

ORDINANCE NO. 2009 - 24

**ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN,
STATE OF NEW JERSEY, OFFERING FOR SALE REAL
PROPERTY AND ALL IMPROVEMENTS THEREON
LOCATED AT BLOCK 250, LOT 23, A/K/A 686 EAST
BAY AVENUE, BARNEGAT, NEW JERSEY**

WHEREAS, the Township of Barnegat, County of Ocean, State of New Jersey (the "Township") is the owner of real property and all improvements thereon located at Block 250, Lot 23, a/k/a 686 East Bay Avenue, Barnegat, New Jersey, upon which the emergency management building is located (the "property"); and

WHEREAS, the Township has determined that continued ownership and utilization of this property is not necessary for the Township, and that the Township and its taxpayers would be better served by offering this property for sale to the highest bidder; and

WHEREAS, the Township wishes to comply with all requirements set forth in the New Jersey Local Lands and Buildings Law, in particular N.J.S.A. 40A:12-13 et seq.:

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey, as follows:

SECTION 1. The Township hereby schedules a public sale of the property to the highest bidder, including all improvements thereon.

SECTION 2. The public sale will be held on September 3, 2009 at 11:00 a.m. at the municipal building located at 900 West Bay Avenue, Barnegat, New Jersey.

SECTION 3. The minimum price for the public sale will be \$350,000.00, cash proceeds.

SECTION 4. At the public sale five (5%) percent of the total price must be provided by cash or check to the Township, which sum shall be held by the Township in trust pending closing and passing of title.

SECTION 5. The property is being sold by the Township in its "as is" condition. The Township makes no representations as to the structural integrity, condition of the property, or future use of the property.

SECTION 6. This is a cash closing. Payment in full in cash must be made to the Township at a mutually agreed upon closing date to be held no later than 45 days after the award of the contract.

SECTION 7. The Township will not accept any mortgage contingencies or other conditions of closing to the successful bidder.

SECTION 8. An inspection of the property will be scheduled for any potential bidders in order that a potential bidder may have an opportunity to review and inspect the property and the improvements thereon. The public inspection will be held on September 3, 2009 starting at 10:00 a.m. at the property.

SECTION 9. The Township makes no representations with regard to the condition or quality of the property, but agrees that the Township shall convey clear and marketable title to the successful bidder.

SECTION 10. Severability. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

SECTION 11. Repealer. Any ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 12. Effective Date. This Ordinance shall take effect upon publication in an official newspaper of the Township, as required by and in conformance with law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing Ordinance was introduced and passed by the Township Committee of Barnegat on first reading at meeting held on the **20th day of July, 2009 at 6:30 p.m.** and finally adopted after public hearing at the regular meeting of said Committee on the **3rd day of August, 2009 at the hour of 6:30 p.m.** at the Municipal Building located at 900 West Bay Avenue, Barnegat, New Jersey.

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Prepared by:
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