

**WRIGHTSTOWN BOROUGH
BURLINGTON COUNTY**

ORDINANCE NO. 2019-07

**AN ORDINANCE AUTHORIZING THE SALE OF LAND IDENTIFIED AS
BLOCK 202, LOT 1.01; BLOCK 401, LOTS 33 AND 35.03; BLOCK 403, LOTS 1
THROUGH 14; AND BLOCK 2000, LOT 3.01 ON THE TAX MAPS
OF THE BOROUGH OF WRIGHTSTOWN TO TJC DEVELOPMENT, LLC
FOR THE PURPOSE OF CARRYING OUT THE TERMS OF A
REDEVELOPMENT AGREEMENT DATED MAY 1, 2019**

WHEREAS, the Borough of Wrightstown (“Borough”) is the owner of those certain properties identified on the Official Tax Map of the Borough of Wrightstown, County of Burlington, New Jersey, identified as Block 202, Lot 1.01; Block 401, Lots 33 and 35.03; Block 403, Lots 1 through 14; and Block 2000, Lot 3.01 (the “Property” or “Project Site”);

WHEREAS, the Borough has designated the Property as an area in need of redevelopment; and

WHEREAS, the Borough has adopted a Redevelopment Plan for the Project Site; and

WHEREAS, the Borough Council was designated as redevelopment entity under the Borough’s Redevelopment Plan with the authority to acquire and convey property, contract for professional services, grant tax abatements, redevelop property, and collect revenue from redevelopers to defray costs of the redeveloper entity; and

WHEREAS, the Borough desires that the Project Site be redeveloped in accordance with the Redevelopment Plan, as amended from time to time; and

WHEREAS, the Borough and Borough Council, in concert as redevelopment entity, have conducted a diligent search for a qualified Master Redeveloper for the Project Site; and

WHEREAS, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented, provides for a process for municipal entities to enter into contracts with redevelopers to carry out and effectuate the terms of a Redevelopment Plan; and

WHEREAS, the Borough published a Request for Qualifications (“RFQ”) seeking qualified redevelopers for the Property; and

WHEREAS, the TJC Development, LLC (“TJC”) was one of three entities that responded to the RFQ; and

WHEREAS, the Borough had determined that the proposal received from TJC was the most favorable proposal taking into consideration the price for the land, the contingencies

provided, the timing of closing on the acquisition of the land, and the nature of the proposed project; and

WHEREAS, the Borough Council and TJC entered into a Redevelopment Agreement dated May 1, 2019 whereby the Borough is to sell the Property to TJC or its designee, and TJC or its designee is to redevelop the Property;

WHEREAS, the Borough agrees to sell, and TCJ agrees to Purchase the Property for the total Purchase Price of ONE MILLION, THREE HUNDRED FORTY THOUSAND, SEVEN HUNDRED FORTY-FIVE DOLLARS AND SIXTEEN CENTS (\$1,340,745.16)) if the closing occurs on September 27, 2019 and an additional \$98.63 per diem for a closing occurring after September 27, including all of Seller’s rights whatsoever, including riparian, oil, gas and mineral rights, privileges, easements, interests and appurtenances thereto, subject to the terms and conditions of the Redevelopment Agreement;

WHEREAS, N.J.S.A. 40A:12-13(c) authorizes a municipality to sell land to a private developer by private sale when acting in accordance with the “Local Redevelopment and Housing Law” N.J.S.A. 40A:12A et seq.;

WHEREAS, in executing this sale the Borough is acting in accordance with “Local Redevelopment and Housing Law”;

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

Section One: The Borough is hereby authorized to sell to TJC Development, LLC or its designee properties identified on the Official Tax Map of the Borough as Block 202, Lot 1.01; Block 401, Lots 33 and 35.03; Block 403, Lots 1 through 14; and Block 2000, Lot 3.01 for one million, three hundred forty thousand, seven hundred forty-five dollars and sixteen cents (\$1,340,745.16) if the closing occurs on September 27, 2019 with a 98.63 per diem for a closing occurring before or after September 27.

Section Two: The Borough Solicitor shall prepare the necessary deeds and closing documents to effectuate the land transfer.

Section Three: The Mayor, Borough Manager, and Borough Solicitor are authorized to execute all documents necessary in the fulfillment of this Ordinance.

Section Four: Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

Section Five: In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Borough Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Borough to meet the goals of the Ordinance.

Section Six: This Ordinance shall take effect upon passage and publication according to law.

NOTICE

The ordinance published herewith was introduced and passed upon first reading at the Regular Meeting of the Borough Council of the Borough of Wrightstown held on August 14, 2019. It will be further considered for final passage after a public hearing at the Regular Meeting to be held on August 28, 2019 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 so heard.

Dated: August 14, 2019

FREDA H. GORMAN, RMC
Municipal Clerk

INTRODUCTION / FIRST READING AUGUST 14, 2019

MOTION: Mr. Lownds

SECOND: Mrs. Knapp

ROLL CALL:

Ayes: Mr. Bird, Mr. Cottrell, Mr. Lownds, Mrs. Knapp, Mr. Severns, Mr. Timberman

Nays: None

Absent: None

Abstain: None

SECOND READING/PUBLIC HEARING/FINAL ADOPTION AUGUST 28, 2019

MOTION: Mr. Bird

SECOND: Mr. Lownds

ROLL CALL:

Ayes: Mr. Bird, Mr. Cottrell, Mr. Lownds, Mrs. Knapp, Mr. Severns, Mr. Timberman

Nays: None

Absent: None

Abstain: None

THOMAS E. HARPER
Mayor

CERTIFICATION

TAKE NOTICE that the aforementioned Ordinance Number 2019-07 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 a Council Meeting held on August 28, 2019.

FREDA H. GORMAN, RMC
Municipal Clerk

Date: August 28, 2019

Ord2019-07 Authorizing Sale to TJC Development