

BOROUGH OF NORWOOD

ORDINANCE NO.07:32

**VACATING A PORTION OF BLANCH AVENUE IN
THE BOROUGH OF NORWOOD**

WHEREAS, Blanch Avenue 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 Blanch Avenue 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 a portion of Blanch Avenue to the east of Dwar's Kill, as shown on the tax map, is no longer necessary for use among the streets and highways in the Borough; and

WHEREAS, Blanch Avenue is of historical note because it was surveyed and laid out in 1795 and because it was named after Colonel Thomas Blanch; and

WHEREAS, it appears that the public interest would be best served by the adoption of this ordinance releasing and vacating a portion of Blanch Avenue 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 portion of Blanch Avenue described below 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. This ordinance vacates the portion of Blanch Avenue that is shown as a 53-foot right of way on the Borough's current tax map, beginning at a line consisting of the extension of the southern boundary line between Lot 3 in Block 81 and Lot 1 in Block 68, and continuing to the center of the Dwar's Kill, which is the boundary line between the Borough of Norwood and the Borough of Closter, excepting an eight-foot wide portion of the said part of the Blanch Avenue, measured four feet on each side of the center line thereof, which shall remain a dedicated but not accepted road.

SECTION 2: The Borough's tax map and zoning map are hereby amended and revised to the extent necessary to delete any reference to the portion of Blanch Avenue that is vacated by this ordinance.

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.

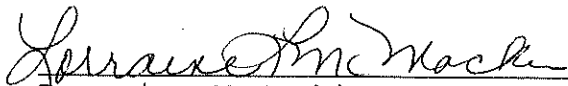
SECTION 5: This ordinance shall take effect immediately upon final passage and publication as required by law. This ordinance shall be recorded in the appropriate book of road vacations in the County of Bergen, as required by N.J.S.A. 40:67-21.

Introduced and passed first reading: November 7, 2007

Passed second reading: December 4, 2007

ATTEST:

APPROVED BY:



Lorraine McMackin, Borough Clerk



James P. Barsa, Mayor