

**BOROUGH OF HILLSDALE  
BERGEN COUNTY, NEW JERSEY  
ORDINANCE NO. 23-15  
(Adoption)**

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**AN ORDINANCE VACATING AND EXTINGUISHING THE PUBLIC RIGHTS IN A  
PORTION OF BROOKSIDE PLACE IN THE BOROUGH OF HILLSDALE, COUNTY  
OF BERGEN, STATE OF NEW JERSEY**

**BE IT ORDAINED** BY THE BOROUGH COUNCIL OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, AS FOLLOWS:

**SECTION 1. Authority.** N.J.S.A. 40:67-1 permits the governing body of every municipality to make, amend, repeal and enforce ordinances to vacate any portion of any public street, highway, lane, alley, square, place or park, or any part thereof. Additionally, Section XIII, 8. of the Hillsdale – Patterson Street Redevelopment Plan (the “Redevelopment Plan”) allows the Borough Council, under conditions referenced herein, to vacate the existing public street located between Block 1210 and Block 1211, known as Brookside Place.

**SECTION 2. Determinations and Declarations.** The Borough Council of the Borough of Hillsdale hereby makes the following determinations and declarations with regards to that portion of Brookside Place as shown on the attached “Vacation Exhibit” prepared by Stonefield Engineering & Design, dated October 21, 2022, and as more particularly described in the metes and bounds description prepared by Stonefield Engineering & Design, dated October 24, 2022, the same of which are attached hereto, referenced herein and collectively marked as “Exhibit A”:

- a. The Borough of Hillsdale Planning Board, in accordance with the powers granted it under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., previously granted to Patterson Street Urban Renewal, LLC, by way of resolution dated May 23, 2023, preliminary and final major site plan approval, soil moving permit and design waiver/exception relief in order to demolish the existing structures and construct a new multi-family residential building with amenities, a community center and multi-level parking garage on properties designated as Block 1210, Lots 10 and 11 and Block 1211, Lots 1 and 2, on the official Tax Map of the Borough of Hillsdale. As a condition of said approvals, the applicant was advised that the Borough Council would need to vacate that portion of Brookside Place depicted on Exhibit A hereto in order for the applicant to construct the proposed development on the property.
- b. The portion of Brookside Place to be vacated serves no appreciable purpose and is not needed for the purposes of a public street, highway, lane, alley, square, place or park.
- c. The proposed redevelopment project is a comprehensive project that includes portions of both Block 1210 and 1211.

- d. The vacation of Brookside Place will have little impact on the necessary traffic circulation of the Redevelopment Area (as that term is defined in the Redevelopment Plan).
- e. Any costs related to such vacation shall be borne by Patterson Street Urban Renewal, LLC, as provided in the Redevelopment Plan.
- c. The best interest of the public will be served by vacating and extinguishing the public rights arising from the dedication or a public use of said portion of Brookside Place. Subject to a private Right of Way more specifically set forth as Exhibit B.

**SECTION 3. Vacation.** That portion of Brookside Place depicted on Exhibit A is hereby vacated and abandoned as a public street, highway, lane, alley, square, place or park in the Borough of Hillsdale, County of Bergen, State of New Jersey, and the public rights arising from the dedication or public use thereof are hereby released, vacated and extinguished.

**SECTION 4. Vesting of Interest.** Ownership of that portion of the public street, highway, lane, alley, square, place or park being herein vacated, as depicted on Exhibit A, is hereby vested in the record owners of adjacent Block 1210; Lots 6, 8, 10 and 11 and Block 1211; Lots 1 and 2, and that portion of the public street, highway, lane, alley, square, place or park being herein vacated, as depicted on Exhibit A, is hereby attached to Block 1210; Lots 6, 8, 10 and 11 and Block 1211; Lots 1 and 2 in accordance with applicable law and subject to a private Right of Way more specifically set forth as Exhibit B.

**SECTION 5. Repealer.** Any and all other ordinances inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistencies.

**SECTION 6. Severability.** In the event that any section paragraph, clause phrase, term, provision or part of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid or unenforceable for any reason, such judgment shall not effect, impair or invalidate the remainder thereof, but shall be confined in its operation to the section, paragraph, clause, term, provision or part thereof directly involved in the controversy in such judgment shall be rendered.

**SECTION 7. Effective Date.** This ordinance shall take effect upon final passage and publication as provided by law.

Council member	Motion	Second	Yes	No	Absent	Abstain	Recuse
DeRosa, Anthony			X				
Escobar, John			X				
Horvath, Zoltan	X		X				
Lundy, Abby			X				
Pizzella, Frank			X				
Trochimiuk, Janetta		X	X				
Ruocco, John							

Adopted:

Attest: Denise Kohan  
Denise Kohan  
Municipal Clerk

John Ruocco  
John Ruocco  
Mayor

## **EXHIBITS**

- Exhibit "A" - "Metes and Bounds Description Vacation of Brookside Place Borough of Hillsdale County of Bergen State of New Jersey" prepared by Thomas F. Miller of Stonefield Engineering & Design dated October 20, 2022.
  
- Exhibit "B" - "Metes and Bounds Description Private Right of Way Portion of Vacated Brookside Place Borough of Hillsdale County of Bergen, State of New Jersey" prepared by Thomas F. Miller of Stonefield Engineering & Design dated January 26, 2023.

METES AND BOUNDS DESCRIPTION  
VACATION OF BROOKSIDE PLACE  
BOROUGH OF HILLSDALE  
COUNTY OF BERGEN, NEW JERSEY

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE SOUTHERLY LINE OF BROOKSIDE PLACE (VARIABLE WIDTH) AND THE WESTERLY LINE OF PATTERSON STREET (36 FEET WIDE), SAID POINT HAVING COORDINATES N: 792,004.27 E: 617,972.22 IN THE NEW JERSEY STATE PLANE COORDINATE SYSTEM, THENCE:

1. ALONG SAID SOUTHERLY LINE OF BROOKSIDE PLACE, SOUTH 81 DEGREES 13 MINUTES 02 SECONDS WEST, 558.42 FEET TO A POINT OF CURVATURE; THENCE
2. ALONG A CURVE TO THE LEFT WITH A RADIUS OF 15.00 FEET, AN ARC LENGTH OF 23.56 FEET, A DELTA ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A CHORD BEARING SOUTH 36 DEGREES 13 MINUTES 02 SECONDS WEST AND A CHORD LENGTH OF 21.21 FEET TO A POINT ON THE EASTERLY LINE OF PROSPECT PLACE (50 FEET WIDE); THENCE
3. IN A NORTH WESTERLY DIRECTION ALONG THE EASTERLY LINE OF PROSPECT PLACE, NORTH 08 DEGREES 46 MINUTES 58 SECONDS WEST, 65.00 FEET TO A POINT WHERE THE EXISTING NORTHERLY LINE OF BROOKSIDE PLACE INTERSECTS THE EXISTING EASTERLY LINE OF PROSPECT PLACE; THENCE
4. ALONG SAID NORTHERLY LINE OF BROOKSIDE PLACE, NORTH 81 DEGREES 13 MINUTES 02 SECONDS EAST, 341.48 FEET TO AN ANGLE POINT IN THE SAME; THENCE
5. ALONG THE SAME, SOUTH 88 DEGREES 34 MINUTES 46 SECONDS EAST 61.61 FEET TO A POINT OF CURVATURE IN THE SAME; THENCE
6. ALONG THE SAME ON A CURVE TO THE LEFT WITH A RADIUS OF 446.05 FEET, AN ARC LENGTH OF 79.43 FEET, A DELTA ANGLE OF 10 DEGREES 12 MINUTES 12 SECONDS, A CHORD BEARING SOUTH 86 DEGREES 19 MINUTES 08 SECONDS EAST AND A CHORD LENGTH OF 79.33 FEET TO A POINT OF TANGENCY IN THE SAME; THENCE
7. ALONG THE SAME, NORTH 81 DEGREES 13 MINUTES 02 SECONDS EAST, 70.76 FEET TO A POINT OF CURVATURE; THENCE

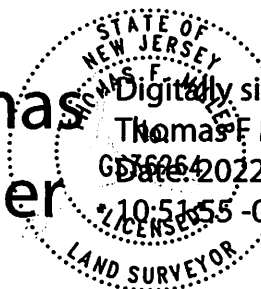
8. ALONG A CURVE TO THE LEFT WITH A RADIUS OF 22.00 FEET, AN ARC LENGTH OF 34.07 FEET, A DELTA ANGLE OF 88 DEGREES 43 MINUTES 59 SECONDS, A CHORD BEARING NORTH 36 DEGREES 51 MINUTES 02 SECONDS EAST AND A CHORD LENGTH OF 30.77 FEET TO A POINT ON THE AFOREMENTIONED WESTERLY LINE OF PATTERSON STREET; THENCE
  
9. ALONG SAID WESTERLY LINE OF PATTERSON STREET, ON A CURVE TO THE LEFT WITH A RADIUS OF 1,976.00 FEET, AN ARCH LENGTH OF 53.55 FEET, A DELTA ANGLE OF 01 DEGREES 33 MINUTES 10 SECONDS, A CHORD BEARING SOUTH 08 DEGREES 17 MINUTES 32 SECONDS EAST AND A CHORD LENGTH OF 53.55 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 25,595 SQUARE FEET OR 0.587 ACRE OF LAND MORE OR LESS

THIS DESCRIPTIONS IS WRITTEN IN ACCORDANCE WITH A MAP ENTITLED "BROOKSIDE PLACE VACATION EXHIBIT" PREPARED BY STONEFIELD ENGINEERING & DESIGN DATED 10/20/2022.

Thomas  
F Miller

Digitally signed by  
Thomas F Miller  
Date: 2022.10.24  
10:51:55 -04'00'



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THOMAS F. MILLER  
STATE OF NEW JERSEY PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER GS0036264





**STONEFIELD**  
engineering & design

METES AND BOUNDS DESCRIPTION  
PRIVATE RIGHT OF WAY  
PORTION OF VACATED BROOKSIDE PLACE  
BOROUGH OF HILLSDALE  
COUNTY OF BERGEN, NEW JERSEY

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT, SAID POINT BEING THE INTERSECTION OF THE NORTHERLY LINE OF BROOKSIDE PLACE (VARIABLE WIDTH) AND THE EASTERLY LINE OF PROSPECT PLACE (50 FEET WIDE), SAID POINT HAVING COORDINATES N: 791,966.13 E: 617,397.89 IN THE NEW JERSEY STATE PLANE COORDINATE SYSTEM, THENCE:

1. ALONG SAID NORTHERLY LINE OF BROOKSIDE PLACE, NORTH 81 DEGREES 13 MINUTES 02 SECONDS EAST, 200.00 FEET TO A POINT IN THE SAME; THENCE
2. IN A SOUTHERLY DIRECTION, SOUTH 08 DEGREES 46 MINUTES 58 SECONDS EAST, 50.00 FEET TO A POINT ON THE SOUTHERLY LINE OF BROOKSIDE PLACE, THENCE;
3. ALONG SAID SOUTHERLY LINE, SOUTH 81 DEGREES 13 MINUTES 02 SECONDS WEST, 185.00 FEET TO A POINT OF CURVATURE; THENCE
4. ALONG A CURVE TO THE LEFT WITH A RADIUS OF 15.00 FEET, AN ARC LENGTH OF 23.56 FEET, A DELTA ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, A CHORD BEARING SOUTH 36 DEGREES 13 MINUTES 02 SECONDS WEST AND A CHORD LENGTH OF 21.21 FEET TO A POINT ON THE EASTERLY LINE OF PROSPECT PLACE; THENCE
5. IN A NORTHWESTERLY DIRECTION ALONG THE EASTERLY LINE OF PROSPECT PLACE, NORTH 08 DEGREES 46 MINUTES 58 SECONDS WEST, 65.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 10,048 SQUARE FEET OR 0.231 ACRE OF LAND MORE OR LESS

THIS DESCRIPTION IS WRITTEN IN ACCORDANCE WITH A MAP ENTITLED "PRIVATE RIGHT OF WAY EXHIBIT" PREPARED BY STONEFIELD ENGINEERING & DESIGN DATED 01/26/2023.

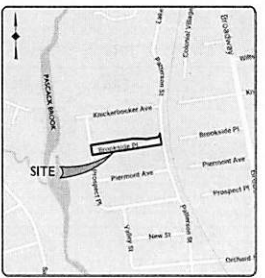
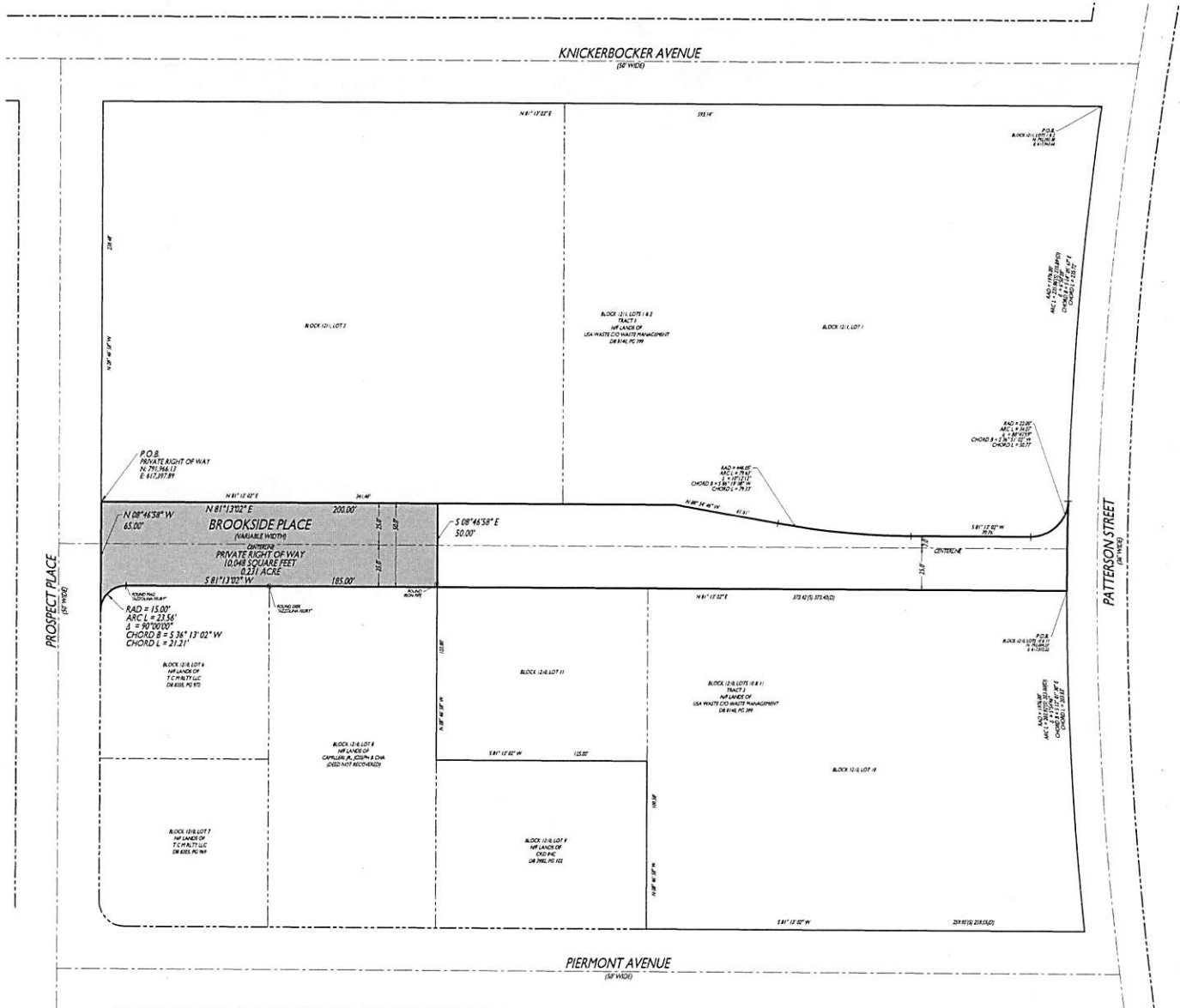
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THOMAS F. MILLER  
STATE OF NEW JERSEY PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER GS0036264



**SYMBOL DESCRIPTION**

- AREA OF ROADWAY LOCATION
- ROADWAY CENTERLINE
- PROPERTY LINE
- ADJACENT PROPERTY LINE
- IRON PIPE



- EXHIBIT REFERENCES**
- DEED BETWEEN WASTE MANAGEMENT OF NEW JERSEY, INC. (GRANTOR) AND PUBLIC SERVICE ELECTRIC AND GAS COMPANY, (GRANTEE), DATED 06/12/2018 AND FILED IN THE BERGEN COUNTY CLERK'S OFFICE AS DEED BOOK 1489 PAGE 2181.
  - DEED BETWEEN MARY FRANCO AND CAROL FRANCO (GRANTOR) AND USA WASTE TRANSFER OF NEW JERSEY, INC. (GRANTEE), DATED 02/28/1998 AND FILED IN THE BERGEN COUNTY CLERK'S OFFICE AS DEED BOOK 814 PAGE 319.
  - DEED BETWEEN HARG F. SASARACH (GRANTOR) AND CAD, INC. (GRANTEE), DATED 06/22/2005 AND FILED IN THE BERGEN COUNTY CLERK'S OFFICE AS DEED BOOK 392 PAGE 193.
  - TAX MAP - SHEET 13, BOROUGH OF HILLSDALE, FILED IN BERGEN COUNTY, NEW JERSEY, DATED APRIL 2012.
  - ALTA COMMITMENT - FIRST AMERICAN TITLE INSURANCE COMPANY, NEW JERSEY, PILING NUMBER 21-4215, COMMITMENT DATE AUGUST 17, 2021.
  - SITE PLAN FOR BLOCK 124, LOT 1 AND BLOCK 124, LOT 10, BOROUGH OF HILLSDALE, BERGEN COUNTY, NJ, PREPARED BY JCA ASSOCIATES, INC. DATED 05/04/1998, LAST REVISED 04/15/2001.
  - ALTA - TOP LAND TITLE SURVEY PREPARED BY STONEFIELD ENGINEERING & DESIGN OF BLOCK 124, LOTS 1 & 2 AND BLOCK 124, LOTS 10 & 11, BOROUGH OF HILLSDALE, COUNTY OF BERGEN, NEW JERSEY.

**STONEFIELD**  
engineering & design  
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Phone 201.340.4468 • Fax 201.340.4472

**PRIVATE RIGHT OF WAY EXHIBIT**

**MAP OF SURVEY OF:**  
BROOKSIDE PLACE  
BOROUGH OF HILLSDALE  
COUNTY OF BERGEN, NEW JERSEY

ISSUE	DATE	BY	FIELD DATE	FIELD CREW	DESCRIPTION
1	01/26/2023	AG	5/16/2021	AW	FOR ISSUE

SUBJECT TO RESTRICTIONS, EASEMENTS OF RECORD AND OTHER FACTS WHICH A CURRENT TITLE SEARCH MIGHT DISCLOSE.

**THOMAS F. MILLER**  
NEW JERSEY LAND SURVEYOR No. 24G50362400  
LICENSED PROFESSIONAL LAND SURVEYOR  
NEW JERSEY CERTIFICATE OF AUTHORIZATION No. 24G303184500

SCALE: 1" = 30' PROJECT ID: RUT-21-0248 SHEET: 1 OF 1



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