

BOROUGH OF NORTHVALE
County of Bergen
State of New Jersey

ORDINANCE #1037-2021

**ORDINANCE AUTHORIZING THE SALE OF REAL PROPERTY LOCATED IN THE
BOROUGH OF NORTHVALE AS SHOWN ON THE TAX MAP AS BLOCK 1011, LOT
5.01 AND BLOCK 1011, LOT 5.02**

WHEREAS, the Borough of Northvale is the owner of two (2) parcels of real property, the first being commonly known as 146A Walnut Street and designated as Lot 5.01 in Block 1011 on the Tax Map of the Borough of Northvale (hereinafter, “Lot 5.01”), and the second being commonly known as 155 Veterans Drive and designated as Lot 5.02 in Block 1011 on the Tax Map of the Borough of Northvale (hereinafter, “Lot 5.02”; hereinafter, collectively with Lot 5.01, the “Parcels”);

WHEREAS, the Governing Body of the Borough of Northvale previously determined that the Parcels are not needed for any public use and should be sold for public benefit; and

WHEREAS, by Resolution 2021-80 adopted April 14, 2021, the Governing Body of the Borough of Northvale authorized the offering of the Parcels for sale to the highest bidder at public auction to be conducted pursuant to the Local Lands and Buildings Laws, N.J.S.A. 40A:12-13(a); and

WHEREAS, the public auctions for the sale of each of the Parcels, as authorized by Resolution 2021-80, were conducted by the Borough of Northvale on May 7, 2021 and 151 Veterans Drive, LLC was determined to be the highest and successful bidder at the auction for the sale of Lot 5.01 and at the auction for the sale of Lot 5.02; and

WHEREAS, the Borough of Northvale desires to complete the sale and dispose of each of the Parcels in accordance with the provisions of N.J.S.A. 40A:12-13.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Northvale as follows:

Section 1. The aforementioned recitals are incorporated herein by reference as though fully set forth at length.

Section 2. In accordance with the provisions of N.J.S.A. 40A:12-1 et seq., and consistent with Resolution 2021-80 adopted April 14, 2021, the Governing Body of the Borough of Northvale shall and hereby does authorize the sale of the real property commonly known as and located at 146A Walnut Street in the Borough of Northvale and designated on the Official

Tax Map of the Borough of Northvale as Block 1011, Lot 5.01 to 151 Veterans Drive, LLC for the sum of \$200,000.00, said sale price being determined at public auction conducted May 7, 2021 as authorized by Resolution 2021-80. The Governing Body shall and hereby does further authorize the Mayor and Acting Borough Clerk to execute an agreement with 151 Veterans Drive, LLC, the highest and successful bidder at the public auction for the sale of this real property, and all other documents necessary to consummate said sale of this real property, in a form satisfactory to Kaufman, Semeraro & Leibman, LLP, counsel to the Borough of Northvale, and to complete the sale of this real property pursuant to and consistent with the terms of said agreement and related documents.

Section 3. In accordance with the provisions of N.J.S.A. 40A:12-1 et seq., and consistent with Resolution 2021-80 adopted April 14, 2021, the Governing Body of the Borough of Northvale shall and hereby does authorize the sale of the real property commonly known as and located at 155 Veterans Drive in the Borough of Paramus and designated on the Official Tax Map of the Borough as Block 1011, Lot 5.02 to 151 Veterans Drive, LLC for the sum of \$465,000.00, said sale price being determined at public auction conducted May 7, 2021 as authorized by Resolution 2021-80. The Governing Body shall and hereby does further authorize the Mayor and Acting Borough Clerk to execute an agreement with 151 Veterans Drive, LLC, the highest and successful bidder at the public auction for the sale of this real property, and all other documents necessary to consummate said sale of this real property, in a form satisfactory to Kaufman, Semeraro & Leibman, LLP, counsel to the Borough of Northvale, and to complete the sale of this real property pursuant to and consistent with the terms of said agreement and related documents.

Section 4. Kaufman, Semeraro & Leibman, LLP, counsel to the Borough of Northvale, shall be and is hereby further authorized and directed to prepare any and all documents required to consummate the sale of each of the Parcels as said sales are authorized by Resolution 2021-80 adopted April 14, 2021 by the Governing Body of the Borough of Northvale and as authorized by this ordinance, and all relevant Borough officials shall be and are hereby authorized to execute any and all documents necessary in furtherance of the intentions of the within Ordinance, so long as said documents are in a form satisfactory to counsel to the Borough of Northvale.

Section 5. If any part of this ordinance is invalidated by a court of competent jurisdiction, the remainder of this ordinance shall be saved to the fullest extent possible. Any ambiguities in this ordinance shall be construed in accordance with the purpose of this ordinance.

Section 6. All prior ordinances that are inconsistent with this ordinance are repealed. All ordinances are hereby amended to be consistent with this ordinance and all ordinances, including this one, shall be construed consistent with the express purpose of this ordinance.

Section 7. This ordinance shall take effect after publication and passage according to law.

Patrick J. Marana

Patrick J. Marana, Mayor

Attest:

Frances M. Weston

Frances Weston
Acting Borough Clerk

Introduced: May 25, 2021

2nd Reading: June 9, 2021

Passed: June 9, 2021