

ORDINANCE NO: 06-24-1

**CITY OF UNION CITY
COUNTY OF HUDSON**

**ORDINANCE AUTHORIZING THE SALE OF CITY'S INTEREST IN
UNDERSIZED PARCEL OF PROPERTY PURSUANT TO N.J.S.A. 40A:12
13(b)(5) CONTIGUOUS TO 3329 HUDSON AVENUE**

WHEREAS, the City currently owns a segment of land abutting extended Peter Street, as identified on a Survey Prepared by Looram Surveyors, LLC, dated January 16, 2002, (a copy of which is on file with the Office of the City Clerk) that is surrounded on three sides by Block 200 Lot 31, commonly known as 3329 Hudson Avenue, that creates an indentation into such Block and Lot, with the fourth side being defined as a straight line drawn to complete the polygon formed by said indentation ("Property"); and

WHEREAS, the above described Property is no longer needed for municipal purposes by the City;

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the sale, authorized by Ordinance, to the owner of the real property contiguous to the real property being sold provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon, and when the property is less than an eighth of the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon, the fair market value of that property may be determined by negotiation between the local unit and the owner of the contiguous real property, subject to approval by resolution; and

WHEREAS, the Property is less than an eighth of the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, the fair market value of that property has been determined by negotiation between the City and the owner of the contiguous real property 3329 Hudson Avenue to be \$100.00; and

WHEREAS, the Board of Commissioners has determined that it is in the best interests of the City to convey the Property to the owners of 3319 Hudson Avenue in the amount of \$100.00 plus any other conditions that may be required by the City as determined by the Mayor; and

WHEREAS, such a sale may be conducted without advertisement;

NOW THEREFORE BE IT ORDAINED AND RESOLVED by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey, as follows:

SECTION ONE:

The above recitals are incorporated as if fully set forth herein.

SECTION TWO:

The City is authorized to the above defined Property to the owners of 3329 Hudson Avenue, for \$100.00 subject such conditions as the Mayor may deem appropriate.

SECTION THREE:

The Mayor and all other appropriate municipal officials be and they are hereby authorized to execute all documents and take such actions as may be necessary to effectuate such sale.

SECTION FIVE:

Repealer. All Ordinances or parts thereof in conflict or inconsistent with this Ordinance are hereby repealed, but only however, to the extent of such conflict or inconsistency, it being the legislative intent that all Ordinances or part of ordinances now existing or in effect unless the same being conflict or inconsistent with any provision of this Ordinance shall remain in effect.

SECTION FOUR:

Severability. The provisions of this Ordinance are declared to be severable and if any section, subsection, sentence, clause or phrase thereof for any reason be held to be invalid or unconstitutional, such decision shall not effect the validity of the remaining sections, subsections, sentences, clauses and phrases of this Ordinance, but shall remaining in effect; it being the legislative intent that this Ordinance shall stand not withstanding the invalidity of any part.

SECTION FIVE:

In order to avoid accidental repeal of existing provisions, the City Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION SIX:

This Ordinance shall take effect upon passage and publication as required by law.

Commissioners	Yea	Nay	Abstain/Present	Absent
Lucio P. Fernandez	✓			
Wendy A. Grullon	✓			
Celin J. Valdivia	✓			
Maryury A. Martinetti				✓
Mayor Brian P. Stack	✓			

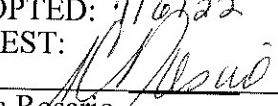
STATEMENT

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, introduced on June 24, 2022 and was further considered and adopted after a Public Hearing held on July 6, 2022 at 3400 Palisade Avenue in Union City, New Jersey

INTRODUCED: June 24, 2022

ADOPTED: 7/6/22

ATTEST:



 Hilda Rosario
 Acting City Clerk

7/6/22

 DATE