

**ORDINANCE #2025-**

**AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN,  
STATE OF NEW JERSEY, RELEASING, EXTINGUISHING AND VACATING THE  
RIGHTS OF THE PUBLIC TO A PORTION OF A STREET KNOWN AS FRANKLIN  
BOULEVARD, IN THE TOWNSHIP OF LAKEWOOD**

**WHEREAS**, pursuant to *N.J.S.A. 40:67-1(b)* and *N.J.S.A. 40:67-19*, the Township Committee may, by ordinance, vacate any public street or portion thereof, dedicated to public use, whether or not the same, or any part, has been actually opened or improved; and

**WHEREAS**, while portions of Franklin Boulevard, in the Township of Lakewood are partially improved, a portion of Franklin Boulevard consisting of a 12.5 foot strip of land abutting Block 500 Lot 1 depicted on Tax Map Sheet 102 and described in the attached Exhibit A is unimproved and has been determined to be unnecessary for public use; and

**WHEREAS**, by various emails both the Planning Board Administrator and the Township Engineer support the vacation of this 12.5 foot strip of land abutting Block 500 Lot 1; and

**WHEREAS**, Franklin Boulevard is part of the School Overlay Zone recently enacted by Lakewood Township, and the area is being improved with roadways and infrastructure by the Newport Avenue Joint Venture, an entity of property owners in the area of Newport Avenue and Franklin Boulevard, and this joint venture has approved this requested partial vacation of the width of Franklin Boulevard in conjunction with its infrastructure improvements undertaking, along with adjacent property owners; and

**WHEREAS**, it has been determined by the Township Committee as follows:

- (1) That a portion Franklin Boulevard consisting of a 12.5 foot strip of land abutting Block 500 Lot 1 depicted on Tax Map Sheet 102 in the attached Exhibit A is not needed for public road purposes; and
- (2) That a portion of Franklin Boulevard consisting of a 12.5 foot strip of land abutting Block 500 Lot 1 lends itself to a higher and better use than for public road purposes and that it is in the best interest of the general public and the Township of Lakewood that the rights and interests in and to same shall as a public right of way be vacated, released and extinguished; and

**WHEREAS**, pursuant to *N.J.S.A. 40:67-1(b)*, the Township Committee must, by Ordinance, preserve the right of public utilities to maintain, repair and replace their existing utility facilities, including cable television facilities, in, adjacent to, over, or under the property or right-of-way to be vacated;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** All public easements, right and interests in a portion of Franklin Boulevard consisting of a 12.5 foot strip of land abutting Block 500 Lot 1 depicted on Tax Map Sheet 102

and as described in the attached Exhibit A are hereby vacated, released and extinguished except for all rights and privileges now 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. 48:5A-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 subject to the conditions described herein; all conditions, unless otherwise noted, shall be satisfied prior to said vacation being effective.

**SECTION 2.** The Township Clerk shall publish, this ordinance, after being introduced and having passed a first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to *N.J.S.A. 40:49-6*.

**SECTION 3.** The Township Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to *N.J.S.A. 40:49-6*.

**SECTION 4.** The Township Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the street with the office of the County Clerk in a special book set aside for dedications and vacations, pursuant to *N.J.S.A. 40:67-21*.

**SECTION 5.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION 6.** If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 7.** This Ordinance shall take effect upon final passage and publication in accordance with law.

**Introduced: August 7, 2025**

**Adoption:**

**CERTIFICATION**

I, Lauren Kirkman, Township Clerk of the Township of Lakewood, do hereby certify the foregoing to be a true and exact copy of the ordinance which was adopted by the Township Committee of the Township of Lakewood at a meeting held on **August 7, 2025.**

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Lauren Kirkman, RMC, CMR  
Township Clerk