

**TOWNSHIP OF WATERFORD
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

ORDINANCE # 2017 - 12

**ORDINANCE OF THE TOWNSHIP OF WATERFORD
AUTHORIZING THE PRIVATE SALE
OF CERTAIN TOWNSHIP OWNED PROPERTY
PURSUANT TO N.J.S.A. 40A:12-13(b)**

WHEREAS, N.J.S.A. 40A:12-13(b) authorizes the private sale of real property no longer needed for public use to contiguous land owners where said property is unable to be developed separately pursuant to Municipal Zoning Ordinances; and

WHEREAS, the Governing Body of the Township of Waterford has determined that certain parcels of municipally owned land are not necessary for public use, said lands being identified on Schedule "A" attached hereto; and

WHEREAS, the Governing Body of the Township of Waterford has determined that said property would be a better value as a privately owned tax ratable.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Waterford, County of Camden, and State of New Jersey, as follows:

SECTION 1. The properties listed on Schedule "A" attached hereto shall be advertised for private sale to contiguous land owners only pursuant to the requirements of N.J.S.A. 40A:12-13(b).

SECTION 2. Notice of said private sale to contiguous property owners shall be published in the newspaper circulating in the Municipality by one insertion within five (5) of the days of the adoption of this Ordinance. That a Notice of Sale shall be posted on the Township Bulletin Board with a copy of same mailed to all contiguous property owners immediately following the date of the adoption of this Ordinance.

SECTION 3. A. The Township shall accept offers/bids from contiguous property owners for a period of twenty (20) days from the date of the newspaper advertisement on March 30, 2017. All bids must be received in a sealed envelope addressed to the Township of Waterford, 2131 Auburn Avenue, Atco, NJ 08004, Attention: Township Clerk, by 10 A.M. on April 18, 2017. The Township Committee reserves the right to reject any and all bids received, or to withdraw this offer to sell at any time prior to Notice of sale, without cause, and upon advertisement of same.

B. Said properties are being offered for sale to the contiguous property owners as undersized properties unable to be separately developed with the condition that the Township is issuing no representations or warranties as to the permissibility or advisability of the property's use or of any limiting or environmental conditions. The successful bidder is solely responsible for obtaining any and all Local, County or State Permits and/or Approvals for the property or for constructing any improvements on the property.

C. The Township reserves the right at any time prior to confirmation of the sale by the Governing Body to reject any and all bids.

D. The successful bidder shall be required to pay all conveyance expenses including transfer taxes, legal fees, and pro-rated advertising costs and to provide at its own expense, a title search and legal description to the Township for the preparation of the Deed of Conveyance.

E. The minimum purchase price for each lot and all other conditions of sale are described in Schedule "A" attached hereto.

F. A Bargain and Sale Deed will be the document of conveyance and no warranties or representations as to title are made by the Township. If, however, the Township is unable to convey marketable title, any deposit monies received pursuant to this bidding procedure will be returned.

G. The confirmation of the sale by the Governing Body will be a complete acceptance of the bid and thereafter, within thirty (30) days from said confirmation, the settlement must be completed by the successful bidder. In the event the successful bidder defaults and fails to complete the settlement within the time period allowed, the down payment shall be forfeited to the Township.

H. A deposit not exceeding ten percent (10%) of the minimum bid price of the tract of land on which the bid is submitted shall be paid by the successful bidder in cash, cashier's check or certified check within 72 hours of notification from the Township that said party is the successful bidder and. If payment is not made within that time period, the Township has the right to accept the bid from the next highest bidder. If there is more than one bid in the

same amount, the bidders will be notified that the award will be made by a coin flip by the Township Clerk.

I. The lots being offered for sale are subject to existing liens, encumbrances, judgments, zoning regulations, easements, Department of Environmental Protection Regulations, the New Jersey Pinelands Comprehensive Management Plan, and any other regulations which said facts would be revealed by a title report and an accurate survey which the Township has not undertaken. The Township makes no representations as to any previous use of the property and does not guarantee clear title to the property.

SECTION 4. All Ordinances or parts of Ordinances, are inconsistent with this amending Ordinance, are hereby repealed to the extent of such inconsistency only.

SECTION 5. Should any section, subsection, part, clause or phrase of this Amended Ordinance shall be declared unconstitutional or invalid for any reason, the remaining portions of this Ordinance shall not be affected thereby and shall remain in full force and effect, and to that end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 6. This Ordinance shall take effect after final adoption and publication as required by law.


Lori A. Friddell, RMC
Township Clerk


William Richardson, Mayor

Introduced: March 8, 2017
Hearing: March 22, 2017
Adopted: March 22, 2017

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Certified to be a true copy of an Ordinance adopted by the Mayor and Township Committee of the Township of Waterford at a regular meeting held on March 22, 2017 at the Waterford Township Municipal Building.

Date: March 22, 2017


Lori A. Friddell, RMC
Township Clerk

SCHEDULE "A"

Block	Lot	Property Location	Zoning	Size of Parcel	Bid Minimum Amount
502	136	2494 Whispering Pines Dr	R4	0.3963 acres	\$6,500.00
1209	1	441 Hayes Mill Rd	R4	0.24 acres	\$2,300.00
6505	1	Waverly Avenue	RR	1.61 acres	\$22,000.00
7504	6	Walker Ave-Rear	AG	2.17 acres	\$5,400.00 (Actively being farmed)
1201	1	Atco Ave	R4	0.0225 acres	\$ 500.00
2603	3	673 Raritan	R1	0.5188 acres	\$13,000.00
3904	1	735 Old W.H. Pike	RR	3.33 acres	\$3,300.00 (wet)
4006	5	742 W.H. Pike	PHB	1.2 acres	\$46,000.00
4001	2	732 W.H. Pike	PHB	0.9731 acres	\$14,700.00
6402	7	100 Hunt Blvd	RR	0.2296	\$1,100.00