

ORDINANCE BOROUGH OF CARLSTADT
NOTICE

NOTICE IS HEREBY GIVEN that the following proposed ordinance was introduced and passed on first reading at a regular meeting of the Mayor and Council of the Borough of Carlstadt held on the 20th day of November, 2025 and that said ordinance will be taken up for further consideration for final passage at a meeting of said Borough Council to be held on the 3rd day of December, 2025 at 7:00 P.M., or as soon thereafter as said matter can be reached, at the Borough Hall, Carlstadt, New Jersey, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

ORDINANCE NO. 25-18

**AN ORDINANCE VACATING A PART OF BROAD STREET
LOCATED IN THE BOROUGH OF CARLSTADT**

WHEREAS, an unimproved portion of Broad Street in the Borough of Carlstadt, Bergen County, New Jersey is a paper street; and

WHEREAS, N.J.S.A. 40:67-1(b) authorizes the Governing Body of every municipality to adopt an ordinance to vacate any public street or any part thereof; and

WHEREAS, pursuant to N.J.S.A. 40:67-19, a municipality may vacate a public street where there has been a dedication of lands as a public street and same has not been accepted by the municipality and it shall appear to the governing body of the municipality that the public interest will be better served by releasing those lands or a part thereof from such dedication and the lands or part thereof released from the dedication shall be effectively discharged therefrom as though the dedication had not taken place; and

WHEREAS, pursuant to N.J.S.A. 40:49-6, a municipality must publish an ordinance authorizing vacations or dedications of land in the manner required by N.J.S.A. 40:49-2, except that every such ordinance, after being introduced and having passed a first reading, shall be published at least once not less than ten (10) days instead of one week prior to the time fixed for further consideration for final passage, and, at least one week prior to the time fixed for final passage, a copy of such ordinance, together with a notice of the introduction thereof and the time and place when and where the ordinance shall be considered for final passage shall be mailed to every person whose lands may be affected by the ordinance; and

WHEREAS, the Mayor and Council of the Borough of Carlstadt has determined that it would fulfill a public purpose to vacate the unimproved, paper street known as 19th Street located in the Borough of Carlstadt connecting to Paterson Plank Road as same is not needed nor used as a public street, and to convey the vacated lands to the adjacent property owner in accordance with law.

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the Borough of Carlstadt as follows:

1. The following portion described of Broad Street be and is hereby vacated:

Beginning at a point at the southwesterly corner of lands now or formerly of 40 Broad Street Associates, LLC, as described in Deed Book 8860 Page 236 (Tax Lot 19 in Tax Block 120), said point being at the intersection formed by the northeasterly line of lands now or formerly of The Borough of Carlstadt, as described in Deed Book 6377 Page 485 (Dedication as a Public Road – a.k.a. Tax Lot 7 in Tax Block 120.01) with the northeasterly extension of the southeasterly line of Twentieth Street (a 50 foot wide right-of-way as shown on a certain map entitled “Subdivision Plat, Section 1, Property of Knickerbocker Industrial Park, Inc., Borough of Carlstadt, Bergen County, N.J.” filed in the Bergen County Clerk’s Office on 07/09/1969 as Filed Map No. 6836), and running; thence:

1) Along said northeasterly line of lands now or formerly of The Borough of Carlstadt, South 52°36'14" East, a distance of 316.66 feet to a point along a curve on the northwesterly line of Broad Street (a 50-foot-wide right-of-way as shown on said Filed Map No. 6836); thence.

2) Along said northwesterly line of Broad Street as shown on said Filed Map No. 6836, along a curve to the left having a radius of 50.00 feet, an arc length of 26.03 feet, having a chord bearing of South 51°10'48" West, a chord distance of 25.74 feet and a central angle of 29°50'00" to a non-tangent point; thence

3) Along said northwesterly line of Broad Street as shown on said Filed Map No. 6836, along a curve to the left having a radius of 50.00 feet, an arc length of 26.03 feet, having a chord bearing of South 51°10'48" West, a chord distance of 25.74 feet and a central angle of 29°50'00" to a non-tangent point

4) North 52°36'14" West, a distance of 267.80 feet to a point in the northeasterly line of Twentieth Street; thence

5) North 37°23'46" East, a distance of 50.00 feet to the point of BEGINNING.

This description is prepared in accordance with a certain map entitled "Vacation Exhibit, Extension of Broad Street, Portion of Block 120.01 Lot 7, Borough of Carlstadt, Bergen County, New Jersey" dated October 13, 2025, Project CARLMUN25.015 as prepared by Neglia Group.

2. Upon vacation of the portion of Broad Street described in section 1 above the portion of the vacated street shall, in accordance with law, merge, consolidate with, and made part of the respective adjacent properties identified as Block 120.01, Lot 5 (as described on Exhibit A attached hereto); 6 (as described on Exhibit B attached hereto); and Lot 19 as described on Exhibit C attached hereto); and

3. Pursuant to the provisions of N.J.S.A. 40:67(b) the Borough of Carlstadt hereby expressly reserves and excepts from vacation all rights and privileges currently 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, N.J.S.A. 48:5-1 et seq.), to maintain, repair and replace their existing facilities in, adjacent to, over or under the street, or any part thereof, to be vacated; and

4. Pursuant to N.J.S.A. 40:49-6, the Borough Clerk shall publish this Ordinance in the manner required by N.J.S.A. 40:49-2, except that after same has been introduced and passed a first reading, this Ordinance shall be published at least once not less than ten (10) days prior to the time fixed for further consideration for final passage, and the Clerk shall, at least one week prior to the time fixed for final passage, mail a copy of this Ordinance, together with a notice of the introduction thereof and the time and place when and this Ordinance shall be considered for final passage to every person whose lands may be affected by this Ordinance; and

5. That within sixty (60) days after this Ordinance becomes effective, the Borough Clerk shall file a copy thereof, certified by her, under the seal of the Borough of Carlstadt to be a true copy of such Ordinance, together with a proof of publication thereof, in the office of the Bergen County Clerk to be recorded in a book with proper index to be provided for this purpose entitled "vacations", in accordance with the provisions of N.J.S.A. 40:67-21; and

6. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

7. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

8. This Ordinance shall take effect upon passage and publication in accordance with applicable law.

INTRODUCED: November 20, 2025

APPROVED: _____
ROBERT J. ZIMMERMANN, MAYOR

ATTEST: _____
KIMBERLY KOZIEL, DEPUTY BOROUGH CLERK