

AN ORDINANCE AUTHORIZING THE PRIVATE SALE OF FOUR UNDERSIZED AND UNIMPROVED LOTS (LOT NOS 3487, 3488, 3489 AND 3490 IN BLOCK NO. 179) OWNED BY THE CITY TO BRIAN BURT AND ROSA BURT WHO ARE THE OWNERS OF CONTIGUOUS LOTS (LOT NOS. 3512, 3513, 3514, 3515 AND 3516 IN BLOCK NO. 179)

WHEREAS, the Local Lands and Buildings Law provides in N.J.S.A. 40A:12-13 (b) (5) that a municipality by ordinance may sell municipality owned property not needed for public use by private sale to a contiguous landowner provided the property being sold is undersized and unimproved; and

WHEREAS, prospective buyers Brian and Rosa Burt recently purchased five 20' x 100' lots (Lot Nos. 3512, 3513, 3514, 3315 and 3316 in Block No. 179) and obtained Cumberland County Health Department approval for a septic system design; and

WHEREAS, unfortunately for Mr. and Mrs. Burt said lots are located within the Seasonal High Water Table Overlay Zone (see City Code Section 30-110) which based upon conditions existing at the site necessitates a minimum lot size for residential development purposes of 18,000 square feet; and

WHEREAS, Mr. and Mrs. Burt have proposed purchasing four 20' x 100' lots owned by the City (Lot Nos. 3487, 3488, 3489 and 3490) which are contiguous to the lots they purchased as aforesaid for a consideration of \$2,000.00 per lot for a total amount of \$8,000.00; and

WHEREAS, the Board of Commissioners finds that the only lots contiguous to these being proposed for sale are owned by the prospective buyers and the City; and

WHEREAS, the Board of Commissioners also finds that the municipality lots proposed for sale, are undersized, unimproved and not needed for public use; and

WHEREAS, the Board of Commissioners further finds that once the sale is consummated and Mr. and Mrs. Burt's lots are consolidated, the total lot size of their property will consist of 18,000 square feet which is the minimum size permitted for residential development in the Seasonal High Water Table Overlay Zone as noted above; and

WHEREAS, the City of Millville Tax Assessor has determined that the fair market value of each of the 20' x 100' lots being sold is \$2,000.00; and

WHEREAS, the Board of Commissioners find the proposed offer by Mr. and Mrs. Burt to be in the best interest of the City and its residents.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Millville, as follows:

Section One

The sale of certain unneeded, unimproved and undersigned lots, namely Lot Nos. 3487, 3488, 3489 and 3490 in Block No. 179 to contiguous lot owners Brian Burt and Rosa Burt for a consideration of \$2,000.00 per 20' x 100' lot or a total amount of \$8,000.00 is hereby approved.

Section Two

The Mayor is hereby authorized to sign a Bargain and Sale Deed

or Deeds as well as any other documents necessary to close title.

Section Three

Should any provisions of this ordinance be deemed invalid for any reason that invalidity shall not affect the remaining provisions of the ordinance, and the provisions and sections of the ordinance are hereby declared to be severable with respect to their validity.

Section Four

This ordinance shall take effect twenty (20) days after final passage, according to law.

FIRST READING: November 8, 2023

Moved By: Romanik
Seconded By: Hewitt

VOTING	In Favor	Against	Abstain	Absent
Lisa M. Orndorf	X			
Benjamin J. Romanik	X			
Joseph Sooy	X			
C. Kirk Hewitt	X			
Stephen E. Watson, Jr				X

SECOND READING: November 21, 2023

Moved By: Romanik
Seconded By: Sooy

VOTING	In Favor	Against	Abstain	Absent
Lisa M. Orndorf	X			
Benjamin J. Romanik	X			
Joseph Sooy	X			
C. Kirk Hewitt	X			
Stephen E. Watson, Jr	X			

CERTIFICATION

I certify that the foregoing is a true copy of an Ordinance adopted by the Board of Commissioners, of the City of Millville in the County of Cumberland, at a meeting thereof held on November 21, 2023.



Jeane M. Parkinson, City Clerk

PROCEDURE

Approved on First Reading:	November 8, 2023
Published:	November 21, 2023
Approved on Second Reading:	November 21, 2023
Published:	November 25, 2023
Effective Date:	December 15, 2023