

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 2017-09

AN ORDINANCE OF THE TOWNSHIP OF LOWER VACATING A PORTION OF WASHINGTON AVENUE

WHEREAS, the owners of property known as Block 109, lots 19 through 30, located at 30 Washington Avenue, have requested that the Township vacate a portion of Washington Avenue in the Township of Lower; and

WHEREAS, the Lower Township Public Works Department, Police Department and Fire Department have approved the requested street vacation.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Lower, County of Cape May, State of New Jersey as follows:

**Section 1.** The public right, title and interest in the property described on the attached Schedule A is hereby vacated, surrendered and extinguished.

**Section 2.** Nothing contained herein shall be deemed to vacate, surrender or extinguish any right or privilege of the Township of Lower to any easements which it has, whether or not of record, or of any public utility, as defined in N.J.S.A. 48:2-13, and any cable television company, as defined in N.J.S.A. 48:5A-1, et seq. to maintain, repair and replace their existing facilities in, adjacent to, over and under the street herein vacated, or any part or parts thereof.

**Section 3.** All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed, to the extent of such inconsistency.

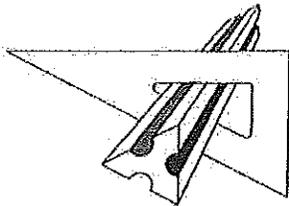
**Section 4.** Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

**Section 5.** Upon final passage and publication according to law, a copy of the Ordinance shall forthwith be certified by an appropriate officer of the Township of Lower and filed with the Secretary of State.

**Section 6.** This Ordinance shall take effect twenty (20) days after final passage and publication as provided by law.

1st Reading 7-5-2017  
2nd Reading 8-7-2017  
Attest: Julie A Picard  
Julie A Picard, Township Clerk

Thomas Conrad  
Thomas Conrad, Councilmember  
David Perry  
David Perry, Councilmember  
Roland Roy  
Roland Roy, Councilmember  
Frank Sippel  
Frank Sippel, Deputy Mayor  
Erik Simonsen  
Erik Simonsen, Mayor



# Dante Guzzi Engineering Associates, L.L.C.

CIVIL                      SURVEY                      MUNICIPAL                      ENVIRONMENTAL

□ 418 Stokes Road • Medford, New Jersey 08055 • (609) 654-4440 • Fax: (609) 654-7792  
□ 203 South Main Street • Cape May Court House, NJ 08210 • (609) 465-3333 • Fax: (609) 465-3357

## DESCRIPTION OF PROPERTY TO BE VACATED SOUTHWESTERLY ONE HALF of WASHINGTON AVENUE

**ALL THAT CERTAIN** tract or parcel of land situate in the Township of Lower, County of Cape May, State of New Jersey, more particularly described as follows:

**BEGINNING** at a point on the southwesterly side of Washington (30 feet wide) Avenue, a corner to Lots 18 and 19, Block 109, said point being located South 59 degrees 17 minutes 10 seconds East, a distance of 676.38 feet from the intersection of the southwesterly side of Washington Avenue with the easterly side of Bay Shore (50 feet wide) Road; thence

1. North 30 degrees 42 minutes 50 seconds East, a distance of 15.00 feet to a point in the center of Washington Avenue; thence
2. Along the center of Washington Avenue, South 59 degrees 17 minutes 10 seconds East, a distance of 363.67 feet to a point on the line of Lot 11, Block 174; thence
3. Along the lands of Lot 11, Block 174, South 36 degrees 46 minutes 20 seconds West, a distance of 15.08 feet to a point on the line of Lot 11, Block 174 and a corner to Lot 30, Block 109; thence
4. Along the lands of Lots 19 through 30, Block 109, North 59 degrees 17 minutes 10 seconds West, a distance of 362.08 feet to the point of Beginning.

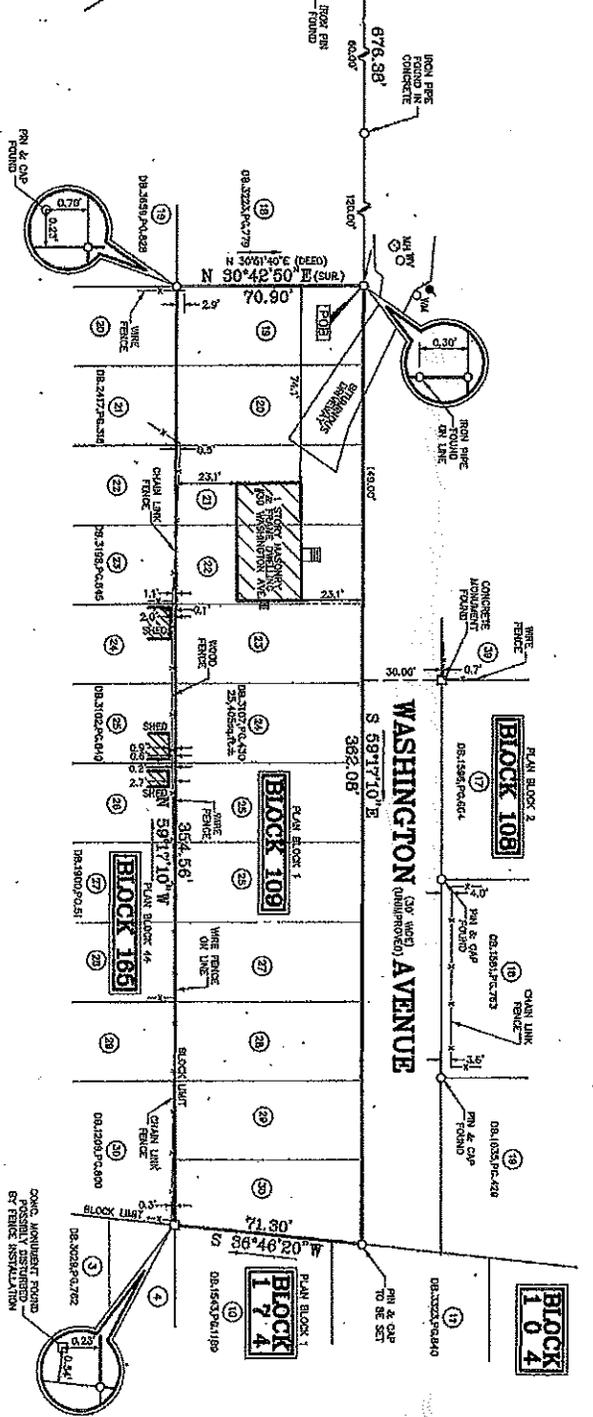
**CONTAINING** within the above described area to be vacated 5,443.14 square feet.

**It is the intention of this description** to vacate the southwesterly half of Washington Avenue in front of Block 109, Lots 19 through 30 as shown on Sheets #1.05 and 2.03 on the current Tax Maps of the Township of Lower.

Steven C. Woodrow  
Professional Land Surveyor  
NJ License No. 27514  
(June 20, 2017)



**BAY SHORE ROAD**  
(MVA COUNTY ROUTE #600)



**N O T E S**

THIS SURVEY WAS PREPARED BY THE SURVEYOR OF A COUNTY TOWNSHIP OF NEW JERSEY IN ACCORDANCE WITH THE PROVISIONS OF THE ACTS OF THE LEGISLATURE OF THIS STATE AND THE SURVEYOR HAS NOT BEEN ADVISED OF ANY INTERESTS IN THE LANDS SURVEYED WHICH MAY BE AFFECTED BY THIS SURVEY.

THE SITE IS KNOWN AS LOTS 19-30 OF BLOCK 108 AS SHOWN ON SHEETS 120 AND 203 OF THE TAX MAP OF LOWER TOWNSHIP.

THE SITE IS KNOWN AS LOTS 19-30 AND A RESERVED LOT IN BLOCK 1 AS SHOWN ON SHEETS 120 AND 203 OF THE TAX MAP OF LOWER TOWNSHIP.

THE SURVEYOR HAS BEEN ADVISED THAT THE SURVEYOR OF A COUNTY TOWNSHIP OF NEW JERSEY HAS BEEN ADVISED OF ANY INTERESTS IN THE LANDS SURVEYED WHICH MAY BE AFFECTED BY THIS SURVEY.

**PLAN REFERENCES**

REFER TO PLAN BY SURVEYOR OF A COUNTY TOWNSHIP OF NEW JERSEY FOR THE SURVEY OF THE LANDS SURVEYED IN THE COUNTY CLERK'S OFFICE ON 05/24/23 AS MAP #234.

REFER TO TOWNSHIP PLANS SECTION 3, LOWER TOWNSHIP CAPE MAY COUNTY NEW JERSEY, BY O. H. CONNOR, FILED IN THE COUNTY CLERK'S OFFICE ON 12/17/22 AS MAP #234.

REFER TO SUBDIVISION OF LANDS OF MARY A. HONEY BLOCK 108 LOTS 17-23 COUNTY CLERK'S OFFICE ON 02/28/23 AS MAP #234.

REFER TO TOWNSHIP PLANS SECTION 3, LOWER TOWNSHIP CAPE MAY COUNTY NEW JERSEY, BY O. H. CONNOR, FILED IN THE COUNTY CLERK'S OFFICE ON 02/28/23 AS MAP #234.

REFER TO TOWNSHIP PLANS SECTION 3, LOWER TOWNSHIP CAPE MAY COUNTY NEW JERSEY, BY O. H. CONNOR, FILED IN THE COUNTY CLERK'S OFFICE ON 02/28/23 AS MAP #234.



PREPARED BY: **BRYAN HANSON AND JEREL HARRILL**  
THE TITLE COMPANY OF NEW JERSEY

*Domenick A. McGonigle*  
**DOMENICK A. MCGONIGLE**  
LAND SURVEYOR  
19 ADDRESS: 1100 WOODLAND AVE. SUITE 200  
WOODBURY HEIGHTS, NJ 08097

BOUNDARY SURVEY OF  
**BLOCK 109 LOTS 19-30**  
(TAX MAP NUMBERS)  
CAPE MAY COUNTY, NEW JERSEY

LATITUDE ADJUSTMENT SURVEY SERVICES  
NEW JERSEY PROFESSIONAL LAND SURVEYOR  
762 CANDIDUS AVENUE  
WOODBURY HEIGHTS, NJ 08097

DATE	07/11/15
SCALE	1"=40'
DRAWN BY	Dann
DRAWING #	16-208