

ORDINANCE #12-2018

**AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF
RIGHT-OF-WAY ALONG AMHERST AVENUE, MARGATE CITY,
ATLANTIC COUNTY, NEW JERSEY**

BE IT ORDAINED by the Board of Commissioners of the City of Margate City, County of Atlantic and State of New Jersey as follows:

WHEREAS, Harbour Bay, LLC is the developer and owner of adjoining property identified as Block 527, Lot 1, commonly known as 9317 Amherst Avenue; and

WHEREAS, Applicant Harbour Bay, LLC has requested that a 3' x 100' long section of the existing Amherst Avenue right-of-way contiguous to its property and as more fully detailed on a plan captioned "Street Vacation Plan, Block 527, Lot 1, Margate City, Atlantic County, New Jersey" dated 5/16/18, prepared by Arthur W. Ponzio Company & Associates, Inc., a copy of which is attached hereto and made a party hereof, be granted; and

WHEREAS, the Board of Commissioners have determined that said request for a partial vacation is reasonable and necessary to facilitate the development of the adjoining property owned by Harbour Bay, LLC.

NOW THEREFORE; be it ordained by the Board of Commissioners of the City of Margate City, County of Atlantic, State of New Jersey as follows:

SECTION 1. That all roads, streets, avenues, highways and alleys, included within the following described boundaries are hereby vacated and all public rights therein are extinguished situate in the City of Margate, Atlantic County, New Jersey:

BEGINNING at a point in the Westerly line of Adams Avenue (50' wide) if extended 50' Northwesterly to the division line between the Amherst Avenue Right-of-Way (50' wide) with the Southerly line of Lot 1; thence

1. North 53° 33' 00" East, in and along the southerly line of Lot 1, a distance of 100' to a point; thence
2. South 36° 27' 00" East a distance of 3' to a point; thence
3. South 53° 33' 00" West parallel with the first course a distance of 100' to a point in the west line of Adams Avenue, if extended; thence
4. North 53° 33' 00" West in and along same a distance of 3' to the point and place of BEGINNING.

Being known as a 3' x 100' street vacation area within the current Right-of-Way of Amherst Avenue.

Containing an area of 300 square feet.

SECTION 2: That the public rights arising from any dedication of the portion of said streets above mentioned and indicated on a map filed in the office of the City Clerk of Margate and described above, so vacated as aforesaid, be and the same are hereby released and extinguished..

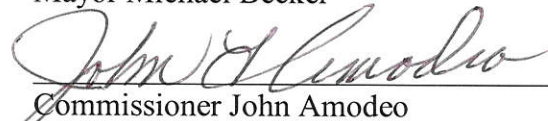
SECTION 3: That the City Clerk shall immediately after final passage and publication of this Ordinance, make and file in the office of the Clerk of the County of Atlantic, a copy of this Ordinance, together with a copy of the proof of publication hereof, duly certified by him/her, under corporate seal of the City of Margate, for record, as required by law.

SECTION 4: That all Ordinances or parts of Ordinances inconsistent with the provisions hereof, be and same are hereby repealed and that this Ordinance shall take effect immediately after final passage and publication.

SECTION 5. This Ordinance shall take effect upon its final passage and publication as required by law.



Mayor Michael Becker



Commissioner John Amodeo



Commissioner Maury Blumberg

Board of Commissioners of the City of
Margate City, NJ

Introduction: May 17, 2018
Published: May 21, 2018
Enactment: June 7, 2018
Published: June 11, 2018