

Ordinance: #1,675
Introduced: 7-17-2023
Adopted: 8-21-2023
Effective: 9-10-2023

ORDINANCE 18-23

**BOROUGH OF LINCOLN PARK
NOTICE OF INTRODUCTION**

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a meeting of the Council of the Borough of Lincoln Park held on July 17, 2023 and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a meeting of the Borough Council to be held on August 21, 2023 at 7:30 p.m. or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 34 Chapel Hill Road, Lincoln Park, New Jersey at which time all persons interested may appear for or against the passage of said Ordinance.

ORDINANCE 18-23

ORDINANCE AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY OWNED BY THE BOROUGH OF LINCOLN PARK CONSISTING OF BLOCK 23, LOT 24 ON THE TAX MAP OF THE BOROUGH OF LINCOLN PARK PURSUANT TO N.J.S.A. 40A:12-13(B)(5)

WHEREAS, the Borough of Lincoln Park is the owner of certain property located in the Borough of Lincoln Park (the "Borough") and designated as Block 23, Lot 24 on the Tax Map of the Borough of Lincoln Park (the "Property"); and

WHEREAS, the Borough desires to sell Block 23, Lot 24, totaling 9,975 square feet, to the highest bidder of three contiguous property owners; and

WHEREAS, the Borough has determined that this property is not needed for public use; and

WHEREAS, the property is not a buildable lot, being undersized for development in the zone in which it is located; and located in a flood hazard zone; and

WHEREAS, the Borough and its professionals, including the Borough Engineer, Borough Tax Assessor and Borough Attorney, believe it is in the best interest of the Borough to sell the same; and

WHEREAS, N.J.S.A. 40A:12-13 et seq., the Local Lands and Buildings Law, authorizes a public entity to sell real property not needed for public use to the highest bidder among contiguous real property owners at no less than the fair market value; and

WHEREAS, the Borough has determined that the fair market value for this property is \$12,000.00; and

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of Lincoln Park, County of Morris, State of New Jersey, as follows:

Section 1. The Borough hereby agrees to sell Block 23, Lot 24 on Harmon Street on the Tax Map of the Borough of Lincoln Park to the highest bidder of three contiguous real property owners for a fair market value of no less than \$12,000.00.

Section 2. The Mayor, Borough Attorney and Business Administrator, along with all other appropriate officers and employees of the Borough, are hereby authorized and directed to execute all documents necessary for the conveyance of this property in fee simple including but not limited to a Deed and other conveyance documents, provided such documents are in a form satisfactory to the Borough Attorney.

Section 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provision of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder of any portion thereof.

Section 4. This lot is being sold subject to the express condition that it shall merge with and become a part of the contiguous lot of the Buyer, and it shall for all future purposes be considered as one parcel.

Section 5. All Ordinances or parts of Ordinances of the Borough of Lincoln Park which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect immediately after final passage and publication on the manner provided by law.

ATTEST:

Andrew Seise, Council President

Courtney Fitzpatrick, RMC,CMC,MMC,CMR
Borough Clerk
Borough of Lincoln Park

Mayor Dr. David Runfeldt

<u>INTRODUCED:</u>	July 17, 2023
<u>PUBLISHED IN DAILY RECORD:</u>	July 18, 2023
<u>PUBLIC HEARING AND ADOPTION:</u>	August 21, 2023
<u>PUBLISHED IN DAILY RECORD:</u>	August 22, 2023
<u>EFFECTIVE:</u>	September 10, 2023