

TOWNSHIP OF UPPER DEERFIELD

ORDINANCE 805

VACATING DEERFIELD DRIVE, PEARSON ROAD, VILMS STREET AND ICHISAKA WAY AS PUBLIC ROADS TO BECOME PRIVATE ROADS CONTROLLED AND MAINTAINED BY THE PROPERTY OWNERS OF BLOCK 804, LOT 1, BLOCK 809, LOT 1, BLOCK 810, LOT 1, BLOCK 811, LOTS 1 & 2 AND BLOCK 812, LOT 1 AS SHOWN ON TAX MAP 8.02 OF THE TOWNSHIP OF UPPER DEERFIELD

WHEREAS Deerfield Drive, Pearson Road, Vilms Street and Ichisaka Way are public roads lying within the boundaries of the Township of Upper Deerfield, commencing and ending within the borders of the Township of Upper Deerfield, and are under the jurisdiction of the Township of Upper Deerfield; and

WHEREAS, the aforesaid roadways lie within an apartment complex known as Countryside Village, identified as Block 804, Lot 1, Block 809, Lot 1, Block 810, Lot 1, Block 811, Lots 1 & 2 and Block 812, Lot 1 as shown on the attached Tax Map 8.02 of the Township of Upper Deerfield revision date April 2016; and

WHEREAS, the aforesaid apartment complex known as Countryside Village, owned by Vesta Corporation has requested the aforesaid roadways be vacated as public roads and turned over to the apartment complex as private roadways to be controlled and maintained by the owners of the apartment complex; and

NOW THEREFORE BE IT ORDAINED by the Township Committee of the Township of Upper Deerfield that Deerfield Drive, Pearson Road, Vilms Street and Ichisaka Way as more particularly shown in the Upper Deerfield Tax Map 8.02 revision date April 2016 and attached hereto and made a part hereof be and the same is hereby vacated and will be known thereafter as private roadways;

BE IT FURTHER ORDAINED by the Township Committee of the Township of Upper Deerfield that a copy of this ordinance shall be filed with the recorder of deeds at the County of Cumberland; and

BE IT FURTHER ORDAINED that the Township of Upper Deerfield expressly reserves and excepts from vacation all rights and privileges then possessed by public utilities, as defined in R.S. 48:2-13, municipal utilities and by any cable television company, as defined in the "Cable Television Act," P.L. 1972, c. 186, (C. 48:5A-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated; and

BE IT FURTHER ORDAINED that the owners of property identified as Block 804, Lot 2, Block 805, Lots 1 & 3 and Block 806, Lot 1 & 1.01 shown on the Upper Deerfield Tax Map 8.02 and attached hereto retain an access easement to utilize the private roadway known as Deerfield Drive for access to their respective properties; and

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately, according to law.

James Crilley, Chairman

Adopted: April 18, 2019

Finally Attested:

Roy J. Spoltore, Township Clerk

First Reading: March 21, 2019

Publication: March 26, 2019

Publication of Final Adoption: April 24, 2019