



CITY OF JERSEY CITY
Office of the Corporation Counsel

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August 17, 2007

Mayor Jerramiah Healy, President and Members of the Municipal Council
City of Jersey City-Law Department
City Hall-280 Grove Street
Jersey City, New Jersey 07302

**Re: Ordinance vacating portion of Washington Street south of Dudley Street to
Morris Canal Big Basin**

Dear Mayor Healy and Members of the Municipal Council:

Enclosed is a copy of a proposed Ordinance that will vacate Washington Street south of Dudley Street. This section of Washington Street runs north to south, and is immediately adjacent to the Morris Canal, ending at the "Candles of Light" Korean War Memorial.

This Ordinance will remove the right of the public to drive or park on the street. Instead, the area will become a public park. The proposed Ordinance reflects terms agreeable to the vacated street's adjacent owner, Portside, as well as that of the Historic Paulus Hook Association, an entity representing various homeowners in the area. This Ordinance also reflects the consensus of City officials and Green Acre staff after a meeting at the New Jersey Department of Environmental Protection on June 25, 2007.

Technically, when a street vacation occurs, the property reverts to the adjacent owner as measured from the center line of the street site. Therefore, upon vacation, ownership of the easterly half of the street will revert to the State of New Jersey for incorporation into Liberty State Park. Ownership of the westerly half of the vacated street will revert to Portside Towers Corporation [Portside], a private owner. As a condition of the street vacation, Portside will dedicate an easement across the property to the City for recreational use. It will accomplish this by conveying a deed of easement to the City that will be accepted and recorded by the City. This recreational easement is a stated condition in the Ordinance.

The vacated area will enlarge the existing Liberty State Park and increase the acreage on the amount of parkland appearing on the local Recreational and Open Space Inventory maintained by the City pursuant to the New Jersey Green Acres Land Acquisition and Recreation Opportunities Act, NJSA 13:8A-35 et seq.

The specific terms of the proposed Ordinance are as follows:

- Vehicular access and parking for six cars on the vacated portion of the westerly side of Washington Street will be dedicated to visitors to the Korean War Memorial;
- Vehicular access and parking for three cars on the vacated portion of the westerly side of Washington Street will be dedicated to disabled visitors to the Korean War Memorial;
- All costs of introducing, publishing and mailing of notices related to this proposed Ordinance will be borne by the Historic Paulus Hook Association;
- Any utilities existing under the Washington Street Mall after vacation of the street will be reserved, by easement, for the City of Jersey City and all public utilities, for entering upon the Washington Street Mall in order to maintain, repair or replace facilities under or above the land surface;
- Portside Towers Corporation shall provide and the City of Jersey City shall accept, an easement deed dedicating the westerly side of the vacated street for recreational use;
- Title to the land that comprised the former street shall vest in Portside (westerly side of former street) and the State of New Jersey (easterly side of former street), subject to the easements described in the Ordinance; and,
- The proposed Ordinance, once adopted, shall be filed with the Register of Hudson County within thirty (30) days after the Ordinance becomes effective.

The City will maintain the westerly side of the vacated street and the monument. The City will also agree to maintain the easterly side of the vacated street if requested to do so by the State.

If you have any other questions regarding this proposed Ordinance kindly contact the Office of the Corporation Counsel.

Thank you.

Very truly yours,



WILLIAM MATSIKLOUDIS
CORPORATION COUNSEL