- c. A sum equal to the costs of advertising such ordinance, which such estimate shall be prepared by the Township Clerk and be made available to the applicant.
- d. A sum equal to the estimated recording costs of the ordinance to be enacted by the Township Council. The Township Clerk shall prepare such estimate and make the same available to the applicant.

The metes and bounds description, as well as all fees listed above, shall be provided to the Township within six months of receipt of notification to the applicant of a favorable application unless extended by the governing body prior to the expiration of the six month period.

Legal Notice

To: All property owners within 200' of a portion of _____

_____, owner of properties as listed in item 1 below.

1. _____, Berkeley Township, New Jersey is the owner of

Block: _____ Lot(s):

2. _____ will be filing an application with the Berkeley Township Clerk to vacate the following paper street(s):

3. The purpose of the vacation is to enlarge the size of the properties noted in item 1 to be used as

4. _____ will also be publishing this notice in the legal advertising section of a daily newspaper with local distribution.

5. Please write or telephone the Berkeley Township Clerk's Office or Town Hall at 627 Pinewald Keswick Road, P.O. Box B, Bayville, New Jersey 08721; (732)244-7400 or the office of the Township Engineer Alan Dittenhofer, 9 Allen Street, PO Box 1540, Toms River, New Jersey, 08754, if you wish to submit comments on the vacation request.

SAMPLE

**CONSENT FORM
(APPLICATION FOR VACATION OF STREET)**

I/We, the property owners of Block _____, Lots _____,
adjoining the area requested to be vacated on _____,
(name of street)
which has been requested by _____, do hereby consent to the
(name of person(s) requesting vacation)
requested vacation if granted by the Township of Berkeley.

I/we understand that if this vacation is granted, we shall receive fifty percent
(50%) of the title of the stated road,

Print Name

(Signature)

Date

Print Name

(Signature)

Date

Sworn to and subscribed before me

this _____ day of _____ 20 ____

(Signature of Notary)