

ORDINANCE NO. 08-15

**AN ORDINANCE OF THE TOWNSHIP OF LACEY,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
VACATING ALL OF THE RIGHT, TITLE AND INTEREST
OF THE TOWNSHIP OF LACEY IN A PORTION OF KOA
DRIVE**

WHEREAS, the governing body of the Township of Lacey has been requested to vacate all of the right, title and interest of the Township in a portion of Koa Drive in exchange for a 10 foot drainage easement across Block 181, Lot 17; and

WHEREAS, the governing body makes the determination that the public will not adversely be affected by the vacation of the Township's interest in a portion of Koa Drive.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the Township of Lacey, County of Ocean, State of New Jersey, as follows:

SECTION 1. There is hereby vacated all of the right, title and interest of the public for all public usages and purposes in and to that portion of Koa Drive as is set forth on Schedule A, attached hereto and made a part hereof. However, the Township does hereby expressly reserve and except from the vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, 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, being vacated by the provisions of this ordinance.

SECTION 2. At least one (1) week prior to the time fixed for further consideration for final passage of this ordinance, a copy hereof, together with a notice stating the introduction of the ordinance on first reading and the time and place when and where the ordinance will be considered for final passage, shall be mailed to every person whose lands may be affected by the adoption of the ordinance.

SECTION 3. This ordinance shall be published at least once in an official newspaper of the Township of Lacey at least ten (10) days prior to the time fixed for consideration of the final passage of the ordinance.

SECTION 4. The Township Clerk, if this ordinance is adopted on final reading, shall, after the acquisition of a 10 foot drainage easement across Block 181, Lot 17, submit a certified copy of this ordinance, together with proof of publication, to the Ocean County Clerk's Office for recording in the Book of Vacations.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

SECTION 6. A copy of Schedule A as referenced herein shall be kept on file and made available for public inspection in the Township Clerk's Office during normal business hours.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Committee on first reading at a meeting of the Township Committee of the Township of Lacey held on the _____ day of _____, **2008**, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the _____ day of _____, **2008**, at 8:00 p.m., at the Municipal Building located on Lacey Road in Forked River, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

VERONICA LAUREIGH, CMC, AAE
Township Clerk, Township of Lacey

GRG: bl
#014

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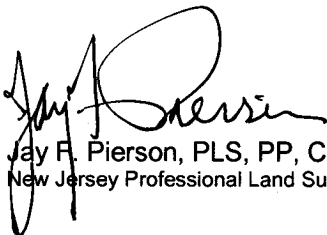
DESCRIPTION FOR A PORTION OF KOA DRIVE TO BE VACATED

Beginning at a point in the Easterly line of Koa Drive, 50-foot wide right-of-way, where the same is intersected by the division line between Lot 1 and Lot 2 Block 182. Said point is also a distance of 300.00 feet on a bearing of N12°23'50"E along the Easterly line of Koa Drive from the Northerly line of Beach Boulevard, 50 foot wide right-of-way and running, thence;

1. Perpendicular to the said Easterly line of Koa Drive and through Koa Drive N77°36'10"W a distance of 33.23 feet to the terminus of Koa drive as shown on Section D & E Forked River Beach, thence;
2. Along the terminus as shown on Section D & E Forked River Beach, N52°23'19"E a distance of 51.70 feet to the Northeasterly corner of Koa Drive, thence;
3. Along said Koa Drive and the Westerly line of Tax Lot 1 Block 182, S12°23'50"W a distance of 39.61 feet to the Point And Place Of Beginning.

Containing 658.05 Square Feet of Land More Or Less.

Being that portion of Koa Drive adjacent to and Westerly of Lot 2 on Koa Drive as shown on Map of Section E Forked River Beach filed in the Ocean County Clerks Office on 6/11/1954 as Map B-292, also shown on Section D Forked River Beach filed on 2/18/1954 as Map C-253. Lot 2 is also known as Lot 1 Block 182 as shown on Tax Map sheet 9 and in the Tax Records of Lacey Township.

 3/10/2008
Jay F. Pierson, PLS, PP, CFM, CFS
New Jersey Professional Land Surveyor #27492

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