

TOWNSHIP OF WASHINGTON  
BERGEN COUNTY, NEW JERSEY

Ordinance No. 20-05

**AN ORDINANCE AUTHORIZING THE SALE OF LOT 50 IN  
BLOCK 4308 ON THE TAX MAP OF THE TOWNSHIP OF WASHINGTON  
TO THE OWNER OF CONTIGUOUS REAL PROPERTY**

WHEREAS, N.J.S.A. 40A:12-13(b)(5) provides for a sale of real property not needed for public use to the owner of the real property contiguous to the real property being sold, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and

WHEREAS, N.J.S.A. 40A:12-13(b) (5) and N.J.S.A. 40A:12-13.2 provide that whenever any municipality intends to sell real property which is less than minimum size required for development under the municipal zoning ordinance and is without any capital improvements thereon, it shall accord the owner or owners of any real property contiguous to such real property the right to prior refusal to purchase said land, and that said property shall be sold to the highest bidder from among such owners; and

WHEREAS, the owners of all contiguous properties to Lot 50 in Block 4308 on the Tax Map of the Township of Washington (the "Township Property"), have been provided with a right to prior refusal to purchase such property, and all have declined with the exception of Lorraine Rubino who is the record owner of 403 Fern Street (Lot 21 in Block 4308) and 397 Fern Street (Lot 19 in Block 4308), both being contiguous properties to the Township Property; and

WHEREAS, Lorraine Rubino has offered to purchase the Township Property for a purchase price of \$50,000; and

WHEREAS, the Township has determined that the Township Property, which is less than the minimum size required for development under the Township's zoning ordinance and is without any capital improvement thereon, has a fair market value of less than \$50,000; and

WHEREAS, it is the intention of Lorraine Rubino to merge the Township Property into the contiguous property at 397 Fern Street (Lot 19 in Block 4308), which merger shall be a condition of any conveyance by the Township of the Township Property;

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

1. The following real property owned by the Township of Washington is not needed for public use:

Lot 50 in Block 4308 as shown and designated on the Tax Assessment Map of Township of Washington.

2. The aforesaid real property is less than the minimum size required for development under the applicable ordinance of the Township of Washington, and is without any capital improvement thereon.

3. The Township of Washington has determined to sell the aforesaid real property pursuant to N.J.S.A. 40A:12-13(b) (5) and N.J.S.A. 40A:12-13.2, and by this Ordinance authorizes the Mayor to execute a contract for sale of the Township Property with the Lorraine Rubino covering the conveyance of the Township Property for a purchase price of \$50,000.

4. The sale of the Township Property shall be in accordance with this Ordinance and the corresponding contract for sale authorized hereunder.

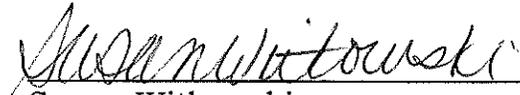
5. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid such decision shall not affect the remaining portions of this Ordinance.

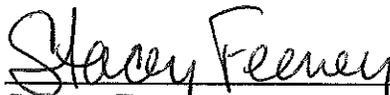
6. All Ordinances or any provisions of any ordinance inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies and not otherwise.

7. This Ordinance shall take effect upon final passage and publication and in accordance with the Charter, and subject to such emergency resolution as may be adopted pursuant to Section 17-32 thereof. [R.S. 40:69A-181 (b)].

ATTEST:

APPROVED:  
TOWNSHIP COUNCIL OF THE  
TOWNSHIP OF WASHINGTON

  
Susan Witkowski,  
Township Clerk

  
Stacey Feeney,  
Council President

Introduction Date: April 20, 2020

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio		Cascio		Cascio	X				
Cumming		Cumming		Cumming	X				
DeSena	X	DeSena		DeSena	X				
Morgan		Morgan	X	Morgan	X				
Feeney		Feeney		Feeney	X				

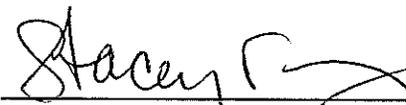
Adoption Date: May 4, 2020

MOTION		SECOND		COUNCIL	AYES	NAYES	ABSTAIN	ABSENT	RECUSE
Cascio	x	Cascio		Cascio	x				
Cumming		Cumming		Cumming	x				
DeSena		DeSena		DeSena	x				
Morgan		Morgan		Morgan	x				
Feeney		Feeney	x	Feeney	x				

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