

**Borough of Hillsdale****Ordinance No. 10-09  
(Adoption)****Title: Authorize the Sale of Borough Property not Intended for Public Use,  
Block 2101, Lot 22.04**

**WHEREAS**, pursuant to the provisions of N.J.S.A. 40A:12-13(b)(5), the Mayor and Council of the Borough of Hillsdale may by ordinance sell any municipally owned real property not needed for public use; and

**WHEREAS**, the governing body has determined that Lot 22.04 of Block No. 2101 is not needed for public use; and

**WHEREAS**, the lot is less than the minimum size required for development under the municipal zoning ordinances and is without any capital improvement thereon; and

**WHEREAS**, N.J.S.A. 40A:12-13(b)(5) provides that such public lands may be sold in accordance with specified procedures therein set forth to a Contiguous Property Owner; and

**WHEREAS**, the governing body has determined that it is in the public interest that Lot 22.04 of Block No. 2101 be sold to the highest bidder from among all owners of the real property contiguous to the subject property for an amount not less than the fair market value of said real property; and

**WHEREAS**, by determination of the governing body, the list of property authorized to be sold pursuant to this Ordinance and N.J.S.A. 40A:12-13(b)(5) is:

1. Block 2101 Lot 22.04 (Lot size 25' x 100' consisting of 2,500 square feet), contiguous to the property which has an address of 330 St. Mary Street, Hillsdale, New Jersey, at a minimum price of \$5,000.00, said amount being not less than fair market value; and

**WHEREAS**, in accordance with N.J.S.A. 40A:12-13(b)(5), the opportunity to bid will be available to all Contiguous Property Owners.

**NOW, THEREFORE, BE IT RESOLVED**, 1) that the aforementioned lot 22.04 of Block 2101 be sold at private sale to the highest bidder from among all owners of real property contiguous to the subject property.  
2) that such sale shall not affect the right of lawful occupancy or use of any such real property by any municipal or private utility to occupy or use any such real property lawfully occupied or used by it.  
3) that the Mayor and Borough Clerk are hereby authorized to execute all necessary documents under this authorization.

**BE IT FURTHER RESOLVED**, This Ordinance shall become effective upon final passage and publication according to law.

**BE IT FURTHER RESOLVED**, that upon final passage that the Municipal Clerk transmit a certified copy for filing to the office of the County Clerk along with proof of publication.

<b>Council member</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Absent</b>	<b>Abstain</b>
DeJoseph, Jonathan					x	
Frank, Douglas			x			
Giancarlo, Michael	x		x			
Hanlon, Marie		x	x			
Schiavone, Donna			x			
Weinstein, Andy			x			

Adopted: July 13, 2010

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Robert P. Sandt, RMC  
Municipal Clerk

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Mayor Max Arnowitz