

ORDINANCE 2022 -39

**AN ORDINANCE OF THE BOROUGH OF SOUTH RIVER, COUNTY OF MIDDLESEX,
STATE OF NEW JERSEY, AUTHORIZING THE SALE OF BLOCK 152, Lot 16 to 25 MAIN
ST SOUTH RIVER LLC IN ACCORDANCE WITH THE PROVISIONS N.J.S.A. 40A:12-13
(b) AND N.J.S.A. 40A:12-13.2**

WHEREAS, the Borough of South River is the owner of Block 152, Lot 16 which is undersized lot under the current ordinances of the municipality; and

WHEREAS, the Borough of South River desires to sell said property; and

WHEREAS, the Borough of South River has determined that the fair market value of Block 152, Lot 16, is \$67,700.00; and

WHEREAS, N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owners for purchase; and

WHEREAS, the adjoining property owner, 25 Main St. South River LLC, has agreed to purchase Block 152, Lot 16, from the Borough of South River for the sum of \$67,700.00; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said transfer of property by ordinance.

BE IT ORDAINED by the Mayor and Borough Council of the Borough of South River, County of Middlesex, and State of New Jersey, as follows:

SECTION 1. That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of Block 152, Lot 16, to the adjoining property owner, 25 Main St. South River LLC, said property being undersized, and the adjoining property owner agrees to purchase said property for the fair market value of said property.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents to transfer title to said property by Quitclaim Deed to 25 Main St. South River LLC, for the sum of \$67,700.00. 25 Main St. South River LLC shall be responsible for the payment of the municipality's costs in conveying said property. A requirement of the transfer of the property is that it be consolidated with the adjoining property owned by the purchasers.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed on first reading at a regular meeting of the Borough Council of the Borough of South River, in the County of Middlesex, State of New Jersey, held on December 5th, 2022, and will be considered for second reading and final passage at the regular meeting of said Governing Body to be held on the 19th day of December, 2022, at 7:00 p.m., or as soon thereafter as this matter can be reached, at the Council Chamber of the Criminal Justice Building located at 61 Main Street, South River, New Jersey, and/or virtually via Zoom meeting code 826 6082 9597: password: 000000 at which time all persons interested shall be given an opportunity to be heard concerning this ordinance.

Introduced 12-05-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>		X	X			
<i>Councilman Guindi</i>	X		X			
<i>Councilman Gurchensky</i>			X			
<i>Councilwoman Meira</i>			X			
<i>Councilman Oliveira</i>			X			
<i>Council President Ciulla</i>			X			


ALYSSA GUGLIETTI, RMC

Adopted 12-19-22

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Balazs</i>			✓			
<i>Councilman Guindi</i>	✓		✓			
<i>Councilman Gurchensky</i>			✓			
<i>Councilwoman Meira</i>			✓			
<i>Councilman Oliveira</i>		✓	✓			
<i>Council President Ciulla</i>			✓			

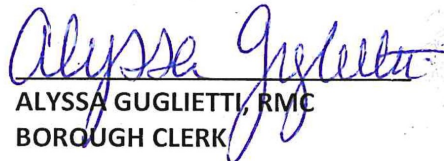

ALYSSA GUGLIETTI, RMC
MUNICIPAL CLERK

SIGNED BY:



JOHN M. KRENZEL
MAYOR

ATTESTED BY:



ALYSSA GUGLIETTI, RMC
BOROUGH CLERK