

**TOWNSHIP OF PEMBERTON**  
**RESOLUTION NO. 136-2019**

**RESOLUTION AUTHORIZING A PUBLIC AUCTION ON JUNE 13, 2019 OF  
MUNICIPALLY OWNED UNIMPROVED LAND NO LONGER NEEDED FOR  
PUBLIC USE**

**WHEREAS**, the Township of Pemberton is the owner of real property not needed for public use; and

**WHEREAS**, N.J.S.A. 40A:12-13(a) authorizes a municipality to sell any real property, capital improvements or interests therein not needed for public use by open public sale at auction to the highest bidder after advertisement thereof; and

**WHEREAS**, the Township Council has determined that the vacant properties specifically identified on Attachment "A" to this resolution, which is incorporated herein in its entirety by reference, for single family residential development, is in the public interest, as it will generate miscellaneous revenue, return the property to the tax rolls, and encourage residential development.

**NOW, THEREFORE, IT IS RESOLVED** by the Township Council of the Township of Pemberton, County of Burlington, and State of New Jersey as follows:

**ARTICLE I. SALE OF LAND AUTHORIZED.** The Township Council hereby authorizes the sale of the real property specifically identified and described in Attachment "A" at public auction, and establishes the minimum bid prices for each property as indicated in Attachment "A", which shall be auctioned separately. The Township reserves the right to reject any and all bids received for the aggregated properties. Bids shall be received at public auction on June 13, 2018, at 3:00 P.M. in Room #10, at the Pemberton Township Municipal Building. The Township Council may accept or reject the bids received within forty-five (45) days from the date of the auction.

**ARTICLE II. SPECIAL CONDITIONS OF SALE.**

A. The property identified in Article I herein shall be sold in the aggregate subject to the limitations and conditions set forth in the schedule and this resolution. Bidder(s) are responsible to secure all approvals. The Township does not represent that the quality of the property being sold will meet the bidder(s) intended use.

B. The properties shall be sold and accepted in "as is" condition.

C. Potential bidders are required to perform due diligence before bidding. This should include a review of zoning ordinances, Pinelands Commission requirements, NJDEP requirements, and similar statutes, regulations, and ordinances. Information in possession of the Township of Pemberton as to subject properties will be provided upon written request addressed to the Director of Community Development.

Once the bidding is closed the highest bidder will be required to enter into a contract which will not allow for cancellation of the sale except for title defects.

**ARTICLE III. ORDINARY CONDITIONS OF SALE.** The Township Council hereby establishes the following conditions of sale. These conditions shall be imposed upon all bids submitted herein:

A. The property identified herein shall be advertised for public sale pursuant to the requirements and procedures set forth in the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq.

B. The successful bidder for the property must submit 10% of the bid price at the time of the sale. Said payment may be made by cash or check. The balance shall be paid at the closing by certified check.

D. In addition to the sale proceeds, the successful bidder shall be required to pay an additional \$750.00 for each property towards the Township's expenses in the preparation and advertisement of this resolution, the ordinance authorizing the conveyance

of the properties, and legal expenses related to the preparation and recording of the deeds. The \$750.00 for each property shall be submitted to the Township at the time of the auction.

E. The property to be conveyed under this resolution shall be conveyed by the Township by way of Quitclaim Deed, without any representations as to the quality of the title, except that the Township represents that to the best of its knowledge there are no judgments or liens against the municipality which would affect the quality of title.

F. The property will be conveyed subject to existing encumbrances, liens, zoning regulations, easements, other restrictions and such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property.

G. Closing shall occur within thirty (30) days of the adoption of the ordinance by the Township Council awarding the sale of the properties to the highest bidder.

H. Failure of the purchaser to comply with any of the requirements set forth above, or to close within the time frame set forth by the Township in its ordinance awarding the bid, shall entitle the Township of Pemberton to rescind prior bid approval, terminate any and all rights of the designated bidder in said property, and retain all monies held by the Township.

**ARTICLE IV. MISCELLANEOUS AUTHORIZATIONS.** The Mayor, Clerk and such other municipal officials as are deemed necessary are hereby authorized and directed to execute whatever documents are necessary to effectuate the intent and purposes of this resolution.

**ARTICLE V. EFFECTIVE DATE; NOTICE OF BID.** This resolution shall become effective immediately, and the Township Clerk is hereby authorized and directed to advertise this sale in the Burlington County Times by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven (7) days prior to the date of sale set forth above.

**IT IS FURTHER RESOLVED** that the auctioneer designated by the Mayor to conduct this auction shall be free to act in all respects in what is deemed to be in the best interests of the municipality subject to final acceptance and approval by the Township Council. It is further expressly provided that the termination of the bidding process will not constitute an "acceptance" of the bid, but will simply constitute a recognition that the bid is the highest bid received at the time of the auction, and the Township Council will have absolute discretion to determine whether to award that bid at its next regular meeting and/or within 45 days following the date of the bid.

**PEMBERTON TOWNSHIP COUNCIL**

**ATTEST:**

I hereby certify that the governing body of Pemberton Township adopted the forgoing Resolution on May 15, 2019.



Amy P. Cosnoski, RMC, Township Clerk

Auction: 6/13/2019	Block	Lot	Assessment	Buildable	Minimum Bid
Wisteria Street	286	4	\$ 42,000.00	yes	\$ 20,000.00
Honeysuckle Lane	286	32	\$ 34,000.00	no	\$ 5,000.00
Carpenter Lane	522	34	\$ 44,300.00	no	\$ 6,000.00
Sumach Street	282	3	\$ 34,000.00	no	\$ 5,000.00
Lilac Street	208	17	\$ 34,000.00	no	\$ 5,000.00
Arch Street	561	37	\$ 34,000.00	no	\$ 5,000.00
Millview Road	547	5	\$ 34,000.00	no	\$ 5,000.00
Magnolia Road	823.01	11	\$ 41,200.00	no	\$ 7,000.00
4 Dakota Trail	682	2	\$ 27,400.00	no	\$ 5,000.00
Bobwhite Blvd	23	19	\$ 34,000.00	no	\$ 5,000.00
Park Street	61	47	\$ 42,000.00	yes	\$ 20,000.00

Attachment "A"