

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

BE IT ORDAINED by the Mayor and Council of the Township of Deptford as follows:

1. There exists in the Township of Deptford a lot, Block 374, Lot 9, which is less in size, 50 feet x 115 feet, than the minimum size required for development under the Deptford Township Municipal Zoning Ordinances and which lot has no current capital improvement thereon; and
2. The Township of Deptford is desirous of selling said lot to the highest bidder among contiguous real property owners, in compliance with N.J.S.A. 40A:12-13(b)(5); and
3. Upon sale there shall be included in the Deed of Sale an in perpetuity restriction of the building of structures of principal or predominant use on said property subject to the revision of the property to Township ownership; and
4. The minimum sale price is \$6,600.00 and said property shall not be sold for less; and
5. The property authorized to be sold, a copy of this Ordinance and the minimum price of said property 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; and
6. Bids for the property may be made through the Office of Township Clerk for a period of twenty (20) days following the date of advertisement of the property 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.
7. 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 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.

8. The Township Council reserves unto itself the right to reconsider this Ordinance or any portion thereof, including but not limited to, the parcel of land placed 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 thereafter, if the Township Council desires, advertise and/or re-advertise the parcel in question for public sale as provided by Statute. The Township reserves the right to reject any or all bids.

9. 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 requires by Statute.

10. It is the intention of the Township, by the passage of this Ordinance, to permit the owner or owners of any real property contiguous to the parcel to be sold, the right of prior refusal to purchase such land in accordance with the referenced Statute. Said contiguous land owners shall be present to submit their bids to the Township Clerk before said sale, which will be held on May 28, 2013 at 10:00 a.m. at the Deptford Township Municipal Building, 1011 Copper Street, Deptford, New Jersey 08096, together with a deposit equal to ten percent (10%) of the amount bid. Any said contiguous real property 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 parcel and the parcel shall then be put up for public auction on May 29, 2013 at the Deptford Township Municipal Building, 1011 Cooper Street, Deptford, New Jersey, beginning at 10:00 a.m. prevailing time.

11. All Ordinances and/or parts of Ordinances in conflict with this Ordinance are hereby repealed.

12. This Ordinance shall take effect upon final passage, approval and publication as provided by law.



TOWNSHIP OF DEPTFORD

Paul Medany
PAUL MEDANY, MAYOR

ATTEST:

Dina L. Zawadski
DINA L. ZAWADSKI, TOWNSHIP CLERK

CERTIFICATION

The foregoing Ordinance was introduced at a Work Session Meeting of Township Council of the Township of Deptford held on the 15th day of April, 2013 and will be considered for final passage and adoption at a Regular Meeting at which time any person interested therein will be given an opportunity to be heard. Said meeting to be held on the 6th day of May, 2013 at the Municipal Building, 1011 Cooper Street, Deptford, New Jersey.

Dina L. Zawadski
DINA L. ZAWADSKI, TOWNSHIP CLERK

Introduction

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		O.10.13				
Medany			✓			
Hufnell			✓			
DiMarco			✓			
Lamb			✓			
Love						✓
Schocklin			✓			
Scott			✓			

Adoption

RECORD OF VOTE						
Council Member	Resolution No.	Ordinance No.	Yes	No	Abstain	Absent
		O.10.13				
Medany			✓			
Hufnell			✓			
DiMarco			✓			
Lamb			✓			
Love			✓			
Schocklin			✓			
Scott			✓			