

**ORDINANCE NO.: 10-17**

**AN ORDINANCE OF THE MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF MOUNT ARLINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, TO ESTABLISH THE FORMAL LIMITS OF THE RIGHTS-OF-WAY FOR BERKSHIRE AVENUE AND AN UNNAMED ROAD ALONG THEIR SHARED BOUNDARY WITH THE BOROUGH OWNED PROPERTY IDENTIFIED AS BLOCK 12, LOT 1**

**WHEREAS**, the Borough of Mount Arlington has jurisdiction over Berkshire Avenue and the Unnamed Road Rights-Of-Way on the tax map of the Borough of Mount Arlington, Morris County, New Jersey; and

**WHEREAS**, the Borough of Mount Arlington is the owner of the property shown and designated as Block 12, Lot 1 on the tax map of the Borough of Mount Arlington, Morris County, New Jersey; and

**WHEREAS**, the Rights-Of-Way and Block 12, Lot1 are located within the Borough of Mount Arlington; and

**WHEREAS**, the Unnamed Road consists of a thirty-three (33) foot public right-of-way designated per tax map, the Referendum dated November 1, 1890, establishing the municipal boundary line between the Borough of Mount Arlington and the Township of Roxbury, and Deed Book 1976 Page 226; and

**WHEREAS**, Berkshire Avenue consists of a fifty (50) foot public right-of-way designated per tax map and deed book 2207, page 430; and

**WHEREAS**, the western and northern boundaries of Block 12, Lot 1 are the eastern and southern boundaries of the Unnamed Road and Berkshire Avenue Rights-Of-Way, respectively; and

**WHEREAS**, the southern boundary of Block 12, Lot1 is the municipal boundary between the Borough of Mount Arlington, Morris County, New Jersey and the Township of Roxbury, Morris County, New Jersey; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Borough Council of Borough of Mount Arlington, County of Morris, State of New Jersey, as follows:

The Borough of Mount Arlington establishes the formal limits of the Rights-Of-Way for the Unnamed Road and Berkshire Avenue along their shared boundary with the Property identified as Block 12 Lot1,as described in courses 1 through 7 of the “Deed Description of Tax Lot 1 Block 12 (Replacement Lands)”, dated August 18, 2016, prepared by Richard F. Smith, Jr., Smith Surveying, Inc., **Schedule A**, and further shown on the “Survey of Lands”, dated June 15, 2015, revised August 18, 2016, prepared by Richard F. Smith, Jr., Smith Surveying, Inc.,

**Schedule B**, each attached hereto and made a part hereof.

**SECTION 2.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistencies.

**SECTION 3.** If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which shall judgment shall be rendered.


**SECTION 4.** This Ordinance shall take effect immediately upon final passage and publication as provided by law.

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of Borough of Mount Arlington, adopted on July 11, 2017, and will be further considered after a Public Hearing held on August 1, 2017 at the Municipal Building at 7:00 P.M.

INTRODUCED:  
PUBLISHED:  
ATTEST:

  
Linda DeSantis, RMC, Borough Clerk

BOROUGH OF MOUNT ARLINGTON  
COUNTY OF MORRIS  
STATE OF NEW JERSEY

  
Michael Stanzilis, Mayor

THE UNIVERSITY OF CHICAGO

Department of Chemistry

Chicago, Illinois

June 10, 1954


Dear Sir:

Very truly yours,  
R. M. Waymouth



Robert M. Waymouth

Mr. J. H. ...



SCHEDULE A



SmithSurveying Inc.

**SmithSurveying, Inc.**

28 Schuyler Pl. • Morristown, NJ 07960  
Ph: 973-540-9004 • Fax: 973-292-0220  
www.smithsurveyor.com

*Green Acres Project No.: SHC #1426002 & 1426003*

*Green Acres Project Name: Municipal Beach Diversions & Arlington Glen Diversions  
August 18, 2016*

*Tax Lot 1 in Block 12*

*Borough of Mount Arlington,*

*Berkshire Avenue*

*Morris County*

*Deed Description  
of Tax Lot 1 Block 12  
(Replacement Lands)*

*All that certain tract or parcel of lands located on Berkshire Avenue in the Borough of Mount Arlington, Morris County, New Jersey, bounded and described as follows:*

*Beginning at a concrete monument No.1 identified as "Smith Surveying Inc. Morristown" set at the point with New Jersey State Plane Coordinates (NAD -1983) Northing - 763805.07, Easting - 457075.43, where the easterly sideline of an unimproved Unnamed Road, (a 33 foot wide right of way, as shown on the Tax Map sheet No. 4 of the Borough of Mount Arlington) is intersected by the municipal boundary line between Borough of Mount Arlington and Township of Roxbury which was established by the Referendum dated November 1, 1890, said point being distant 252.44 feet on a course of North 74 degrees 07 minutes 59 seconds East from the Drill Hole found in the boulder which marks the corner of the municipal line as described in Deed Book 1976 at Page 226, and running; thence,*

- 1) along the easterly sideline of Unnamed Road, in a northerly direction with a non tangent curve turning to the right with a radius of 385.00 feet, having a chord bearing of North 06 degrees 16 minutes 29 seconds East and a chord distance of 142.47, having an interior angle of 21 degrees 19 minutes 32 seconds and an arc length of 143.30 to a point of reverse curvature in the same; thence*
- 2) along the same, in a northerly direction with a tangent curve turning to the left with a radius of 391.99 feet, having a chord bearing of North 08 degrees 25 minutes 38 seconds East and a chord distance of 116.02, having an interior angle of 17 degrees 01 minutes 13 seconds and an arc length of 116.44 to a point of reverse curvature in the same; thence*
- 3) along the same, in a northeasterly direction with a tangent curve turning to the right with a radius of 60.00 feet, having a chord bearing of North 42 degrees 55 minutes 52 seconds East and a chord distance of 81.86, having an interior angle of 86 degrees 01*

minutes 40 seconds and an arc length of 90.09 to a point in of reverse curvature in the southerly sideline of Berkshire Avenue, a 50 foot wide right of way, as described in Deed Book 2207 at Page 430; thence,

4) along the southerly sideline of Berkshire Avenue, in an easterly direction with a tangent curve turning to the left with a radius of 410.92 feet, having a chord bearing of North 80 degrees 58 minutes 17 seconds East and a chord distance of 71.25, having an interior angle of 09 degrees 56 minutes 49 seconds and an arc length of 71.34 to the boulder with mag-nail with shiner No:2, identified as "Smith Surveying Inc. Morristown", set at a point of tangency in the same; thence,

5) still along the southerly sideline of Berkshire Avenue, with a bearing of North 75 degrees 57 minutes 15 seconds East a distance of 521.78 feet to the concrete monument No:3, identified as "Smith Surveying Inc. Morristown", set at a point of curvature in the same; thence,

6) still along the southerly sideline of Berkshire Avenue, in an easterly direction with a tangent curve turning to the right with a radius of 481.07 feet, having a chord bearing of North 87 degrees 07 minutes 55 seconds East and a chord distance of 186.51, having an interior angle of 22 degrees 21 minutes 20 seconds and an arc length of 187.70 to the concrete monument No:4, identified as "Smith Surveying Inc. Morristown", set at a point of tangency in the same; thence,

7) along the southerly sideline of Berkshire Avenue, with a bearing of South 81 degrees 42 minutes 15 seconds East a distance of 496.60 feet to a point of curvature in the same; thence,

8) along a tangent curve turning to the right with a radius of 25.00 feet, having a chord bearing of South 64 degrees 25 minutes 23 seconds East and a chord distance of 14.85, having an interior angle of 34 degrees 33 minutes 44 seconds and an arc length of 15.08 to an Iron Rod with cap No:5, identified as "Smith Surveying Inc. Morristown", set at the above mentioned municipal boundary line between the Borough of Mount Arlington and the Township of Roxbury; thence,

9) along the municipal boundary line between the Borough of Mount Arlington and the Township of Roxbury, with a bearing of South 74 degrees 07 minutes 59 seconds West a distance of 1409.67 feet to the concrete monument No:1, identified as "Smith Surveying Inc. Morristown", set at the point of beginning.

Containing 282,729 square feet or 6.491 acres.

The above description was written pursuant to a Green Acres Survey of Lands designated as Block 12, Tax Lot 1, on the municipal tax map of Borough of Mount Arlington, County of Morris, State of New Jersey. Said Survey of Lands was prepared by Richard F. Smith, Jr., for the firm of Smith Surveying, Inc., 28 Schuyler Place, Morristown, New Jersey 07960, prepared on June 15, 2015, last revised through August 18, 2016 and marked as file No.

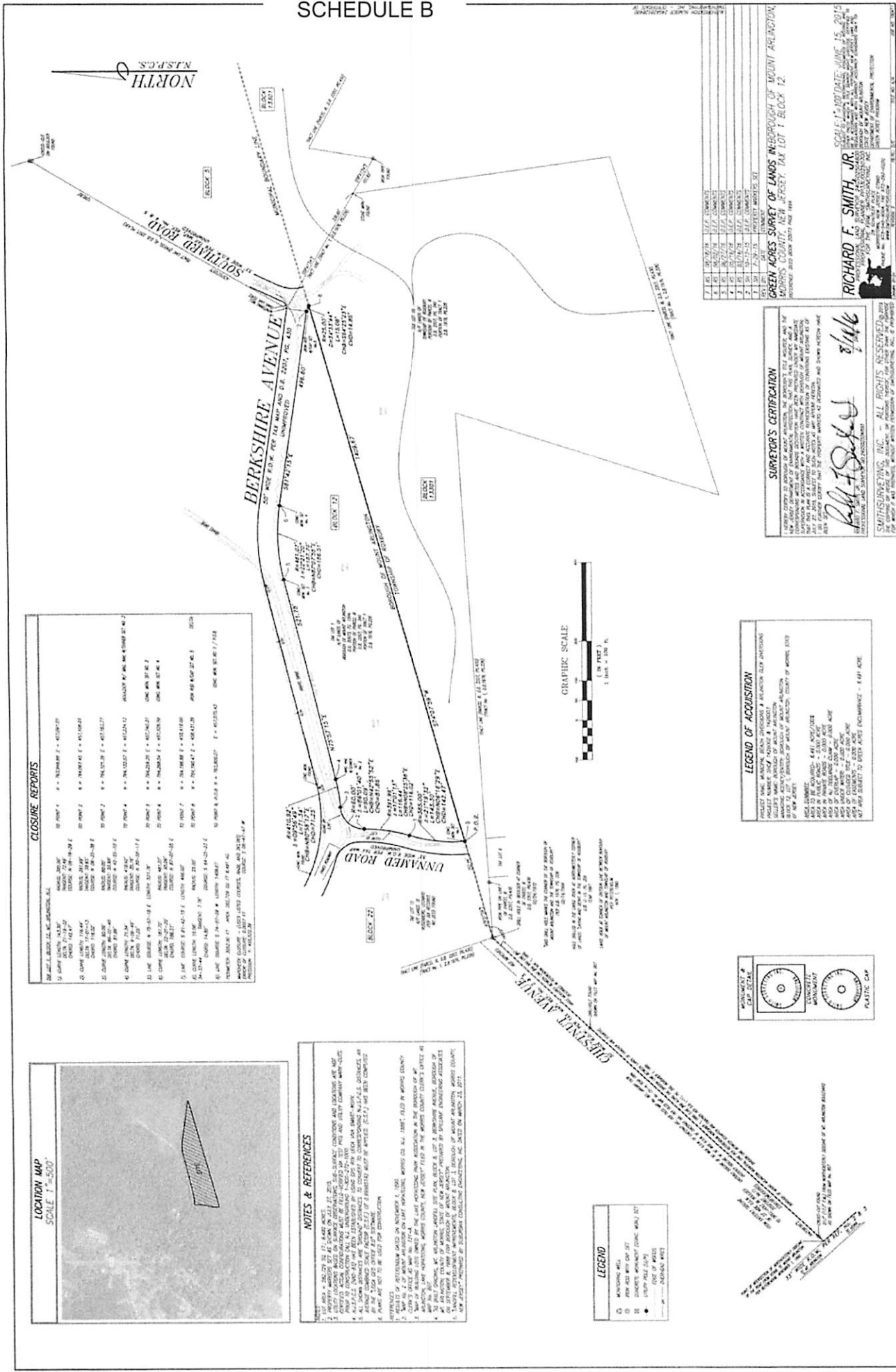
150411. A reduced copy of said plan is attached hereto and made a part hereof.

*Richard F. Smith, Jr.* 6/8/16

---

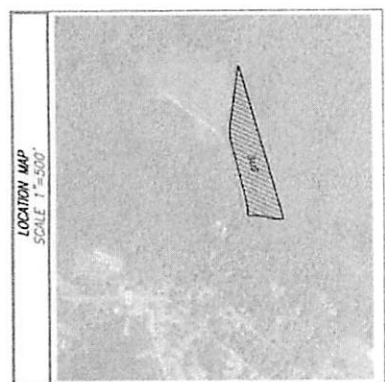
Richard F. Smith, Jr., Professional Land Surveyor License No. 24GS02504800

SCHEDULE B



**CLOSURE REPORTS**

DATE	PROJECT	BY	REASON	STATUS
12/15/11	12	SMITH	ROADWAY	OPEN
12/15/11	13	SMITH	ROADWAY	OPEN
12/15/11	14	SMITH	ROADWAY	OPEN
12/15/11	15	SMITH	ROADWAY	OPEN
12/15/11	16	SMITH	ROADWAY	OPEN
12/15/11	17	SMITH	ROADWAY	OPEN
12/15/11	18	SMITH	ROADWAY	OPEN
12/15/11	19	SMITH	ROADWAY	OPEN
12/15/11	20	SMITH	ROADWAY	OPEN
12/15/11	21	SMITH	ROADWAY	OPEN
12/15/11	22	SMITH	ROADWAY	OPEN
12/15/11	23	SMITH	ROADWAY	OPEN



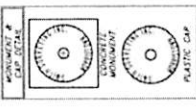
**NOTES & REFERENCES**

1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
2. ALL BEARINGS ARE TRUE BEARINGS.
3. ALL CORNERS ARE TO BE SET BY THE SURVEYOR.
4. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.
5. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.
6. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.
7. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.
8. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.
9. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.
10. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD.



**LEGEND OF ACQUISITION**

PROJECT NAME: BARKSHIRE AVENUE & SOUTHARD ROAD  
 PROJECT NUMBER: 2011-0001  
 PROJECT LOCATION: BARKSHIRE AVENUE & SOUTHARD ROAD, MOUNTAIN VIEW, NEW JERSEY  
 PROJECT AREA: 1.25 ACRES  
 PROJECT DATE: 12/15/11



**LEGEND**

- 1. BOUNDARY LINE
- 2. CENTERLINE
- 3. RIGHT-OF-WAY LINE
- 4. EASEMENT LINE
- 5. ADJACENT PROPERTY
- 6. UNDEVELOPED AREA
- 7. EXISTING ROADWAY
- 8. PROPOSED ROADWAY
- 9. UTILITY LINE
- 10. TREE
- 11. FENCE
- 12. SIGN
- 13. LIGHT
- 14. POLE
- 15. TOWER
- 16. STRUCTURE
- 17. OBSTACLE
- 18. HAZARD
- 19. DANGER
- 20. WARNING
- 21. SIGNAGE
- 22. MARKING
- 23. PAINT
- 24. CURB
- 25. GUTTER
- 26. DRAINAGE
- 27. EROSION CONTROL
- 28. LANDSCAPE
- 29. PLANTING
- 30. MAINTENANCE
- 31. INSPECTION
- 32. RECORDING
- 33. ARCHIVING
- 34. PRESERVATION
- 35. RESTORATION
- 36. REPAIR
- 37. REPLACEMENT
- 38. RECONSTRUCTION
- 39. REDEMPTION
- 40. REDEMPTION
- 41. REDEMPTION
- 42. REDEMPTION
- 43. REDEMPTION
- 44. REDEMPTION
- 45. REDEMPTION
- 46. REDEMPTION
- 47. REDEMPTION
- 48. REDEMPTION
- 49. REDEMPTION
- 50. REDEMPTION

NO.	DATE	DESCRIPTION
1	12/15/11	FIELD NOTES
2	12/15/11	FIELD NOTES
3	12/15/11	FIELD NOTES
4	12/15/11	FIELD NOTES
5	12/15/11	FIELD NOTES
6	12/15/11	FIELD NOTES
7	12/15/11	FIELD NOTES
8	12/15/11	FIELD NOTES
9	12/15/11	FIELD NOTES
10	12/15/11	FIELD NOTES
11	12/15/11	FIELD NOTES
12	12/15/11	FIELD NOTES
13	12/15/11	FIELD NOTES
14	12/15/11	FIELD NOTES
15	12/15/11	FIELD NOTES
16	12/15/11	FIELD NOTES
17	12/15/11	FIELD NOTES
18	12/15/11	FIELD NOTES
19	12/15/11	FIELD NOTES
20	12/15/11	FIELD NOTES
21	12/15/11	FIELD NOTES
22	12/15/11	FIELD NOTES
23	12/15/11	FIELD NOTES
24	12/15/11	FIELD NOTES
25	12/15/11	FIELD NOTES
26	12/15/11	FIELD NOTES
27	12/15/11	FIELD NOTES
28	12/15/11	FIELD NOTES
29	12/15/11	FIELD NOTES
30	12/15/11	FIELD NOTES
31	12/15/11	FIELD NOTES
32	12/15/11	FIELD NOTES
33	12/15/11	FIELD NOTES
34	12/15/11	FIELD NOTES
35	12/15/11	FIELD NOTES
36	12/15/11	FIELD NOTES
37	12/15/11	FIELD NOTES
38	12/15/11	FIELD NOTES
39	12/15/11	FIELD NOTES
40	12/15/11	FIELD NOTES
41	12/15/11	FIELD NOTES
42	12/15/11	FIELD NOTES
43	12/15/11	FIELD NOTES
44	12/15/11	FIELD NOTES
45	12/15/11	FIELD NOTES
46	12/15/11	FIELD NOTES
47	12/15/11	FIELD NOTES
48	12/15/11	FIELD NOTES
49	12/15/11	FIELD NOTES
50	12/15/11	FIELD NOTES

**SURVEYOR'S CERTIFICATION**

I, RICHARD F. SMITH, JR., a duly licensed Professional Engineer in the State of New Jersey, do hereby certify that the above is a true and correct copy of the original survey as shown to me by the client, and that the same was prepared by me or under my direct supervision and control, and that I am a duly licensed Professional Engineer in the State of New Jersey.

*Richard F. Smith, Jr.*  
 RICHARD F. SMITH, JR.  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 1215  
 EXPIRES 12/31/12

**GREEN ACRES SURVEY OF LANDS IN BOROUGHS OF MOUNTAIN VIEW, NEW JERSEY, TAX LOT 1, BLOCK 12.**

SCALE: 1"=100 FEET, DATE: JUNE 15, 2011

SMITH SURVEYING, INC. - ALL RIGHTS RESERVED  
 1000 ROUTE 100, SUITE 100, MOUNTAIN VIEW, NJ 07046  
 TEL: 908-261-1000 FAX: 908-261-1001  
 WWW.SMITHSURVEYING.COM