

**AN ORDINANCE TO VACATE A PORTION OF DUKE STREET
IN THE CITY OF NEW BRUNSWICK**

BE IT ORDAINED by the New Brunswick City Council:

SECTION I

City Council finds and determines that:

(A) On July 8, 2019, the Zoning Board of the City of New Brunswick approved by Resolution the Order and Resolution for Site Plan, Subdivision, Use and Bulk Variance Application of Recon Services, LLC with regard to a project to construct a five (5) story residential structure at 48 Courtlandt Street in the City of New Brunswick, New Jersey.

(B) Said property is located at 48 Courtlandt Street and designated on the Tax Map of the City of New Brunswick as Block 65, Lots 14.01, 16, 17, 19.01, 21, 22, 23.01 and 25.

(C) In furtherance of that approval, and as a condition of said approval, applicant has requested a vacation of a portion of Duke Street as part of the development of the site as set forth hereafter.

(D) The developer, Recon Services, LLC, will compensate the City of New Brunswick the sum of Three Hundred Dollars (\$300,000.00) for the vacation of the portion of Duke Street as set forth herein below.

SECTION II

The vacation of Duke Street hereafter described, is subject to all public easements, rights and interests therein.

PORTION OF DUKE STREET VACATION

BEGINNING at the intersection of the southeasterly right of way line of Courtlandt Street (60 foot public right of way) with the northeasterly line of Duke Street (60 foot public right of way), said point also being the most southwesterly corner of Lot 19.01, Block 65; running thence

1. On said northeasterly line of Duke Street, South 62 degrees 48 minutes 43 seconds East, a distance of 253.32 feet to a point on the northerly right of way line of Central Avenue (60 foot public right of way); thence
2. On said northerly right of way line of Central Avenue, North 87 degrees 22 minutes 20 seconds West, a distance of 172.86 feet to a point of intersection of the northerly right of way line of Central Avenue with the northeasterly right of way line of Louis Street (variable public right of way); thence
3. On said northeasterly right of way line of Louis Street, North 25 degrees 28 minutes 25 seconds West, a distance of 48.20 feet to a point of curvature; thence
4. Still on the northeasterly right of way line of Louis Street, on a curve bearing to the left, in a northwesterly direction, having a radius of 290.00 feet, an arc length of 58.33 feet and a delta angle of 11 degrees 31 minutes 25 seconds (having a chord bearing North 31 degrees 14 minutes 07 seconds West and a chord distance of 58.23 feet) to a point of tangency; thence
5. On the same, North 36 degrees 59 minutes 49 seconds West, a distance of 9.08 feet to a point on the aforementioned right of way line of Courtlandt Street; thence
6. On said line of Courtlandt Street, North 27 degrees 11 minutes 17 seconds East, a distance of 8.17 feet to the point and place of BEGINNING.

Containing 9,225 S.F. or 0.21 Acres of land more or less.

The above description is in accordance with a plan entitled, "Exhibit to Accompany Deed Recording For a Portion of Duke Street to be Vacated, situated in City of New Brunswick, Middlesex County, New Jersey," prepared by MidAtlantic Engineering Partners, dated August 27, 2019.

SECTION III

Upon final approval of this Ordinance, the same shall be recorded in the Middlesex County Clerk's Office as required by *N.J.S.A. 40:67-1, et seq.*

SECTION IV

SEVERABILITY:

If any subsection, paragraph or provision of this Ordinance is declared to be invalid by a court of competent jurisdiction such finding shall affect the remaining provisions hereof and the entire Ordinance shall be null and void.

SECTION V

REPEALER:

All ordinances inconsistent with the provisions of this Ordinance are repealed to the extent of such inconsistency.

SECTION VI

EFFECTIVE DATE:

This Ordinance shall take effect upon the latest of the following events: approval by the Mayor, recording in the Middlesex County Clerk's Office.

ADOPTED ON FIRST READING:

DATED: April 21, 2021


COUNCIL PRESIDENT

ADOPTED ON SECOND READING:

DATED:

COUNCIL PRESIDENT

ATTEST:

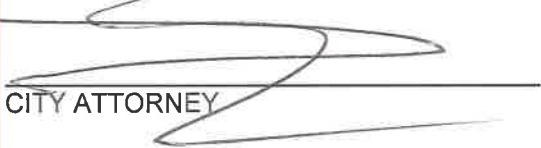
CITY CLERK

APPROVAL OF THE MAYOR ON THIS DAY OF , 2021.

MAYOR

APPROVALS:


CITY ADMINISTRATOR


CITY ATTORNEY

COUNCILMEMBER	V	N	NV	AM	V	N	NV	AM
ANDREWS M								X
EGAN S								
FLEMING S								
ESCOBAR VP								
COUNCILMEMBER								

FIRST READING VOTE ON APRIL 21, 2021 M= MOVED S= SECONDARY NO VOTE AP= ABSENT