

**TOWNSHIP OF WALL****ORDINANCE NO. 35 - 2001**

**AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN MUNICIPAL PROPERTY IN ACCORDANCE N.J.S.A. 40A:12-13(b).**

**WHEREAS**, the Township of Wall owns certain property as set forth on Schedule A attached hereto and made a part hereof; and

**WHEREAS**, the property set forth on Schedule A is undersized and cannot be developed; and

**WHEREAS**, it has been determined by the Township Engineer that there is no public purpose for the Township to retain the lot set forth on Schedule A; and

**WHEREAS**, N.J.S.A. 40A:12-13(b)(5) provides such a parcel may be sold to a contiguous property owner, but that the property must be offered for sale to all owners of real property contiguous thereto, the property being sold to the highest bidder among all such owners; and

**WHEREAS**, that the sale of each property set forth on Schedule A shall be for not less than the fair market value of said property; and

**WHEREAS**, the governing body has set a certain price as being the minimum acceptable bid for said property as set forth on Schedule A attached hereto and made a part hereof; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Wall, County of Monmouth and State of New Jersey that:

Section 1. The property set forth on Schedule A attached hereto and made a

part hereof shall be offered for sale pursuant to law to the owners of contiguous properties. Offers for any or all property listed on Schedule A may be made to the governing body in writing and sent to the Township Administrator for a period of twenty (20) days following the advertisement of this Ordinance.

Section 2. Notice shall be provided to the record owners of all properties contiguous to the property listed on Schedule A.

Section 3. The property shall be sold with the minimum bid price as set forth in Schedule A as based upon the determination of fair market value rendered to the Township by the Tax Assessor together with all necessary expenses to be incurred by the Township in connection with the sale.

Section 4. The property shall be sold with the condition to be contained in the Deed that each property shall be added to, and become a part of, the property owned by the purchaser and shall not be utilized for development.

Section 5. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

Section 7. This Ordinance shall effect upon its passage and publication according to law.

### **NOTICE**

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading by the Township Committee of the Township of Wall on August 8,

2001, and further be considered for final passage and adopted at the Wall Township Municipal Building, 2700 Allaire Road, Wall, New Jersey on September 12, 2001, at 8:00 o'clock p.m., or as soon thereafter as the matter can be reached on the agenda, at which time and place all persons interested therein shall be given an opportunity to be heard, and during the week prior to and up to and including the date of such meeting, copies of said Ordinance will be made available at the Clerk's Office in the Township of Wall, Town Hall, to members of the general public who shall request the same.

LORRAINE KUBACZ  
Acting Township Clerk

**SCHEDULE A**

<u>Block</u>	<u>Lot</u>	<u>Minimum Bid</u>
32	2.01*	\$2,500.00
32	2.02*	\$2,500.00

(\*pending subdivision approval)