

**TOWNSHIP OF FREDON  
ORDINANCE NO. 2019-03**

**"AN ORDINANCE AUTHORIZING SALE BY PUBLIC AUCTION  
OF MUNICIPAL LANDS NOT NEEDED FOR PUBLIC USE"**

WHEREAS, the Township of Fredon has title to a certain 5.77-acre parcel of real property located 4 Fredonia Court known as Lot 5 in Block 1803 as shown on the Township Tax Map, which parcel of real property is not needed for public use; and

WHEREAS, the governing body has determined that said parcel be sold at public sale to the highest bidder subject to the terms and conditions hereinafter set forth, pursuant to N.J.S.A. 40A:12-13(a);

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Fredon in the County of Sussex and State of New Jersey as follows:

1. That the 5.77-acre parcel known as Block 1803, Lot 5, shall be offered for sale at public auction to the highest bidder with a minimum bid required and sale conditions as more particularly set forth below.
2. The sale shall be conducted at the Municipal Building of the Township of Fredon, 443 Route 94, Fredon, New Jersey on Thursday, April 25, 2019, at 6:00 P.M.
3. The governing body hereby appoints and designates the Township Clerk, or such other person as she shall appoint, to conduct the auction sale on behalf of the governing body.
4. The parcel placed for sale shall be auctioned with reservation. No bid shall be accepted in an amount less than is set forth below. The auctioneer shall commence the bidding at the minimum required bid and may accept the highest bid thereafter made or reject all bids. The highest bidder shall execute an Offer to Purchase in a form approved by the governing body at the conclusion of the bidding and provide a deposit by cash or check equal to ten percent (10%) of the winning bid. The balance of the money shall be paid in cash or by certified check on the delivery of the deed.
5. The Township reserves the right to finally accept or reject any bid made. The highest bid shall be accepted or rejected by a resolution of the governing body no later than the second regular meeting of the governing body following the date of the auction. No bid may be withdrawn prior to such resolution. The winning bidder may not assign its rights except to a related corporate entity of which the winning bidder is principal.
6. The conveyance shall be by bargain and sale deed and the premises shall be sold subject to existing encumbrances, liens, covenants, restrictions, conditions, reservations of record, easements established of record or by prescription, laws, municipal ordinances, and such state of facts as an accurate survey or inspection of the premises may disclose.

7. The premises shall be conveyed for a minimum price of Fifty Thousand Dollars (\$50,000) subject to the following conditions and restrictions:

a. The property is located in the Planned Golf Course Recreational/Residential Development zone and subject to use restrictions as part of the site plan granted for the former Bear Brook golf course.

b. As part of its bid an interested party must disclose the intended use of the property, which cannot include further subdivision of the property nor more than a single use for the property, except that a combination of two uses may be permitted for a residence and an occupation conducted from the property by the property owner if permitted by zoning regulations. Reference to such development is not a warranty that it is permitted by zoning ordinance or environmental constraints.

c. Buyer shall be granted a six-month due diligence period to secure approvals for any development of the property that requires site plan approval or variances. Financing cannot be a contingency. Closing shall occur at a mutually-convenient date and time within fifteen days of the close of due diligence.

8. Notice of the auction sale of said parcel shall be advertised in the New Jersey Herald at least once a week during two consecutive weeks, the last publication being not earlier than seven (7) days prior to the date of such sale.

9. This Ordinance shall take effect upon its passage and publication as required by law.

### **CERTIFICATION**

TAKE NOTICE that the foregoing ordinance, Ordinance 2019-03, was introduced and passed at first reading at a meeting of the Fredon Township Committee, County of Sussex, State of New Jersey, held on March 14, 2019 and that said Ordinance will be further considered for final passage at a meeting of the Township Committee beginning at 6:00 P.M. on March 28, 2019 at the Fredon Municipal Building, 443 Rt. 94, in the Township of Fredon, at which time and place all persons interested will be given an opportunity to be heard concerning said Ordinance and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's office to the members of the general public who shall request the same.

---

Debra Prommel  
Acting Municipal Clerk