

Egg Harbor Township

Ordinance No. 15

2020

An ordinance authorizing the acquisition of property known as Block 4301 Lot 5, 7086 Black Horse Pike, as set forth on the Official Tax Map in the Township of Egg Harbor, County of Atlantic and State of New Jersey

WHEREAS, the Township of Egg Harbor is desirous of purchasing properties in the West Atlantic City section of the Township for purposes of eliminating repetitive flooding of certain properties; and

WHEREAS, the Township received a Flood Mitigation Grant FY2019 (FMA-PJ-02-NJ-2018-008) from the Federal Emergency Management Agency (FEMA) to acquire four (4) properties in West Atlantic City; and

WHEREAS, N.J.S.A. 40A:12-11 et seq. permits a municipality to acquire real property if it is provided for in their capital budget and the property to be acquired is in conformity with both the Zoning Ordinances and Master Plan of the municipality;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Egg Harbor, County of Atlantic and State of New Jersey as follows:

SECTION 1: *Conveyance.* Upon the terms hereinafter set forth, the property owner of the property being purchased by the Township known as Block 4301, Lot 5, hereinafter referred to as "Property" shall convey to Egg Harbor Township the Property identified and as further shown on the current Tax Map of the Township of Egg Harbor.

SECTION 2: *Consideration.* The purchase for the Property shall be Four Hundred Seventy-Five Thousand Dollars (\$475,000) to be paid in cash or by certified check by the Township of Egg Harbor to the property owner. Funds for this purpose are available from a Flood Mitigation Grant FY2018 (FMA-PJ-02-NJ-2018-008) from FEMA.

SECTION 3: *Closing.* Closing shall take place at a time and location to be mutually agreed upon.

SECTION 4: *Title.* Title shall be conveyed by the property owner by a Bargain and Sale Deed with covenants as to the Grantor's Acts and a standard Affidavit of Title, which Deed shall be prepared and provided by the Township Solicitor.

SECTION 5: *Environmental.* The Township of Egg Harbor shall assume responsibility for the completion of an environmental assessment. Any and all related costs with respect to environmental remediation in the event that environmental contamination is discovered on, about, or beneath the Lot is the responsibility of the Seller.

SECTION 6: This Ordinance shall become effective immediately upon final adoption and publication according to law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, HELD AUGUST 19, 2020 AND WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE EGG HARBOR TOWNSHIP COMMUNITY CENTER, IN SAID TOWNSHIP ON SEPTEMBER 2, 2020.

Dated: August 19, 2020

Eileen M. Tedesco, RMC
Township Clerk