

O-20-06
01/15/20

**ORDINANCE OF THE CITY OF BAYONNE, COUNTY OF HUDSON,
NEW JERSEY AUTHORIZING THE VACATION OF GOULD STREET**

WHEREAS, the property owners whose properties abut Gould Street on all sides have requested that the City of Bayonne vacate that portion of Gould Street which is adjacent to their property; and

WHEREAS, the road known as Gould Street referred to herein is a dead-end street primarily used by the adjacent property owners for parking and loading and unloading of trucks and is not regularly used by the general public; and

WHEREAS, the road known as Gould Street referred to herein is not needed for the general public and does not provide any through connections to other roadways; and

WHEREAS, pursuant to N.J.S.A.40:67-19, the Mayor and Council have determined that the public interest will be better served by releasing these lands and extinguishing the public right to this property; and

WHEREAS, the City will no longer be responsible for the upkeep, repair and maintenance of Gould Street; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, after introduction and passage on first reading, notice of this ordinance shall be published at least once, not less than 10 days prior to the hearing when the ordinance shall be considered for final passage and at least one week prior to consideration for final passage a copy of the ordinance and notice of introduction shall be mailed to every party whose lands are affected by this ordinance; and

WHEREAS, it is the intent of the Ordinance to vacate the road known as Gould Street, as more particularly set forth in the metes and bounds description set forth in this ordinance and as shown on Exhibit A attached.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Bayonne as follows:

SECTION 1. Pursuant to the authority granted by N.J.S.A.40:67-19, the road known as Gould Street, as more particularly described in the metes and bounds description set forth herein, is hereby vacated:

**METES AND BOUNDS DESCRIPTION OF
GOULD STREET A MUNICIPAL RIGHT OF WAY TO BE VACATED
CITY OF BAYONNE, HUDSON COUNTY, NEW JERSEY**

BEGINNING at a P.K. nail with a disk set at the point of intersection between the northwesterly line of Gould Street (40.0 R.O.W.) and the northeasterly line of Center Street, a.k.a. Centre Street, (60.0 R.O.W.): said point being South 33 degrees 47 minutes 08 seconds East, 210.40 feet measured along the said northeasterly line of Center Street from the easterly line of Tax Lot 4 Block 517.01 being now or formerly the property of Conrail; said **BEGINNING** point also being the most southerly corner of Tax Lot 10 Block 399 having New Jersey State Plane Coordinate System NAD 1983 ground values of North 672,074.15 feet and Est 602,798.30 feet; thence running

1. North 53 degrees 48 minutes 12 seconds East, 191.16 feet measured along the northwesterly line of Gould Street (40.0 R.O.W.) to a P.K. nail with disk set in the southwesterly line of Tax Lot 8 Block 399; thence
2. South 36 degrees 30 minutes 05 seconds East, 40.00 feet measured along a portion of the said southwesterly line of Tax Lot 8 Block 399, also being the northeasterly line of said Gould Street, to a P.K. nail with disk set at the point of intersection between the said northeasterly line of Gould Street with the southeasterly line of said Gould Street; said point also being the most northerly corner of Tax Lot 4.01 Block 399; thence
3. South 53 degrees 48 minutes 12 seconds West, 193.06 feet measured along the said southeasterly line of a Gould Street to a P.K. nail with disk set; said point also being along the northwesterly line of Tax Lot 1.01 Block 399; thence

4. North 33 degrees 47 minutes 08 seconds West, 40.04 feet measure along the common line between the southwesterly line of Gould Street and the northeasterly line of Center Street to the point and place of **BEGINNING**.

Containing 4,684 Square Feet = 0.18 acres

SECTION 2. All costs and expenses incidental to the introduction, passage and publication of this ordinance, including preparation and mailing of any and all notices related to the Ordinance upon property owners whose property is affected by the proposed vacation of the above described road known as Gould Street and publication shall be borne and paid for by the abutting property owners.

SECTION 3. the City shall file this Ordinance with the Hudson County Clerk within sixty days after the Ordinance becomes effective. Upon filing with the Hudson County Clerk, title shall vest in the abutting property owners.

SECTION 4. This Ordinance shall be subject to the following:

1. In the event the utilities, if any, presently located under the right of way being vacated hereunder, are not moved to another location, an easement in perpetuity is reserved for the benefit of the City of Bayonne and all public utility companies, including 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 water lines, sewer lines, gas lines and telephone, electrical and cable television wires and poles which may be located either beneath or above the surface of the area subject to this vacation ordinance.

SECTION 5. If any section, paragraph 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 6. This Ordinance shall take effect upon final passage and publication as required by law.

SECTION 7. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

Summary

In exchange for the land being transferred for the intersection the city is going to vacate Gould Street. The Street will become part of the warehouse adjacent to the street. It will be taxable and the City will not need to pave or plow the street any longer. The street is currently used as parking for the buildings.

