

ORDINANCE NO. 2025-1520

**BOROUGH OF TINTON FALLS
COUNTY OF MONMOUTH**

**ORDINANCE VACATING THE BOROUGH'S RIGHTS AND INTEREST
IN A ROADWAY KNOWN AS GUN CLUB ROAD**

BE IT ORDAINED, by the Borough Council of Borough of Tinton Falls, County of Monmouth, State of New Jersey as follows:

SECTION 1. Pursuant to the authority vested in the Borough of Tinton Falls by N.J.S.A. 40:67-21, all public rights owned by the Borough in a 25-foot roadway known as Gun Club Road, lying between Green Grove Road and Block 123, Lot 19, be and hereby is vacated. The area of vacation is described on Exhibit A attached hereto and as set forth on the Map attached hereto as Exhibit B.

SECTION 2. Notwithstanding this Ordinance there is hereby reserved and excepted from said vacation all rights and privileges now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television franchise company as defined in the "Cable Television Act." P.L. 1972, c. 186 (c. 48:5A-1 et seq.), to maintain, repair or replace their existing facilities in, adjacent to, over or under any part thereof to be vacated.

SECTION 3. This Ordinance is expressly conditioned upon title to the area being vacated merging in its entirety with title to the adjacent property known as Block 123, Lot 18.03.

SECTION 4. A certified copy of this Ordinance shall be filed with the Clerk of Monmouth County.

SECTION 5. In the event any section, part or provision of this Ordinance shall be held unconstitutional or invalid by any Court, such holding shall not affect the validity of this

Ordinance or any remaining part of this Ordinance other than the part held unconstitutional or invalid.

SECTION 6. This ordinance shall take effect after second reading and publication as required by law.

Introduced:

Adopted:

RISA CLAY
COUNCIL PRESIDENT

VITO PERILLO
MAYOR

ATTEST:

MICHELLE HUTCHINSON
BOROUGH CLERK

APPROVED AS TO FORM:

KEVIN N. STARKEY, ESQ.
DIRECTOR OF LAW