

BOROUGH OF BERLIN
ORDINANCE No. 2014-18

10.2.14

**AN ORDINANCE TO RELINQUISH, VACATE AND
EXTINGUISH PUBLIC RIGHTS IN AND TO CERTAIN
PORTIONS OF PUBLIC STREETS OR ROADWAYS
KNOWN AS PARK AVENUE AND NELSON AVENUE, IN
THE BOROUGH OF BERLIN, COUNTY OF CAMDEN,
AND STATE OF NEW JERSEY**

WHEREAS, it appears that the public interest would be better served by releasing, vacating and extinguishing the public right in and to that certain portion of land and premises known as Beech Avenue, and more particularly described hereafter:

NOW, THEREFORE, the mayor and council of the Borough of Berlin, County of Camden, State of New Jersey, do ordain:

SECTION 1. That all public rights in certain lands situate in the Borough of Berlin, County of Camden, State of New Jersey, and more particularly described hereafter, be and the same are hereby released, vacated and extinguished:

All that certain tract or parcel of land, Being part of Park Avenue and part of Nelson Avenue, situate in the Borough of Berlin, County of Camden and State of New Jersey, bounded and described as follows:

Beginning at an iron pin found at a point of curvature in the northwesterly line of Ridgeview Avenue (50' wide), said point being $S83^{\circ}13'30''W$ a distance of 50.00 feet from the division line between lot 180 & lot 181 on Plan hereinafter mentioned; thence

- (1) $S83^{\circ}13'30''W$ along the northwesterly line of Ridgeview Avenue, a distance of 96.74 feet to a point; thence
- (2) $S06^{\circ}46'30''E$ and passing through Park Avenue (said plan), a distance of 156.27 feet to a point in the centerline of Nelson Avenue (50' wide); thence
- (3) $N63^{\circ}01'05''E$ along the centerline of Nelson Avenue, a distance of 114.44 feet to a point; thence
- (4) $S26^{\circ}58'55''E$ a distance of 25.00 feet to a point in the division line between lot 189 & lot 190 (said plan); thence

- (5) S63°01'-05W along the southeasterly line of said Nelson Avenue, a distance of 50.00 feet to a point of curvature; thence
- (6) Southwestwardly and southeastwardly along a curve to the left, having a radius of 80.00 feet and an arc distance of 223.07 feet to the point and place of beginning.

Containing 7,139.7 square feet of land.

Being Part of Park Avenue and Part of Nelson Avenue, As Shown On Plan, "Extension And Revision Of Plan No. One Of The Gardens," Filed On December 7, 1923.

This description was compiled from Deed of Records and a field survey performed under the supervision of Frank A. Intessimoni, PLS #31616 of V & I Associates, Inc.

SECTION 2. All public rights of passage and easement of the Borough of Berlin for street purposes be and the same are hereby extinguished and the said public rights are released to the abutting property-owners of the aforesaid land.

SECTION 3. The borough hereby expressly reserves and accepts from vacation all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," P.L. 1972, c. 186, (N.J.S.A. 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.

SECTION 4. This ordinance shall become effective immediately upon passage and publication according to law.

Attest:

BOROUGH OF BERLIN

Charleen Santora, Clerk

John J. Armano, Mayor