

**ORDINANCE NO. 2018-11**

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE BOROUGH OF ELMER, SALEM COUNTY, STATE OF NEW JERSEY, AUTHORIZING THE ADVERTISEMENT AND SALE OF BLOCK 15, LOT 5 (106 FRONT STREET); NO LONGER NEED FOR PUBLIC PURPOSES, PURSUANT TO N.J.S.A. 40A:12-13 ET SEQ.**

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**WHEREAS**, the Local Lands and Building Law, N.J.S.A. 40A:12-1, et seq., authorizes the sale of any real property, capital improvement, and/or personal property which is surplus and is no longer needed for public use; and

**WHEREAS**, the Borough Council has determined that municipally owned real property identified as Block 15, Lot 5 (106 Front Street), is surplus and no longer necessary for municipal or public purposes; and

**WHEREAS**, Sharp Appraisal Services, LLC, a New Jersey licensed appraiser, determined that the fair market value for Block 15, Lot 5 (106 Front Street) to be a minimum of \$22,000.00 per lot; and

**WHEREAS**, the Borough Council has determined that it is in the best interest of the residents of the Borough to advertise and sell Block 15, Lot 5 to generate revenue and reduce taxes for the residents;

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Elmer, County of Salem and State of New Jersey that the Borough owned real property identified as Block 15, Lot 5 (106 Front Street) is surplus and no longer necessary for municipal or public purposes, and therefore, shall be advertised and sold by public auction pursuant to the provisions of N.J.S.A. 40A:12-1 et seq.; and

**BE IT FURTHER ORDAINED**, that the minimum bid price for Block 15, Lot 5 (106 Front Street) shall be \$22,000.00; and

**BE IT FURTHER ORDAINED**, the Borough Council reserves the right to reject all bids. The successful bidder shall provide a deposit in the amount of 10% of the bidders high bid amount on the date of auction and the balance of the high bid amount shall be paid within thirty (30) calendar days of the date of the bid award; and

**BE IT FURTHER ORDAINED**, that the sale is subject to the successful bidder complying with the "Terms and Conditions of Public Auction" attached hereto; and

**BE IT FURTHER ORDAINED**, that title to the property shall be conveyed by Quitclaim Deed such that the Borough's conveyance is limited to any interest it has in said property;

**BE IT FURTHER ORDAINED**, that the Borough Clerk is hereby authorized to schedule and conduct a public auction of said properties consistent with N.J.S.A. 40A:12-1 et seq.;

**BE IT FURTHER ORDAINED**, that executed copies of this Ordinance shall be on file and shall be available for public inspection in the Office of the Borough Clerk.

**Repealer.**

All prior Ordinances or parts of Ordinances inconsistent with this Ordinance be and the same are hereby repealed to the extent of such inconsistencies.

**Severability.**

Should any section, clause, sentence, phrase or provision of this Ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

**When effective.**

This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

**BOROUGH OF ELMER**

BY: \_\_\_\_\_  
Joseph Stemberger, Mayor

**ATTEST:**

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Sarah D. Walker, Registered Municipal Clerk

**ROLL CALL VOTE as follows:**

	<u>MOTION</u>	<u>SECOND</u>	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
Schneider	_____	_____	_____	_____	_____	_____
Davis	_____	_____	_____	_____	_____	_____
Nolan	_____	_____	_____	_____	_____	_____
Richards	_____	_____	_____	_____	_____	_____
Schalick	_____	_____	_____	_____	_____	_____
Zee	_____	_____	_____	_____	_____	_____

**NOTICE**

The Ordinance published herein was introduced and passed upon first reading at a meeting of the Mayor and Council of the Borough of Elmer, in the County of Salem and State of New Jersey, held on July 11, 2018. It will be further considered for final passage, after public hearing hereon, at a meeting of said Mayor and Council to be held in the Borough Hall, 120 South Main Street, Elmer, New Jersey 08318, on August 8, 2018 at 7:30 P.M. During the week prior and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's office at Borough Hall, 120 South Main Street, in the Borough, to the members of the general public who shall request the same.

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Sarah D. Walker  
Registered Municipal Clerk