

**BOROUGH OF HILLSDALE
BERGEN COUNTY, NEW JERSEY
ORDINANCE NO. 18-01
(ADOPTION)**

AN ORDINANCE TO RELEASE, VACATE AND EXTINGUISH ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF KNICKERBOCKER AVENUE IN THE BOROUGH OF HILLSDALE, SUBJECT TO CERTAIN EASEMENTS

WHEREAS, Public Service Electric and Gas (hereinafter, "PSE&G") are the owners of property on both the north and south side of Knickerbocker Avenue, west of Prospect Place, which property is also known as Block 1212, Lots 14 and Block 1209, Lots 18; and

WHEREAS, the property is as set forth more specifically in a metes and bounds description attached as Exhibit "A" entitled, "Road Vacation Description" and as shown on a plan entitled "Knickerbocker Avenue Vacation Exhibit, Knickerbocker Avenue Road Vacation, Borough of Hillsdale, County of Bergen, New Jersey", prepared by Neglia Engineering and dated May 5, 2016, a copy of which is attached as Exhibit "B" ("the Property"); and

WHEREAS, that portion of Knickerbocker Avenue located westerly of Prospect Place (hereinafter, the "Street") is now a Borough Street owned by PSE&G on both sides; and

WHEREAS, the Borough of Hillsdale is of the opinion that the "Street" is no longer necessary for public use and public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Borough of Hillsdale may have in and to the "Street", subject to various easements which must remain in place to serve the residents of Hillsdale; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Hillsdale, County of Bergen, State of New Jersey, as follows:

1. The public rights and interests of a portion of Knickerbocker Avenue, particularly described on Exhibit A and attached hereto are hereby vacated, abandoned and released, subject to maintaining the easements substantially in the form attached hereto, as follows:
 - a. Aerial Utilities Easement
 - b. Sanitary Sewer and Stream Access Easement
 - c. Suez Water Easement
 - d. Storm Drainage Maintenance Easement
 - e. Stream Maintenance Easement
 - f. BCUA Sanitary Sewer Easement
2. In return for the vacating of the aforesaid section of street, PSE&G will provide the Borough with the use of its lands designated on Exhibit C attached hereto to

re-align Patterson Street inclusive of sidewalks and grading to achieve same as per designs provide by the Borough Engineer.

3. Public notice shall be provided pursuant to N.J.S.A. 40:49-6.
4. A copy of this ordinance shall be recorded by the Borough Clerk in the Office of the Bergen County Clerk, pursuant to N.J.S.A. 40:67-21.
5. This ordinance shall become effective twenty (20) days after final passage.

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

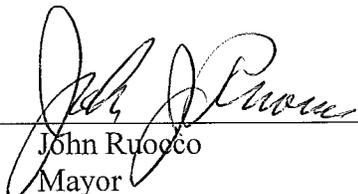
This Ordinance shall take effect upon passage and publication as provided by Law.

| Council member | Motion | Second | Yes | No | Absent | Abstain | Recuse |
|-----------------|--------|--------|-----|----|--------|---------|--------|
| DeRosa, Anthony | | | X | | | | |
| Horvath, Zoltan | | | X | | | | |
| Karcich, Scott | X | | X | | | | |
| Lundy, Abby | | X | X | | | | |
| Pizzella, Frank | | | X | | | | |
| Segalas, Steven | | | | | X | | |
| Ruocco, John | | | | | | | |

Adopted: February 6, 2018

Attest: 

 Denise Kohan
 Municipal Clerk



 John Ruocco
 Mayor