

Ordinance

No. 9-2022

AN ORDINANCE AUTHORIZING SALE OF BLOCK 34, Lot 37, ALSO KNOWN AS 201 BROADWAY, AND THE EXECUTION OF ALL NECESSARY DOCUMENTS

WHEREAS, on May 6, 2019, the Borough of Westville, (the “Borough”), in the County of Gloucester, State of New Jersey adopted Resolution #70-2019, whereby the Borough Mayor and Council declared the entirety of the Borough of Westville as an “Area in Need of Rehabilitation” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40:12A-1 et seq. (“Redevelopment Law”), which includes the property located on Block 34 Lot 37 (the “Property”); and

WHEREAS, in October of 2001, the Borough designated certain properties within the Borough as an area in need of redevelopment (the “Redevelopment Area”), including the Property, and adopted a redevelopment plan for the Redevelopment Area entitled the “Redevelopment Area Study and Redevelopment Plan for the Downtown Preservation District Borough of Westville in the County of Gloucester New Jersey” (the “Redevelopment Plan”); and

WHEREAS, the Borough desires to rehabilitate and redevelop the Property, pursuant to the Redevelopment Law; and

WHEREAS, the Borough has determined that it is in its best interest to accomplish the redevelopment of the Borough through the sale of the Property in furtherance of the Redevelopment Plan; and

WHEREAS, the Redevelopment Law authorizes the sale by municipalities of any property or improvements to any other party without public bidding and at such prices and upon such terms as it deems reasonable, provided that the sale is made in conjunction with a redevelopment plan; and

WHEREAS, Xavier Hall, LLC (the “Redeveloper”), made an offer to purchase the Property for the amount of Two Hundred and Ninety-Five Thousand Dollars (\$295,000) which will be funded through a loan for the same amount made by the Borough and secured by a Mortgage on the Property, funded through the issuance of bonds (the “Loan”); and

WHEREAS, Section 8(f) of the Redevelopment Law authorizes the Borough to arrange or contract with a redeveloper for the planning, construction, or undertaking of any project or redevelopment work in an area designated as an area in need of rehabilitation or redevelopment; and

WHEREAS, the Redeveloper will be required to enter into a redevelopment agreement with the Borough prior to the sale of the Property; and

WHEREAS, the Borough believes that accepting the offer and permitting the sale of the Property to the Prospective Buyer is in the best interest of the Borough and its residents.

NOW, THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Westville, County of Gloucester, State of New Jersey, as follows:

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Section 1. The Borough hereby authorizes the sale of the property identified as Block 34, Lot 37, on the Official Westville Borough Tax Map, to Xavier Hall, LLC, or their successors and assigns, subject to the terms of a Redevelopment Agreement, for consideration of One Dollar (\$1.00).

Section 2. The Mayor and/or Borough Administrator and Borough Clerk, as may be required, are authorized to execute any documents necessary to effectuate the sale of the Property, for the amount of Two Hundred and Ninety-Five Thousand Dollars (\$295,000) and the issuance of the loan for the same amount, secured by a mortgage on the Property, the form of which documents are conditioned upon final review and approval of the Borough Solicitor.

Section 3. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect after final adoption and publication.

Introduced: June 27, 2022

Adopted:

BOROUGH OF WESTVILLE

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

ATTEST:

**Kathleen Carroll
DEPUTY MUNICIPAL CLERK**