

**AN ORDINANCE AUTHORIZING THE SALE OF A PORTION OF BLOCK 4006,
LOT 31 TO PERONA REALTY CORP.,
SPARTA, NEW JERSEY**

WHEREAS, the Township of Sparta is the owner of Block 4006, Lot 31, Sparta, New Jersey, as hereinafter set forth in Schedule A, a portion of which land (.292+/- acres) is not needed or required for municipal use (the portion of the Township's property to be sold is referred to as the "Property"); and

WHEREAS, Perona Realty Corp., the owner of the contiguous property located at 70 Perona Road, Sparta, New Jersey (Block 4006, Lot 14) has expressed an interest in purchasing the Property; and

WHEREAS, the Property being sold is less than the minimum size required for development under the municipal ordinance and is without capital improvements thereon; and

WHEREAS, the Township Council of the Township of Sparta has deemed it in the best interest of the Township of Sparta to sell the Property to the owner of the contiguous property in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5) and N.J.S.A. 40A:12-13.2; and

WHEREAS, the contiguous owner has offered to purchase the Property as set forth in Schedule A for the sum set forth thereon; and

WHEREAS, the Township obtained an appraisal report from Scott J. Holzhauer, CTA, SCGREA, which reflect that the sum of \$1,700.00, taking into consideration all factors relative thereto, is fair and just;

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Sparta that:

1. The Township of Sparta shall sell, pursuant to the provisions of N.J.S.A. 40A:12- 13(b)(5) and N.J.S.A. 40A:12-13.2, and the Contract for Sale of Real Estate between the Township of Sparta and Perona Realty Corp., the .292+/- acre portion of Block 4006, Lot 31 to the contiguous property owner, Perona Realty Corp., for the amount as set forth in Schedule A attached hereto. The Mayor and Township Clerk are authorized to sign the Contract for Sale of Real Estate. Pursuant to the provisions of the statutes, this conveyance shall be to an owner of adjoining property as the Property to be sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon. The sale price for the property is as set forth in Schedule A, which sum is not less than the fair market value of the Property.
2. Upon final passage of this Ordinance as required by N.J.S.A. 40A:12-13(b)(5) the list containing the property being sold and the proposed sale price shall be published within five (5) days of adoption in the Township's official newspaper and this Ordinance shall also be posted on the bulletin board at the Municipal Building or other conspicuous space at the Municipal Building.
3. The Property shall be sold subject to the following terms and conditions:
 - (a) The Property shall be sold for not less than the amount set forth in Schedule A.
 - (b) The sale shall be made by private sale, after legal advertisement of this Ordinance, and shall be made to the entity set forth in Schedule A. Upon closing of title, the Property shall become part of and shall be merged with Perona Realty Corp.'s existing property located at 70 Perona Road, Sparta, New Jersey (Block 4006, Lot 14).
 - (c) The sale is subject to the terms and conditions within the Contract for Sale of Real Estate between the Township of Sparta, and Perona Realty Corp., including but not limited to requirement that Perona Realty Corp. is

responsible for obtaining a subdivision of the Property.

4. This Ordinance shall take effect after final passage and publication according to law. However, it shall be void and of no effect in the event that Perona Realty Corp. fails or refused to sign the Contract for Sale of Real Estate.

SCHEDULE A

<u>BUYER</u>	<u>PROPERTY</u>	<u>SALE PRICE</u>
Perona Realty Corp.	Approximately .292-acre portion of Block 4006, Lot 31, Sparta, NJ	\$1,700

NOTICE

NOTICE is hereby given that the above ordinance was introduced and passed upon first reading at a meeting of the Mayor and Council of the Township of Sparta, in the County of Sussex, New Jersey, held on October 24, 2023. It will be further considered for final passage after public hearing at a meeting of the Mayor and Council to be held in the Municipal Building, 65 Main Street, in the Township of Sparta, on December 12, 2023, at 7:00 P.M., and during the preceding week copies of the ordinance will be made available at the Clerk's office in the Municipal Building to members of the general public.

Roxanne Landy, RMC, Township Clerk

NOTICE

NOTICE is hereby given that the above entitled ordinance was introduced and passed at a meeting of the Township Council of the Township of Sparta, held at the Municipal Building, 65 Main Street, Sparta, NJ on October 24, 2023. The same came up for final passage and adoption at a meeting of the Township Council of the Township of Sparta, held on December 12, 2023 at 7:00 p.m., at the Municipal Building, 65 Main Street, Sparta, NJ and after all persons present were given an opportunity to be heard concerning the same, it was finally passed and adopted and will be in full force in the Township according to law.

Roxanne Landy, RMC, Township Clerk

