

**BOROUGH OF LEONIA  
ORDINANCE # 2024-06**

**AN ORDINANCE AUTHORIZING THE SALE OF AN EASEMENT ON REAL  
PROPERTY CONTIGUOUS TO BLOCK 1611, Lot 5 LOCATED ON YALDEN  
TERRACE IN THE BOROUGH OF LEONIA**

**WHEREAS**, the Borough is the owner of certain land located on Yalden Terrace, contiguous to Block 1611, Lot 5, consisting of 775+/- square feet situated in the Borough of Leonia, County of Bergen, State of New Jersey; and

**WHEREAS**, a request has been made by an adjoining property owner to purchase an easement on aforementioned property; and

**WHEREAS**, the Mayor and Council of the Borough of Leonia has determined that such property is not utilized for public use; and

**WHEREAS**, the Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.) provides for a private sale to the owner of 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 without any capital improvement thereon. Any such sale shall not be for less than the fair market value of the real property; and

**WHEREAS**, the Mayor and Council of the Borough of Leonia has determined that the real property does not meet the minimum size required for development, that there are not capital improvements, and that the easement on the property has been appraised at a value of \$10,700.00; and

**WHEREAS**, the Borough of Leonia desires to dispose of this property in accordance with the provisions of N.J.S.A. 40A:12-13(b)(5), by offering same for sale to the contiguous property owner in the amount of \$10,700.00.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Leonia as follows:

**Section 1.** The Township Administrator of the Borough of Leonia is hereby authorized to sell the easement to the contiguous property owner for the following parcel of property:

Land located on Yalden Terrace, contiguous to Block 1611, Lot 5 located At 410 Highwood Avenue consisting of approximately 775 square feet

- A. The sale shall be "as is", and transfer of title shall take place within 45 days.

- B. The property is being conveyed subject to existing 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.
- C. The Mayor and Borough Clerk are authorized to execute all documents necessary to convey the easement.

**Section 2.** If any section, paragraph, sub-section, 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 and adoption.

**RECORD OF VOTE**

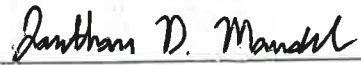
ORD. 2024-06

| Council       | First Reading |   |   |   |   |    | Second Reading |   |   |   |   |    |
|---------------|---------------|---|---|---|---|----|----------------|---|---|---|---|----|
|               | May 6, 2024   |   |   |   |   |    | May 20, 2024   |   |   |   |   |    |
|               | M             | S | Y | N | A | AB | M              | S | Y | N | A | AB |
| Hesterbrink   |               |   | ✓ |   |   |    |                | ✓ | ✓ |   |   |    |
| Fisher        | ✓             |   | ✓ |   |   |    |                |   | ✓ |   |   |    |
| Grandelis     |               |   |   |   |   | ✓  |                |   | ✓ |   |   |    |
| Scarangella   |               |   |   |   |   | ✓  |                |   | ✓ |   |   |    |
| Terrell       |               | ✓ | ✓ |   |   |    |                |   | ✓ |   |   |    |
| Zeigler       |               |   | ✓ |   |   |    | ✓              |   | ✓ |   |   |    |
| Mayor Ziegler |               |   |   |   |   |    |                |   |   |   |   |    |

M - Motion    S - Seconded    Y- Yes    N - No    A - Abstain    AB - Absent

  
 \_\_\_\_\_  
 William Ziegler, Mayor

ATTEST:

  
 \_\_\_\_\_  
 Jonathan Mandel, Borough Clerk