

**BOROUGH OF WRIGHTSTOWN
COUNTY OF BURLINGTON
STATE OF NEW JERSEY**

ORDINANCE NO. 2016-06

**AN ORDINANCE OF THE BOROUGH OF WRIGHTSTOWN
AUTHORIZING THE SALE OF
BLOCK 302, LOTS 16 & 17 PURSUANT TO N.J.S.A. 40A:12-13(a)**

WHEREAS, the Borough of Wrightstown (hereinafter “Borough”) is the current owner of public property designated as Block 302, Lots 16 & 17 within the Borough (hereinafter the “Property”); and

WHEREAS, the Borough has determined that the Property is not needed for public use; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13(a) et. seq. permits the sale of public property and buildings no longer needed for a public purpose; and

WHEREAS, Block 302, Lot 16 consists of real property and includes the Borough’s former firehouse structure which is no longer needed for a public purpose; and

WHEREAS, Block 302, Lot 17 is vacant land which may be less than minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(a) et. seq. further provides that real property building and building(s) no longer needed for public use may be advertised for sale and be sold to the highest bidder by open public sale at auction; and

WHEREAS, the Borough Council of the Borough of Wrightstown desires to sell the Property identified as Block 302, Lots 16 and 17 on the Tax Maps of the Borough of Wrightstown which includes the former firehouse building located on Lot 16.

NOW THEREFORE BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey as follows:

1. The Property shall be offered for sale at open public auction with the Borough Solicitor acting as auctioneer. All bidders shall appear at the appointed time and place and offer their bids. The Property may be sold to the highest bidder subject to the terms and conditions thereof.
2. The Borough hereby authorizes the conveyance and sale of the Property identified on the Tax Maps of the Borough of Wrightstown as Block 302, Lots 16 & 17 plus

reimbursement of all Borough costs associated with the sale of the Property including, but not limited to the Borough's attorneys' fees and costs, not to exceed \$1,500.00 that shall be set forth in a Deed.

3. The sale will be held at the Borough Municipal Building, 21 Saylor's Pond Road, Wrightstown, New Jersey on July 27, 2016 at 4 pm. Notwithstanding any provision of this Ordinance or any statement made at the Sale, the Sale will not be final unless and until the highest bid is accepted and confirmed by action of the Borough Council at a regularly scheduled meeting of the Council within forty-five (45) days after the date fixed for sale. The Borough Council reserves the absolute right to reject any and all bids as permitted by law.
4. The following terms and conditions apply to the sale:
 - a. The Sale of the Property is strictly "AS IS." The Borough makes no representations or warranties regarding the condition of the Property or its suitability for any purpose.
 - b. The two lots comprising the Property, identified as Block 302, Lots 16 & 17, shall be sold together, with the successful bidder obtaining title to both lots.
 - c. The Sale of the Property shall not include the electronic fire siren presently located at the firehouse. The electronic fire siren shall be retained by the Borough and removed from the Property prior to the transfer of title.
 - d. The minimum bid price for the Property shall be \$1,000.00.
 - e. A deposit of ten percent (10%) of the bid is required on the date the Property is offered for cash, bank treasurer's check or certified check.
 - f. Each bidder shall submit one bid pursuant to N.J.S.A. 40A:12-13(a)(1) for the Property that will include a grant to the Borough for reversionary interest in the Property in the event the Property is not fully developed within two (2) years from the date of sale. Each bidder shall also submit a second alternative bid pursuant to N.J.S.A. 40A:12-13(a)(2) for the purchase of the Property without inclusion of the Borough's reversionary interest.
 - g. Any use of the Property shall be consistent with the Borough's land use ordinances.
 - h. If the Borough accepts any bid pursuant to N.J.S.A. 40A:12-13(a)(1), the Deed from the Borough shall grant to the Borough of Wrightstown a right of reversion to Block 302, Lots 16 & 17 in the event that the Property is not fully developed within two (2) years of the date of sale.

- i. In the event that the Borough exercises its reversionary interest in Block 302, Lots 16 & 17, the Borough shall refund to the successful bidder an amount equal to the purchase price paid for the Property.
 - j. The sale shall not be final unless and until confirmed and accepted by the Borough Council. The Borough reserves the right to reject any and all bids as permitted by law.
 - k. The Deed from the Borough shall be a Quit Claim Deed.
5. Notice of the sale shall, pursuant to law, be advertised in a newspaper circulating in the municipality by two insertions at least once a week during two consecutive weeks with the last publication to be not earlier than seven days prior to the sale date. The notice of sale shall include notice of the minimum bid price, the Township's reservation to reject any and all bids, and all conditions of sale.
 6. The Mayor and Borough Clerk, Solicitor and such other Borough officials and employees as may prove necessary are hereby authorized to execute any and all documents and undertake such actions as are necessary to effectuate the conveyance of the Property consistent with the terms and conditions of this Ordinance.
 7. This ordinance shall take effect at the time and in the manner provided by law.

NOTICE

The Ordinance published herewith was introduced and passed upon first reading at a regular meeting of the Borough Council of the Borough of Wrightstown, held on May 25, 2016. It will be further considered for final passage after a Public Hearing at the regular meeting to be held on June 22, 2016, at the Borough Hall, 21 Saylor's Pond Road, Wrightstown, New Jersey at 6:30 P.M. at which time and place any persons desiring to be heard upon the same will be given an opportunity to be heard.

Freda H. Gorman, RMC
Municipal Clerk

Introduction/First Reading May 25, 2016

Motion: Mr. Severns

Second: Mr. Grove

Roll Call Vote:

Ayes: Mr. Bird, Mr. Grove, Mrs. Knapp, Mr. Severns

Nays: None

Absent: None

Abstain: Mr. Lownds, Mr. Timberman

Second Reading/Public Hearing June 22, 2016

Motion: Mr. Severns

Second: Mrs. Knapp

Roll Call Vote:

Ayes: Mr. Bird, Mr. Grove, Mr. Lownds, Mrs. Knapp, Mr. Severns

Nays: None

Absent: Mr. Timberman

Abstain: None

Thomas E. Harper, Mayor

Dated: June 22, 2016

CERTIFICATION

The aforementioned Ordinance Number 2016-06 was finally adopted by the Borough Council of the Borough of Wrightstown, County of Burlington, State of New Jersey, after Second Reading and Public Hearing at their Regular Meeting held on June 22, 2016.

Freda H. Gorman, RMC
Municipal Clerk

Dated: June 22, 2016

Ord2016-06 Authorize Sale of Old Firehouse (Amended)