

Introduction: 9/15/16  
Pub Hear: 9/29/16  
Effective Date: 10/25/16

**TOWNSHIP OF MAHWAH  
ORDINANCE NO. 1790**

**ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY KNOWN AS  
BLOCK 12, LOT 11 AND BLOCK 13, LOT 33 ON THE OFFICIAL TAX MAP  
OF THE TOWNSHIP OF MAHWAH**

**WHEREAS**, the Township of Mahwah is the owner of certain real property situated in the Township of Mahwah, County of Bergen, State of New Jersey; and

**WHEREAS**, the Township Council of the Township of Mahwah has determined that such properties are not needed for any public purpose and should be sold for the public benefit; and

**WHEREAS**, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13, provides for a public sale at auction, subject to allowable conditions; and

**WHEREAS**, the Township of Mahwah desires to dispose of this property in accordance with the provisions of N.J.S.A. 40A:12-13(a).

**NOW THEREFORE, BE IT ORDAINED** by the Township Council of the Township of Mahwah, as follows:

Section 1. The Township Administrator of the Township of Mahwah is hereby authorized to schedule a public auction for sale to the highest bidder, after advertisement thereof, of the following real property:

1. Block 12, Lot 11; and
2. Block 13, Lot 33.
  - (a) The sales shall be "as is", and transfer of title shall take place within 15 days after the auction.
  - (b) On completion of the auction, the successful bidder will be required to provide a deposit of ten percent (10%) for the property by cash or certified check.
  - (c) In failure to comply with any of the above requirements, or to close within sixty (60) days after the award of the bid at auction, the Township of Mahwah shall be entitled to rescind the prior bid approval and terminate any and all rights of its designated bidder of said property, and retain all monies theretofore deposited.

- (d) The property is being conveyed subject to existing tenancies, encumbrances, liens, zoning regulations, easements and other restrictions, such facts as an accurate survey will reveal, and any present or future assessment for the construction of improvements benefitting said property.
- (e) The property is being conveyed as open space and the Deed transferring the property shall contain a restriction that the property shall not be developed with any structures and the use shall be limited to open space preservation.
- (e) The minimum price shall be offered for the property at the auction is \$1,000.00.

Section 2. If any section, paragraph, subsection, clause or provision of this ordinance shall be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance as a whole or any part thereof.

Section 3. All ordinances or parts of ordinances of the Township heretofore adopted that are inconsistent with any of the terms and provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect twenty (20) days after final passage, adoption and publication according to law.