

**BOROUGH OF WILDWOOD CREST
COUNTY OF CAPE MAY
STATE OF NEW JERSEY**

ORDINANCE NO. 1481

**AN ORDINANCE VACATING AN UNIMPROVED PAPER STREET
CONSISTING OF A PORTION OF BAYVIEW AVENUE SITUATE
BETWEEN AND ABUTTING LOT 1 IN BLOCK 158 AND LOT 8 IN
BLOCK 157 AS SHOWN ON SHEET 6 OF THE TAX MAP OF THE
BOROUGH OF WILDWOOD CREST**

WHEREAS, N.J.S.A. 40:67-1(b) and N.J.S.A. 40:67-19 empowers the governing body of a municipality to make, amend, repeal and enforce ordinances to vacate any public street, including the vacation of any portion of any public street, and to vacate any street, or any part thereof, dedicated to public use but not accepted by the municipality, whether or not the same, or any part, has been actually opened or improved; and

WHEREAS, the Board of Commissioners of the Borough of Wildwood Crest has determined that the area of street to be vacated, is a an unimproved paper street consisting of a portion of Bayview Avenue, situated between Lot 1 in Block 158 and Lot 8 in Block 157 on the municipal tax map and as depicted on the attached Street Vacation Plan, that it is not needed by the general public as a public thoroughfare, is not and has not been used as a public thoroughfare and lends itself to higher and better uses, and that the public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights in and to the street to be vacated.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners, the governing body of the Borough of Wildwood Crest, in the County of Cape May and the State of New Jersey, as follows:

Section 1. The public right, title and interest in, along, upon and over the following described land is hereby vacated, surrendered and extinguished:

All that certain tract of parcel of land, situate in the Borough of Wildwood Crest as set forth in the graphic drawing depicting the portion of Bayview Avenue to be vacated, labeled "Street Vacation Plan" prepared by DeBlasio and Associates, dated January 30, 2026, attached hereto as Exhibit "A", and incorporated herein, as further described in the metes and bounds description prepared by DeBlasio and Associates, dated January 30, 2026, attached hereto as Exhibit "B", and incorporated herein.

Section 2. Title to the Street area to be vacated shall merge, consolidate with, and be made part of the adjoining land owned by the Borough of Wildwood Crest in accordance with law, as depicted on the Street Vacation Plan attached hereto as Exhibit "A".

Section 3. The Borough expressly reserves and excepts from vacation all rights and privileges currently 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.

Section 4. Pursuant to N.J.S.A. 40:49-6, the Municipal Clerk shall publish this Ordinance after same has been introduced and passed a first reading, at least once not less than ten (10) days prior to the time fixed for further consideration for final passage.

Section 5. After introduction, this Ordinance shall be referred to the Planning Board of the Borough of Wildwood Crest for review and comment pursuant to N.J.S.A. 40:55D-26, 32, and 33,

as vacation of a public street or portion thereof constitutes a change to the official map of the Borough of Wildwood Crest.

Section 6. Within sixty (60) days after this Ordinance becomes effective, the Municipal Clerk shall file a copy thereof, certified by her, under the Seal of the Borough of Wildwood Crest, to be a true copy of such Ordinance, together with a proof of publication thereof, in the office of the Cape May County Clerk to be recorded in a book with proper index to be provided for this purpose entitled "vacations", in accordance with the provisions of N.J.S.A. 40:67-21.


Section 7. The Borough Tax Assessor is authorized to amend the official map of the Borough and/or municipal tax map to reflect the street vacation as described and depicted on the Street Vacation Plan and to take such other action as may be required to effectuate the intent and purpose of this Ordinance, and the Mayor and Municipal Clerk, and Borough professionals are hereby authorized and directed to execute any and all other such documents and to take such other action which may be required to effectuate the intent and purpose of this Ordinance.

Section 8. All other Ordinances in conflict or inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

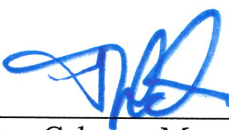
Section 9. Should any part of this Ordinance be declared unconstitutional or invalid, the remaining portions of this Ordinance shall not be affected thereby, but shall remain in full force and effect, and to this end the provisions of this Ordinance are declared to be severable.

Section 10. This Ordinance shall become effective immediately upon final passage and publication, according to law.

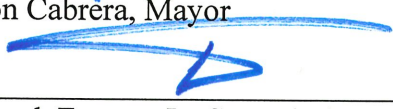
Dated: May 6, 2026




Patricia A. Feketics, Borough Clerk



Don Cabrera, Mayor



Joseph Franco, Jr. Commissioner



Toni D. Fuscellaro, Commissioner

Introduced: March 4, 2026

Adopted: May 6, 2026

**DEBLASIO &
ASSOCIATES**
ENGINEERS, SURVEYORS AND PLANNERS

4701 NEW JERSEY AVENUE • WILDWOOD, NJ 08260 PHONE 609-854-3311 • FAX: 609-854-4323

Being all that certain lot, tract or parcel of land situate in the Borough of Wildwood Crest, County of Cape May and State of New Jersey, bound and described as follows:

Beginning at a point in the Northeast line of Pittsburgh Avenue (60' wide), said point being where the same is intersected by the Westerly end of a curve connecting the said line of Pittsburgh Avenue with the Westerly line of Bayview Avenue (100' wide) (to be vacated) as shown on the Tax Map of the Borough of Wildwood Crest; and extending thence

1. Eastwardly and Northeastwardly, along the said connecting curve, curving to the left, having a radius of 5.00 feet and an arc distance of 10.23 feet to a point in the Westerly line of Bayview Avenue; thence
2. North 19 degrees 46 minutes 38 seconds East, along the said line of Bayview Avenue, a distance of 81.79 feet to a point in the Southwest line of Lot 16.03 in Block 158 as shown on said Tax Map; thence
3. South 42 degrees 58 minutes 07 seconds East, along the same, along the Southwest line of Lot 16.04 in Block 158, and along the Southwest line of Lot 9.01 and Lot 9.02 in Block 157 on said Tax Map, a distance of 112.49 feet to a point in the Easterly line of Bayview Avenue; thence
4. South 19 degrees 46 minutes 38 seconds West, along the said line of Bayview Avenue, a distance of 86.94 feet to a point at the Northerly end of a curve connecting the said line of Bayview Avenue with the Northeast line of Pittsburgh Avenue; thence
5. Southwardly and Southeastwardly, along the said connecting curve, curving to the left, having a radius of 5.00 feet and an arc distance of 5.48 feet to a point in the Northeast line of Pittsburgh Avenue; thence
6. North 42 degrees 58 minutes 07 seconds West, along the same, a distance of 123.74 feet to the POINT OF BEGINNING

Containing 9,016+/- S.F.

Being known as a portion of Bayview Avenue as shown on the Tax Map of the Borough of Wildwood Crest.

Also being known as a portion of Bayview Avenue to be vacated as shown on a Street Vacation Plan, prepared by DeBlasio and Associates, Wildwood, N.J., dated January 30, 2026 to be filed in the Cape May County Clerks Office

Being subject to any easements and restrictions of record.

Description prepared January 30, 2026

Henry V. Engel III, PLS
NJ License No. 35833