

TOWNSHIP OF HAMPTON
ORDINANCE #2022-10

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN LANDS IN THE TOWNSHIP OF
HAMPTON TO BE SOLD AT PRIVATE SALE IN ACCORDANCE WITH N.J.S.A.
40A:12-13(b)(5).**

WHEREAS, the Hampton Township Committee has determined that various tracts of municipally owned land, as shown on Schedule A attached, consisting of undersized parcels of land, are no longer necessary for municipal purposes and as such shall be sold at private sale in accordance with N.J.S.A. 40A:12-13(b)(5), and

WHEREAS, the Local Lands and Building 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,

NOW, THEREFORE, BE IT ORDAINED by the Hampton Township Committee that municipally owned land contained in Schedule A shall be sold by private sale. The property is being sold by the Township "as is".

BE IT FURTHER ORDAINED, in accordance with N.J.S.A. 40A:12-13(b)(5), the property is being offered to the adjacent property owners as they are undersized lots.

BE IT FURTHER ORDAINED, the following terms and conditions shall apply:

1. The lands and premises are being sold subject to the express condition that any lot sold shall be added to and becomes a part of the adjacent lands of the purchaser, and it shall for all future purposes be considered as one parcel.
2. The Township Committee reserves the right to reject all bids.
3. The minimum bid the Township will consider is as provided for in Schedule A, plus the cost of recording deeds, and agrees that deeds shall be recorded on behalf of the purchaser by the Township Attorney.
4. All bids shall be submitted as sealed bids clearly indicating on the face of the envelope it is a "Bid for Block , Lot , and shall be submitted on or before July 26, 2022 at 10:00 am.
5. Potential Bidders are advised:
 - A. To conduct all necessary title searches prior to the date of the sale
 - B. That the descriptions of the properties are intended as a general guide only and may not be accurate. No representations of any kind are made by the Township of Hampton as to the conditions of the property; the premises are being sold in their present conditions "as is".

- c. A percolation test may be performed, at the expense of the prospective bidder, prior to the date of sale according to the provisions of the Health Code of the Township of Hampton. Anyone wishing to have a test performed shall contact the applicable Health Department.
 - d. That the sale is made subject to all applicable laws, statutes, regulations and ordinances of the United States, State of New Jersey and the Township of Hampton.
 - e. That no employee, agent or officer of the Township of Hampton has any authority to waive, modify or amend any of the conditions of the sale.
 - f. That offers for any and all of the properties must be made for a sum equal or greater to the minimum bid price listed on the attached Schedule A.
 - g. The property will be conveyed by a Quit Claim Deed and such conveyance shall be subject to all liens, covenants, restrictions, reservations and easements established of record or by prescription and without representation as to character of title of the property to be conveyed.
6. Additional Terms the Successful Bidder must comply with:
- A. Bidder shall deposit cash, check or money order in the amount of not less than 10% of the bid price at the time of sale. In the event the successful bidder fails to deposit 10% of the bid price at the time of the sale, the Township will re-auction the property at the same sale. If the successful bidder fails to pay the deposit, the bidder shall be responsible for any difference between their bid and the final sale bid in the event such bid is lower than the bid of the original bidder.
 - B. The property purchased shall be merged with the bidder's existing property. The successful bidder shall present to the Township Clerk two weeks prior to the time of closing, a copy of a deed showing that the bidder's existing property and the purchased property are described as one lot.
 - C. Pay at the time of closing:
 - i. The balance of the purchase price.
 - ii. The cost of recording deeds and agrees that deeds shall be recorded on behalf of the purchaser by the Township Attorney.
 - iii. The prorated real estate taxes for the balance of the current year as of the date of closing.
 - D. To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulate that this sale will not be used as grounds to support any variance from the regulations.
 - E. That the failure to close title as agreed shall forfeit to the Township of Hampton any and all money deposited with the Township.
 - F. That the purchase price shall not be used before any County Board of Taxation, Tax Court of New Jersey, or in any court of this State as grounds to support a challenge of the existing assessments with regard to other properties.
 - G. That the title shall close on or before 30 days after resolution is adopted by the Hampton Township Committee awarding the bid and that date shall be

considered time of the essence. The Township reserves the right to require that two or more pieces of contiguous property be merged and treated as one piece of property.

- H. The Township reserves the right to withdraw the offer of sale and reject any and all bids.
- I. All sales are subject to final approval by the Township Committee.
- J. Parties interested in submitting bids and who require additional information, should contact Kathleen Armstrong, Clerk, Hampton Township Municipal Building, 1 Rumsey Way, Newton, NJ 07860.
 - 7. The Township does not warrant or certify title to the property and in no event shall the Township of Hampton be liable for any damages to the purchaser/successful bidder if title is found unmarketable for any reason and the purchaser/successful bidder waives any and all right in damages or by way of liens against the Township, the sole remedy being the right to receive a refund, prior to closing, of the deposit paid in the event title is found unmarketable. It shall be the obligation of the successful purchaser to examine title to the premises prior to the closing. In the event of closing and later finding of defect of title, the Township shall not be responsible for the same, shall not be required to refund money or correct any defect in title or be held liable for damages.
 - 8. Acceptance of the bids shall constitute a binding agreement of sale, and the purchaser shall be deemed to agree to comply with the terms of conditions of the sale herein contained.
 - 9. The sale is subject to all of the terms and conditions as provided for in the Notice of Sale. 10. In the event no adjacent property owner submits a bid equal to or greater than the minimum bid price as provided for in Section 3 of this Ordinance, or in the event two or more adjoining property owners submit identical bids which meet or exceed the bid price, a public sale shall take place on the date and time provide for in Section 4 of this Ordinance after all bids have been opened. The terms of the public sale shall be to the highest bidder with a 10% deposit and the balance paid at closing. All other terms and conditions of this Ordinance shall apply to the public sale.

This Ordinance shall take effect upon final passage, approval and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the attached Ordinance #2022-10 was introduced at a regular meeting of the Township Committee of the Township of Hampton, Sussex County, New Jersey, held on the 31st day of May 2022 and passed on first reading, and that such Ordinance will be further considered for final passage and adoption at the regular meeting of the Township

Committee to be held on the 28th day of June 2022 at the Municipal Building, One Rumsey Way, in the Township of Hampton, at 7:00 p.m., and that at such time and place all persons interested be given an opportunity to be heard concerning said Ordinance.

Date:

Kathleen Armstrong, RMC
Township Clerk

SCHEDULE A
2022 Township Owned Properties

	Block	Lot	Address	Zone		Block	Lot	Address	Zone
1	102	9	33 Mountain Rd	RI.5	28	901	26.02	103 Mary Jones Rd	
2	102	19	36 Andover Rd	RI.5	29	902	3.02	14 Shore Dr	
3	102	20	34 Andover Rd		30	904	1 1	7 Linda Dr	R 1.5
4	102	21	32 Andover Rd		31	904	12	9 Linda Dr	
5	102	37	2 Sussex Rd	RI.5	32	906	1	14 Blueberry Dr	
6	102	43	14 Sussex Rd		33	1801.01	55	64 Mary Jones Rd	R-3
7	102	80	23 Andover Rd	RI .5	34	2807	15	226 Highland Ave	
8	102	81	25 Andover Rd		35	2907	20	507 Clearview Dr	
9	204	2	4 North Gate	RI.5	36	3002	1	556 Clearview Dr	
10	205	11	17 Old Wood Ln	RI.5	37	3005	18	712 Willow Dr	RI .5
11	205	14	1 1 Old Wood Ln	RI.5	38	3005	27	119 Meadow Rd	RI .5
12	205	21	1 Basset Ln	RI.5	39	3005	34	543 Clearview Dr	RI 5
13	301	16	1 Oak Ct	R 1.5	40	3006	8	701 Willow Dr	RI.5
14	301	45	4 Myrtle Ct	RI.5	41	3010	13	12 Pine Dr	RI .5
15	301	50	1 Myrtle Ct	RI .5	42	3012	1	14 Elm Dr	
16	404	3	3 Maple Path	RI .5	43	3014	23	52 Branchville Lawson Rd	RI .5
17	510	7	4 Chance Way	RI 5	44	3016	9	406 Grove St	R 1.5
18	512	1	41 Glenbrook Dr	RI .5	45	3017	10	70 Highview Dr	RI .5
19	512	11	4 East Beach Dr		46	3102	18	108 Rt 519	
20	604	7	49 Lone Pine Tr	RI .5	47	3103	4	7 Church Rd	
21	605	2	65 Glenbrook Dr	RI.5	48	3105	19	103 Hampton Hse Rd RT 206	R-2
22	605	3	63 Glenbrook Dr						
23	605	12	Westbrook Ln	R 1.5					
24	605	19	16 Westbrook Ln						
25	606	12	2 Juniper Ln	RI .5					

26	607	16	73 Glenbrook Dr	RI .5					
27	607	48	28 Bayberry Rd	RI .5					

These properties are deemed to be less than the minimum size required for development as provided for in N.J.S.A. 40A:12-13(b)(5) and, as such, the adjoining property owners shall have the right of first refusal to purchase the property as provided for in the body of the ordinance. The Minimum Bid the Township will consider on any lot is \$750.00.

**HAMPTON TOWNSHIP
NOTICE
ORDINANCE 2022-10**

NOTICE IS HEREBY GIVEN that the foregoing Ordinance #2022-11 was adopted at Final Reading at the regular meeting of the Township Committee of the Township of Hampton, County of Sussex held on Tuesday, June 28, 2022 at the Hampton Township Municipal Building, Baleville, N.J.

Kathleen Armstrong, RMC
Township Clerk