

RESOLUTION NO. 2023-221

RESOLUTION APPROVING THE ADVERTISEMENT OF 2203, 2213, AND 2215 N. DELSEA DRIVE, BLOCK 1201, LOT 54, QUALIFIERS CA1, CB1 AND CC1, FOR SALE TO THE HIGHEST BIDDER PURSUANT TO N.J.S.A. 40A:12-13 (a).

WHEREAS, the City of Vineland acquired title to 2203 N. Delsea Drive, 2213 N. Delsea Drive, and 2215 N. Delsea Drive, a three (3) unit condominium, through tax foreclosure actions;

WHEREAS, at the time final judgments were entered the aggregate arrears in taxes, including interest, was approximately \$80,000.00;

WHEREAS, the property has an aggregate assessed value of \$328,700.00 (Land \$108,900.00 and Improvements \$219,800.00); is 1.98 acres in area, portions of which are located in a flood hazard area, with the front zoned B-3 and the rear zoned R-4.

WHEREAS, the property is improved with a repair garage (Qual. CC1), and two dilapidated residential structures (Qual. CB1 and CA1), all of which is located in the B-3 zone;

WHEREAS, pursuant to Resolution No. 2023-145, the property was advertised for sale to the highest bidder with a minimum bid of \$50,000.00;

WHEREAS, the public sale of the property was set for May 10, 2023, at which time no bids were received for the property;

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 residential structures be demolished or removed, the condominium form of ownership be terminated, and the commercial structure be brought into compliance with all applicable zoning regulations and the City of Vineland's Land Use Ordinance.

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, 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 2203 N. Delsea Drive, 2213 N. Delsea Drive, and 2215 N. Delsea Drive, combined, be advertised for public sale "as is" "where is" and "with all faults" to the highest bidder in accordance with N.J.S.A. 40A:12-13 (a), with the right to reject all bids:

BE IT FURTHER RESOLVED, except for the minimum required bid, that sale of the combined properties be subject to the same conditions as the previous sale, to wit:

1. Removal or demolition of the two (2) residential structures and elimination of the condominium form of ownership within nine (9) months of the date of closing.
2. Removal or decommissioning of the septic systems servicing the residential structures within nine (9) months from the date of closing.

3. Submission of all necessary applications for site plan approval, and bulk variances for development of the property for a permitted commercial use within one (1) year from the date of closing;
4. Completion of all site plan improvements within the term permitted by the applicable land use regulations, including any approved extensions thereof.
5. If required, complete all renovations to the commercial structure and obtain a C.O. or T.C.O. for its continued commercial use within (1) year of closing.
6. 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 comply with the time requirements set forth in this Resolution;
7. The purchaser shall be required to execute, and deliver to the City of Vineland, at the time of closing, a quit claim deed returning ownership of the property to the City in the event the time requirements set forth in this Resolution are not complied with, or returned to the Purchaser upon completion of all conditions set forth in this Resolution.

Adopted:

President of Council

ATTEST:

City Clerk