

**LAFAYETTE TOWNSHIP
SUSSEX COUNTY, NEW JERSEY**

RESOLUTION 2021-36

RESOLUTION AUTHORIZING THE SALE OF CERTAIN LAND AND PROPERTY NO
LONGER NEEDED FOR PUBLIC USE BY THE TOWNSHIP OF LAFAYETTE

WHEREAS, the Township of Lafayette (the “Township”) is the owner of certain lands and capital improvements (if any) with the Township; and

WHEREAS, the Township Committee does hereby determine that the lands and properties set forth in **Schedule A** are no longer needed for public use; and

WHEREAS, the Township desires to make available for public sale said lands in accordance with N.J.S.A. 40A:12-13(a).

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Lafayette, Sussex County, New Jersey as follows:

SECTION 1. The Township Committee hereby declares that the lands and premises set forth in **Schedule A** are no longer needed for public use and should be sold in accordance with the appropriate statutes of the State of New Jersey and ordinances of the Township of Lafayette.

SECTION 2. The Township Committee hereby authorizes Max Spann Real Estate & Auction Co. (hereinafter “Auctioneer”) to offer for sale to the highest bidder by open public sale at auction the property descry bed in **Schedule A** attached hereto and made a part hereof.

SECTION 3. The public sale shall take place at the Lafayette Township Municipal Building located at 33 Morris Farm Road, Lafayette, NJ 07848, on July 15, 2021 or as soon thereafter as the matter may be heard and publicly announced, provided the sale is not canceled.

SECTION 4. The public sale, if not canceled, shall take place by public sale at auction to the highest bidder.

SECTION 5. All bidders at the time of sale must present a certified check or money order in the amount of five hundred dollars (\$500.00) payable to themselves (to be endorsed to the escrow holder or its designee if successful). In addition, the successful bidder shall submit a personal check or money order for the balance of the deposit of ten percent (10%) of the minimum bid, plus Buyer’s Premium, at the conclusion of the auction and shall execute an Agreement of Sale. Said Agreement of Sale shall be binding upon the high bidder until such time that the Township Committee either (1) does not accept the bid, in which case bidder’s deposit will be returned, or (2) accepts the bid, whereupon the Township shall execute the Agreement of Sale and both parties shall be held bound by the terms and conditions contained therein. The balance of the purchase price shall be paid at closing, which shall occur not later than forty-five (45) days following the acceptance of the bid by the Township. The purchaser shall be entitled to possession immediately following closing of title.

SECTION 6. At closing of title, purchaser shall, also, pay a buyer’s premium in the amount of ten percent (10%) of the bid amount to Auctioneer to conduct the sale.

SECTION 7. In the event the Township is unable to convey clear and marketable title, insurable at regular rates by a title insurance company licensed to do business in the State of New Jersey, the Township will forthwith return to the purchaser any and all deposit moneys previously submitted by the purchaser; and neither party shall have any further rights against the other. The acceptance of a deed by the purchaser from the Township shall extinguish an claims that said purchaser may have against the Township in connection with the quality of title conveyed.

SECTION 8. The property herein sold is subject existing encumbrances, liens, easements, zoning ordinances, other restrictions of record, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property. Neither the Township nor the Auctioneer make any representations as to the presence or absence of wetlands or any other environmental conditions on the property, and the purchaser assumes the risk of any such condition, all property being sold as “as is.”

SECTION 9. All conveyances by the Township shall be made by Bargain and Sale Deed with Covenants Against Grantor’s Acts.

SECTION 10. The Township reserves the right to waive any and all defects and informalities in any bid and to accept or reject any and all bids at the public sale and to not award to the highest bidder.

SECTION 11. Acceptable bids shall be confirmed by resolution of the Township Committee no later than the first regular meeting of the Township Committee following the date of sale.

SECTION 12. This Resolution shall constitute and serve as the public notice to be published in a newspaper circulating in the Township at least once a week for two (2) consecutive weeks, the last publication being no earlier than seven (7) days prior to the date set forth for the public sale.

SECTION 13. In the event the successful bidder fails to close on the property, he shall forfeit the ten (10%) percent deposit.

SECTION 14. This resolution shall take effect immediately.

CERTIFICATION

Certified as a true copy of a Resolution adopted by the Lafayette Township Committee, Sussex County, New Jersey at a meeting held on June 1, 2021.

Anna Rose Fedish, RMC
Municipal Clerk

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SCHEDULE A

Block 5.01, Lot 26	39 Snover Road
Block 6, Lot 4	57 Snover Road
Block 6, Lot 5	53 Snover Road
Block 6, Lot 6.02	Off Snover Road
Block 18, Lot 14.07	27 Statesville Quarry Road
Block 19, Lot 4.06	12 Statesville Quarry Road
Block 30, Lot 5	21 Lewisburg Road