

**BOROUGH OF ORADELL
VACATING CERTAIN PAPER STREETS
ORDINANCE # 25-4**

WHEREAS, there exists within the Doug Parcels Athletic Complex & Playground (also known as “DPAC”) area of the Borough of Oradell various unimproved paper streets and/or portions of unimproved papers streets known as:

1. Portion of Bergen Avenue (A.K.A. Demarraais Avenue) more fully described in the Description prepared by Neglia, the Borough Engineer, (hereinafter, “Neglia”) attached hereto as EXHIBIT A;
2. Portions of Center Street (A.K.A. Memorial Drive) more fully described in the Descriptions prepared by Neglia entitled “Portion of Center Street (A.K.A. Memorial Drive),” Numbers 1-7 attached hereto as EXHIBIT A;
3. Portion of Delaware Avenue (A.K.A. Van Antwerp Avenue) more fully described in the Description prepared by Neglia attached hereto as EXHIBIT A;
4. Portion of New Jersey Avenue (A.K.A. Wannamaker Avenue) more fully described in the Description prepared by Neglia attached hereto as EXHIBIT A;
5. Portion of New York Avenue (A.K.A. Hennigar Avenue) more fully described in the Description prepared by Neglia attached hereto as EXHIBIT A;
6. Portions of Park Avenue more fully described in the Descriptions prepared by Neglia entitled “Portion of Park Avenue,” Numbers 1-4 attached hereto as EXHIBIT A;
7. Portion of Pennsylvania Avenue (A.K.A. O’Connell Avenue) more fully described in the Description prepared by Neglia attached hereto as EXHIBIT A; and
8. Portion of Virgina Avenue (A.K.A. Commander Black Drive) more fully described in the Description prepared by Neglia attached hereto as EXHIBIT A.

WHEREAS, the above listed paper streets shall hereinafter be collectively referred to as the “Streets to be Vacated;” and

WHEREAS, the locations of the above Streets to be Vacated are shown on the Road Vacation Exhibit prepared by Neglia and attached hereto as EXHIBIT B; and

WHEREAS, the Streets to be Vacated are not needed for public purpose, need to be vacated and shall be merged into the Property known as Doug Parcels Athletic Complex & Playground (also known as “DPAC”) in the Borough of Oradell; and

WHEREAS, N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19 empowers the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any public street, and to vacate any street, or any part thereof, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, the Governing Body of the Borough of Oradell has considered evidence and concluded that the Streets to be Vacated are not needed by the general public as a public thoroughfare and lend themselves to higher and better uses than as and for a public thoroughfare and for use by the general public, and that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Borough may have in and to the Streets to be Vacated; and

WHEREAS, New Jersey law requires that title to vacated streets shall be apportioned to adjacent property owners, if any. In the case of the Streets to be Vacated herein, all of the paper streets are adjacent to properties owned by the Borough of Oradell which, when merged, shall result in a parcel measuring 27.2937 Acres, pursuant to the calculation provided by Neglia.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Oradell that:

SECTION 1.

Subject to the conditions set forth herein, the Streets to be Vacated, as more particularly delineated in Exhibits A and B attached hereto, are hereby released, extinguished and vacated.

SECTION 2.

New Jersey law requires that title to vacated streets shall be apportioned to adjacent property owners, if any. In the case of the Streets to be Vacated herein, all of the paper streets are adjacent to properties owned by the Borough of Oradell which, when merged, shall result in a parcel measuring 27.2937 Acres, pursuant to the calculation provided by Neglia.

SECTION 3.

Pursuant to N.J.S.A. 40:67-1(b), all public easements, rights and interests to the Streets to be Vacated, as more particularly delineated in Exhibits A & B attached hereto, are hereby vacated, released and extinguished except for said easements and rights specifically set forth herein and except for all rights and privileges now possessed by 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," N.J.S.A. 48:5A-1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated.

SECTION 4.

Pursuant to N.J.S.A. 40:67-21, the Borough Clerk shall within 60 days after this ordinance becomes effective file a copy of this ordinance, certified by her, under the seal of the Borough of Oradell, to be a true copy of such ordinance, together with a copy of proof of publication, if publication be required, in the office where conveyances of lands are recorded in Bergen County and such certified copy shall be recorded in a book with proper index to be provided for the purpose and entitled "Vacations."

SECTION 5.

At least ten (10) days prior to the time fixed for the consideration of this Ordinance for final passage, a copy of this Ordinance, together with a notice of its introduction and the time and place when and where the Ordinance will be further considered for final passage, shall be published at least once in a newspaper published and circulated in the Borough of Oradell. This is the notice required by N.J.S.A. 40:67-19 and N.J.S.A. 40:49-6.

SECTION 6.

If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

SECTION 7.

All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

SECTION 8.

This Ordinance shall take effect upon final publication as provided by law.

ATTEST:

APPROVED:
BOROUGH COUNCIL OF THE
BOROUGH OF ORADELL

LAURA J. LYONS, CPM, RMC, RPPO

By: _____
JAMES G. KOTH III, MAYOR

Introduction Date: May 13, 2025

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
Kelly				

ATTEST:

APPROVED:

BOROUGH COUNCIL OF THE
BOROUGH OF ORADELL

LAURA J. LYONS, CPM, RMC, RPPO

By: _____
JAMES G. KOTH III, MAYOR

Adoption Date:

Member	Aye	No	Abstain	Absent
MAYOR KOTH				
CARNEVALE				
STAFF				
TASHJIAN				
KERN				
GULLO				
KELLY				

EXHIBIT A – PROPERTY DESCRIPTIONS FROM NEGLIA

EXHIBIT B – ROAD VACATION EXHIBIT PREPARED BY NEGLIA