

**CITY OF BRIGANTINE
ORDINANCE NO. 10 of 2024**

**AN ORDINANCE VACATING THE 20' PAPER STREET ALONG ATLANTIC
BRIGANTINE BOULEVARD BETWEEN BOOT ISLAND AND BLOCK 3401, LOTS 1-14**

WHEREAS, the City of Brigantine has from time to time, vacated portions of roadways which no longer serve a public use; and

WHEREAS, N.J.S.A. 40:67-1(b) permits the City of Brigantine Council to vacate any public street, highway, lane or alley, or any part thereof in order to serve the interests of the City; and

WHEREAS, there is a paper street with a twenty (20) foot right-of-way, located between Boot Island (to the North) and Block 3401, Lots 1-14 (to the South), designed to run between Cherokee Boulevard (to the West) and Edgewater Drive (to the East) that was never constructed and remains in its natural state; and

WHEREAS, the 20' paper street as described herein serves no public use, and vacation would allow the adjacent property owners to use their portion of the former alley; and

WHEREAS, the City Council believes it is in the best interest of the City and the adjacent property owners to vacate the 20' paper street; and

WHEREAS, this vacation will not land lock any other parcel.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey as follows:

1. The City Council of the City of Brigantine hereby vacates the 20' paper street, located between Boot Island (to the North) and Block 3401, Lots 1-14 (to the South), designed to run between Cherokee Boulevard (to the West) and Edgewater Drive (to the East) and as reflected on the portion of Key Sheet 2 on the Tax Map attached hereto and incorporated herein.
2. The public rights, interests and obligations of the aforementioned paper street are hereby vacated, abandoned and released.
3. The property described herein and vacated by this Ordinance shall split evenly with 20 feet to be added to and become part of the adjoining properties only.
4. In accordance with the provisions of N.J.S.A. 40:67-1, although none is believed to exist, there is hereby reserved from said vacation the rights of any public utility company or cable television company to maintain repair and replace any existing facilities located within the entire right-of-way of said road, together with the right of ingress and egress over and upon the same in order to carry out such purposes.

5. The Mayor, City Manager/Clerk and City Engineer are authorized to execute any and all documents necessary to effectuate the purpose of this Ordinance upon approval of those documents by the City Solicitor.

Repealer, Severability and Effective Date.

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.

C. This Ordinance shall take effect upon passage and publication according to law.

Introduction: May 15, 2024

Adoption: June 5, 2024


 Lynn Sweeney, RMC
 City Clerk


 Vince Sera
 Mayor

RECORD VOTE OF COUNCIL ON FINAL PASSAGE				
COUNCIL MEMBERS	Y	N	NV	AB
SERA	✓			
RIORDAN	✓			
KANE	✓			
BEW ✖ ✖	✓			
LETTIERI ✖	✓			
HANEY	✓			
DeLUCRY	✓			

X-INDICATES VOTE NV=NOT VOTING AB=ABSENT