

**TOWNSHIP OF CLINTON
ORDINANCE NO. ____-2021**

**AN ORDINANCE OF THE TOWNSHIP OF CLINTON IN
HUNTERDON COUNTY AUTHORIZING THE SALE OF
REAL PROPERTY NO LONGER NEEDED FOR
PUBLIC USE AT 29 ROUND TOP DRIVE AND
KNOWN AS BLOCK 46, LOT 14.01**

WHEREAS, the Township of Clinton is the owner of real property at 29 Round Top Drive in the Township of Clinton, and being designated as Block 46, Lot 14.01, on the Township Tax Assessment Maps; and

WHEREAS, Block 46, Lot 14.01, more particularly described on Schedule "A" attached hereto and made a part hereof (hereinafter "Property") is not needed for public use; and

WHEREAS, the Local Lands and Buildings Law, in particular *N.J.S.A.* 40A:12-13(b)(5), permits a municipality to sell real property at a private sale to the highest bidder from among the contiguous property owners, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without capital improvement thereon; and

WHEREAS, the Property is located in the SR Suburban Residential zoning district, in which the minimum lot size required for development is 65,000 square feet or ± 1.5 acres; and

WHEREAS, the Property is $\pm 5,663$ square feet or 0.13 acres, and is without any capital improvements; and

WHEREAS, the Township has established the fair market value of the Property and set one thousand three hundred (\$1,300.00) dollars as the minimum bid in accordance with *N.J.S.A.* 40A:12-13(b)(5);

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Council of the Township of Clinton, in the County of Hunterdon, New Jersey, as follows:

Section 1. Authority to Sell Real Property to Contiguous Owner. Pursuant to *N.J.S.A.* 40A:12-13(b)(5), the Mayor and Township Council hereby authorize the Township to sell the property designated as Block 46, Lot 14.01 on the Clinton Township Tax Maps. The minimum price for this conveyance shall be one thousand three hundred (\$1,300.00) dollars, plus all costs incurred by the Township with respect to this transaction.

Section 2. Notice and Publication Requirements Under Local Lands and Buildings Law.
Pursuant to *N.J.S.A.* 40A:12-13(b):

- A. The Township shall post a notice on the bulletin board in the Township Municipal Building of the Property for sale and the minimum price as set forth in this Ordinance;
- B. The Township shall submit for publication a public notice or advertisement of the sale of the Property in the Township's official newspaper within five (5) days following the passage of this Ordinance;
- C. The Township shall permit offers for the Property to be made to the Township for a period of twenty (20) days following the advertisement hereinabove required, of not less than \$1,300.00, by any owner of property contiguous to Block 46, Lot 14.01; and
- D. The Township shall file sworn affidavits with the Director of the Division of Local Government Services in the Department of Community Affairs verifying the publication of the required advertisement.

Section 3. Authorization to Execute Documents. The Mayor, Clerk, and Township Attorney are hereby authorized and directed to execute any and all documents and take any such other steps as are necessary to complete the above-referenced conveyance.

Section 4. Repealer. All ordinances and resolutions or parts thereof inconsistent with this Ordinance are repealed.

Section 5. Severability. If any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause of provision so adjudged and the remainder of this Ordinance shall be deemed valid and enforceable.

Section 6. Effective Date. This Ordinance shall take effect upon final adoption and publication and otherwise as required by law.

ATTEST:

Carla Conner, Township Clerk

Brian Mullay, Mayor

Introduced: November 10, 2021

Adopted: