

Ordinance

No. 10-2024

AN ORDINANCE AUTHORIZING THE SALE OF LAND IDENTIFIED AS BLOCK 99 LOTS 5 AND 12 ON THE TAX MAPS OF THE BOROUGH OF WESTVILLE TO MAD REAL ESTATE GROUP, LLC FOR THE PURPOSE OF REDEVELOPING SAID PROPERTY

WHEREAS, the Borough of Westville ("Borough") is the owner of those certain properties identified on the Official Tax Map of the Borough of Westville, County of Gloucester, New Jersey, identified as Block 99, Lots 5 and 12 (the "Property" or "Project Site");

WHEREAS, the Borough has designated the Property as an area in need of redevelopment, and the Borough has also adopted the Deadline Drive Redevelopment Plan for the Project Site; and

WHEREAS, the Borough Council was designated as redevelopment entity under the Deadline Drive Redevelopment Plan to acquire and convey property, contract for professional services, grant tax abatements, redevelop property, and collect revenue from redevelopers to defray costs of the redeveloper entity; and

WHEREAS, the Borough desires that the Project Site be redeveloped in accordance with the Redevelopment Plan, as amended from time to time; and

WHEREAS, the Borough and Borough Council, in concert as redevelopment entity, have conducted a diligent search for a qualified redeveloper for the Project Site; and

WHEREAS, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented, provides for a process for municipal entities to enter into contracts with redevelopers to carry out and effectuate the terms of a Redevelopment Plan; and

WHEREAS, the Borough Council has encouraged potential redevelopers to approach the Borough, in its capacity as the Redevelopment Entity, to initiate a dialogue about becoming a designated redeveloper for the Property in order to redevelop the Property for use by a Cannabis licensee, and to enter into a redevelopment agreement with the Borough; and

WHEREAS, Mad Real Estate Group LLC, ("Mad Realty" or "Redeveloper") approached the Borough Council seeking to be designated as a qualified Redeveloper to finance and construct a cannabis facility at such designated redevelopment area owned by the Borough. The Borough and Redeveloper now desire to redevelop the Property; and

WHEREAS, the Borough had determined that the proposal received from Mad Realty would advance the purposes and goals of the Redevelopment Plan and will benefit the Borough; and

WHEREAS, the Borough authorized the execution of an MOU with "Mad Real Estate Group, LLC" by Resolution No. 127-2024 adopted September 23, 2024; and

WHEREAS, the Borough Council desires to sell the Property to Mad Realty conditioned upon the subsequent execution of a Redevelopment Agreement with Mad Realty ("Redevelopment Agreement"), and Mad Realty desires to redevelop the Property;

WHEREAS, the Borough agrees to sell, and Mad Realty agrees to Purchase, the Property for the total Purchase Price of ONE HUNDRED FIFTY THOUSAND DOLLARS (\$150,000.00) including all of Seller's rights whatsoever, including riparian, oil, gas and mineral rights,

privileges, easements, interests and appurtenances thereto, subject to the execution of, and the terms and conditions of, the Redevelopment Agreement;

WHEREAS, N.J.S.A. 40A:12-13(c) authorizes a municipality to sell land to a private developer by private sale when acting in accordance with the “Local Redevelopment and Housing Law” N.J.S.A. 40A:12A et seq.;

WHEREAS, in executing this sale the Borough is acting in accordance with “Local Redevelopment and Housing Law”;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Borough Council of the Borough of Westville, County of Camden and State of New Jersey as follows:

Section One: The Borough is hereby authorized to sell to Mad Real Estate Group, LLC or its designee properties identified on the Official Tax Map of the Borough as Block 99, Lots 5 & 12 for One Hundred Fifty Thousand dollars (\$150,000.00). This sale is specifically conditioned upon the execution of a Redevelopment Agreement by the parties within ninety (90) days of the adoption of this Ordinance.

Section Two: The Borough Solicitor shall prepare the necessary deeds and closing documents to effectuate the land transfer.

Section Three: The Mayor, Borough Manager, and Borough Solicitor are authorized to execute all documents necessary in the fulfillment of this Ordinance.

Section Four: Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

Section Five: In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the Borough Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the Borough to meet the goals of the Ordinance.

Section Six: This Ordinance shall take effect upon passage and publication according to law.

Introduced: October 28, 2024

Adopted: November 25, 2024

BOROUGH OF WESTVILLE

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

ATTEST:

**Kathleen Carroll
DEPUTY MUNICIPAL CLERK**