

RESOLUTION NO. 2023- 190

RESOLUTION APPROVING THE ADVERTISEMENT
OF BLOCK 104, LOT 3, LOT 4 AND LOT 5 FOR SALE
TO THE HIGHEST BIDDER PURSUANT TO N.J.S.A.
40A:12-13 (a).

WHEREAS, the City of Vineland is the fee simple owner of property known as Block 104, Lot 3, Lot 4 And Lot 5, located in the northwest corner of the City, north of Brown Road, and bordering Newfield;

WHEREAS, all three parcels are vacant land with a combined area of 14.09 acres, all of which is landlocked and only accessible by a possible paper street located in the Borough of Newfield;

WHEREAS, the combined properties are zoned A-5 with an assessed value of \$151,800.00;

WHEREAS, a paper street, known as Pennsylvania Avenue which is not connected to any other streets, paper or otherwise, in the City of Vineland, splits Block 104, Lot 5 from Block 104 Lot 3 and Lot 4;

WHEREAS, N.J.S.A. 40A:12-13 (a) allows a municipality to sell any real property not needed for public use by open public sale at auction to the highest bidder, after advertisement thereof in a newspaper in circulation in the municipality;

WHEREAS, it is in the public interest that the property be sold to a third party on the condition that the three lots be sold as a single parcel and the successful purchaser records a deed combining the lots and incorporating a paper street, known as Pennsylvania Avenue, which splits Block 104, Lot 5 from Block 104 Lot 3 and Lot 4;

WHEREAS, N.J.S.A. 40A:12-13 (a) allows, but does not require, a municipality to set a minimum bid, and to reject all bids submitted for the property being sold;

WHEREAS, the City of Vineland makes no representations as to the condition of the property, including but not limited to environmental conditions, wetlands restrictions, or potential uses of the property, it will be the successful bidder's sole obligation to determine any limitations on use of the property, whether the property is suitable for its intended purpose, and the physical condition of the property;

WHEREAS, a departmental survey was conducted as to whether the property is needed for a public purpose, with the responses concluding that the property is not so needed;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Vineland, the governing body of the City of Vineland, that the statements of the preamble, hereinabove, are incorporated herein as though fully set forth herein;

BE IT FURTHER RESOLVED, that Block 104, Lot 3, Lot 4, and Lot 5 be advertised for public sale as a single lot, "as is" "where is" and "with all faults" to the highest bidder, in accordance with N.J.S.A. 40A:12-13 (a).

BE IT FURTHTER RESOLVED, that the sale be by quit claim deed containing a reverter clause providing that the property will revert to the City in the event purchaser fails to record a deed combining all three lots into a single lot within 6 months of the sale.

BE IT FURTHER RESOLVED, that the highest bidder be required to execute a formal offer to purchase the property upon the conclusion of bidding, and pay to the City of Vineland, by certified funds, ten (10%) percent of the purchase.

CITY OF VINELAND, NJ

BE IT FURTHER RESOLVED, that the right to reject all bids is expressly reserved, and may be excised by Vineland City Council in its sole discretion.

BE IT FURTHER RESOLVED, that the purchaser shall be required to executed and deliver a quit claim deed to the City of Vineland, at the time of closing, returning ownership of the property to the City in the event the three lots are not combined into a single lot within six (6) months of the sale, or returned to the Purchaser upon the recording of a deed containing an all inclusive description of the three lots.

Adopted:

President of Council

ATTEST:

City Clerk