

Introduced: 07/11/2023  
Public Hearing: 08/08/2023  
Adopted: 08/08/2023

**TOWNSHIP OF TEWKSBURY  
HUNTERDON COUNTY, NEW JERSEY  
ORDINANCE NO. 18-2023**

**AN ORDINANCE OF THE TOWNSHIP OF TEWKSBURY, HUNTERDON  
COUNTY, NEW JERSEY VACATING A PORTION OF BARLOW DRIVE**

**WHEREAS**, Thomas Zuzik (the “Developer”) received preliminary and final major subdivision and site plan approvals (the “Approvals”) from the Township of Tewksbury (the “Township”) Planning Board for the Beaux Champs Manor Estates Development (the “Development”) on or about April 5, 1995; and

**WHEREAS**, the Developer installed all required public improvements and dedicated the same to the Township by way of a Deed of Dedication which was executed on October 18, 2021 in accordance with the Approvals; and

**WHEREAS**, a portion of Barlow Drive consisting of a stub extending off the cul-de-sac which abuts property identified as Block 6.04, Lots 23.01, 23.24 and 23.27 on the Township’s official Tax Map, as more particularly described in the metes and bounds description attached hereto as Exhibit A and incorporated by reference herein (the “Barlow Drive Stub”), was dedicated, but was neither accepted nor opened by the Township as a public street; and

**WHEREAS**, pursuant to N.J.S.A. 40:67-19, the Township may vacate that portion of any street dedicated but not accepted or opened as a public street; and

**WHEREAS**, the Township Committee finds and declares that the Barlow Drive Stub is not needed for a public purpose and that the vacation thereof is in the best interests of the Township and its residents.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Tewksbury, Hunterdon County, New Jersey, as follows, that:

**SECTION 1.** That portion of Barlow Drive abutting Block 6.04, Lots 23.01, 23.24 and 23.27 on the official Tax Map of the Township of Tewksbury and more particularly described in the metes and bounds attached hereto as Exhibit A be and hereby is vacated; provided, however, that all rights and privileges possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the Cable Television Act, P.L. 1972, c. 186, to maintain, repair and replace their existing facilities in, adjacent to, over or under the said street, or any part thereof so vacated, are expressly reserved and excepted from its vacation.

**SECTION 2.** The Township Administration and Township Attorney be and hereby are authorized to take any and all reasonable or necessary actions to effectuate the same.

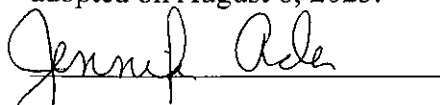
**SECTION 3.** All actions of the Township taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

**SECTION 4.** If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any remaining part thereof.

**SECTION 5.** All Ordinances or parts of Ordinances of the Township of Tewksbury heretofore adopted that are inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 6.** This Ordinance shall take effect immediately upon its final passage, approval and publication as provided by law.

I HEREBY CERTIFY the above to be a true copy of an Ordinance introduced by the Township Committee of the Township of Tewksbury at a duly convened meeting held on July 11, 2023 and adopted on August 8, 2023.

A handwritten signature in cursive script, reading "Jennifer Ader", is written over a horizontal line.

Jennifer Ader  
Township Clerk