

TOWNSHIP OF MOORESTOWN

ORDINANCE 24-2006

**AN ORDINANCE OF THE TOWNSHIP OF MOORESTOWN
RELEASING, VACATING AND EXTINGUISHING THE PUBLIC RIGHT TO
CONSTRUCT AN IMPROVED MUNICIPAL ROAD ON A PORTION OF LINDEN STREET**

WHEREAS, the 2002 Master plan contains a recommendation that a portion of Linden Street be vacated east of the Public Works facility to prevent through traffic using Linden Street as a collector or higher order street; and

WHEREAS, the Council wishes to address public concern regarding the possible utilization of Linden Street as a public collector street should it be fully developed as a municipal street; and

WHEREAS, there are no plans to expend public funds to improve that portion of Linden Street which is designated as a paper street; and

WHEREAS, the Council has been advised that a significant portion of Linden Street has severe environmental constraints which make utilization as a public collector street unlikely; and

WHEREAS, the governing body supports the recommendation set forth in the 2002 Master Plan that the remaining portions of Linden Street that could be constructed as part of future residential development(s) be used only to access residential lots.

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

- Section 1. The public rights and interest in a portion of Linden Street in the vicinity of the Swedes Run wetlands are hereby vacated for the purpose of constructing an improved municipal street. The portion of Linden Street being vacated is set forth in the description prepared by Environmental Resolutions, Inc. dated September 16, 2006 which is attached as Exhibit A and incorporated herein.
- Section 2. Reserved and excepted from this vacation are all rights and privileges possessed by public utilities and cable television companies to maintain, repair and replace their existing facilities adjacent to, over and under the street to be vacated.
- Section 3. Effective date. This ordinance shall take effect upon its final passage, adoption and publication on the earliest date permitted by law.
- Section 4. Severability. If any section, paragraph, clause, phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or inoperative, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

Section 5. Short Title. This ordinance may be cited as Ordinance No. 24-2006.

CERTIFICATION

I hereby certify that Ordinance No. 24-2006 was introduced and adopted on first reading by the Township Council at a meeting held on September 11, 2006. This ordinance was duly adopted by the Township Council of the Township of Moorestown, County of Burlington, State of New Jersey at a meeting of the Township Council held on September 25, 2006.

VOTE:

ABERANT	YES
ROCCATO	YES
MILLER	YES
SEGAL	YES
ERON	YES

Patricia L. Hunt, RMC
Township Clerk



ENVIRONMENTAL RESOLUTIONS, INC.
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 Joseph P. Orsino, CET
 Marc H. Selover, PG

**DESCRIPTION OF A PORTION OF LINDEN STREET (60 FOOT
 WIDE) VACATED IN THE TOWNSHIP OF MOORESTOWN,
 COUNTY OF BURLINGTON, STATE OF NEW JERSEY, SAID
 DESCRIPTION BEING MORE PARTICULARLY DESCRIBED AS
 FOLLOWS :**

Stacey E. Arcari, PE
 Timothy Kaluhiokalani, CLA
 David J. Latini, PE, PP, CME, CPWM
 John L. Scott, Jr., PLS
 Patrick S. Vitarelli, PLS, PP
 Charles L. Walton, Jr., PE, PP, PLS

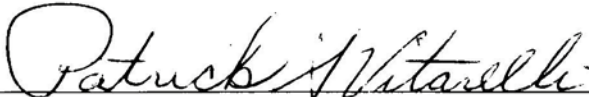
Beginning at a point in the southeasterly right of way line of Linden Street, said point being N 42°-35'-40"E a distance of 20.00 feet from the division line of Block 6000, Lot 13; lands now or formerly belonging to Harry C. & Janet H. Knowles and Block 6000 Lot 14; lands now or formerly belonging to Local 106 IUE; thence

1. Along the southeasterly right of way line of Linden Street, N 42°-35'-40" E a distance of 320.00 feet to a point; thence
2. Through said Linden Street, N 47°-24'-20" E a distance of 60.00 feet to a point in the northwesterly right of way line of said Linden Street; thence
3. Along said right of way line of Linden Street, S 42°-35'-40" W a distance of 320.00 feet to a point; thence
4. Through said right of way line of Linden Street, S 47°-24'-20" E a distance of 60.00 feet to the point and place of beginning.

CONTAINING 19,200 square feet more or less.

Said Vacation of a portion of Linden Street, as shown on the Official Tax Map of the Township of Moorestown, County of Burlington, and State of New Jersey.

Said description being compiled from the deed of records (Deed Book 1136, Page 22), Tax Map information and field information performed by Environmental Resolutions Inc., on September 16, 2006.


 Patrick S. Vitarelli, PLS #27895

September 16, 2006

Regional Office:

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