

MEDFORD TOWNSHIP

ORDINANCE 2022-13

AUTHORIZING SALE OF BLOCK 5102.01, LOT 2 (UPPER STOKES DAM)

WHEREAS, the Estate of Francesca P. Mutch (the “Estate”) owned Block 5102.01, Lot 2 located on the west side of Stokes Road, in the Township of Medford (the “Property”)

WHEREAS, the Property includes a lake, dam and wood lands, along with a dilapidated, abandoned structure; and

WHEREAS, the property was subject to flooding in 2004 and the New Jersey Department of Environmental Protection (NJDEP) has required the lake to be empty since that time pending further improvements required to the dam containing the lake; and

WHEREAS, the Estate filed a petition against the Township pursuant to N.J.S.A. 3B: 14-64 claiming that the Estate was bankrupt, to seek abandonment of the Property, and to require the Township to accept title to the property as being abandoned in lieu of waiting until the title to the property passes to the Township by way of tax lien and ultimate tax lien foreclosure; and

WHEREAS, on May 24, 2019, the Superior Court of New Jersey, Chancery Division, issued an Order approving the abandonment of the Property and ordered conveyance of the title to the property to Medford Township; and

WHEREAS, by deed dated September 4, 2019, pursuant to said Court Order, the Estate conveyed Block 5102.01, Lot 2 to Medford Township; and

WHEREAS, pursuant to the Local Lands and Building Law, N.J.S.A. 40A:12-13, a municipality may sell any real property, not needed for public use, by open public sale at auction to the highest bidder after advertisement thereof in a newspaper circulating in the municipality in which the land is situate, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to said sale; and

WHEREAS, the statute further provides that the governing body may fix a minimum price, with the reservation of the right to reject all bids where the highest bid is not accepted; and

WHEREAS, said statute further provides that the invitation to bid may also impose restrictions on the use to be made of such real property including demolition, repair or construction of buildings or structures; and

WHEREAS, at the time of the most recent revaluation of real property in Medford Township the tax assessment of the Property was \$78,400.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Township Council of the Township of Medford, County of Burlington, State of New Jersey as follows:

1. The Township hereby authorizes the sale of Block 5102.01, Lot 2 (the ‘Property’) to the highest bidder, if any, at public auction. The Property is not needed for any public purpose.
2. The sale will be effectuated by Quit Claim Deed, “as, where is” conveying the Township interests in the Property, with no representations or warranties.
3. The sale the Property shall be subject to the express condition that the Purchaser is responsible for the dam and any improvements on the property and for any subsequent or future demolition, repairs or replacements as required by NJDEP or otherwise. The Township shall have no liability or responsibility for the dam or any improvements to the property without limitation.
4. The minimum purchase price shall be \$78,400 based on the most recent assessment of the Property prior to Township ownership. The Township expressly reserves the right to reject all bids and reserves all rights pursuant to N.J.S.A. 40A:12-13.
5. The Township Manager and Township Attorney are authorized and directed to prepare all required documentation to effectuate the conveyance authorized by this Ordinance.

REPEALER, SEVERABILITY AND EFFECTIVE DATE

- A. Any and all Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

- B. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

- C. This Ordinance shall take effect immediately upon final passage and publication according to law.

Township of Medford

Notice of Final Adoption

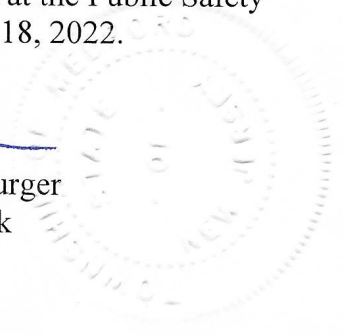
Ordinance 2022-13

“Authorizing Sale of Block 5102.01, Lot 2 (Upper Stokes Dam)”

Notice is hereby given that the Ordinance as entitled above was adopted following second reading and public hearing at a regular meeting of the Township Council of the Township of Medford, County of Burlington, State of New Jersey, held at the Public Safety Building, 91 Union Street, Medford, New Jersey on October 18, 2022.



Katherine E. Burger
Municipal Clerk



Township of Medford

Ordinance 2022-13

“Authorizing Sale of Block 5102.01, Lot 2 (Upper Stokes Dam)”

The above entitled ordinance was passed on first reading at a meeting of the Township Council of the Township of Medford on October 4, 2022. It will be further considered for final passage after a public hearing at the regularly scheduled meeting to be held on October 18, 2022 at the Public Safety Building, 91 Union Street, Medford, New Jersey at 7:00 PM, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be heard. Copies of this ordinance will be made available at the Municipal Clerk’s office to members of the general public who shall request them.



Katherine Burger, RMC
Municipal Clerk

