

**ORDINANCE NO. 17-2023**

**AN ORDINANCE VACATING PORTIONS OF CERTAIN STREETS  
KNOWN AS SOUTH STREET, RIVER STREET, FORMER BLOCK 13, LOT 17  
AND AN UNNAMED STREET (POPPINGER PLACE) AND ACCEPTING THE  
DEDICATION OF CERTAIN STREETS KNOWN AS PROPOSED FRONT STREET  
AND PROPOSED BLOCK 13, LOT 4 IN THE BOROUGH OF SEA BRIGHT,  
COUNTY OF MONMOUTH**

**WHEREAS**, Denholtz Acquisitions (“*Denholtz*”), is the owner of certain tracts and parcels of land shown and designated on the Official Tax Map of the Brough of Sea Bright (the “*Tax Map*”) as Block 13, Lots 13-18, 20-22; Block 14, Lots 12 & 14; and Block 15, Lots 5-12 (collectively, the “*Project Site*”), for which Denholtz has received preliminary major subdivision approval and preliminary and final site plan approval for a mixed use residential development to be known as “Haven at Sea Bright” (the “*Project*”) from the Borough of Sea Bright Planning Board; and

**WHEREAS**, portions of public streets known as South Street, River Street, Former Block 13, Lot 17 and an Unnamed Street (Poppinger Place) currently cross and bisect the Project Site as hereinafter more particularly described (the “*Subject Streets*”); and

**WHEREAS**, Denholtz has requested that the Borough of Sea Bright vacate those portions of the Subject Streets which currently cross and bisect the Project Site; and

**WHEREAS**, the Borough of Sea Bright Council has not accepted those portions of the Subject Streets for maintenance and the Borough of Sea Bright Council has determined that the Subject Streets are no longer desirable, necessary or required for Borough purposes, and that the public interest will be better served by releasing those lands or parts thereof under the Subject Streets from such dedication; and

**WHEREAS**, Denholtz has presented the descriptions of the Subject Streets which are annexed hereto as *Exhibit A*, which have been reviewed and approved by the Borough Engineer; and

**WHEREAS**, Denholtz has requested that the Borough of Sea Bright accept dedication of certain property within the Project Site (the “*Dedicated Property*”); and

**WHEREAS**, Denholtz has presented the descriptions of the Dedicated Property, which are annexed hereto as *Exhibit B*, which have been reviewed and approved by the Borough Engineer.

**NOW THEREFORE, BE IT ORDAINED** by the Borough of Sea Bright Council in the County of Monmouth, State of New Jersey, as follows:

Section 1. The public rights arising from the dedication of the Subject Streets as described in *Exhibit A* annexed hereto are hereby released, extinguished and discharged from the said dedication, it being the intent and purpose of this Ordinance to vacate all of those portions of the Subject Streets as herein described and as shown on the Tax Map, and that any interests that the Borough of Sea Bright may have in said Subject Streets are no longer desirable, necessary or required for Borough purposes.

Section 2. The Borough of Sea Bright hereby accepts Denholtz dedication of the Dedication Property as described in *Exhibit A* thereby accepting all rights and responsibilities associated with the ownership of the Dedication Property.

Section 3. The Tax Map of the Borough of Sea Bright shall be immediately corrected by the Borough of Sea Bright Engineer and filed with the Board of Tax Assessors of the Borough of Sea Bright and the Clerk of Monmouth County within 60 days of the adoption of this Ordinance.

Section 4. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph subdivision, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

Section 5. All ordinances and parts of ordinances that are inconsistent with this Ordinance are superseded and repealed to the extent of any inconsistency.

Section 6. This Ordinance shall take effect upon passage and publication and as provided by law.

**I HEREBY CERTIFY** this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on December 14, 2023 and will be further considered after a Public Hearing held on December 28, 2023 at the Municipal Building, 1097 Ocean Avenue, at 8:30 a.m.

INTRODUCED: December 14, 2023

PUBLIC HEARING: December 28, 2023

ADOPTED:

**Witness**

**BOROUGH OF SEA BRIGHT**

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CHRISTINE PFEIFFER, CLERK

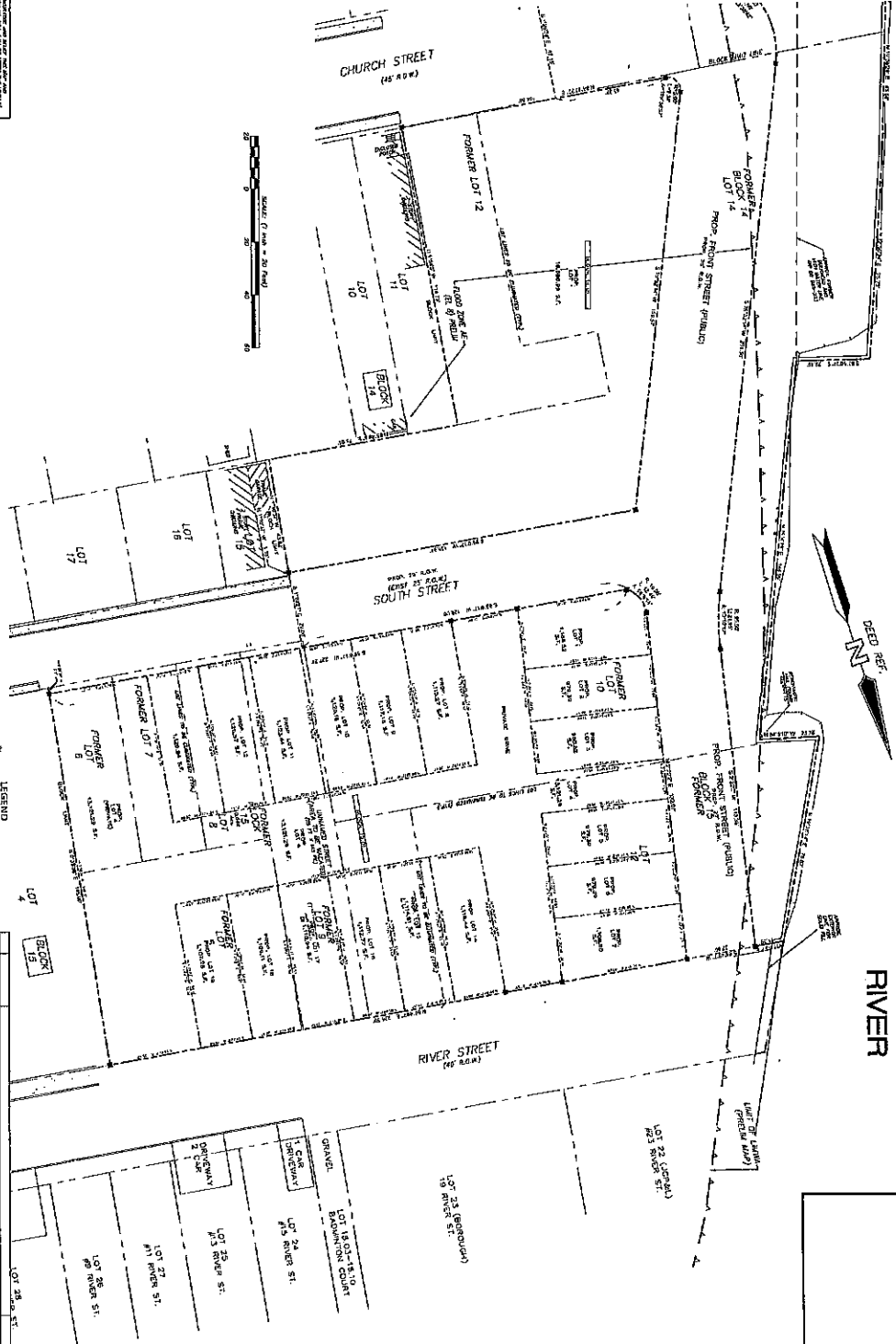
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BRIAN KELLY, MAYOR



200' ADJOINING OWNERS

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SEE SHEET 1 OF 2 FOR CONTINUATION



SOUTH SHREWSBURY RIVER

**CONVEYANCE OF REAL ESTATE**

THIS INSTRUMENT IS A PRELIMINARY PLAN OF SUBDIVISION OF REAL ESTATE AND IS NOT A FINAL INSTRUMENT OF CONVEYANCE. IT IS SUBJECT TO THE APPROVAL OF THE BOARD OF REAL ESTATE APPRAISERS AND THE BOARD OF TAXATION AND REVENUE OF THE STATE OF NEW JERSEY.

THE BOARD OF REAL ESTATE APPRAISERS HAS REVIEWED THIS INSTRUMENT AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE REAL ESTATE AND TAXATION LAW OF THE STATE OF NEW JERSEY.

THE BOARD OF TAXATION AND REVENUE HAS REVIEWED THIS INSTRUMENT AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE REAL ESTATE AND TAXATION LAW OF THE STATE OF NEW JERSEY.

THE STATE OF NEW JERSEY HAS REVIEWED THIS INSTRUMENT AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE REAL ESTATE AND TAXATION LAW OF THE STATE OF NEW JERSEY.

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THE STATE OF NEW JERSEY HAS REVIEWED THIS INSTRUMENT AND HAS DETERMINED THAT IT COMPLIES WITH THE REQUIREMENTS OF THE REAL ESTATE AND TAXATION LAW OF THE STATE OF NEW JERSEY.

**LEGEND**

1. LOT BOUNDARIES

2. EASEMENTS

3. UTILITIES

4. EXISTING BUILDINGS

5. EXISTING DRIVEWAYS

6. EXISTING STREETS

7. EXISTING CURBS

8. EXISTING SIDEWALKS

9. EXISTING FENCES

10. EXISTING TREES

11. EXISTING POWER LINES

12. EXISTING WATER LINES

13. EXISTING SEWER LINES

14. EXISTING GAS LINES

15. EXISTING TELEPHONE LINES

16. EXISTING CABLE LINES

17. EXISTING RAILROADS

18. EXISTING HIGHWAYS

19. EXISTING AIRWAYS

20. EXISTING CANALS

21. EXISTING DAMS

22. EXISTING BRIDGES

23. EXISTING TUNNELS

24. EXISTING TOWERS

25. EXISTING STRUCTURES

26. EXISTING MONUMENTS

27. EXISTING MARKERS

28. EXISTING SURVEY POINTS

29. EXISTING BOUNDARY POINTS

30. EXISTING CORNER POINTS

31. EXISTING CENTER POINTS

32. EXISTING QUARTER POINTS

33. EXISTING MIDDLE POINTS

34. EXISTING END POINTS

35. EXISTING INTERSECTION POINTS

36. EXISTING TANGENT POINTS

37. EXISTING CURVE POINTS

38. EXISTING CHORD POINTS

39. EXISTING ARC POINTS

40. EXISTING SPAN POINTS

41. EXISTING RADIUS POINTS

42. EXISTING CHORD POINTS

43. EXISTING ARC POINTS

44. EXISTING SPAN POINTS

45. EXISTING RADIUS POINTS

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**WPH** ENGINEERING & SURVEYING

PRELIMINARY & FINAL MAJOR SUBDIVISION & SITE PLAN

BLOCK 13, LOTS 13-18, 20, 21, 22

BLOCK 15, LOTS 2, 11

BRIDGE OF SEA BRIDGE

MONMOUTH COUNTY

NEW JERSEY

PRELIMINARY PLAN

PETER F. SHENNETT III

REGISTERED PROFESSIONAL ENGINEER

NO. 123456789

NEW JERSEY

## Exhibit B



### DESCRIPTION OF PROPERTY BLOCK 13 FORMER LOT 17

All that a certain lot and or lots, tract or parcel of land situate, lying and being in the Borough of Sea Bright, County of Monmouth, State of New Jersey and being more particularly described as follows:

Beginning at a point in the westerly right-of-way line of Front Street (35' wide), said point being North 01 degrees 32 minutes 29 seconds West, a distance of 88.25 (feet), from the intersection of the northerly right-of-way line of Beach Street (35' wide) with westerly right-of-way line of Front Street and running; thence.

- 1) North 87 degrees 55 minutes 15 seconds West, a distance of 139.97 (feet), to a point; thence
- 2) North 18 degrees 11 minutes 14 seconds West, a distance of 30.02 (feet), to a point; thence
- 3) South 87 degrees 55 minutes 15 seconds East, a distance of 148.59 (feet), to a point in the westerly right-of-way of Front Street; thence
- 4) South 01 degrees 32 minutes 29 seconds East, along the aforementioned, a distance of 28.22 (feet), to the point and place of BEGINNING.

Aforementioned is prepared in accordance with a plan entitled, "Preliminary and Final Major Subdivision and Site Plan," in Block 13 Lots 13-18, 20,21 and 22, Block 14 Lots 12 and 14, Block 15 Lots 5-12, in the Borough of Sea Bright, Monmouth County, New Jersey", dated 09/25/23, Last revised 12/05/2023 prepared by WJH Engineering.

Containing 4,063.42 S.F. or 0.11 acres +/-.

12-05-23  
Date

Peter P. Bennett III  
Peter P. Bennett III  
Professional Land Surveyor  
New Jersey License # 40651



## DESCRIPTION OF PROPOSED RIGHT OF WAY

All that a certain lot and or lots, tract or parcel of land situate, lying and being in the Borough of Sea Bright, County of Monmouth, State of New Jersey and being more particularly described as follows:

Beginning at a concrete monument to be set in the westerly right-of-way line of Front Street (35' wide), said point being North 01 degrees 32 minutes 29 seconds West, a distance of 194.92 (feet), from a concrete monument to be set at the intersection of the westerly right-of-way line of Front Street with the southerly property line of Lot 1 in Block 13.01 and running; thence

- 1) Along a curve to the right, along the new westerly right-of-way line of Front Street, having a radius of 30.65 (feet), an arc length of 44.83 (feet), having a delta angle of 83 degrees 47 minutes 44 seconds, having a chord bearing of North 43 degrees 44 minutes 23 seconds West and a chord distance of 40.94 (feet), to a concrete monument to be set of tangency; thence
- 2) North 01 degrees 26 minutes 38 seconds West, along the aforementioned, a distance of 144.82 (feet), to a concrete monument to be set in the new southerly right-of-way line of Church Street (45' wide); thence.
- 3) North 85 degrees 07 minutes 23 seconds East, along the aforementioned, a distance of 31.19 (feet), to a concrete monument to be set in the new easterly right-of-way line of Front Street; thence.
- 4) South 01 degrees 58 minutes 08 seconds East, along the aforementioned, a distance of 94.43 (feet), to a concrete monument to be set; thence.

- 5) North 83 degrees 15 minutes 29 seconds East, along the aforementioned, a distance of 7.42 (feet), to a concrete monument to be set: thence.
- 6) South 00 degrees 45 minutes 27 seconds East, along the aforementioned, a distance of 47.86 (feet), to a concrete monument set in the northerly right-of-way line of New Street (40' wide); thence.
- 7) South 85 degrees 08 minutes 38 seconds West, along the afore mentioned, a distance of 11.34 (feet), to a point in the existing westerly right-of-way line of Front Street, if extended northerly; thence
- 8) South 01 degrees 32 minutes 29 seconds East, a distance of 34.69 (feet), to the point and place of BEGINNING.

Aforementioned is prepared in accordance with a plan entitled, "Preliminary and Final Major Subdivision and Site Plan," in Block 13 Lots 13-18, 20,21 and 22, Block 14 Lots 12 and 14, Block15 Lots 5-12, in the Borough of Sea Bright, Monmouth County, New Jersey", dated 09/25/23, Last revised 12/05/2023 prepared by WJH Engineering.

Containing 5,578.89 S.F. or 0.128 acres +/-.

12-05-23

Date

Peter P. Bennett III

Peter P. Bennett III  
Professional Land Surveyor  
New Jersey License # 40651





## DESCRIPTION OF PROPOSED RIGHT OF WAY

All that a certain lot and or lots, tract or parcel of land situate, lying and being in the Borough of Sea Bright, County of Monmouth, State of New Jersey and being more particularly described as follows:

Beginning at a concrete monument to be set at the intersection of the proposed westerly right-of-way line of Front Street (width varies), with the southerly right-of-way line of Church Street (45' wide) and running; thence.

- 1) South 88 degrees 33 minutes 22 seconds West, along the aforementioned, a distance of 56.85 (feet), to a concrete monument to be set in the new westerly right-of-way line of Front Street; thence.
- 2) North 01 degrees 26 minutes 38 seconds West, along the aforementioned, a distance of 6.63 (feet), to a concrete monument to be set at a point of curvature; thence.
- 3) Along the aforementioned, along a curve to the right, having a radius of 33.50 (feet), an arc thence of 60.60 (feet), having a delta angle of 103 degrees 38 minutes 42 seconds, having a chord bearing of North 36 degrees 17 minutes 07 seconds West and a chord distance of 52.67 (feet), to a concrete monument to be set at a of tangency; thence.
- 4) North 15 degrees 32 minutes 14 seconds East, along the aforementioned, a distance of 201.50 (feet), to a concrete monument to be set at a point of curvature; thence.

- 5) Along the aforementioned, along a curve to the left, having a radius of 95.50 (feet), an arc length of 21.95 (feet), having a delta angle of 13 degrees 10 minutes 12 seconds, having a chord bearing of North 08 degrees 57 minutes 08 seconds East and a chord distance of 21.90 (feet), to a concrete monument to be set at a point of tangency; thence.
- 6) North 02 degrees 22 minutes 02 seconds East, along the aforementioned, a distance of 113.36 (feet), to a concrete monument to be set in the southerly right-of-way line of River Street (40' wide); thence.
- 7) South 88 degrees 49 minutes 07 seconds West, along the aforementioned, a distance of 27.00 (feet), to a concrete monument to be set in the proposed easterly right-of-way line of Front Street; thence.
- 8) South 02 degrees 22 minutes 02 seconds West, along the aforementioned, a distance of 132.07 (feet), to a concrete monument to be set at a point of curvature; thence.
- 9) Along the aforementioned, along a curve to the left, having a radius of 10.50 (feet), an arc length of 12.49 (feet), having a delta angle of 68 degrees 09 minutes 14 seconds, having a chord bearing of South 31 degrees 42 minutes 35 seconds East and a chord distance of 11.17 (feet), to a concrete monument to be set a point of tangency in the northerly right-of-way line of South Street (width Varies); thence
- 10) North 89 degrees 00 minutes 17 seconds East, along the aforementioned, a distance of 128.00 (feet), to a point; thence
- 11) South 01 degrees 10 minutes 37 seconds East, along the aforementioned, a distance of 29.00 (feet), crossing over to the proposed southerly right-of-way line of South Street (29 wide); thence.
- 12) South 89 degrees 01 minutes 17 seconds West, along the aforementioned, a distance of 136.91 (feet), to a concrete monument set in the proposed easterly right-of-way line of Front Street (36' wide); thence.
- 13) South 15 degrees 32 minutes 14 seconds West, along the aforementioned, a distance of 159.57 (feet), to a concrete monument set a point of curvature; thence.

- 14) Along the aforementioned, along a curve to the left, having a radius of 5.00 (feet), an arc length of 9.34 (feet), having a delta angle of 106 degrees 58 minutes 52 seconds, having a chord bearing of South 37 degrees 57 minutes 12 seconds East and a chord distance of 8.04 (feet), to a concrete monument set at a point of tangency in the existing northerly right-of-way line of Church Street (45' wide); thence
- 15) North 88 degrees 33 minutes 22 seconds East, along the aforementioned, a distance of 43.37 (feet) to a point; thence
- 16) South 01 degrees 26 minutes 38 seconds East, passing across Church Street, a distance of 47.15 (feet), to the point and place of BEGINNING.

Aforementioned is prepared in accordance with a plan entitled, "Preliminary and Final Major Subdivision and Site Plan," in Block 13 Lots 13-18, 20,21 and 22, Block 14 Lots 12 and 14, Block 15 Lots 5-12, in the Borough of Sea Bright, Monmouth County, New Jersey", dated 09/25/23, Last revised 12/05/2023 prepared by WJH Engineering.

Containing 18,555.31 S.F. or 0.423 acres +/-.

12-05-23

Date

Peter P. Bennett III

Peter P. Bennett III  
Professional Land Surveyor  
New Jersey License # 40651