

RESOLUTION 2021-172

RESOLUTION AUTHORIZING THE SALE OF CERTAIN LAND IN THE BOROUGH OF CHESILHURST TO BE SOLD AT PUBLIC AUCTION

WHEREAS, the Borough of Chesilhurst (the Borough") presently holds title to the lands and premises hereinafter more particularly described;

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, et seq., authorizes the sale by municipalities of any real property, capital improvement, or personal property no longer needed for public use;

WHEREAS, it is deemed advisable to sell said property pursuant to N.J.S.A. 40A:12-13(a), and said lands and premises not being needed for any public purpose or any public use.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Chesilhurst, County of Camden, State of New Jersey, that the lands and premises hereinafter described, be sold via a public auction at the **Municipal Building, 201 Grant Avenue, Chesilhurst, New Jersey on December 8, 2021**, which shall be publicly advertised in accordance with N.J.S.A. 40A:12-13(a);

EACH TRACT shall be offered and sold as a single separate parcel at Public Auction, pursuant to N.J.S.A. 40A:12-13(a). The auction shall be by oral bid, and shall be subject to the conditions set forth hereinafter:

PARCEL	LOCATION	MINIMUM BID
Block 515 Lot 8	Center Avenue 250 x 150	\$10,000.00
Block 514 Lot 8 and 9	Third Avenue 300 x 150	\$35,000.00

1. No bid less than the applicable above amounts will be received or considered for each of the tracts.
2. Any person bidding upon the aforesaid lands and premises shall, by the act of such bidding accept these conditions of sale. Unless a bid shall exceed the bid immediately preceding it by at least One Hundred and XX/100 Dollars (\$100.00), it shall not be acceptable. The bid shall not be assignable without the written consent of the Borough. No bid shall be acceptable unless it is made orally. The Borough reserves the right to withdraw from sale any of said lands and premises for any reason whatsoever prior to the time said lands and premises are struck off to the successful bidder.
3. The tracts shall be sold as above described subject to the terms of this Resolution and public advertisement, and the highest bidder shall be the purchaser subject to the approval of the Borough. As soon as the sale is concluded, the highest bidder shall sign the agreement of sale.
4. The bidding shall be kept open after the parcel is struck off, for in the event a purchaser fails to comply with any of the conditions of sale, the Borough, at its option, may again immediately expose the parcel of land and premises for sale, subject to these conditions.
5. The successful bidder for the said tract shall be required, immediately upon the award of sale, to pay ten percent (10%) of the amount of his/her bid, in cash or by certified check and to sign an agreement of sale incorporating all conditions by reference.
6. The successful bidder for each said tract shall, within thirty (30) days after the date of sale, pay to the Chief Financial Officer at the Municipal Building, the balance of the purchase price due in cash or by certified check.

7. A Bargain and Sale deed for each tract will be prepared by the Borough Solicitor, executed by the proper Borough Officials and recorded by said Solicitor at the expense of the purchaser who will also be required to pay all legal and advertising costs. Said deed will be delivered to the purchaser upon being returned by the Register of Deeds. Title Insurance shall be at the expense of the buyer. Conveyance shall be by metes and bounds description supplied by the Borough. Any required subdivision shall be done at the sole expense of the bidder.
8. Regarding each said tract settlement must be made within thirty (30) days after the date of sale at the office of the Borough Solicitor, at which time the purchaser will be required to sign a settlement statement and pay the charges aforesaid in cash.
9. In the event the Borough shall be unable to deliver a good marketable title, the purchaser shall not have the right to sue for damages, expenses or specific performances, but shall be entitled to a return of the deposit or any part paid on account of the purchase price, if the same has been paid in full, nor shall the delivery of the deed by the Borough and the acceptance of the same by the purchaser entitle the purchaser to any actions, suits, or demands, in the event the deed does not convey a good marketable title, but the purchaser shall be entitled to a return of the full amount of the consideration paid.
10. In the event the purchaser shall fail to make settlement as herein provided, the deposit paid shall be forfeited as herein provided, the deposit paid shall be forfeited as liquidated damages and not as a penalty.
11. The Borough reserves the right to reject any and all bids.
12. The purchaser shall agree, by his bid, to pay taxes on the aforesaid lands and premises a sum equal to the proportionate amount of taxes that would have been due against the same, at the current tax rate, using as a valuation the current valuation reflected by the Borough's records. Purchasers also agree to pay all settlement costs, including those normally charged to seller.
13. Use of the lands and premises shall be subject to the Borough's Land Development Ordinance, and any other applicable ordinances.
14. The improvements, if any, constructed on the premises and the contents thereof shall be conveyed in "as is" condition. The Borough makes no warranties, express or implied, as to any part or position of said improvements or any equipment contained therein.
15. Time shall be of the essence.
16. Other terms of sale may be announced at the time of sale.

BE IT FURTHER RESOLVED that the Borough Clerk be and she is hereby authorized to publish notice of sale in accordance with the laws of the State of New Jersey.

BE IT FURTHER RESOLVED that the Mayor and/or her designee, along with the Borough Solicitor, on behalf of the Borough, shall be authorized to take all steps necessary and legally required to conclude and close the sale of the Lots described above.

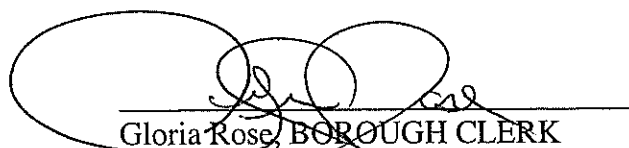
This Resolution shall take effect immediately upon final passage, approval, and publication, as provided by law.

ADOPTED: November 4, 2021

BOROUGH OF CHESILHURST



Hon. Jamila Bremmer, MAYOR



Gloria Rose, BOROUGH CLERK