

TOWNSHIP OF PEQUANNOCK

ORDINANCE NO. 2025-03

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE TOWNSHIP OF PEQUANNOCK (101 CHATFIELD DRIVE) NOT REQUIRED FOR PUBLIC PURPOSES PURSUANT TO N.J.S.A. 40A:12-13, ET SEQ

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13, et seq., authorizes the sale by municipalities of any real property, capital improvements or personal property, or interests therein, not needed for public use by sale in the manner provided by law; and

WHEREAS, the Township of Pequannock is the owner of certain real property consisting of a three bedroom affordable housing restricted unit acquired through foreclosure of a tax sale certificate; and

WHEREAS, the unit is located at 101 Chatfield Drive, Pompton Plains, New Jersey and is shown on the Official Tax Map of the Township of Pequannock as Block 1101 Lot 9 CO 101; and

WHEREAS, as a deed restricted affordable unit this property must be sold exclusively to a qualified purchaser at the regulated price pursuant to the affirmative marketing and selection criteria process set forth in the Uniform Housing Affordability Controls (UHAC) regulations and, consequently, is not be subject to competitive bidding.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Pequannock, in the County of Morris and State of New Jersey, as follows:

1. The following property shall be offered for sale, pursuant to N.J.S.A. 40A:12-13, following the affirmative marketing and selection criteria process set forth in the Uniform Housing Affordability Controls (UHAC) regulations to a qualified buyer under the direction of the Township Manager and the Township Affordable Housing Administrative Agent.

BLOCK	LOT	SALE PRICE
1101	9 CO 101 (101 Chatfield Drive)	\$124,629.00

2. The property sold shall be subject to the following restrictions in term of sale:
 - i. To conduct all necessary title searches prior to the date of sale.
 - ii. That no representations of any kind are made by the Township of Pequannock as to the condition of the property, said premises are being sold in their present condition "as is".
3. That the sale is made subject to such state of facts as an accurate survey may disclose, easements, conditions, covenants and restrictions and any other encumbrances of title which the Township Council may impose on any parcel at the time of the sale specifically including affordable housing deed restrictions
4. The sale is made subject to all applicable laws and ordinances of the State of New Jersey and the Township of Pequannock.
5. That should the title to the property prove to be unmarketable for any reason, the liability of the Township shall be limited to the repayment to the purchaser of the amount of deposit

and any portion of the purchase price paid and shall not extend to any further costs, expenses, damages or claims. Notice of any alleged defect in title or claim of un-marketability must be served on the Township Clerk, by the purchaser, in writing no later than thirty (30) days after the sale is approved by the Township Council, failure upon the part of the purchaser to give written notice within said time shall be deemed conclusive proof that the purchaser accepts the title in its present condition.

6. That no employee, agent or officer of the Township of Pequannock has any authority to waive, modify or amend any of the conditions of sale.

7. The Purchaser shall agree to the following conditions:

i. To pay by the time of closing:

- a. The purchase price.
- b. The cost of preparation of all legal documents, including any special property description.
- c. The cost of recording Deeds and agree that Deeds shall be recorded on behalf of the purchaser by the Township Attorney.

ii. To pay prorated real estate taxes for the balance of the current year as of the date of closing.

iii. To abide by appropriate zoning, subdivision, health and building regulations and codes and stipulations that this sale will not be used as grounds to support any variance from or realization of said regulations.

8. The Township reserves the right to withdraw the offer of sale.

9. All sales are subject to final approval by the Township Council. Parties who require additional information should contact:

Adam Brewer, Township Manager
Township of Pequannock
530 Newark-Pompton Turnpike
Pompton Plains, New Jersey 07444

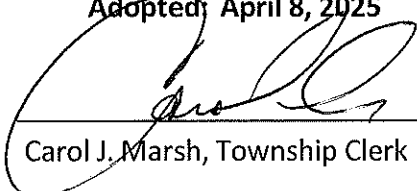
10. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

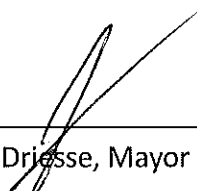
11. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

12. This Ordinance shall take effect after final passage and publication in the manner provided by law.

Introduced: March 25, 2025

Adopted: April 8, 2025



Carol J. Marsh, Township Clerk

John Driesse, Mayor