

**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 PORTION OF A PAPER STREET KNOWN AS  
LAMBERT AVENUE 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, but not accepted by the Township, whether or not the same, or any part, has been actually opened or improved; and

**WHEREAS**, a certain portion of Lambert Avenue in the Township of Lakewood is an approximately 240 ft. long by 50 ft. wide paper street that runs from Chestnut Street in a northerly direction until its intersection with Fulton Avenue as depicted on Tax Sheet 142 (attached), and remains unimproved; and

**WHEREAS**, said portion of Lambert Avenue described in the attached Exhibit A has been determined to be unnecessary for public use; and

**WHEREAS**, by email dated May 16, 2025 the Planning Board Administrator supported the vacation of this portion of Lambert Avenue as described on the attached Exhibit A; and

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

(1) That a portion of Lambert Avenue described in the attached Exhibit A is not needed for public road purposes; and

(2) That a portion of Lambert Avenue lends itself to 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

(3) The owners of all property fronting or abutting this portion of Lambert Avenue have consented to this proposed vacation; 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, rights and interests in a portion of Lambert Avenue 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: June 26, 2025**

**Adopted:**

**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 **June 26, 2025**.

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Lauren Kirkman, RMC CMR  
Township Clerk