

BOROUGH OF HAMPTON
HUNTERDON COUNTY, NEW JERSEY

PLEASE TAKE NOTICE that the following Ordinance No. 10-2021 was introduced at a meeting of the Borough Council of the Borough of Hampton, in the County of Hunterdon, New Jersey held on the 9th day of August, 2021 and passed on first reading. This Ordinance No. 10-2021 is scheduled to be further considered for final passage at a meeting of the Borough Council to be held at the Borough Hall, One Wells Avenue in said Borough on the 13th day of September, 2021 after 7:30pm.

ORDINANCE #10-2021
ORDINANCE AUTHORIZING THE SALE OF A BOROUGH OWNED PROPERTY
LOCATED AT 12 MacKENZIE ROAD

WHEREAS, the Borough of Hampton is the record owner of a property located at 12 MacKenzie Road, Block 17, Lot 9; on the Tax Map of the Borough of Hampton (“Property”); and

WHEREAS, N.J.S.A. 40A:12-13(a) authorizes a municipality to enter into an open public sale at auction to the highest bidder for property that is not needed for public use; and

WHEREAS, the Borough has determined the Property is not needed for public use, and that the Property should be sold by open public sale at auction to the highest bidder; and

WHEREAS, N.J.S.A. 40A:12-13(a) requires the Borough to advertise the sale of the Property in the newspaper and hold a public auction.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hampton as follows:

SECTION 1. The Mayor of the Borough of Hampton and other necessary Borough officials are hereby authorized to enter into a public sale of a property owned by the Borough at 12 MacKenzie Road, Block 17, Lot 9; in accordance with N.J.S.A. 40A:12-13(a) and to take all reasonable, necessary and lawful steps to effectuate the sale of the property, including execution of the appropriate deed and transfer documents.

SECTION 2. The Borough shall advertise the sale of the Property in a newspaper circulating in the Borough by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale.

SECTION 3. The terms of sale shall be as follows:

- a. Bidding will be done by way of live auction on October 11, 2021, at 6:45PM, at the Hampton Borough Municipal Building, 1 Wells Avenue, Hampton, NJ, to be taken in \$100 increments,
- b. Minimum bid price:

12 MacKenzie Road, Block 17, Lot 9

\$97,500.00

- c. The winning bid must be accompanied by a deposit made payable to the Borough of Hampton in the form of cash, bank check, or cashier's check in the amount of 10% of the total bid. Pending closing, this deposit will be held by the Borough in a non-interest bearing escrow account with the total deposit to be credited to the purchase price at closing. Full payment of the purchase price must be received within 30 days of the date of the acceptance of the bid.
- d. Any person bidding on behalf of a corporation or limited liability company must either submit a copy of a resolution of the corporation/company or a letter on corporate stationery, signed by an officer of the corporation, authorizing the bidder to bid on the properties on the corporation's behalf. A person bidding on behalf of a partnership or using a trade name must submit a copy of the certificate of trade name and a letter of authorization from the other partners.
- e. The successful bidder shall pay prorated real estate taxes for the balance of the current year as of the date of closing of title.
- f. In the event that the successful bidder fails to close title to the Property, the bidder shall forfeit all deposit monies made to the Borough. No refunds whatsoever will be made by the Borough in the event that the successful bidder fails to complete the purchase of the Property within thirty (30) days from the acceptance of the bid.
- g. The Property is being sold "AS IS" "WHERE IS." The Property will be sold subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting the Property, including the Borough's Affordable Housing Settlement and the provisions of said settlement pertaining to this parcel. A survey of the Property may be conducted by any prospective bidder, at its discretion, as part of its due diligence; the bidder is responsible for conducting any and all inspections and testing of the Property at its own cost and expense. No representation is made by the Borough as to the utility, usability or environmental condition of the Property, except as otherwise set forth herein.
- h. The deed given by the Borough to the Property will be a Quitclaim Deed. No title contingencies or conditions are permitted.
- i. The sale shall be subject to adjournment or cancellation by the Borough Council.
- j. The sale shall be subject to restrictions of record and local ordinances.
- k. The Borough shall retain the right to reject all bids.

SECTION 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any court of competent jurisdiction, such judgment shall be limited in its effect only to that

portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

SECTION 5. All ordinances or parts of ordinances deemed to be inconsistent with this ordinance are hereby repealed.

SECTION 6. This ordinance shall become effectively immediately upon final adoption and publication in accordance with the laws of the State of New Jersey.

Linda Leidner, RMC
Municipal Clerk, Hampton Borough