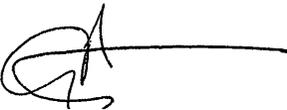


# MASON, GRIFFIN & PIERSON

A PROFESSIONAL CORPORATION  
COUNSELLORS AT LAW

## MEMORANDUM

To: Mayor and Council of Princeton  
*via e-mail & hand-delivery*

From: Edwin W. Schmierer, Esq.   
Princeton Attorney

Date: April 3, 2013

Re: **Proposed Ordinance Vacating Right-of-Way on 155 Hamilton Avenue,  
Princeton, New Jersey**

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The above-referenced property was recently purchased by Brooke A. Brown. In preparing a Plan of Survey for the property, it was noted that there is a ten (10') foot wide right-of-way for a public sanitary running across the rear of her property. The Princeton Engineering Department has confirmed that the actual sewer line servicing this property was relocated in the 1940s. Public sanitary sewer service is provided through the sewer line in Hamilton Avenue.

Ms. Brown has requested that Princeton vacate this right-of-way. As indicated above, the Princeton Engineering Department concurs with this request since the right-of-way serves no municipal purpose.

Since the right-of-way represents an interest in land, the New Jersey Local Lands and Buildings Law, *N.J.S.A. 40A:12-2*, requires that the right-of-way be vacated by Ordinance.

To this end, I have prepared and attach hereto an Ordinance for your consideration for adoption at your meeting on April 8, 2013.

EWS:jv  
attach.

cc: Robert W. Bruschi, Administrator (w/attach.) - *via e-mail*  
Kathy Monzo, Assistant Administrator (w/attach.) - *via e-mail*  
Linda S. McDermott, Clerk (w/attach.) - *via e-mail*  
Robert V. Kiser, P.E., Princeton Engineer (w/attach.) - *via e-mail*  
Robert K. Pagan, Assistant Engineer (w/attach.) - *via e-mail*  
Walter R. Bliss, Jr., Esq. (w/attach.)  
Ms. Brook A. Brown (w/attach.)

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**AN ORDINANCE BY PRINCETON  
VACATING A PUBLIC RIGHT-OF-  
WAY ON BLOCK 31.02, LOT 66,  
PRINCETON TAX MAP.**

WHEREAS, Princeton has a ten (10') foot wide right-of-way for sewer drainage purposes on Block 31.02, Lot 6, Princeton Tax Map, said property commonly known as 155 Hamilton Avenue; and

WHEREAS, Princeton's Engineering Department has determined that the right-of-way is no longer needed for sanitary sewer drainage purposes.

NOW, THEREFORE, BE IT ORDAINED by the Princeton Council as follows:

1. Pursuant to N.J.S.A. 40A:12-13, Princeton hereby vacates and extinguishes a public right-of-way for sanitary sewer drainage purposes on Block 31.02, Lot 66, Princeton Tax Map. Said right-of-way is shown in Deed Book 6133, at Page 982 as recorded in the Office of the Mercer County Clerk. The right-of-way being vacated is further described as follows:

A ten (10') foot wide right-of-way for an existing drain, the centerline of which runs parallel and distant 56.88 feet southerly of course one (Hamilton Avenue right-of-way line) and is further shown on a Map of Survey prepared for Brooke A. Brown by Land Map, Inc. (Vincent J. Rigelone, Jr., N.J.L.S. No. 33111), dated January 15, 2013, a copy of which is attached hereto as Exhibit A and made a part hereof.

2. This Ordinance vacating the above-referenced right-of-way shall be recorded in the Office of the Mercer County Clerk.

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Linda S. McDermott, Clerk

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Liz Lempert, Mayor

Ordinance Introduced: April 8, 2013

Ordinance Adopted:

**HAMILTON AVENUE**

(50' R.O.W.)

P.O.B.  
P.K. Nail Fnd.

N 80°52'00" E 50.00'

LINDEN LANE  
(50' R.O.W.)

189.85'



LOT 65, BLK. 31.02  
N/F MICHAEL STEFANCHIK, III, et ux

N 09°08'00" W 127.95'

Pipe Fnd.

LOT 67, BLK. 31.02  
N/F PETER SCARETTA & DEIDRE L. LOGUE  
(DEED BK. 4323, P. 175)

S 09°08'00" E 124.48'

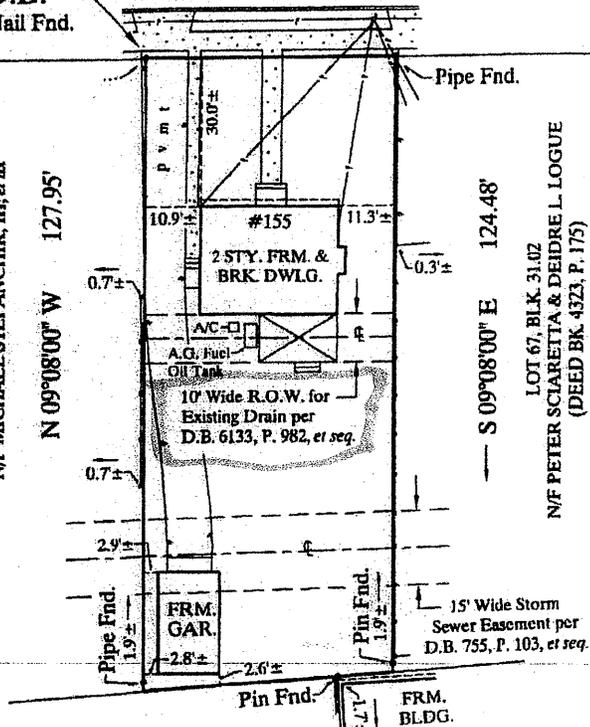
**TAX MAP DATA:**

SHEET ..... 31  
BLOCK ..... 31.02  
LOT ..... 66

**REFERENCE DEED:**

BOOK..... 6133 PAGE..... 982

CONTAINING ..... 6,311.0 sf. ±



S 76°54'00" W 50.12'

LOT 19, BLK. 34.01  
N/F MARK A. SANNINO  
(DEED BK. 4509, P. 15)

LOT 20, BLK. 34.01  
N/F 156-158 SPRUCE STREET  
CONDOMINIUM

**TO:**

BROOKE A. BROWN;  
HARVARD ABSTRACT, LLC, 170-015782;  
LAW OFFICE OF ANTONIA M. MOTOLA LLC;  
ANTONIA M. MOTOLA, ESQ.

**FILED MAP REFERENCES:**

- 1.) LOT ..... 72  
"PLAN OF PRINCETON HIGHLANDS"  
FILED SEPT. 18, 1926 AS MAP No. 511.
- 2.) "PLAN SHOWING REVISION OF PORTION  
OF PRINCETON HIGHLANDS" FILED  
MARCH 29, 1940 AS MAP No. 633.

I declare that, to the best of my professional knowledge and belief, this map is the product of a field survey performed on or about the date indicated on this title sheet, by me, or under my direct supervision in accordance with the laws of the State of New Jersey, and in accordance with the best standards of the profession of a Land Surveyor; Preparation of Land Surveys, and is subject to the best of my knowledge and belief, in accordance with the laws of the State of New Jersey, the best standards of the profession of a Land Surveyor, and in accordance with the best standards of the profession of a Land Surveyor. I am not aware of any fraud or other illegal or improper conduct in the preparation of this map, and I am not aware of any fraud or other illegal or improper conduct in the preparation of this map, and I am not aware of any fraud or other illegal or improper conduct in the preparation of this map.



<p><b>LAND MAP, INC.</b> Land Surveying, Planning &amp; Mapping Consultants 3694 Nottingham Way, Hamilton Square, N.J. 08690 Phone: 609-586-7117 Fax: 609-586-7510 www.landmapinc.com Certificate of Authorization No. 24GA28037000 VINCENT J. RIGELON, JR. NJPLS 3311 NEFP 3904 PALES 4084R</p> <p><i>VJR</i> 1-15-13 <b>VINCENT J. RIGELON, JR.</b> N.J. PROFESSIONAL LAND SURVEYOR No. 33111</p>	<p><b>MAP of SURVEY</b> prepared for <b>BROOKE A. BROWN</b> lands situate PRINCETON BOR., MERCER CO., NJ</p> <p>SCALE: DATE: DRAWN: CHD: ACAD: PROJECT: 1"=30' 1/8/13 VMG VJR ACD99 #12489</p>
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