

Egg Harbor Township

Resolution No. 396

2018

Resolution declaring certain currently owned public property to be no longer necessary for public purposes and authorizing and setting public sale of said property, which offers for said property will be received on Thursday, November 1, 2018, at 10:00 am in the Township of Egg Harbor Municipal Building, Conference Room 108

WHEREAS, N.J.S.A. 40A:12-13 (a) authorizes a municipality to sell by public sale at auction, real property which it determined is no longer necessary for public municipal purposes; and

WHEREAS, the property listed in Exhibit A is no longer needed for any municipal purposes by the Township of Egg Harbor;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

SECTION 1: SALE TERMS AND PROVISIONS

1. The parcel of real property described on the attached **Exhibit A**, incorporated herein, is declared by the Township Committee to be not necessary for public municipal purposes and that the best interest of the public shall be served in selling said property by public sale at auction to the highest offer at or above the minimum price set forth on **Exhibit A**; with the Township Committee reserving the right to accept or reject or otherwise remove a property from sale; on *Thursday, November 1, 2018, in Conference Room 108, located at the Egg Harbor Township Municipal Building, at 10:00 a.m.*, prevailing time.

2. A deposit of ten percent (10%) of the minimum price for real property must be paid in cash or by certified bank check by the successful bidder at the time of the offer; said time and place set forth herein. This deposit shall be made subject to return in the event of rejection of said offer. The balance, together with the costs of sale and legal expenses must be paid at closing in cash or by certified bank check.

3. These costs of sale described in paragraph 2 above, shall include, but are not limited to, legal expenses, title search fees, insurance fees, appraisal fees, survey fees, recording fees, and any such other costs of sale; but this shall not obligate the Township to incur these expenses or provide these services. The successful bidder shall be responsible for any and all such costs. The Township reserves the right upon completion of the sale to accept or reject the highest bids made at the public sale; which acceptance or rejection shall be made no longer than the second regular meeting of the Township Committee following the sale.

4. Upon acceptance of a bid and payment of all costs and expenses related thereto, the Township of Egg Harbor shall issue a Quit Claim Deed; without covenants; to the successful and accepted bidder.

5. The parcel shall be subject to all restrictions, covenants, easements, rights of way, exceptions, liens; whether any or all are known or unknown and whether or not of record. No representations, covenants, promises, or warranties are made by the Township of Egg Harbor as to title, and responsibility for determining clear and marketable title rests solely with the bidders who shall govern themselves accordingly. The property in question shall otherwise be sold subject to all

existing Federal, State, County and Municipal laws, including, but not limited to, current zoning, health, and planning laws; rules and regulations.

6. Settlement between the Township of Egg Harbor and the successful bidders shall take place on or before November 30, 2018. The Township shall be solely obligated to tender a Quit Claim Deed; without covenants; with restrictions stated herein; and a certified copy of the sale resolution.

7. Offers may be made by an individual, corporation, or governmental entity; with any or all acting on their own behalf. Offers may also be submitted by a prospective purchaser's attorney, real estate agent or broker or other authorized representative; although no commission shall be payable by the Township of Egg Harbor to any real estate broker or other authorized representative of a purchaser in connection with any sale or property by the Township.

8. The Township Committee shall also have a period of time to reconsider said resolution not later than thirty (30) days after the final passage and advertisement of said resolution. This shall include the right to terminate any auction sale, revoke a property from the auction sale list, and any monies paid by a bidder through to that time will be refunded if the Township Committee does exercise its right to not accept bids or otherwise remove a property from the public sale auction list.

9. The Township Clerk is hereby directed to file with the Director of the Division of Local Government Services in the Department of Community Affairs for the State of New Jersey, the required sworn affidavit verifying the publication of advertisements required by statute applicable to this Resolution and the sale of municipal public property.

Dated: October 3, 2018

Eileen M. Tedesco, RMC
Township Clerk

Attachment: Exhibit A

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Exhibit A

Block	Lot	Name of Street	Minimum Bid
7401	43	1512 Mays Landing-Somers Point Road	\$31,000
7401	56	8046 English Creek Avenue	\$36,000

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Resolution Approval:	October 3, 2018
1st Publication:	October 17, 2018
2nd Publication:	October 24, 2018
Sale Date:	November 1, 2018
Settlement	November 30, 2018