

ORDINANCE 2024-19

*Borough of Metuchen
County of Middlesex
State of New Jersey*

**ORDINANCE OF THE BOROUGH OF METUCHEN AUTHORIZING THE SALE
OF BOROUGH OF METUCHEN PROPERTY KNOWN AS BLOCK 97 LOT 1.02
ON THE OFFICIAL TAX MAP OF THE BOROUGH OF METUCHEN
TO THE STATE OF NEW JERSEY**

WHEREAS, *N.J.S.A.* 40A:12-13(b)(1) authorizes a municipality to sell an interest in real property to a department of the State of New Jersey by private sale; and

WHEREAS, in lieu of proceeding under the Eminent Domain Act (*N.J.S.A.* 20:3-1, et seq.), the New Jersey Department of Transportation ("NJDOT") has offered to purchase property owned by the Borough of Metuchen located on Grove Avenue and designated on the Borough's tax maps as Block 97 Lot 1.02 (the "Property") for Two Thousand Two Hundred Dollars (\$2,200.00) for the Grove Avenue Bridge Over Port Reading Railroad Project; and

WHEREAS, NJDOT has provided an appraisal report completed by Meehan Valuation with its offer supporting a fair-market valuation of \$2,200 for the Property, which the Borough Assessor has reviewed and has determined to be acceptable; and

WHEREAS, the Property is a small triangular lot less than one acre (0.00111 acres) in size and is approximately forty-nine (49) square feet; and

WHEREAS, the Property is not needed for Borough purposes; and

WHEREAS, based upon the Borough Tax Assessor's review and evaluation, the Mayor and Borough Council have determined that the price offered by the State is fair and equitable consideration for the purchase of the Property and the Borough desires to sell and convey the Property to NJDOT voluntarily by way of agreement in order to realize a greater benefit for the Borough and avoid litigation under the Eminent Domain Act.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Metuchen that it hereby authorizes the sale of Borough property designated on the tax map as Block 97, Lot 1.02 to the State of New Jersey for Two Thousand Two Hundred Dollars (\$2,200.00) for the Grove Avenue Bridge Over Port Reading Railroad Project; and

BE IT FURTHER ORDAINED that the Mayor, Borough Clerk and all other Borough employees and officials are hereby authorized to execute any and all documents necessary to effectuate the within Ordinance, including but not limited to an Agreement of Sale, and Deed, consistent with the terms and conditions of this Ordinance in a form acceptable to the Mayor and Borough Administrator; and

BE IT FURTHER ORDAINED the Mayor, Borough Clerk and all other Borough employees and officials are hereby authorized to take all action necessary to effectuate the sale of the Property to the State of New Jersey and for the transfer of ownership of the Property from the Borough of Metuchen to the State of New Jersey upon receipt of the consideration contained herein and consistent with the terms of this Ordinance and Agreement of Sale executed by the Parties.

BE IT FURTHER ORDAINED by the Mayor and Council that if any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED by the Mayor and Council that all prior ordinances, or sections of ordinances, inconsistent with the within ordinance are hereby repealed; and.

BE IT FURTHER ORDAINED this Ordinance shall take effect upon final passage and publication according to law.

Introduction: August 12, 2024

Date of Publication: August 16, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL				X
MOTION	DELIA				SECOND	GIAMBOI			
X - INDICATES VOTE		AB- ABSENT			NV- NOT VOTING				

I hereby certify the foregoing to be a true copy of an ordinance introduced by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on August 12, 2024.


 Deborah Zupan, RMC
 Borough Clerk



Adopted: September 9, 2024
 Date of Publication: September 13, 2024

COUNCILMEMBER	YES	NO	NV	AB	COUNCILMEMBER	YES	NO	NV	AB
BRANCH	X				HYMAN	X			
DELIA	X				JETHWANI	X			
GIAMBOI	X				KANDEL	X			
MOTION	DELIA				SECOND	GIAMBOI			
X - INDICATES VOTE				AB- ABSENT		NV- NOT VOTING			

I hereby certify the foregoing to be a true copy of an ordinance adopted by the Borough Council of the Borough of Metuchen, Middlesex County, New Jersey at a regular meeting held on September 9, 2024.

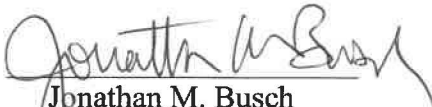

 Deborah Zupan, RMC
 Borough Clerk



ATTEST:


 Deborah Zupan, RMC
 Borough Clerk

BOROUGH OF METUCHEN

By: 
 Jonathan M. Busch
 Mayor