

EXPLANATION: This Ordinance authorizes the Township of Warren to sell undersized remnant lots no longer need for public use to the highest bidder among contiguous property owners.

**TOWNSHIP OF WARREN
ORDINANCE NO. 11-19**

AN ORDINANCE AUTHORIZING THE SALE OF TOWNSHIP OWNED REAL PROPERTY REMNANT LOTS NO LONGER NEEDED FOR PUBLIC USE BY PRIVATE SALE TO CONTIGUOUS PROPERTY OWNERS

WHEREAS, the Township of Warren is the owner of remnant lots, attached as **Schedule "A"** (referred to as the "Properties"); and

WHEREAS, the Properties are no longer used by the Township for any purpose; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., allows the sale of municipally owned land at a private sale, instead of at an auction, in certain circumstances. N.J.S.A. 40A:12-13(b) 5 provides, in part, that:

A sale to the owners of the real property contiguous to the real property being sold; provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; except that when there is more than one owner with real property contiguous thereto, said property shall be sold to the highest bidder from among all such owners. Any sale shall be for not less than the fair market value of said real property; and

WHEREAS, the Township Committee of the Township of Warren is of the opinion that the criteria set forth in N.J.S.A. 40A: 12-13(b) 5 are present; namely, the Properties are less than the minimum square footage required for development in various zone districts, as the case may be, and are without any capital improvements, and in most cases, there are at least two (2) owners with real property contiguous to the Properties so that the Properties shall be sold to one of the contiguous property owners; who, among them is the highest bidder; and

WHEREAS, the Township of Warren Tax Assessor's office valued the Properties, said Properties as shown on the attached **Schedule "A"**; and

WHEREAS, the Township Committee is of the opinion that the properties are remnant properties and no longer useful to the Township; and

WHEREAS, the Township is of the opinion that the sale of the Properties is beneficial to the health, safety, and welfare of the residents of the Township because said Properties are remnant lots that are not useful to the Township and require expenditure of scarce public resources and do not generate any real estate tax revenue.

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

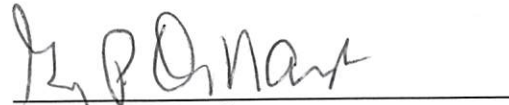
1. The Township Committee hereby authorizes the sale of the Properties as shown on the attached **Schedule "A"** to the highest bidder among the various contiguous property owners.

2. The Township Clerk shall advertise the sale of said Properties pursuant to N.J.S.A. 40A:12-13(b)(5) within five (5) days following enactment of this ordinance.
3. The Township Clerk shall post the Properties to be sold pursuant to this Ordinance together with minimum price, on the municipal bulletin board or other conspicuous space in the municipal building, where the Township Committee usually holds its regular meetings.
4. Offers for each of the Properties shall be made to the Township Administrator for a period of twenty (20) days following the advertisement herein required, at no less the minimum price set forth in this Ordinance, by any of the contiguous property owners, their real estate brokers or other representatives.
5. All Properties will be sold "as is" and "where as" without representations and warranties and subject to existing restrictions of record. Each of the Properties shall be conveyed by Quitclaim Deed. The Quitclaim Deed shall specifically provide that the Property conveyed shall not be further subdivided once merged with the successful bidder's remaining lands.
6. The Township Committee reserves the right to reconsider this ordinance not later than thirty (30) days after its enactment and advertise the Property for public sale pursuant to N.J.S.A. 40: 12-13(a).
7. This Ordinance shall take effect immediately after adoption and publication according to law.
8. The Township Attorney is authorized to prepare the necessary closing documents to convey the Properties to the highest bidder among the contiguous property owners.
9. The Mayor and Township Clerk are authorized to sign the necessary closing document.

ATTEST:


Patricia A. DiRocco, RMC
TOWNSHIP CLERK

TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF WARREN


Gary P. DiNardo
MAYOR

INTRODUCED November 10, 2011
ADOPTED December 8, 2011
EFFECTIVE December 15, 2011

SCHEDULE "A"

Block/ Lot	Lot Size	Physical Address	Contiguous Owners	Zone/ Min Sq. Ft for development	Minimum Value
22/3	.11	16 8 th St	Bl. 22 Lot 1.02	R40 / 40,000	\$1,900
23/4	.11	18 9 th St	Bl. 23 Lot 1 & Bl. 23 Lot 3	R40 / 40,000	\$1,700
88.04/9	.10	70B Mount Bethel Rd	Bl. 88.04 Lot 9.01, 9.02 & Bl. 88.04 Lot 8.01	R20V / 20,000	\$3,000
78/24.03	.10	Mount Horeb Road	Bl. 78 Lot 24.02	BR40 / 40,000	\$5,000
86.01/9.02	.80	Old Stirling Rd	Bl. 86.01 Lot 9.01 & Bl. 86.01 Lot 10	CR130/65 / 3 Acres	\$15,400
86.01/13.07	.52	59 Old Stirling Rd	Bl. 86.01 Lot 13.05 & Bl. 86.01 Lot 13.04	CR130/65 / 3 Acres	\$10,600
97/41	.71	32 Plainfield Avenue	Bl. 97 Lot 42 & Bl. 97 Lot 40	R65 / 65,340	\$14,500

SCHEDULE "A"

97/39	.12	1 Plainfield Ave	Bl. 97 Lot 38	R20V / 20,000	\$2,900
99/13.02	.12	13 Plainfield Avenue	Bl. 99 Lot 13.01 & Bl. 99 Lot 12	R20V/20,000	\$2,900
96/48	1.5	Old Stirling Rd	Bl. 96 Lot 47, Bl. 96 Lot 44 & Bl. 96 Lot 45	CR130/65 / 3 Acres	\$28,800
110/7	.50	Stirling Rd.	Bl. 110 Lot 8, Bl. 101 Lot 3 & Bl. 101 Lot 1	R20V / 20,000	\$9,100
109/8	.12	21 Mitchell Ave	Bl. 109 Lot 7, Bl. 109 Lot 9 & Bl. 109 Lot 6	R20V / 20,000	\$3,300
206/20	1.46	off Hillcrest Rd	Bl. 206 Lot 19.01 Bl. 206/19.02, Bl. 206/21 & Bl. 206/22	R20V / 20,000	\$19,600