

# Egg Harbor Township

Ordinance No. 7

2015

## AN ORDINANCE DONATING LANDS TO THE EGG HARBOR TOWNSHIP BOARD OF EDUCATION

**WHEREAS**, the Egg Harbor Township Committee accepted a donation of Block 69E, Lot 14 (NKA Block 5610, Lot 14) from Egg Harbor Township Board of Education by adoption on June 23, 1993 of Ordinance No. 29 of 1993; and

**WHEREAS**, the property is commonly known as Bargaintown School; and

**WHEREAS**, the Township has leased this property to the Egg Harbor Township Board of Education continuously since October 28, 1999; and

**WHEREAS**, in anticipation the Board of Education making substantial capital investment in the Bargaintown School, the Township and Board of Education entered into a lease on August 1, 2013 for fifteen (15) academic years (2013-14 through 2027-28); and

**WHEREAS**, the Egg Harbor Township Board of Education operates an alternate school program for its at risk youth at the Bargaintown School, 3517 Bargaintown Road; and

**WHEREAS**, the Board of Education has made a long-term financial commitment to the school; and

**WHEREAS**, the Board of Education has requested the Township to transfer title of the property to them; and

**WHEREAS**, the Township Committee of the Township of Egg Harbor wishes to donate Block 5610, Lot 14 to the Egg Harbor Township Board of Education upon such conditions as are expressed herein.

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

**SECTION 1:** The Township of Egg Harbor is the record owner of the lands known as Block 5610, Lot 14, known as 3517 Bargaintown Road; and

**SECTION 2:** The Township of Egg Harbor hereby authorizes the donation all of its right, title, and interest in the premises described above to the Egg Harbor Township Board of Education, and hereby authorizes the Mayor and Township Clerk to execute said documents as are necessary for the lawful conveyance under the terms and provisions provided herein.

**SECTION 3:** The aforementioned premises have been determined by the Township Committee that it is not needed for municipal purposes and may be conveyed under the following terms and conditions:

- a. The Township of Egg Harbor makes no representations or warranties as to the quality of title or the permissible use of any aspect of the property being conveyed. The Township will convey the property by quitclaim deed. The Egg Harbor Township Board of Education shall conduct its own inspection of the property and the quality of title.
- b. The property conveyed shall be used only for an alternative school by the Egg Harbor Township Board of Education and shall not be used for any commercial business enterprise.
- c. The deed will contain a deed restriction stating that in the event the property is no longer being utilized by Egg Harbor Township Board of Education as an alternative school, the property shall automatically revert back to the Township.
- d. In the event of a breach by the Egg Harbor Township Board of Education of any of the provisions contained within this ordinance, the Township shall have an automatic right of reverter and upon notification of the Egg Harbor Township Board of Education; the lands shall revert back to the Township. This right of reverter shall be in the Deed of Conveyance.

**SECTION 4: Severability.** If any section, sentence, or any other part of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of the ordinance, but shall be confined in its effect to the section, sentence or other part of this ordinance directly involved in the controversy in which such judgment shall have been rendered.

**SECTION 5: Repealer.** All ordinances or parts of ordinances which are consistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

**SECTION 6: Effective Date.** This Ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF FEBRUARY 4, 2015 AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE TOWNSHIP HALL, IN SAID TOWNSHIP ON MARCH 4, 2015 AT 5:30 P.M.

Dated: February 4, 2015

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Eileen M. Tedesco, RMC  
Township Clerk