

**BOROUGH OF NORWOOD**

**ORDINANCE NO. 07:16**

**VACATING A PORTION OF EIGHTH STREET IN  
THE BOROUGH OF NORWOOD**

**WHEREAS**, Eighth Street is shown on the Zoning Map and Tax Map of the Borough of Norwood ("Borough") as a public roadway in the central woods area of the Borough; and

**WHEREAS**, the Mayor and Council finds that Eighth Street was dedicated to public use but was not accepted by the Borough, and, as a part of the Borough's efforts to preserve the central woods, it appears that the portion of Eighth Street between the north sideline of Fifth Avenue (an 80 foot right of way) to the south sideline of Madison Avenue (an 80 foot right of way), as shown on the Borough's tax map ("Subject Property"), is no longer necessary for use among the streets and highways in the Borough; and

**WHEREAS**, it appears that the public interest would be best served by the adoption of this ordinance releasing and vacating the Subject Property from the dedication to street and public highway use.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough, in accordance with provisions N.J.S.A. 40:67-1(b), N.J.S.A. 40:67-19, and N.J.S.A. 40:55D-32, as follows:

SECTION 1: The Subject Property is vacated as a public street, and the rights of the public therein are released and extinguished, except that all existing rights and privileges of any 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 (C48:5A-1) et seq.), the Borough, the Bergen County Utilities Authority, and their successors, to maintain, repair and replace their existing facilities in, adjacent to, over, or under the portion of the street that is vacated by this ordinance.

SECTION 2: The Borough's tax map and zoning map are hereby amended and revised to the extent necessary to delete any reference to any portion of the Subject Property as a part of Eighth Street.

SECTION 3: All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

SECTION 4: The provisions of this ordinance are severable. If any part of this ordinance is declared to be unconstitutional or invalid by any court, the remaining parts of this ordinance will remain in full force and effect.

SECTION 5: This ordinance shall take effect immediately upon final passage and publication as required by law. This

ordinance shall be recorded in the appropriate book of road vacations in the County of Bergen, as required by N.J.S.A. 40:67-21.

Introduced and passed first reading: June 6, 2007

Passed second reading: July 3, 2007

ATTEST:

APPROVED BY:

  
Lorraine McMackin, Borough Clerk

  
James P. Barsa, Mayor

C:\NrPortbl\Legal\RRUFRANO\166417\_1.DOC