

BOROUGH OF RIVERDALE

ORDINANCE NO. 12- 2007

AN ORDINANCE TO VACATE ANY PUBLIC INTEREST OVER A PORTION OF MATHEWS AVENUE

WHEREAS, Mathews Avenue was dedicated to the public by virtue of historic usage and is shown on a road return filed with the County of Morris as B-205; and

WHEREAS, the Borough of Riverdale has determined that it wishes to vacate the public interest in a portion of Mathews Avenue due to a relocation of a portion of Mathews Avenue as herein described.

NOW, THEREFORE, BE IT ORDAINED by the Borough Mayor and Council of the Borough of Riverdale, in the County of Morris, and State of New Jersey, as follows:

Section 1. A portion of Mathews Avenue is hereby vacated as to the public's interest and any public interest therein be and the same is hereby released and vacated.

The specific description of the vacated area is:

Beginning at the point of intersection of the northerly right-of-way line of Mathews Avenue (50 ft. wide) and the westerly right-of-way line of Paterson Hamburg Turnpike (66 ft. wide) said point also being the southeasterly corner of Lot 4 in Block 1.02 and running, thence

- 1) Along a curve to the left having a radius of 50 feet an arc length of 70 feet more or less to a point of tangency, thence
- 2) Westerly along the new right-of-way line of Mathews Avenue a distance of 115 feet more or less to a point on the old right-of-way of Mathews Avenue, thence
- 3) Easterly along the old right-of-way line of Mathews Avenue a distance of 170 feet more or less to the point and place of beginning and there to end.

Section 2. The vacation of the above-described property shall in no way effect any private rights which may exist at the time of passage and adoption of this Ordinance.

Section 3. That pursuant to law, all rights and privileges possessed by any public utility are hereby reserved and exempted from the effects of this Ordinance.

Section 4. That a copy of this Ordinance shall be forwarded by the Borough Clerk together with a certified copy of the Proof of Publication to the property County office according to law.

Section 5. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Adopted this ____ day of _____, 2007.

Carol Talerico, Borough Clerk

William Budesheim, Mayor

CLERK’S CERTIFICATION

NOTICE is hereby given that the above Ordinance was introduced and passed first reading by title at a regular meeting of the Mayor and Council of the Borough of Riverdale, held on September 17, 2007, and it will be considered for final passage at a regular meeting of said Mayor and Council to be held on October 15, 2007, at 7:30 p.m. or as soon thereafter same can be considered, in the Municipal Building, 91 Newark Pompton Turnpike, Riverdale, New Jersey, at which time and place all persons interested therein or affected thereby will be given an opportunity to be heard concerning same. During the week prior and up to the time of public hearing, copies of said Ordinance will be available to the members of the general public who request same, in the Borough Clerk’s Office between the hours of 9:00 a.m. and 4:30 p.m.

Carol J. Talerico, R.M.C.
Municipal Clerk