

Ordinance of the City of Jersey City, N.J.

File No. Ord. 22-029
Agenda No. 3.5 (1st Reading)
Agenda No. 4.5 (2nd Reading and Final Passage)



AN ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY CITY VACATING A PORTION OF COMMERCIAL STREET FROM THE INTERSECTION OF CAVEN POINT AVENUE AND THE NEW JERSEY TURNPIKE OVERPASS.

COUNCIL AS A WHOLE offered and moved adoption of the following ordinance:

WHEREAS, the City of Jersey City (the “City”) does possess rights-of-way through all public streets, thoroughfares and sidewalks located within the City; and

WHEREAS, the City is authorized pursuant to N.J.S.A. 40:61-1 et seq. and N.J.S.A. 40A:12-5 to establish, change the grade of or vacate any public street, highway, lane or alley, or any part thereof at the discretion of the City; and

WHEREAS, Commercial Street is located within the City of Jersey City, County of Hudson, State of New Jersey; and

WHEREAS, the portions of Commercial Street described in this Ordinance are a “paper street,” which means the street exists in the public record, but was never built;

WHEREAS, the City has no interest in building Commercial Street in the area described in this Ordinance and the City desires to vacate the street and return it to the adjacent property owners;

WHEREAS, the City is authorized to vacate that portion of Commercial Street as described in this Ordinance; and

WHEREAS, after due notice was given in accordance with the statute and City Code, a public hearing was held on the Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JERSEY CITY AS FOLLOWS:

Section 1. The recitals are incorporated herein as though fully set forth herein.

Section 2. The City hereby vacates the Vacated Area, as depicted in Exhibit A hereto more particularly described in the metes and bounds description attached hereto as Exhibit B; provided, however, that all rights and privileges 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, P.L.1972, c. 186, to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, highway, lane, alley, square, place or park, or any part thereof, to be vacated, are expressly reserved and excepted from the vacation set forth above.

Section 3. The Mayor, Business Administrator and/or City Clerk are hereby authorized and directed to take such steps and execute such documents, if any, as are necessary for the Borough to convey appropriate interests to the owners of the parcels adjacent to the Vacated Area, including the Redeveloper, in a manner consistent with the provisions of this Ordinance and the Redevelopment Agreement.

Section 4. The City Clerk is hereby authorized and directed to publish notice of the introduction of this Ordinance pursuant to N.J.S.A. 40:49-2; provided, however, that notice as to such introduction and public hearing shall be made, pursuant to N.J.S.A. 40:49-6, at least ten (10) days prior to the public hearing and adoption hereof;

APPROVED AS TO LEGAL FORM


Business Administrator


Corporation Counsel

An ordinance of the Municipal Council of the City of Jersey City vacating a portion of Commercial Street from the intersection of Caven Point Avenue and the New Jersey Turnpike overpass.

Section 5. The City shall mail, by certified and regular mail, at least ten (10) days prior to the public hearing and adoption hereof, a notice stating the date, time, and place of the hearing with a copy of this Ordinance to owners of all real property, as shown on the City's most current tax records, within two hundred (200) feet in all directions of the boundaries of the Street to be vacated in accordance with Section 296-6.2 of the Jersey City Code.

Section 6. Within sixty (60) days after adoption of this ordinance, the City Clerk is authorized and directed to cause a certified copy of this Ordinance to be filed with the Clerk of Hudson County, pursuant to N.J.S.A. 40:67-2.

Section 7. This Ordinance shall take effect according to applicable law.

An ordinance of the Municipal Council of the City of Jersey City vacating a portion of Commercial Street from the intersection of Caven Point Avenue and the New Jersey Turnpike overpass.

| RECORD OF COUNCIL VOTE ON INTRODUCTION – Mar 9 2022 | | | | | | |
|---|-----|---------|-----|--------------------|-----|-----|
| RIDLEY | AYE | SALEH | AYE | DEGISE | AYE | 9-0 |
| PRINZ-AREY | AYE | SOLOMON | AYE | RIVERA | AYE | |
| BOGGIANO | AYE | GILMORE | AYE | WATTERMAN, PRES | AYE | |

| RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING – Apr 13 2022 | | | | | | |
|--|-----|---------|-----|---------------------|--------|-----|
| RIDLEY | AYE | SALEH | AYE | DEGISE | AYE | 8-0 |
| PRINZ-AREY | AYE | SOLOMON | AYE | RIVERA | AYE | |
| BOGGIANO | AYE | GILMORE | AYE | WATTERMAN, PRES. | ABSENT | |

| RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY – | | | | | | |
|--|--|---------|--|---------------------|--|--|
| RIDLEY | | SALEH | | DEGISE | | |
| PRINZ-AREY | | SOLOMON | | RIVERA | | |
| BOGGIANO | | GILMORE | | WATTERMAN, PRES. | | |

| RECORD OF FINAL COUNCIL VOTE – Apr 13 2022 | | | | | | |
|--|-----|---------|-----|---------------------|--------|-----|
| RIDLEY | AYE | SALEH | AYE | DEGISE | AYE | 8-0 |
| PRINZ-AREY | AYE | SOLOMON | AYE | RIVERA | AYE | |
| BOGGIANO | AYE | GILMORE | AYE | WATTERMAN, PRES. | ABSENT | |

Adopted on first reading of the Council of Jersey City, N.J. on Mar 9 2022

Adopted on second and final reading after hearing on Apr 13 2022

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on Apr 13 2022



City Clerk



Joyce E. Watterman, President of Council
Approved: Apr 13 2022



Steven M. Fulop, Mayor
Date to Mayor: Apr 14 2022
Approved: Apr 14 2022

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FACT SHEET -

This summary sheet is to be attached to the front of any ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the ordinance.

Project Manager

| | | |
|------------------------------------|-------|-----------------|
| John Metro, Business Administrator | x5147 | jmetro@jcnj.org |
| Division | | |

Note: Project Manager must be available by phone during agenda meeting (Wednesday prior to council meeting @ 1:00 p.m.)

Purpose

To vacate a paper street right-of-way with no future intended use by the City.

Cost (Identify all sources and amounts)

N/A

Contract term (include all)

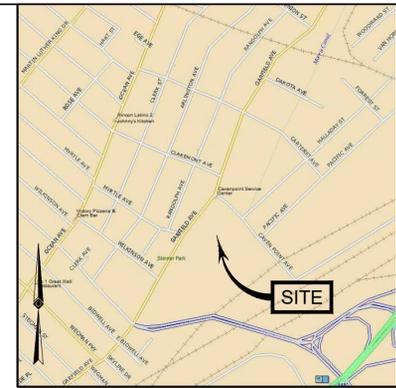
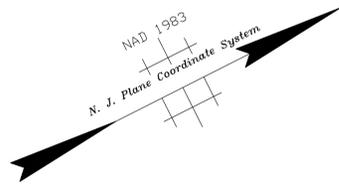
ATTACHMENTS:

[Tab - Exhibit A](#)
[Commercial Street Vacation - Exhibit A](#)
[Tab - Exhibit B](#)
[Commercial Street Vacation - Exhibit B](#)

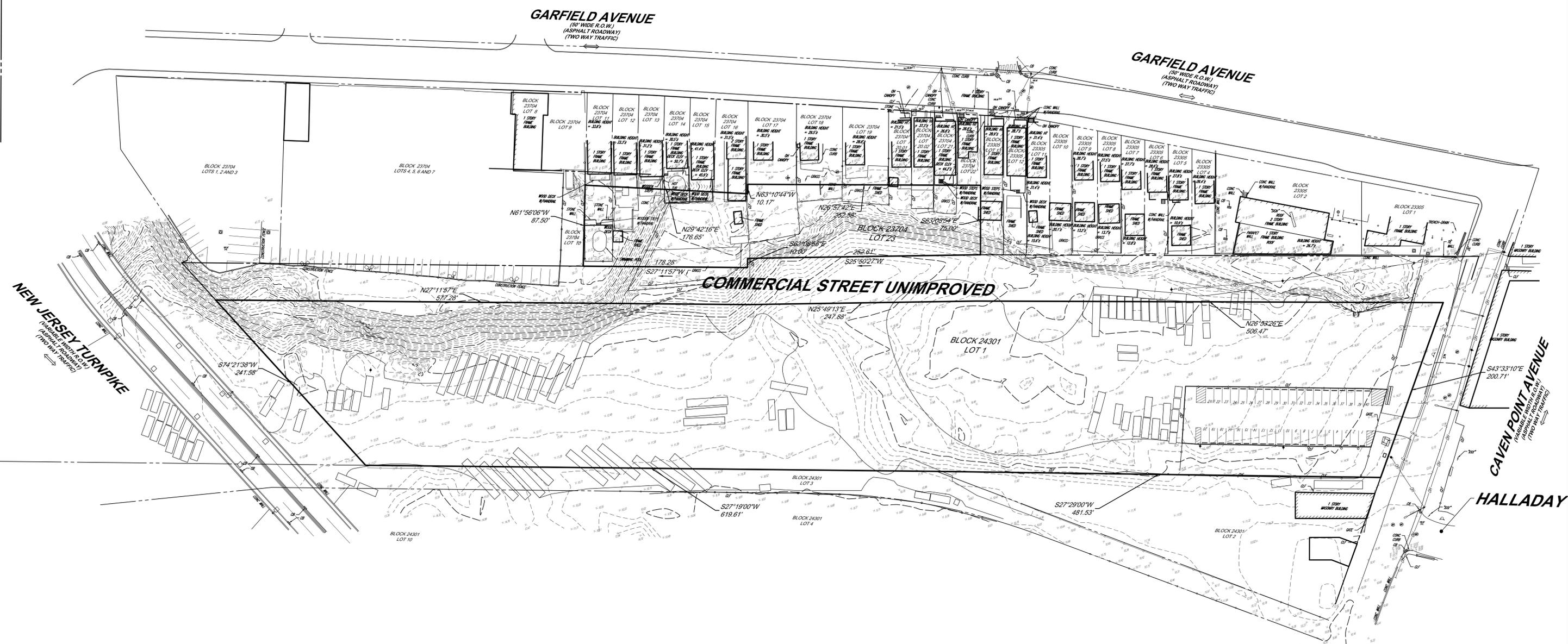
Approved by
John McKinney, Attorney
John Metro, Business Administrator

Status:
Approved - Mar 04 2022
Approved - Mar 04 2022

Exhibit A
Map of Vacated Area



VICINITY MAP
© 2008 DeLorme Street Atlas USA
(NOT TO SCALE)



Page 6 of 8

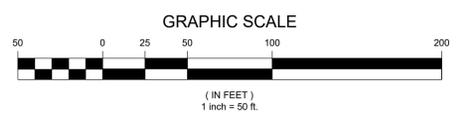
CONTROL POINT ASSOCIATES, INC. ALL RIGHTS RESERVED. ORIGINAL PROJECT OR
 THE PURPOSE ORIGINALLY INTENDED WITHOUT THE WRITTEN PERMISSION OF CONTROL POINT ASSOCIATES, INC. IS PROHIBITED.

LEGEND

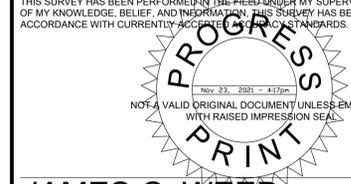
| | |
|--|---------------------------------|
| | EXISTING CONTOUR |
| | EXISTING CONTOUR |
| | EXISTING SPOT ELEVATION |
| | EXISTING TOP ROOF ELEVATION |
| | EXIST. TOP OF WALL ELEVATION |
| | EXIST. BOTTOM OF WALL ELEVATION |
| | EXISTING TOP SIGN ELEVATION |



THE STATE OF NEW JERSEY REQUIRES NOTIFICATION BY EXCAVATORS,
DESIGNERS, OR ANY PERSON PREPARING TO DISTURB THE EARTH'S
SURFACE ANYWHERE IN THE STATE.



THIS SURVEY HAS BEEN PERFORMED IN THE FIELD UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, BELIEF, AND INFORMATION, THIS SURVEY HAS BEEN PERFORMED IN ACCORDANCE WITH CURRENTLY ACCEPTED STANDARDS.



JAMES C. WEED
NEW JERSEY PROFESSIONAL LAND SURVEYOR #24GS04327800
NEW JERSEY CERTIFICATE OF AUTHORIZATION #24GA2938600

11-23-2021
DATE

| | | | | | |
|----------------|--|------------|--------------|----------|----------|
| 1 | DRAWING UPDATE PER CLIENT'S COMMENT | N/A | AVS/EB | JOW | 11-17-21 |
| No. | DESCRIPTION OF REVISION | FIELD CREW | DRAWN | APPROVED | DATE |
| FIELD DATE | ALTA/NSPS LAND TITLE SURVEY | | | | |
| FIELD BOOK NO. | 20 COMMERCIAL STREET | | | | |
| FIELD BOOK PG. | LOT 1, BLOCK 23704, LOT 23 BLOCK 24301 | | | | |
| FIELD PG. | JERSEY CITY, HUDSON COUNTY | | | | |
| FIELD PG. | STATE OF NEW JERSEY | | | | |
| FIELD CREW | CONTROL POINT ASSOCIATES, INC. | | | | |
| DRAWN | 30 INDEPENDENCE BOULEVARD, SUITE 100 | | | | |
| P.R.V. | WARREN, NJ 07059 | | | | |
| REVIEWED | 908.668.0099 - 908.668.9595 FAX | | | | |
| APPROVED | WWW.CPASURVEY.COM | | | | |
| J.C.W. | DATE | SCALE | FILE NO. | DWG. NO. | |
| | 4-30-2021 | 1"=50' | 01-210061-00 | 1 OF 1 | |

Exhibit B

Description of Vacated Area



CONTROL POINT
ASSOCIATES, INC.
 traditional methods | modern approaches

30 Independence Blvd
 Suite 100
 Warren, NJ 07059
 Tel: 908.668.0099
 cpasurvey.com

FEBRUARY 25, 2022
 01-210061-00

METES & BOUNDS DESCRIPTION

COMMERCIAL STREET (UNIMPROVED)
 IN BLOCKS 23704, 23305 & 24301
 JERSEY CITY, HUDSON COUNTY
 STATE OF NEW JERSEY

BEGINNING AT A POINT ON THE SOUTHERLY SIDELINE OF CAVEN POINT AVENUE (VARIABLE WIDTH R.O.W.) SAID POINT BEING DISTANT 60.03 FEET SOUTHEASTERLY FROM THE INTERSECTION FORMED BY THE EASTERLY LINE OF GARFIELD AVENUE (50' WIDE R.O.W.) AND THE SOUTHERLY LINE OF CAVEN POINT AVENUE, AND FROM SAID POINT OF BEGINNING RUNNING THENCE;

1. ALONG THE SOUTHERLY RIGHT OF WAY LINE OF CAVEN POINT AVENUE, SOUTH 43 DEGREES 33 MINUTES 10 SECONDS EAST, A DISTANCE OF 53.06 FEET TO A POINT, THENCE;
2. ALONG LOT 1, BLOCK 24301, SOUTH 26 DEGREES 53 MINUTES 26 SECONDS WEST, A DISTANCE OF 506.47 FEET TO A POINT, THENCE;
3. STILL ALONG LOT 1, BLOCK 24301, SOUTH 25 DEGREES 49 MINUTES 13 SECONDS WEST, A DISTANCE OF 247.88 FEET TO A POINT, THENCE;
4. STILL ALONG LOT 1, BLOCK 24301, SOUTH 27 DEGREES 11 MINUTES 57 SECONDS WEST, A DISTANCE OF 577.36 FEET TO A POINT, THENCE;
5. ALONG THE NEW JURSEY TUNIKE (VARIABLE WIDTH RIGHT OF WAY) SOUTH 74 DEGREES 20 MINUTES 19 SECONDS WEST, A DISTANCE OF 51.05 FEET TO A POINT, THENCE;
6. STILL ALONG THE NEW JURSEY TUNIKE (VARIABLE WIDTH RIGHT OF WAY) ALONG A CURVE BEARING TO THE RIGHT, HAVING A RADIUS OF 419.00 FEET, A CENTRAL ANGLE OF 00 DEGREES 28 MINUTES 45 SECONDS, AN ARC LENGTH OF 3.50 FEET, A CHORD BEARING SOUTH 74 DEGREES 34 MINUTES 41 SECONDS WEST, AND A CORD DISTANCE OF 3.50 FEET TO A POINT, THENCE;
7. ALONG LOTS 1, 2, 3, 4, 5, 6, 7, 10 & 23, BLOCK 23704, NORTH 27 DEGREES 11 MINUTES 57 SECONDS EAST, A DISTANCE OF 613.91 FEET TO A POINT, THENCE;
8. ALONG LOT 23, BLOCK 23704, NORTH 63 DEGREES 08 MINUTES 56 SECONDS WEST, A DISTANCE OF 10.00 FEET TO A POINT, THENCE;
9. STILL ALONG LOT 23, BLOCK 23704, NORTH 25 DEGREES 50 MINUTES 27 SECONDS EAST, A DISTANCE OF 252.61 FEET TO A POINT, THENCE;
10. ALONG LOTS 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13, BLOCK 23305, NORTH 26 DEGREES 53 MINUTES 26 SECONDS EAST, A DISTANCE OF 519.84 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 61,984 SQUARE FEET OR 1.423 ACRES

CONTROL POINT ASSOCIATES, INC.

02-25-2022
 JAMES C. WEED DATE
 STATE OF NEW JERSEY
 PROFESSIONAL LAND SURVEYOR #24GS04327800