

ORDINANCE NO. 07- 38

**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
FOREST AVENUE**

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 Forest Avenue; 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 Forest Avenue.

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 Forest Avenue 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 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 after the adjoining property owner pays the Township all fees and costs pursuant to a contract of sale dated June 18, 2007.

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 11th day of October, 2007, and will be considered for second reading and final passage at a regular meeting of the Township Committee to be held on the 25th day of October, 2007, 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