

O-25-79
12/17/25

ORDINANCE OF THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY VACATING A 40 FOOT RIGHT-OF-WAY, MORE PARTICULARLY DESCRIBED IN EXHIBIT A ATTACHED HERETO PURSUANT TO AND IN ACCORDANCE WITH N.J.S.A. 40:67-1, ET SEQ.

WHEREAS, there exists a paper street in the City of Bayonne (the “City”) known as Avenue I; and

WHEREAS, the Municipal Council of the City of Bayonne (the “Municipal Council”) adopted an Ordinance, O-3, on August 21, 2019 vacating a right-of-way located on property identified as Block 476.01, Lot 10.01 on the Tax Map of the City of Bayonne as more particularly described therein; and

WHEREAS, the Vacation Ordinance O-3 was never recorded in the Office of the Hudson County Register; and

WHEREAS, the 40 foot right-of-way, as more particularly shown on the plan attached hereto as Exhibit “A” and more particularly described on the metes and bounds description attached hereto as Exhibit “B” (the “To Be Vacated Street” or “Vacation”) has never been utilized by the City as a public street; and

WHEREAS, the City seeks to reaffirm its intention to vacate the To Be Vacated Street so that such Vacation can be recorded in the Office of the Hudson County Register; and

WHEREAS, pursuant to N.J.S.A. 40:67-1 et seq., including N.J.S.A. 67-19 et seq., the Mayor and Municipal Council has determined that the public interest will be better served by releasing, extinguishing and vacating the To Be Vacated Street; and

WHEREAS, it is the intent of this Ordinance to vacate the To Be Vacated Street, as more particularly shown on the Road Vacation Exhibit attached hereto as Exhibit “A” and more particularly described on the metes and bounds description attached hereto as Exhibit “B”.

NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE, COUNTY OF HUDSON, NEW JERSEY AS FOLLOWS:

SECTION 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

SECTION 2. Pursuant to the authority granted by pursuant to N.J.S.A. 40:67-1 et seq., the City hereby vacates the To Be Vacated Street and releases such property from the dedication of the land for a public street and extinguishes the public right arising from such dedication, subject to Section 4 below.

SECTION 3. Title to the To Be Vacated Street, as more particularly set forth in the metes and bounds description attached hereto as Exhibit “A”, shall vest with the current owner of Block 476.01, Lot 10.01 at the time this Ordinance shall become effective.

SECTION 4. All rights and privileges, if any, 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.) for the purpose of ingress and egress over and upon the area subject to this vacation ordinance in order to maintain, repair or replace existing utility facilities including, without limitation, water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located in, adjacent to, over or under the To Be Vacated Street, are hereby expressly reserved and excepted from the vacation.

SECTION 5. The introduction of this Ordinance shall be advertised pursuant to N.J.S.A. 40:49-2; provided, however, that after being introduced and passed on first reading, notice as to final passage 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 final adoption hereof.

SECTION 6. At least one week prior to the time fixed for the consideration of this Ordinance for final passage, a copy thereof, together with a notice of the introduction thereof and the time and place when and where the Ordinance will be further considered for final passage, shall be mailed to every person whose land may be affected by this Ordinance so far as may be ascertained. Said notices shall be mailed by the City Clerk in accordance with the provisions of N.J.S.A. 40:49-6.

SECTION 7. The City Clerk shall within sixty (60) days after this Ordinance becomes effective file a copy of the Ordinance, together with the exhibits attached hereto, certified by the City Clerk, under the seal of the City, to be a true copy of such Ordinance, together with a copy of the proof of publications thereof, in the Office of the Hudson County Register with proper index to be provided for the purpose and entitled “Vacations” in accordance with the provisions of N.J.S.A. 40:67-21.

SECTION 8. If any section, paragraph or provision of this Ordinance shall be adjudged invalid, such adjudication shall not affect the validity of the remaining sections, paragraphs or provisions of this Ordinance, which shall otherwise remain in full force and effect.

SECTION 9. This Ordinance shall take effect upon final passage and publication as required by law.

SECTION 10. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

EXHIBIT A

**VACATION OF 40 FOOT RIGHT-OF-WAY LOCATED ON BLOCK 476.01, LOT 10.01
PLAN**

EXHIBIT B

**METES AND BOUNDS DESCRIPTION OF VACATION OF 40 FOOT RIGHT-OF-WAY
LOCATED ON BLOCK 476.01, LOT 10.01**