

Township of West Milford

Passaic County, New Jersey

~ Resolution 2024 – 319 ~

RESOLUTION OF THE TOWNSHIP OF WEST MILFORD, COUNTY OF PASSAIC, STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN LANDS AND PROPERTIES WHICH ARE NO LONGER NEEDED FOR PUBLIC USE BY THE TOWNSHIP

WHEREAS, the Township of West Milford is the owner of certain lands and premises within the Township of West Milford; and

WHEREAS, the Mayor and Township Council of the Township of West Milford does hereby determine that the lands and properties set forth in Schedule A and Schedule B are no longer needed for public use; and

WHEREAS, the Township of West Milford desires to make available for public sale said lands, with the right of prior refusal to be afforded to adjacent property owners pursuant to N.J.S.A. 40A:12-13.2.

NOW THEREFORE BE IT RESOLVED, by the Township Council of the Township of West Milford as follows:

1. The Township of West Milford hereby declares that the lands and premises set forth in Schedule A and Schedule B are no longer needed for public use and should be sold in accordance with appropriate statutes of the State of New Jersey.
2. The Township Council of the Township of West Milford hereby authorizes the Township Clerk to offer for sale to the highest bidder by open public sale at auction the property set forth in Schedule A and Schedule B attached hereto and made a part hereof.
3. The public sale shall take place at the West Milford Township Municipal Building, 1480 Union Valley Road, West Milford, New Jersey, on October 16, 2024 at 4:30 pm or as soon thereafter as the matter can be heard and publicly announced, provided the sale is not cancelled.
4. The public sale, if not cancelled, shall take place by open public sale at auction to the highest bidder.
5. The successful bidder at the time of the sale must present cash or a check or money order, payable to the Township of West Milford, in an amount that equals 10% of the assessor's suggested minimum. This deposit shall be non-refundable. The balance of the purchase price shall be paid to the Township no later than sixty (60) days following the acceptance by the Township and the tender of marketable title to the purchaser and submitted to the Township. The purchaser shall be entitled to possession immediately following closing of title.
6. The Township makes no representation as to the title or any other aspects of the land to be sold.
7. At closing of title, purchaser shall also pay to the Township a buyer's premium in the amount of ten (10%) percent of the bid amount.
8. The Township reserves the right to accept or reject any and all bids at the public sale and not to award to the highest bidder. Such decision will be made by the Township Council at a Public Meeting within 30 days from the date of such sale.

9. In the event the Township of West Milford is unable to convey clear and marketable title, insurable at regular rates by a title insurance company authorized to do business in the State of New Jersey, the Township shall forthwith return to the purchaser the deposit and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the Township shall extinguish any claims the said purchaser may have against the Township of West Milford in connection with the quality of title conveyed.
10. All conveyances by the Township shall be made by way of a Quit Claim Deed, unless an adequate title binder prepared at the expense of the purchaser is forwarded to the Township prior to the conveyance and discloses that the Township holds marketable title in which case a Bargain and Sale Deed with Covenants Against Grantor's Acts will be the form of conveyance. The Township will include within its deed a metes and bounds description based upon a survey if a survey and metes and bounds description is obtained by the purchaser.
11. The Township Council of the Township of West Milford reserves the right to waive any and all defects and informalities in any proposal and to accept or reject the highest responsible and responsive bidder deemed to be in the best interests of the Township.
12. In those cases where the property being offered is an under-sized lot, adjoining property owners shall be given the first right to bid. If purchased by an adjoining property owner, the under-sized property shall merge into the purchaser's current lot. In those case where the property being offered is not an under-sized lot, adjoining property owners shall be given the first right to bid, but merger into the purchase's current lot shall be optional. Furthermore, no property shall be further subdivided as the conveyance, irrespective of size, is being made to accommodate either the adjoining property owner as to his/her current residence, not for subdivision purposes, or for sale of the existing parcel to the public at large.
13. If no adjoining property owners bid, the bidding will be opened to the public. The deed of conveyance for all under-sized lots that are sold to any party other than an adjoining property owner shall contain a restriction that the lot cannot be built upon. If it is a conforming lot, then no such deed restrictions shall be placed on the transfer of title. The Township will not represent, warrant, or guarantee the right to build on or improve any of the properties listed for sale. All properties will be subject to all Federal, State, Local Laws and Ordinances.
14. A public notice of sale shall be published in the Township's official newspaper at least once a week for two consecutive weeks, the last publication being no earlier than seven (7) days prior to the date set forth for the public sale, which notice shall contain the conditions of this sale in accordance with N.J.S.A. 40A:12-13(a).
15. In the event the successful bidder fails to close on the property, he shall forfeit ten percent (10%) of the purchase price.

The resolution shall take effect immediately.

Adopted: September 18, 2024

Adopted this 18th day of September, 2024
and certified as a true copy of an original.

William Senande, Township Clerk

Schedule A

#	Block	Lot	Approximate Acreage	Zone	Location	Assessor's Suggested Minimum Bid
1	603	3	.107	LR	Witte Road	\$4,700
2	1603	4	.137	LR	Newark Road	\$900
3	1603	7	.227	LR	Newark Road	\$1,500
4	1701	25	.313	LR	Bayonne Drive	\$650
5	1814	10	.369	LR	Lee Court	\$800
6	1903	3	.187	LR	Hewitt Road	\$1,200
7	1903	9	.141	LR	Layton Road	\$900
8	1909	7	.360	LR	Hewitt Road	\$1,600
9	1911	2	.200	LR	Lake Shore Road	\$900
10	2008	10	.138	LR	19 Tansboro Road	\$10,000
11	2405	7	.147	LR	Riverside Road	\$1,000
12	5401	13	.333	R1	Peter Road	\$5,700
13	13301	28	.784	R4	Macopin Road	\$3,400
14	13301	34	.658	R4	Macopin Road	\$2,900
15	14001	4	.258	R3	Fountain Road	\$2,800

LR Lake Side Residential

R1 High Density Residential

R2 Moderate Density Residential

R3 Low Density Single Family Residential

R4 Residential – Four Acres

SHD/R-2 Rental Overlay/R-2 Special Housing District Residential

Schedule B

#	Block	Lot	Approximate Acreage	Zone	Location	Assessor's Suggested Minimum Bid
1	301	8	1.3	LR	Clinton Road	\$5,600
2	1608 1608	4 5	.494 .159	LR	Risley Road	\$1,400
3	1612	9	.515	LR	Ellisdale Road	\$1,100
4	3201	1	29.11	R4	Lakeside Road	\$44,000
5	4202	4	.697	LR	East Shore Road	\$4,500
6	5307	11.04	1	R1	Ridge Road	\$10,000
7	9601	7.01	3	R3	Macopin Road	\$10,000
8	11002	1	3.2	R3	Dudley Street	\$6,400

LR Lake Side Residential
 R1 High Density Residential
 R2 Moderate Density Residential
 R3 Low Density Single Family Residential
 R4 Residential – Four Acres
 SHD/R-2 Rental Overlay/R-2 Special Housing District Res