

LEGAL NOTICE

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MUNICIPAL ORDINANCES**

NOTICE OF INTRODUCTION

NOTICE IS HEREBY GIVEN, that the following Ordinance was submitted in writing at a Meeting of the Township Council of the Township of Parsippany-Troy Hills, in the County of Morris and State of New Jersey, held on December 5, 2017 introduced and passed on first reading and the governing body will further consider the same for second reading and final passage thereof at a Meeting to be held on December 19, 2017 at 7:30 p.m., prevailing time, or as soon thereafter as the matter may be reached, at the Municipal Building in said Township at which time and place a Public Hearing will be held thereon by the governing body, and all persons and citizens in interest shall have an opportunity to be heard concerning same. A copy of this ordinance has been posted on the Bulletin Board in the Municipal Building. 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 in said Municipal Building to the members of the general public who shall request the same.

KHALED MADIN
Township Clerk

**TOWNSHIP OF PARSIPPANY-TROY HILLS
MORRIS COUNTY, NEW JERSEY**

ORDINANCE NO. 2017:28

AN ORDINANCE OF THE TOWNSHIP OF PARSIPPANY-TROY HILLS, COUNTY OF MORRIS AND STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN REAL PROPERTY IDENTIFIED AS BLOCK 98, LOT 48 AND LOCATED ALONG PARK ROAD

WHEREAS, the Township of Parsippany-Troy Hills (the "Township") owns that certain 3.28 acre parcel of real property identified as Block 98, Lot 48 on the Township's official Tax Map, and located along Park Road (the "Property"); and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b)(5), the Township may sell the Property to the owner of real property contiguous to the Property, provided that the Property is less than the minimum size required for development under the municipal zoning ordinance; and

WHEREAS, the Property is located in the R-1 Residential Zone, which requires a minimum lot size of 40,000 square feet; and

WHEREAS, the Property consists of undeveloped wooded slopes and there are no capital

improvements thereon; and

WHEREAS, pursuant to the Memorandum of the Township Engineer, a copy of which is available in the Office of the Township Clerk, various steep slopes and topographical conditions existing on the Property significantly limit the amount of developable land available on the Property, thus rendering it under the minimum lot size in the R-1 Residential Zone district; and

WHEREAS, the Township Council finds and declares that it is in the best interest of the Township and its residents to sell the Property via public bid, which bid shall be open to all owners of real property contiguous and appurtenant to the Property pursuant to N.J.S.A. 40A:12-13(b)(5); and

WHEREAS, the Township Council further finds and declares that it is in the best interest of the Township and its residents to sell the Property without easement or condition; and

WHEREAS, the Township Council further finds and declares that it is in the best interest of the Township and its residents to require the successful bidder to covenant and agree to a deed restriction preventing any future subdivision or development of the Property, or the construction or placement of any structure thereon; and

WHEREAS, pursuant to that certain Appraisal Report of the Township's appraiser, Izenberg Appraisal Associates, a copy of which is available in the Office of the Township Clerk, the Township has determined the market value of the Property to be Twenty Six Thousand and 00/100 United States Dollars (US\$26,000.00); and

WHEREAS, the Township Council, pursuant to its authority under N.J.S.A. 40A:12-13(b), desires to set the minimum sale price of the Property as Twenty Six Thousand and 00/100 United States Dollars (US\$26,000.00), pursuant to the aforementioned appraisal; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b), a copy of this Ordinance must be published in the Township's official newspaper within five (5) days of the date of adoption of this Ordinance; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b), a copy of this Ordinance must be posted in a conspicuous location within the Municipal Building; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b), the Township may accept offers for the Property for a period of twenty (20) days following the publication and posting of this Ordinance, as set forth above, at prices not less than the aforementioned minimum price; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b), the Township must file with the Director of the Division of Local Government Services in the Department of Community Affairs sworn affidavits verifying the publication of advertisements regarding the sale of the Property.

NOW, THEREFORE, it is hereby duly ordained by the Township Council of the Township of Parsippany-Troy Hills, County of Morris, State of New Jersey, as follows:

Section 1. The property identified as Block 98, Lot 48, and located along Park Road (the “Property”), as the same is currently owned by the Township, shall be sold without easement or condition via public bid, which bid shall be open only to those owners of real property that is contiguous and appurtenant to the Property.

Section 2. The minimum price for the Property shall be Twenty Six Thousand and 00/100 United States Dollars (US\$26,000.00) (the “Minimum Price”), and the successful bidder shall covenant, agree and enter into to a deed restriction preventing any future subdivision or development of the Property, or the construction or placement of any structure thereon (the “Deed Restriction”), and said Deed Restriction shall be recorded along with the deed in the office of the County Clerk.

Section 3. Copies of this Ordinance shall be published in the Township’s official newspaper and posted in a conspicuous location within the Municipal Building within five (5) days of the date of adoption of this Ordinance (the “Publication”).

Section 4. Sworn affidavits verifying the Publication shall be filed with the Director of the Division of Local Government Services in the Department of Community Affairs within seven (7) days following said Publication.

Section 5. Offers for the Property at not less than the Minimum Price may thereafter be made to the Township, attention Director of Purchasing, for a period of twenty (20) days following the Publication (the “Offer Period”).

Section 6. All offers submitted shall contain an affirmative statement expressly agreeing to the Deed Restriction, and any offer received by the Township which does not contain such affirmative statement shall be deemed non-responsive.

Section 7. Within a period not sooner than thirty (30) days, nor later than ninety (90) days following the Publication, the Township shall sell the Property to the owner of real property located contiguous and appurtenant to the Property who submits the highest responsive bid, which shall be not less than the Minimum Price.

Section 7. The Mayor and Township Administration are hereby authorized to take all reasonable and necessary actions, and to sign any relevant and related documents, to effectuate the same.

Section 8. Severability. The provisions of this ordinance are hereby declared to be severable. Should any section, paragraph, subparagraph, provision, sentence, or part hereof be declared invalid or unconstitutional, said finding shall not affect any other section, paragraph, subparagraph, provision, sentence, or part thereof.

Section 9. Repealer. All ordinances or parts of ordinances of the Township of Parsippany-Troy Hills which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 10. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.