

CITY OF ABSECON

ORDINANCE 05-2017

**AN ORDINANCE ACCEPTING THE DEDICATION OF
A RIGHT OF WAY EASEMENT FROM RANGE 129, LLC**

WHEREAS, Range 129, LLC is the owner of certain property listed on the Official Tax Map of the City of Absecon as Lot 5 in Block 259; and

WHEREAS, the property is bounded by Pleasant Avenue to the North, Anina Street to the East, Joseph Lane to the South and Lot 4 in Block 259 to the West; and

WHEREAS, Range 129, LLC plans to construct a shooting range on said property and

WHEREAS, the Southeast corner of said property at the intersection of Anina Street and Joseph Lane contains a portion of a traveled way/road commonly used by the public; and

WHEREAS, Range 19, LLC wants to dedicate a right of way to the City of Absecon so that the road can remain in its current location and would not have to be re-aligned or moved; and

WHEREAS, the City Council of the City of Absecon, by this Ordinance, is desirous of accepting the said right of way dedication; and

WHEREAS, the parties wish to enter into a right of way road dedication for the property more specifically described and depicted in the attached Right of Way Road Dedication Agreement which is attached to this Ordinance and specifically made a part hereof by this reference.

NOW, THEREFORE, BE IT ORDAINED, by the Municipal Council of the City of Absecon, New Jersey as follows:

SECTION ONE: The above recitals are incorporated into this section of the Ordinance as if fully set forth at length herein.

SECTION TWO: The City specifically accepts the right of way dedication as set forth in the Agreement attached hereto as Exhibit A and authorizes the Mayor City Engineer, City Attorney or other appropriate official of the City of Absecon, to take any and all action necessary, and sign any document, to further the intention of this Ordinance.


SECTION THREE: Severability: If any section or part of this Ordinance is deemed to be invalid or illegal by any Court or other body of competent jurisdiction, then said part is severable from this Ordinance and the remaining sections or parts of this Ordinance shall remain in full force and effect.

SECTION FOUR: Effective Date: This Ordinance shall become effective upon passage and publication pursuant to law.

SECTION FIVE: Repealer: Any Ordinance or section thereof inconsistent with this Ordinance shall be repealed.

DATED: April 20th, 2017

SIGNED: 
John R. Armstrong, Mayor

ATTEST: 
Carie A. Crone, RMC, Municipal Clerk

Passed on first reading at a regular meeting of the Municipal Council held on April 6th, 2017. Laid over and advertised for public hearing and final adoption on April 20th, 2017. Notice is hereby given that the foregoing Ordinance was approved for final adoption by the Municipal Council of the City of Absecon at a regular meeting held on April 20th, 2017.

Exhibit A

ROW AGREEMENT

RIGHT OF WAY ROAD DEDICATION

THIS RIGHT OF WAY ROAD DEDICATION is made this ____ day of
~~____, 2017 by and between RANGE 129, LLC, with address at~~
~~_____ (hereinafter referred to as Grantor) and the CITY OF~~
ABSECON, a Municipal Corporation of the State of New Jersey, with offices in care of
Absecon City Hall, 501 Mill Road, Absecon, New Jersey 08201 (hereinafter known as
Grantee).

WHEREAS, Grantor is the owner of certain property identified on the Official
Tax Map of the City of Absecon as Lot 5 in Block 259; and

WHEREAS, Grantor wishes to grant a right of way dedication of a portion of
said property to the City of Absecon; and

WHEREAS, the City of Absecon is desirous of accepting the same; and

WHEREAS, it is in the interest of the general public and the welfare of citizens
and visitors to the City of Absecon that the land herein described be dedicated to the
City of Absecon.

NOW, THEREFORE, in consideration of the benefits accruing to the Grantor
and for the sum of One Dollar (\$1.00) which both the payment and receipt are
acknowledged by the Grantor signing below, the Grantor does hereby dedicate to the
City of Absecon for public use the land situate, lying and being in the City of Absecon,
County of Atlantic and State of New Jersey and as more fully described in a meets and
bounds description prepared by Charles E. Adamson, P.L.S., dated March 29, 2017 and
attached hereto as Exhibit A and specifically incorporated herein by this reference. The

meets and bounds description describes a portion of Lot 5 in Block 259 as shown on the Tax Map of the City of Absecon, County of Atlantic and State of New Jersey. The same land which is dedicated pursuant to this Agreement is depicted in a survey prepared by Charles E. Adamson, New Jersey Professional Land Surveyor, dated March 29, 2017 which is attached to this Agreement as Exhibit B and specifically incorporated herein by this reference.

The Grantor dedicates said land and said land is accepted by the City of Absecon pursuant to this Agreement.

IN WITNESS WHEREOF, the Grantor has set its hand and corporate seal hereto, all of the same being attested to by its proper corporate officer, this _____ day of _____, 2017.

Affix Corporate Seal

RANGE 129
By: _____

I, _____, a notary public of the State of New Jersey, state that _____, who is the _____ of Range 129, LLC, personally came before me on the _____ day of _____, 2017, and acknowledged to my satisfaction, the following:

1. That he is a corporate officer of Range 129, LLC.
2. That he is authorized by the corporation to sign this Right of Way Road Dedication on behalf of said LLC
3. That he is the person identified on the signature line
4. That he signed this document freely and voluntarily of his own will.

Notary Public

Exhibit A

MEETS AND BOUNDS

DESCRIPTION

PRINCIPALS

Edward Vernick, PE, CME, President
Craig F. Remington, PLS, PP, Vice President
Michael D. Vena, PE, PP, CME (deceased 2006)
Edward J. Walberg, PE, PP, CME, CFM
Thomas F. Beach, PE, CME
Richard G. Arango, PE, CME
Kim Wendell Bibbs, PE, CME
Marc DeBlasio, PE, PP, CME, CPWA, CEP
Alan Dittenhofer, PE, PP, CME
Leonard A. Falola, PE, PP, CME
Christopher J. Fazio, PE, CME
Terence Vogt, PE, PP, CME
Dennis K. Yodar, PE, PP, CME

SENIOR ASSOCIATES

Charles E. Adamson, PLS, AET
John J. Cantwell, PE, PP, CME
Richard B. Ozakanski, PE, CME, BOEE
Annina Hogan, PE, RA, CME, CPWA, LEED-AP
Kenneth C. Resstler, PE, CME
Frank J. Servey, Jr., PE, PP, CME, NBS
Gregory J. Sullivan, PE, PP, CME, CEA

PLEASE REPLY TO THE NOTED OFFICE

Remington & Vernick Engineers
232 Kings Highway East
Haddonfield, NJ 08033
☐ (856) 795-9595

51 Haddonfield Road, Suite 260
Cherry Hill, NJ 08002
☐ (856) 795-9595

Remington, Vernick
& Vena Engineers
9 Allen Street
Toms River, NJ 08753
☐ (732) 286-9220

8 Jocama Boulevard, Suite 300-400
Old Bridge, NJ 08857
☐ (732) 955-8000

Remington, Vernick
& Walberg Engineers
845 North Main Street
Pleasantville, NJ 08232
☐ (609) 645-7110

4907 New Jersey Avenue
Willowood City, NJ 08260
☐ (609) 522-5150

Melford Plaza I, Suite 400
16701 Melford Boulevard
Bowie, MD 20715
☐ (240) 544-5382

Remington, Vernick
& Beach Engineers
922 Fayette Street
Conshohocken, PA 19428
☐ (610) 940-1050

1000 Church Hill Road, Suite 220
Pittsburgh, PA 15205
☐ (412) 263-2200

Univ. Office Plaza, Bellevue Building
262 Chapman Road, Suite 105
Newark, DE 19702
☐ (302) 266-0212

Remington, Vernick
& Arango Engineers
The Presidential Center, Lincoln Building
Suite 600, 101 Route 130,
Cinnaminson, NJ 08077
☐ (856) 303-1245

One Harmon Plaza, Suite 210
Secaucus, NJ 07094
☐ (201) 624-2137

**RIGHT OF WAY DEDICATION
PORTION OF LOT 5, BLOCK 259
JOSEPH LANE & ANINA STREET
CITY OF ABSECON
ATLANTIC COUNTY, NEW JERSEY**

ALL THAT CERTAIN portion of land and premises, situate, lying and being in the City of Absecon, County, of Atlantic and State of New Jersey and being more particularly described as follows:

BEGINNING at the intersection of the Westerly right of way line of Anina Street (33' wide) wide the Northerly right of way line of Joseph Lane (variable width); thence extending

1. South 89 degrees 34 minutes 50 seconds West, along the Northerly right of way line of Joseph Lane, a distance of 50.00 feet, to a point; thence
2. North 44 degrees 48 minutes 01 seconds East, passing through the lands of the Grantors, a distance of 70.98 feet, to a point in the aforementioned Westerly right of way line of Anina Street; thence
3. South 00 degrees 01 minutes 12 seconds West, along the Westerly right of way line of Anina Street, a distance of 50.00 feet, to the point and place of beginning

Containing within said bounds 1,250 Sq. Ft (0.029 Ac.) of land.

Subject to conditions, restrictions and easements of record, except those that may have expired by their own limitations.

It being the intent to describe a portion of Tax Map Lot 5, Block 259 to be dedicated to the City of Absecon for Roadway Purposes.

This description was prepared in accordance with a plan entitled "Right of Way Dedication Plan, Block 259, Lot 5, City of Absecon, Atlantic County, New Jersey", prepared by Remington, Vernick & Walberg Engineers, dated March 29, 2017.

3/29/17

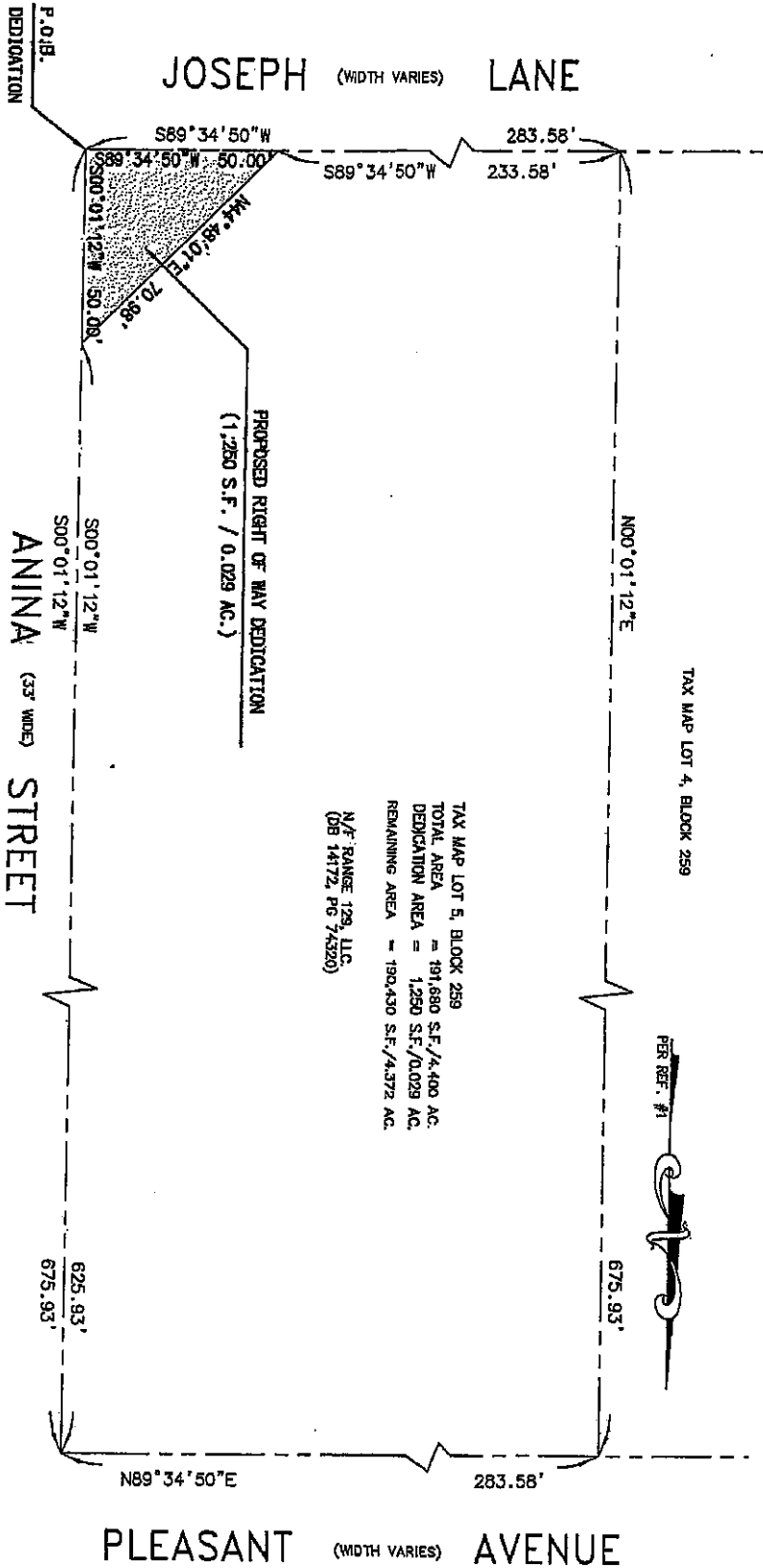


Date

Charles E. Adamson, P.L.S.
N.J. License No. 42627

Exhibit B

SURVEY



TAX MAP LOT 4, BLOCK 259



TAX MAP LOT 5, BLOCK 259
 TOTAL AREA = 191,680 S.F./4.400 AC.
 DEDICATION AREA = 1,250 S.F./0.029 AC.
 REMAINING AREA = 190,430 S.F./4.372 AC.
 N.F. RANGE 129, LLC
 (DB 14172, PG 7-4320)

SURVEY REFERENCES & NOTES:

1. "EXISTING CONDITIONS PLAN, BLOCK 259, LOT 5, CITY OF ABSECON, ATLANTIC COUNTY, N.J.", PREPARED BY ROLISTIMA & ASSOCIATES, LLC, DATED MARCH 11, 2016, REVISED TO NOVEMBER 17, 2016.
2. THE CURRENT TAX MAPS OF THE CITY OF ABSECON, ATLANTIC COUNTY, N.J.
3. THIS PLAN IS BASED ON REFERENCE #1. NO FIELD SURVEY WAS UNDERTAKEN FOR THIS PROJECT.



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NO.	REVISION	DATE	BY	CHK BY
	RIGHT OF WAY DEDICATION PLAN			
	BLOCK 259, LOT 5			
	JOSEPH LANE & ANINNA STREET			
	CITY OF ABSECON, ATLANTIC COUNTY, NEW JERSEY			
	CHARLES E. ADAMSON	DATE: 3/29/17		
	REMINGTON, VENICE & WALBERG ENGINEERS			
	4907 NEW ARREST AVENUE, HUDNOC, NEW JERSEY 07033			
	(609) 622-5150, WWW.REMINGTON-WALBERG.COM			
	DESIGNED BY: ADAMSON, BY: CARL D. BY: CARL D.	DWG. NO.:	SHEET NO.:	
	SCALE: 1" = 30'	DATE: 03/29/17	DWG. NO.:	1 OF 1
	DWG. FILE PATH/NAME:			
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