

ORDINANCE 2023-08

ORDINANCE OF THE BOROUGH OF SURF CITY, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF A PORTION OF NORTH 7TH STREET IN ACCORDANCE WITH N.J.S.A. 40A:12-13(b)(5).

WHEREAS, the Borough of Surf City has received a request from the property owner of Block 103, Lot 28 to purchase a portion of property located at the end of North 7th Street as more particularly described in Schedule "A" which is attached hereto and made a part hereof; and

WHEREAS, said property is less than the minimum size required under the Municipal Zoning Ordinance and is without capital improvements thereon; and

WHEREAS, the owner of Block I 03, Lot 28 is the only contiguous property owner to the subject property; and

WHEREAS N.J.S.A. 40A:12-13.2 requires the municipality to first offer said property to the adjoining property owner(s) for purchase; and

WHEREAS, the municipality has established the fair market value for said property to be \$60,000.00; and

WHEREAS, the governing body desires to sell said property; and

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for the authorization of said property transfer by Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of Surf City, County of Ocean and State of New Jersey, as follows:

SECTION 1. That in accordance with the requirements of N.J.S.A. 40A:12-13(b)(5), the governing body does hereby authorize the sale of property as set forth on Schedule "A" to Barnegat Way, LLC, the owner of Block 103, Lot 28, said property being less than the minimum size required for development under the Municipal Zoning Ordinance and said purchaser being the only contiguous property owner for the fair market value of \$60,000.00 plus costs for a total of \$67,000.00.

SECTION 2. That the Mayor and Municipal Clerk are hereby authorized to execute any and all documents necessary to transfer title to the said property to Barnegat Way, LLC for the sum of \$67,000.00, which is the fair market value of said property together with all costs associated with the sale of same.

SECTION 3. That said purchaser shall be responsible for the payment of the municipality's costs in conveying said property (i.e. attorney's fees, engineering fees, publication, and recording fees) which have been included in the total sale price of \$67,000.00.

SECTION 4. This Ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the forgoing Ordinance was introduced and passed by the Borough Council on first reading at a meeting of the Borough Council of the Borough of Surf City held on the 12th day of April 2023 and will be considered for second reading and final passage at a meeting of the Borough Council to be held on the 10th day of May 2023, at 7:30 p.m. at the Municipal Building, located at 813 Long Beach Boulevard, Surf City, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard. Copies of the Ordinance are available during regular business hours in the office of the Municipal Clerk or on the website www.surfcitynj.org.

CHRISTINE HANNEMANN, RMC/CMR/QPA
BOROUGH CLERK/ADMINISTRATOR