Legislation Details (With Text)

File #:	17-1580	**Version:** 1	**Name:**	Public Real Estate Auction September 28, 2017
Type:	Resolution		**Status:**	Adopted
File created:	8/28/2017		**In control:**	Economic and Housing Development
On agenda:	9/7/2017		**Final action:**	9/7/2017

Title: Dept/ Agency: Economic and Housing Development
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Type of Service: Public Real Estate Auction
Purpose: To sell real estate property not needed for public use
Date of Auction: September 28, 2017
Location of Auction: Newark Symphony Hall, 1020 Broad Street, Newark, New Jersey 07102
Cost Basis: ( ) PSF ( ) Negotiated ( ) N/A (X) Other:
Contract Basis: (X) Bid ( ) State Vendor ( ) Prof. Ser. ( ) EUS
( ) Fair & Open ( ) No Reportable Contributions ( ) RFP ( ) RFQ
( ) Private Sale ( ) Grant ( ) Sub-recipient (X) n/a
List of Property: Refer to Resolution, Exhibit A
Additional Information:
Fifty-Eight (58) properties to be considered for auction

Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
9/7/2017	1	Municipal Council	Adopt	Pass

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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 with the reservation of the right to reject all bids where the highest bid is not accepted. Notice of such reservation to reject any and all bids shall be included in the advertisement of the sale and public notice thereof shall be given at the time of the sale; and

WHEREAS, *N.J.S.A. 40A:12-13(a)* also provides that the Municipal Council may impose restrictions on the use to be made of such real property and any conditions of sale as to buildings or structures, or as to type, size, or other specifications of buildings or structures to be constructed thereon, or as to demolition, repair, or reconstruction of buildings or structures, and the time within which such conditions shall be operative, or any other 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 September 28, 2017, pursuant to 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, attached hereto and made a part of the resolution, 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, attached hereto and made a part of the resolution.

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)* on September 28, 2017.

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