

Ordinance

No. 12-2020

AN ORDINANCE AUTHORIZING THE EXECUTION OF AN AGREEMENT OF SALE BETWEEN THE BOROUGH OF WESTVILLE AND THE STATE OF NEW JERSEY BY THE COMMISSIONER OF TRANSPORTATION FOR CONVEYANCE OF A PORTION OF BLOCK 11, LOT 1 OWNED BY THE BOROUGH FOR THE ROUTE 130 BRIDGE OVER BIG TIMBER CREEK PROJECT (PROJECT #NHP-0130(325))

WHEREAS, there is a need to obtain certain property within the Borough of Westville, more particularly described as a portion of Block 11, Lot 1 (“Property”), on the Official Tax Map of the Borough of Westville by the State of New Jersey; and

WHEREAS, this property is owned by the Borough of Westville; and

WHEREAS, the State of New Jersey needs to purchase this property for the Route 130 Bridge Over Timber Creek Project; and

WHEREAS, the State of New Jersey has agreed to offer to the Borough of Westville the sum of \$1,000.00 under an Agreement of Sale attached hereto and incorporated herein as Exhibit “A”, said Agreement being on file and is available for inspection by the public in the Office of the Borough Clerk.

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Westville as follows:

1. That the Mayor and/or Borough Administrator be and is hereby authorized to execute the Agreement of Sale attached hereto as Exhibit “A” for the purchase of a portion of Block 11, Lot 1 by the State of New Jersey for the sum of One Thousand Dollars (\$1,000.00).
2. That the Mayor or Borough Administrator, and other such Borough officials as the law provides, are hereby authorized to prepare and execute any documents as may be required to transfer and convey title of the Property to the New Jersey Department of Transportation.

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3. The Property shall be conveyed subject to all existing encumbrances, liens, zoning regulations, easements or other restrictions, such facts as an accurate survey may reveal, and any present or future assessments for the construction and improvements benefiting the Property.
4. The conveyance of the Property to the New Jersey Department of Transportation is strictly "As Is". No representation is made by the Borough as to the utility, usability or environmental condition of the Property.
5. This conveyance by the Borough to the State of New Jersey Department of Transportation is made under and subject to the limitation that the lands shall be used only for public purposes of the State, and that if the lands are not used in accordance with the limitations, title thereto shall revert to the Borough without any entry or re-entry made thereon on behalf of the Borough.
6. Exhibit "A" shall remain on file in the Borough Clerk's Office and may be viewed during regular business hours.

Introduced: November 19, 2020

Adopted: December 17, 2020

BOROUGH OF WESTVILLE

**Fritz H. Sims, Jr.
MAYOR**

ATTEST:

**Kathleen Carroll
DEPUTY MUNICIPAL CLERK**