

**\*\*\*ADOPTED APRIL 1, 2024\*\*\***

**TOWNSHIP OF DELANCO**

**ORDINANCE 2024-4**

**AN ORDINANCE AUTHORIZING THE GRANT OF  
REAL PROPERTY LICENSE WITH RESPECT TO  
302 ORCHARD STREET AT BLOCKS 1304, LOTS 6-7**

**WHEREAS**, property owner at 302 Orchard Street (Perez; Block 1304, Lots 6 and 7) has a dedicated but unimproved portion of Delaware Avenue running behind their respective properties (hereinafter collectively referred to as “the Licensee’s Property”); and

**WHEREAS**, the Property owner previously requested a vacation of this portion of Delaware Avenue, but the Township has long-term concerns about doing so, particularly in relation to potential future access to Hawk Island; and

**WHEREAS**, while the Township cannot vacate this portion of Delaware Avenue, it does desire to accommodate the concerns of the resident to the extent possible, and as such will allow a License to be granted to the Property Owners/ Licensee; and

**WHEREAS**, the portion of Delaware Avenue covered by this License will be continuously maintained by the Licensee, thereby relieving a burden on the municipality, and the Township may cancel the License in the future should a public need arise with respect to the impacted area of right-of-way; and

**WHEREAS**, the License is attached hereto and incorporated herein by reference.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED** by the Township Committee of the Township of Delanco that:

**SECTION ONE:** The Mayor and Township Clerk, as may be required, are hereby authorized and directed to execute the License (a copy of which has been attached hereto and incorporated herein) for Block 1304, Lots 6-7.

**And further** that the Township retains any and all rights to access any existing municipal improvements, if any, including subsurface improvements, as well as those that may be held by the Sewer Authority, the Fire District or any other public entity.

**SECTION TWO:** All ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

**SECTION THREE:** 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 and the remainder of this ordinance shall be deemed valid and effective.

**SECTION FOUR:** This ordinance shall take effect immediately upon final passage and publication according to law.