



## Legislation Details (With Text)

**File #:** 13-0475      **Version:** 1      **Name:** Public Real Estate Auction  
**Type:** Resolution      **Status:** Filed  
**File created:** 3/7/2013      **In control:** Economic and Housing Development  
**On agenda:** 3/20/2013      **Final action:** 3/20/2013  
**Title:** Dept/ Agency: Economic & Housing Development  
Action: ☐ Ratifying ☒ Authorizing ☐ Amending  
Type of Service: Public Sale/Real Estate Auction  
Purpose: To sell real estate property not needed for public use by open public sale at auction to the highest bidder.  
Date of Auction: April 18, 2013  
Location of Auction: Newark Symphony Hall, 1020 Broad Street, Newark, New Jersey 07102  
Cost Basis: ☐ PSF ☐ Negotiated ☐ N/A ☒ Other:  
Contract Basis: ☒ Bid ☐ State Vendor ☐ Prof. Ser. ☐ EUS  
☐ Fair & Open ☐ No Reportable Contributions ☐ RFP ☐ RFQ  
☐ Private Sale ☐ Grant ☐ Sub-recipient ☒ n/a  
List of Property: Refer to Resolution, Exhibit A  
Additional Information:

### Sponsors:

### Indexes:

### Code sections:

| Date      | Ver. | Action By         | Action | Result |
|-----------|------|-------------------|--------|--------|
| 3/20/2013 | 1    | Municipal Council | Adopt  | Pass   |

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**List of Property:** Refer to Resolution, Exhibit A

**Additional Information:**

**WHEREAS**, N.J.S.A. 40A:12-13(a) provides that a municipality may sell any real property with or without capital improvements, not needed for public use, by open public sale at auction to the highest bidder after advertisement thereof in a newspaper circulated in the municipality in which the lands are situated, by two insertions at least once a week during two consecutive weeks, the last publication to be not earlier than seven days prior to such sale; and

**WHEREAS**, N.J.S.A. 40A:12-13(a) further provides that the Municipal Council may fix a

minimum bid and may reserve its right to reject any and all bids. Notice of such reservation to reject any and all bids shall be included in the advertisement of the sale; and

**WHEREAS**, N.J.S.A. 40A:12-13(a) also provides that the Municipal Council may set such terms and conditions of sale as it deems fair and appropriate so long as such terms and conditions are included in the advertisement and are related to a lawful public purpose and encourage and promote fair and competitive bidding and are not inconsistent with or impose a special or higher standard than any zoning ordinance or building, plumbing, electrical, fire or similar code or ordinance in effect in the municipality; and

**WHEREAS**, the properties listed on Exhibit A, attached hereto and made a part hereof, are not required for governmental purposes; and

**WHEREAS**, the Municipal Council of the City of Newark desires to authorize the sale of said properties listed on the attached Exhibit A, by open public auction on April 18, 2013, pursuant the conditions enumerated in the attached Exhibit B, attached hereto and made a part hereof.

**NOW, THEREFORE BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The land and premises set forth in Exhibit A are no longer needed for public use and should be sold at open public auction in accordance with N.J.S.A. 40A:12-13(a)
2. The subject properties shall be offered for the minimum prices shown on the attached Exhibit A and shall be sold pursuant to the further express conditions enumerated in the attached Exhibit B.
3. The City of Newark shall make publication of the aforesaid Exhibits A and B in the manner provided for in N.J.S.A. 40A:12-13(a), along with the description of the properties and the terms and conditions aforesaid. Bids received at auction will be presented to the Municipal Council at which time they will be either accepted or rejected as provided by law.

#### **STATEMENT**

The purpose of this Resolution is to authorize the sale of City-owned properties not needed for public purposes by open public sale at auction to the highest bidder, pursuant to N.J.S.A. 40A:12-13(a).