

**CITY OF NORTHFIELD, NJ
ORDINANCE NO. 11-2018**

**AN ORDINANCE OF THE CITY OF NORTHFIELD
AUTHORIZING THE SALE OF CITY OWNED LAND**

WHEREAS, the properties identified on the Official Tax Map of the City of Northfield as:

<u>Block</u>	<u>Lot(s)</u>
40	31
67	9-10
110	21
115	10
148	1
175	44-47
179.01	15

(hereinafter collectively the “Properties”) are owned by the City of Northfield and are not needed for public purposes; and

WHEREAS, it is in the best interest of the City to sell such land to generate revenue, reduce taxes and reduce liabilities; and

WHEREAS, it is in the best interest of the City to advertise this land for public sale to the highest bidder in accordance with N.J.S.A. 40A:12-13.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Northfield, County of Atlantic, State of New Jersey, as follows:

1. The City Clerk and/or the City Solicitor are authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the City’s right, title and interest in and to the Properties pursuant to the provisions of N.J.S.A. 40A:12-13.
2. The minimum bids for the Properties shall be as follows:

<u>Block</u>	<u>Lot(s)</u>	<u>Minimum Bid</u>
40	31	\$20,000
67	9-10	\$40,000 (Condition of Sale: Must be purchased together)
110	21	\$1,800
115	10	\$1,600
148	1	\$5,000
175	44-47	\$250 per acre; total of 3.48 acres (Condition of Sale: Must

be responsible for the recording of the deed and for the cost of such recording.

8. A bargain and sale deed without covenants shall be delivered at the Office of the City Clerk on or before 45 days after the sale. The Mayor and City Clerk are hereby authorized to execute said deeds and other conveyance documents and the City Solicitor is authorized to prepare such deeds and documents.
9. In addition to the terms and conditions set forth herein, the successful bidders agree to the imposition of the following conditions by the City:
 - a. Properties listed together above must be bid and purchased together.
 - b. In the event that the successful bidder fails to close title, the bidder agrees to forfeit to the City any and all monies deposited with the City.
 - c. The City does not warrant or certify title to the Properties and in no event shall the City be liable for any damages to the successful bidder. If title is found defective or unmarketable for any reason, and the bidder waives any and all rights and damages and liens against the City, the sole remedy of the successful bidder shall be the right to receive a refund, prior to closing of title, of the deposit paid. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the City shall not be required to refund any money or correct any defect in title and shall not be held liable for damages. Acceptance of an offer to purchase shall constitute a binding agreement and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.
 - d. The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the City of Northfield, and the reservation of an easement for all natural or constructed drainage systems, swales, pipes, drains, inlets, waterways and easements, if any, on the land and a continued right of maintenance and flow thereof. The City shall be without obligation to provide access, public or private, or to provide any improvements.
 - e. The deed will contain a covenant that neither the purchaser nor any future owner or potential developer of the lot may assert a claim against the City of Northfield based upon the inability to develop or use the lot including, but not limited to, a claim for inverse condemnation or damages of any kind.

- f. The City makes no warranties whatsoever regarding said lands and assumes no responsibility for environmental conditions, known or unknown, regarding said lands. The bidder shall be responsible for the exercise of due diligence in determining the condition of the land, including but not limited to, the determination of any title conditions, environmental conditions, zoning and development restrictions and any other condition or restriction that might impact the use of the land.
10. The City Clerk, the Mayor and the City Solicitor are authorized to prepare and execute any and all such documents and to take any and all such actions as may be required to effect the transactions set forth herein.
11. The City Clerk shall file with the Director of Local Government Services in the Department of Community Affairs any required affidavits verifying the publications of the advertisements required by N.J.S.A. 40A:12-13(b).
12. The sale of such lands is subject to applicable New Jersey Law concerning the disposition of municipal real estate and all other applicable laws and ordinances of the State of New Jersey and the City of Northfield.
13. All potential sales are subject to final approval by the City Council.
14. The City reserves the right to waive any and all defects, informalities and irregularities in any bid. The City further reserves the right to reject all bids in each instance where the highest bid is not accepted and to, in its discretion, re-advertise the Properties for sale. No bid shall be considered finally accepted until confirmed by the City Council.

All ordinances and parts of Ordinances inconsistent with the provisions of this ordinance are, to the extent of such inconsistency, hereby repealed.

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.

This Ordinance shall become effective immediately upon final adoption and publication according to law.

Mary Canesi, RMC
Municipal Clerk

Erland Chau
Mayor

The above Ordinance was introduced and passed on its first reading at a regular meeting of the Common Council of the City of Northfield, New Jersey held on

October 23, 2018, and will be taken up for a second reading, public hearing and final passage at a meeting of said Council held November 13, 2018 in Council Chambers, City Hall, Northfield, New Jersey.

FIRST READING:	October 23, 2018
PUBLICATION:	October 27, 2018
SECOND READING:	November 13, 2018
PUBLICATION:	November 17, 2018