

ARTICLE I

Oval Road

[Adopted 8-18-1987 by Ord. No. 87-526 (Secs. 12.20.010 to 12.20.050 of the 1992 Code)]

§ 250-1. Definitions.

Words and phrases defined. Whenever any words and phrases are used in this article, the meaning respectively ascribed to them in Subtitle 1 of Title 39 of the Revised Statutes of New Jersey shall be deemed to apply to such words and phrases used herein.

§ 250-2. Vacation of portion of Oval Road; description.

The public's right-of-way over the following described portion of Oval Road in the Borough of Essex Fells is vacated:

BEGINNING at a point on the northeasterly side line of Oval Road where same is intersected by the easterly side line of Holton Lane; thence (1) running along the northerly side of Oval Road, south 39° 53 minutes east 434.57 feet to a point on the municipal boundary line between the Borough of Essex Fells and the Borough of West Orange; thence (2) running along said municipal boundary, south 33° 11 minutes west 52.27 feet to the southerly side line of Oval Road; thence (3) running along the southerly side line of Oval Road, north 39° 53 minutes west 450.50 feet to a point; thence (4) crossing Oval Road along the prolongation of the easterly side line of Holton Lane, north 50° 55 minutes 20 seconds east 50 feet to the point and place of beginning. Containing 0.508 acres.

§ 250-3. Travel prohibited.

With the exception of the rights reserved and excepted from vacation in § 250-4 hereof, no person shall drive a vehicle on or across that portion of Oval Road vacated and described in § 250-2 of this chapter.

§ 250-4. Reservations.

- A. There is expressly reserved and excepted from vacation the right and privilege heretofore possessed by the Borough of Essex Fells of maintaining said street and the fence it erected on said street near the border of West Orange and for ingress and egress to and from its well, buildings and equipment on the golf course operated by the Essex Fells Country Club and for the operation of its water and sewer systems in the premises described in § 250-2 of this article.
- B. There is also expressly reserved and excepted from vacation the right of police, fire-fighting, ambulance and rescue vehicles responding in either the Borough of Essex Fells or the Township of West Orange to travel on or across the following described portion of Oval Road:

BEGINNING at a point in the center line of Oval Road where same is intersected by the prolongation of the easterly side line of Holton Lane; thence (1) running along the prolongation of the easterly line of Holton Lane north 50° 55 minutes 20 seconds east 10 feet to a point; thence (2) running parallel to the former center line of Oval Road and 10 feet northerly as measured at right angles therefrom, south 39° 53 minutes east 439.35 feet to the township boundary line between the Borough of Essex Fells and the Township of West Orange; thence (3) running along said boundary line, south 33° 11 minutes west 20.91 feet to a point; thence (4) running parallel to the former center line of Oval Road and 10 feet southerly as measured at right angles therefrom, north 39° 53 minutes west 445.72 feet to a point on the said easterly prolongation of Holton Lane; thence (5) running along said prolongation, north 50° 55 minutes 20 seconds east 10 feet to the point and place of beginning. Containing 0.203 acres.

- C. There is also expressly reserved and excepted from vacation the private rights of Essex Fells Country Club, its successors and assigns and the private rights of owners of homes in Essex Fells that border on the northeasterly side of the portion of Oval Road to be vacated by this chapter, their heirs, successors and assigns and their servants and invitees to use said premises described in § 250-2 as they have heretofore.
- D. There is also expressly reserved and excepted from vacation all rights and privileges heretofore 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, P.L. 1972, c. 186 (N.J.S.A. 48:5A-1 et seq.), to maintain, to, over or under the premises described in § 250-2 or any part thereof.

§ 250-5. Violations and penalties.¹

Unless another penalty is expressly provided by New Jersey statute, every person convicted of a violation of a provision of this chapter shall be punished as provided in Chapter 1, Article III, General Penalty.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).