

**BOROUGH OF PARAMUS
COUNTY OF BERGEN**

ORDINANCE 2021-12

**AN ORDINANCE APPROVING VACATING THE TWENTY (20) FOOT DRAINAGE
EASEMENT LOCATED AT 240 HOPPERS LANE, BLOCK 4908, LOT 1**

WHEREAS, pursuant to N.J.S.A. 40:60-32, whenever within any municipality any lands dedicated or devoted, wholly or partially, to public use other than a public street, highway, lane, alley, square or place shall be considered by the governing body of such municipality to be unsuited to or undesirable for such public use, or otherwise useless, burdensome or disadvantageous to the public, the governing body may by ordinance and on such terms as it shall prescribe, with the consent of the owner of the fee, vacate or extinguish the public rights in and to those lands and restore the same to the owner of the fee thereof, freed and discharged from all such public rights therein.

WHEREAS, The Mayor and Council received a request for the vacation of a drainage easement located on Block 4908, Lot 1, also known as, 240 Hoppers Lane as shown on Exhibit A¹;

WHEREAS, said easement to be vacated is more specifically set forth by the metes and bounds description prepare by the Borough Engineer attached hereto as Exhibit B^[1];

WHEREAS, the vacation of the existing drainage easement has no detriment to the intent or function of the existing water drainage in the area;

WHEREAS, the vacation of the easement has been reviewed by the Borough's various departments, including the Borough Engineer, the Superintendent of the Department of Public Works, the Fire Prevention Chief, the Superintendent of Shade Tree and Parks Commission, the Chief of Police and the Construction Code Official;

WHEREAS, the aforementioned Borough Departments have provided no comment, concerns, or objection to the vacation of the easement;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Paramus, County of Bergen and State of New Jersey, as follows:

Section 1. Grants the vacation of the twenty-foot drainage easement located on Block 4908, Lot 1, also known as, 240 Hoppers Lane as shown on Exhibit A, which is attached hereto and incorporated herein by reference;

Section 2. Any and all rights of the public in and to this portion of the existing drainage easement are released, extinguished and surrendered and vacated;

Section 3. Any ordinance or part thereof inconsistent with this ordinance is repealed to the extent of such inconsistency;

¹ Signed and sealed survey dated September 01, 2020 prepared by David J Egarian of , DJ Egarian & Assoc, Inc.

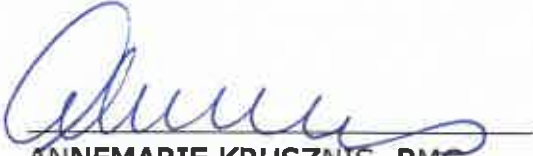
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Section 4. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and to this end the provisions of this ordinance are hereby declared severable;

Section 5. This ordinance shall take effect following adoption and approval in a time and manner provided by law.

Attest:



**ANNEMARIE KRUSZNIS, RMC
Borough Clerk**

Approved:



**RICHARD A. LABARBIERA
Mayor**

Introduced: March 9, 2021

Adopted: March 23, 2021