

**ORDINANCE OF THE TOWNSHIP OF DEPTFORD AUTHORIZING
PRIVATE SALE OF PUBLIC LANDS IN ACCORDANCE
WITH N.J.S.A 40A:12-13(b)(5)**

BE IT ORDAINED by the Municipal Council of the Township of Deptford, County of Gloucester and State of New Jersey, that:

Section 1. There exists in the Township of Deptford a lot which is less in size than the minimum size required for development under the Municipal Zoning Ordinance and which lots have no capital improvement thereon.

Section 2. The Township of Deptford is desirous of selling said lot in compliance with the above-state statute and does; therefore, authorize and direct the Township Manager to see to the compilation of a list of these properties and to have established; therefore, a minimum price for each lot respectively as provided for in said statute.

Section 3. The list of properties authorized to be sold together with the minimum prices is attached hereto and made a part hereof and shall be posted on a bulletin board or other conspicuous place in the Municipal Building and shall in addition be advertised in an approved newspaper within five (5) days following the enactment of this Ordinance.

Section 4. Offers for any or all of the properties listed may be made through the Office of the Township Clerk for a period of twenty (20) days following the date of advertisement of the property list in an approved newspaper. Said bids shall not be less than the minimum prices set forth in the notice and bids may be made by any prospective adjoining property owner, real estate broker or other authorized representative, although no commission shall be payable to any real estate broker or authorized representative of a purchase in connection with any sale by the Township.

Section 5. A deposit of ten percent (10%) of the bid shall be given by the bidder to the Office of the Township Clerk at the time of making the bid. With respect to deposits received from unsuccessful bidders, the Office of the Township Clerk shall retain all deposits until after final settlement on the property to which each said deposit applies and shall thereafter, forthwith, return the deposit to the unsuccessful bidder for each particular property. The Township shall not be responsible to pay interest to any bidder on the amount of the deposit held nor shall the Township be responsible to place the said deposits in an interest-bearing account.

Section 6. The Council reserves unto itself the right to reconsider this Ordinance or any portion thereof, including but not limited to, particular parcels placed on the list for sale and/or the final amount bid on any parcel and the sufficiency thereof, not later than thirty (30) days after its enactment and to thereafter, if the Township Council desires, advertise

and/or re-advertise the parcels of property in question, or any of them for public sale as provided by statute. The Township reserves the right to reject any or all bids.

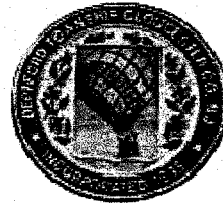
Section 7. The Township Clerk is hereby directed to file with the Director of Division of Local Government Services in the Department of Community Affairs for the State of New Jersey, the required sworn affidavit verifying the publication of advertisement required by the statute.

Section 8. It is the intention of the Township, by the passage of this Ordinance, to permit the owner or owners of any real estate contiguous to any of the said parcels contained in the list of parcels to be sold, the right of prior refusal to purchase such land in accordance with the above-stated statute. Said owners shall be present to submit their bids to the Municipal Clerk before said sale, which will be held on **August 30, 2011 at 10:00 AM** at the Deptford Township Municipal Building, 1011 Cooper Street, Deptford, New Jersey, together with a deposit equal to ten percent (10%) of the amount of the bid. Any said owner who fails to submit a bid as hereinbefore set forth shall be deemed to have waived his or her right of prior refusal to purchase said lands and the lands shall then be put up for public auction on **October 4, 2011** at the Deptford Township Municipal Building, 1011 Cooper Street, Deptford, New Jersey, beginning at **10:00 AM** prevailing time.

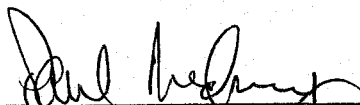
Section 9. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 10. The Ordinance shall take effect upon final passage, approval and publication as provided by law.

Section 11. To the extent that any part or parts of this Ordinance are repealed or otherwise modified or voided by State Statute or case law, the remaining sections of this Ordinance shall remain in full force and effect.



TOWNSHIP OF DEPTFORD



PAUL MEDANY, MAYOR

ATTEST:



DINA L. ZAWADSKI, TOWNSHIP CLERK

