

## TOWNSHIP OF FLORENCE

### Ordinance No. 2009-11

**An Ordinance of the Township of Florence Vacating the Public Interest in a certain fifteen (15) feet wide alley running between Fifth Street and Third Street and to Provide that the vacated area shall be incorporated into the abutting properties, located in the Township of Florence, Burlington County, New Jersey**

**Whereas**, N.J.S.A. 40:67-1 et seq. authorizes a municipality to vacate the public interest in any public street, highway, lane or alley or any part thereof; and

**Whereas**, N.J.S.A. 40:67-19 states that where there has been a dedication of lands as a public place and the same has not been accepted or opened by the municipality, the governing body may, by Ordinance, release and extinguish the public right arising from the dedication

**Whereas**, the Township Council of the Township of Florence finds and determines that a certain fifteen (15) feet wide alley running between Fifth Street and Third Street as further and particularly described in the description prepared by Steven C. Woodrow, P.L.S., and attached hereto and made a part of this Ordinance is not needed for any public purpose and that the public interest therein should be vacated and extinguished.

**Now, Therefore, Be It Ordained**, by the Township Council of the Township of Florence, County of Burlington, State of New Jersey as follows:

**Section 1. Statutory Authority:** This Ordinance is enacted pursuant to the authorization provided in N.J.S.A. 40:67-1 et seq.

**Section 2. Findings and Vacation:** The certain fifteen (15) feet wide alley running between Fifth Street and Third Street as further and particularly described in the description prepared by Steven C. Woodrow, P.L.S., and attached hereto and made a part of this Ordinance is not needed for any public purpose and that the public interest therein should be vacated and extinguished and all rights and title thereto shall be conveyed to

and consolidated with the abutting parcels, as set forth in the legal descriptions prepared by Steven C. Woodrow, P.L.S. attached hereto and made a part hereof.

**Section 3.** Within sixty (60) days of the effective date of this ordinance, the Township Clerk shall file a certified true copy of this ordinance and a copy of the proof or publication with the office of the Burlington County Clerk.

**Section 4.** The owners of the properties designated to receive the portions of the vacated alley shall be responsible for reimbursement to the Township of Florence for all costs related to the vacating of the alley, the consolidation of the lots and the modification of the maps of the Township to reflect the changes.

**Section 5.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court or competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof.

**Section 6.** All ordinances or parts of ordinances of the Township of Florence heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**Section 7.** This ordinance shall take effect immediately upon final passage. Notice of adoption shall be published as provided by law.

**TOWNSHIP OF FLORENCE**  
**NOTICE OF PENDING ORDINANCE**

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**Take Notice** that the Ordinance identified above vacates the public interest in a certain certain fifteen (15) feet wide alley running between Fifth Street and Third Street and to provide that the vacated area shall be incorporated into the abutting properties by deed in accord with specific meets and bounds descriptions incorporated into the Ordinance.

The Ordinance has been adopted on first reading by the Township Council of the Township of Florence, County of Burlington, State of New Jersey, held on May 20, 2009. It will be considered for final passage after public hearing to be held on June 3, 2009, at 8:00 P.M. in the Municipal Complex, Council Chambers, 711 Broad Street, Florence, New Jersey.

Copies of the full ordinance and the legal descriptions of the parcels are on file with the Township Clerk of the Township of Florence in the Municipal Complex. Copies may be obtained on request and a copy is posted on the municipal bulletin board in the Municipal Complex at 711 Broad Street, Florence, New Jersey.

Joy M. Weiler, RMC, MMC  
Township Clerk

