

**CITY OF WOODBURY, NEW JERSEY
ORDINANCE #2184-13**

**AN ORDINANCE RELEASING, EXTINGUISHING AND VACATING
THE RIGHTS OF THE PUBLIC IN AN ALLEY ADJACENT TO SOUTH
EVERGREEN AVENUE IN THE CITY OF WOODBURY, COUNTY
OF GLOUCESTER AND STATE OF NEW JERSEY**

WHEREAS, the City Council of the City of Woodbury, County of Gloucester, New Jersey (“City”) is of the opinion that the public interest would be best served by abandoning, vacating, releasing, and extinguishing any and all public rights in and to the alley adjacent to SOUTH EVERGREEN AVENUE, which is no longer needed for a public street or right-of-way purposes; and

WHEREAS, the alley is more particularly identified by the Deed Description prepared by Pennell Land Surveying, Inc., dated October 2, 2012, and the “Plan of Minor Subdivision; Lot Consolidation; and Alley Vacation” prepared by Pennell Land Surveying, Inc., dated October 2, 2012, which documents are attached hereto and incorporated herein by reference; and

WHEREAS, it has been determined by the City Council that the proposed Alley Vacation is consistent with the approval granted by the City of Woodbury Combined Planning/Zoning Board of Adjustment memorialized by Resolution No. 24-2012 (Application No.: P/Z-10-12) granted to the Seniors Housing Development Corporation of Gloucester County.

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

SECTION I. All public easements, rights and interests in and to the twenty (20) foot alley adjacent to South Evergreen Avenue within the City of Woodbury, as set forth in the attached Deed Description annexed hereto as **Exhibit ‘A’** and made a part hereof, and as depicted on the sketch entitled “Plan of Minor Subdivision; Lot Consolidation; and Alley Vacation” dated October 2, 2012, prepared by Pennell Land Surveying, Inc., annexed hereto as **Exhibit ‘B’**, be and is hereby vacated, abandoned and released for street or right-of-way purposes.

SECTION II. Any and all rights and privileges possessed by public utilities and by any cable television company on, over and across the described portion of the vacated area of the alley are hereby expressly reserved and excepted from this vacation.

SECTION III. Eight (8’) feet of the 20’ by 295.50’ portion of the alley in question shall be annexed to the adjoining lot identified as Consolidated Block 140, Lot 2.05 with Twelve (12’) feet being annexed to Consolidated Block 141.03, lot 19 on the City of Woodbury Tax Maps owned by Seniors Housing Development Corporation of Gloucester County.

SECTION IV. The Lots owned by Seniors Housing Development Corporation of Gloucester County identified as Consolidated Lot 2.05 of Block 140 and Consolidated Lot 19 of Block 141.03 on the City of Woodbury Tax Maps are hereby reconfigured due to the within vacation, and the alley limit lines shall be eliminated, as depicted

on the sketch entitled "Plan of Minor Subdivision; Lot Consolidation; and Alley Vacation" dated October 2, 2012, prepared by Pennell Land Surveying, Inc., annexed hereto as Exhibit 'B'.

SECTION V. The official Tax Map of the City of Woodbury be and is hereby amended and revised to reflect: (a) the vacation of the said 20' by 295.50' alley adjacent to South Evergreen Avenue, as described in **Exhibit 'A'**, and depicted on **Exhibit 'B'**; (b) the elimination of the alley limit line, so that hereafter the vacated portions of the subject alley shall be merged into Block 140, Lot 2.05(8' ft.) and Block 141.03, Lot 19(12' ft.), respectively, owned by Seniors Housing Development Corporation of Gloucester County as depicted on the sketch entitled "Plan of Minor Subdivision; Lot Consolidation; and Alley Vacation", prepared by Pennell Land Surveying, Inc., dated October 2, 2012, attached hereto as **Exhibit 'B'**.

SECTION VI. The City Clerk is hereby authorized and directed to record a certified copy of this Vacation Ordinance and Exhibits directly with the Office of the Gloucester County Clerk.

SECTION VII. The Mayor and City Council are hereby authorized and directed to execute any and all documents to perfect the Alley Vacation recited herein in order to perfect the approval granted by the Combined Planning/Zoning Board of Adjustment memorialized by Resolution #24-2012, which documents shall be in the form approved by the City Solicitor and shall be recorded in the Office of the Gloucester County Clerk.

SECTION VIII. This Ordinance shall take effect immediately after final passage and publication in accordance with Law.

THE FOREGOING was introduced by the City Council of the City of Woodbury at a Regular Meeting held on May 28th, 2013. This Ordinance will be considered for adoption at final reading and publication to be held on June 11, 2013, at 7:30 p.m., or at such time as may be determined and announced, in City Hall, Council Chambers, 33 Delaware Street, Woodbury, New Jersey, at which time and place all persons interested will be given the opportunity to be heard concerning said Ordinance. During the time prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the City Clerk's Office to the members of the general public who may request same.

CITY OF WOODBURY

BY: _____
**WILLIAM H. FLEMING JR., PRESIDENT
CITY COUNCIL**

ATTEST:

ROY A. DUFFIELD, CITY CLERK

Approved: _____
WILLIAM J. VOLK, MAYOR