

**AN ORDINANCE OF THE TOWNSHIP OF SPARTA
VACATING A PORTION OF WALNUT ROAD**

WHEREAS, Map 94B, filed with the Sussex County Clerk's Office contains the Sparta Lake development, including a certain portion of Walnut Road; and

WHEREAS, the owner of 7 Walnut Road, Sparta, New Jersey (Block 31002, Lot 8) has requested that the Township of Sparta vacate the public interest in the undeveloped portion of Walnut Road that is adjacent to their property;

WHEREAS, the portion of Walnut Road depicted on Schedule A has not been formally accepted by the Township of Sparta, and it is adjacent to Tax Block 31002, Lot 6, Tax Block 31002, Lot 7 and Tax Block 31002, Lot 8, as shown on the Township Tax Map. The portion of Walnut Road is not open for public use and is not needed for public purposes; and

WHEREAS, the Sparta Township Council is agreeable to vacating the undeveloped portion of Walnut Road as reflected in Schedule A;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Sparta, as follows:

Section 1. The undeveloped portion of Walnut Road as described in Scheduled A is hereby vacated, extinguished and conveyed to the adjacent lots, subject to existing utilities and exceptions set forth in Sections 2 and 3 below:

The undeveloped portion of Walnut Road as depicted on Schedule A, shown on filed Map 94B, entitled "The Third Map of Sparta Lake of the Township of Sparta, County of Sussex, State of New Jersey" and as described on Schedule A.

Section 2. The Township expressly reserves and excepts from vacation all rights and privileges possessed by the Township of Sparta for storm drainage and water lines, and all rights and privileges possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television company, as defined in the "Cable Television Act," P.L. 1972. C/186, (C:48:5A-1 et seq.) to maintain, repair and replace their existing facilities in, adjacent to, over or under an undeveloped portion of Walnut Road to be vacated, pursuant to N.J.S.A. 40:67-1.

Section 3. The Township shall expressly reserve and except from vacation all rights and privileges possessed by existing utilities serving existing homes in the Township of Sparta, in, adjacent to, over or under an undeveloped portion of Walnut Road to be vacated, as of the date of adoption of the Resolution.

Section 4. Severability. If any provision of this Ordinance or the application of this Ordinance to any person or circumstances is held invalid, the remainder of this Ordinance shall not be affected and shall remain in full force and effect.

Section 5. Repealer. All ordinances or parts of ordinances or resolutions that are inconsistent or in opposition to the provisions of this Ordinance are hereby repealed in their entirety.

Section 6. Effective Date. This Ordinance will take effect after publication and passage according to law.

NOTICE

TAKE NOTICE that the above Ordinance was introduced at a regular meeting of the Town Council of the Township of Sparta conducted on Tuesday, November 12, 2019. It will be considered for adoption, after final reading and public hearing thereon, at a regular meeting of the Sparta Township Governing Body to be conducted at 7:30 p.m. on Tuesday, November 26, 2019 in the Municipal Building, 65 Main Street, Sparta, New Jersey, and shall take effect according to law.

BY ORDER OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF SPARTA.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on November 12, 2019. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, to be held on November 26, 2019 at 7:30 p.m. at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

KATHLEEN CHAMBERS, RMC
MUNICIPAL CLERK