

CITY OF ABSECON

ORDINANCE 14-2022

AN ORDINANCE AUTHORIZING ACCEPTANCE AND DEDICATION OF PUBLIC ROADWAY

WHEREAS, the City of Absecon is the owner of property bordering both Highland Boulevard and New Jersey Avenue known as Block 198, Lot 5, on the Official Tax Map of the City of Absecon, Atlantic County, New Jersey; and

WHEREAS, a portion of said property has been proposed for acceptance by dedication to the City of Absecon in accordance with a map entitled "Proposed Right of Way Easement / Dedications – Highland Boulevard & Mill Road Right of Way Dedications" dated July 27 2020 and prepared by Remington Vernick Engineers, Inc., attached hereto as Exhibit "A" and incorporated herein by reference; and

WHEREAS, Remington Vernick Engineers, Inc., has prepared a metes and bounds description of the portions of said property to be dedicated to the City of Absecon, attached hereto as Exhibit "B" and incorporated herein by reference; and

WHEREAS, the City Council of the City of Absecon is desirous of accepting a dedication of the aforesaid right of way for the use and benefit of the City of Absecon, together with maintenance and repair responsibility related to the same;

WHEREAS, N.J.S.A. 40:67-1(a) authorizes the governing body of every municipality to adopt an ordinance to ascertain and establish the boundaries of all streets, highways, lanes, alleys and public places in the municipalities; and

WHEREAS, N.J.S.A. 40:67-1(b) authorizes the governing body of every municipality to adopt an ordinance to accept any street, highway, lane, alley, or other place, or any part thereof, dedicated to public use, and thereafter, improve and maintain the same; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, a municipality must publish ordinances authorizing vacations or dedications of land in the manner required by N.J.S.A. 40:49-2, except that every such ordinance, after being introduced and having passed a first reading, shall be published at least once not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage, and, at least one week prior to the time fixed for final passage, a copy of such ordinance, together with a notice of the introduction thereof and the time and place when and where the ordinance shall be considered for final passage shall be mailed to every person whose lands may be affected by the ordinance; and

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Absecon, County of Atlantic, and State of New Jersey as follows:

1. The portion of Block 198, Lot 5, more fully described in the attached Exhibits "A" and "B" is hereby dedicated and accepted; and
2. The Mayor and City Clerk are hereby authorized and directed to execute any documents which may be required to dedicate, accept, and convey the aforesaid lands; and


3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and
4. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and
5. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

DATED: September 15th, 2022

SIGNED:


Kimberly Horton, Mayor

ATTEST:


Carie A. Crone, RMC, Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on August 4th, 2022.
Laid over and advertised for public hearing and final adoption on September 15th, 2022. Notice is
hereby given that the foregoing Ordinance was approved for final adoption by the Municipal
Council of the City of Absecon at a regular meeting held on September 15th, 2022.