

ORDINANCE OF THE BOROUGH OF PALMYRA, COUNTY OF BURLINGTON,  
STATE OF NEW JERSEY, VACATING THE PAPER STREET IN THE  
BOROUGH OF PALMYRA THAT IS LOCATED BETWEEN BLOCK 156.01, LOTS 1 AND 1.03  
AND BLOCK 158, LOT 2 ON THE TAX MAP OF THE BOROUGH OF PALMYRA

Ordinance No. 2013-13

WHEREAS, pursuant to N.J.S.A. 40-6, N.J.S.A. 40:67-1b, and N.J.S.A. 40:67-19, the governing body of the Borough of Palmyra ("Palmyra") may, by ordinance, vacate any public street, dedicated to public use but not accepted by the Borough, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, there exists a paper street situated between Block 156.01, Lots 1 and 1.03 and Block 158, Lot 2 on the tax map of Palmyra; and the aforesaid paper street remains unimproved and is more specifically described as set forth on the attached Exhibit A (the "paper street"); and

WHEREAS, the Borough has no need for said paper street and it appearing the public interest will be better served by vacating said street; and

WHEREAS, pursuant to N.J.S.A. 40:67-1b, the governing body must, by ordinance, preserve the public utilities' right to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property to be vacated.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Borough of Palmyra, in the County of Burlington, State of New Jersey, as follows:

1. The paper street that is situated between Block 156.01, Lots 1 and 1.03 and Block 158, Lot 2 on the tax map of Palmyra and is more specifically described in the attached Exhibit A, is hereby vacated in its entirety and the portions thereof divided and conveyed to the adjoining property owners 50%-50% in accordance with the law;
2. All rights and privileges possessed by public utilities, as defined by R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," N.J.S.A. 48:5A-1 et seq., to maintain, repair and replace facilities in, adjacent to, over or under the paper street, are hereby expressly reserved from vacation;
3. The Municipal Clerk shall publish, this ordinance, after being introduced and having passed a first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to N.J.S.A. 40:49-6;
4. The Municipal Clerk, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of

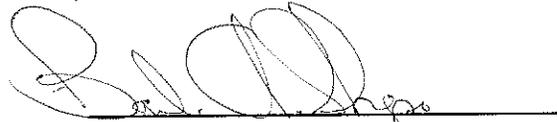
the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6, including the State of New Jersey;

5. The Municipal Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the street with the office of the County Clerk in a special book set aside for dedications and vacations pursuant to N.J.S.A. 40:67-21.

Section 1. This Ordinance shall take effect after final passage and publication according to law.

**CERTIFICATE OF CLERK**

I, Barbara Sheipe, Borough Clerk of the Borough of Palmyra, County of Burlington, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of an ordinance adopted on first reading by the Borough Council of Palmyra at a Regular meeting of said Council held on May 20, 2013, this ordinance will be heard on second and final reading at the Regular meeting of the Borough Council on June 17, 2013.



BARBARA SHEIPE  
Borough Clerk