

**ORDINANCE NO. 2025-12-OA B**

**AN ORDINANCE OF THE TOWNSHIP OF BERKELEY, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, AUTHORIZING THE VACATION OF PORTIONS OF  
CLIFTON AVENUE (BETWEEN TRENTON AVENUE AND EASTERN  
BOULEVARD, INTERSECTION AT SOUTHERN BOULEVARD) ABUTTING  
BLOCK 714, LOTS 12, 14, 16, 18 & 20 AND BLOCK 729, LOTS 1, 13, 15, 17 &  
19**

March 17, 2025

**WHEREAS**, there exists a right-of-way on Clifton Avenue (between Trenton Avenue and Eastern Boulevard, intersection at Southern Boulevard), Block 714, Lots 12, 14, 16, 18 & 20 and Block 729, Lots 1, 13, 15, 17 & 19, 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 Clifton Avenue (between Trenton Avenue and Eastern Boulevard, intersection at Southern Boulevard), described in Schedule A, provided by the property owner of adjacent property owners, Wayne & Ashley Marian and Frank & Jennifer Rose, 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 Clifton Avenue (between Trenton Avenue and Eastern Boulevard, intersection at Southern Boulevard) abutting Block 714, Lots 12, 14, 16, 18 & 20 and Block 729, Lots 1, 13, 15, 17 & 19, 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.

