

**BOROUGH OF WEST WILDWOOD,  
COUNTY OF CAPE MAY, STATE OF NEW JERSEY**

**ORDINANCE 616 (2023)**

**AN ORDINANCE OF THE BOROUGH OF WEST WILDWOOD, COUNTY OF  
CAPE MAY, AND STATE OF NEW JERSEY TO SELL BOROUGH OWNED LAND  
TO CONTIGUOUS OWNERS OF BLOCK 106, LOT 9**

**BE IT ORDAINED** by the Borough Commission of the Borough of West Wildwood, County of Cape May, and State of New Jersey that it is necessary that Borough owned land be sold to contiguous owners.

**SECTION 1.**

**WHEREAS**, N.J.S.A. 40A:12-13 provides the procedure for the sale of Borough owned land and allows for a private sale of land by ordinance when the sale is to the owner of the real property contiguous to the Borough owned parcel, provided that the property being sold is less than the minimum size required for development under the municipal zoning ordinance and is without any capital improvement thereon; and also provided that any such sale shall be for not less than the fair market value of the real property; and

**WHEREAS**, the Borough owns a parcel of land to be identified on the next revised tax map as Block 109, Lot 9.01 a parcel which is approximately 40 sq. feet which is less than the minimum size required for development; and

**WHEREAS**, the Borough has notified all contiguous landowners of the intention to sell the property and all but one have renounced any right to purchase the property

**WHEREAS**, the assessment of the parcel is \$ 800.00, and the Borough Tax Assessor has stated in writing that the fair market value of the land is \$ 800.00; and

**WHEREAS**, the statute also requires that the Borough file with the Director of the Division of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of advertisements for the Ordinance.

**NOW, THEREFORE, BE IT FURTHER ORDAINED**, as follows:

1. The Borough Commission of the Borough of West Wildwood shall sell the portion of real property identified as Block 106, Lot 9.01 on the next revised tax map to {insert buyers name}; and
2. The property being sold herein is being sold "As Is / Where Is".
3. Buyer shall agree to be solely responsible for all costs and legal responsibilities incurred to purchase property and must file a deed of consolidation.
4. Transfer of title from Borough to Buyer will be by a Quit Claim deed.

5. The purchase price shall be \$800.00; and
6. That the Clerk or the Clerk's representative is to file the necessary affidavits with the Director of the Division of Local Government Services, and
7. The Mayor, Clerk, and any and all other Borough Officials, are hereby authorized to sign those documents necessary to effectuate this transaction; and
8. Buyer shall be responsible for Borough Counsel's fee of \$330.00 for the preparation of all necessary documents, plus, the cost of preparation of deed.
9. Buyer shall pay all other costs associated with the transfer.

**SECTION 2.**

All other ordinances in conflict or inconsistent with this ordinance are hereby repealed, to the extent of such conflict or inconsistency.

**SECTION 3.** Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect, and to this end the provisions of this ordinance are hereby declared to be severable.

This ordinance shall become effective immediately upon final passage and publication, according to law.

**COMMISSIONERS:**

  
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**MAYOR MATTHEW J. KSIAZEK**


  
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**COMMISSIONER JOHN J. BANNING**

  
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**COMMISSIONER JOSEPH D. SEGREST**

**First Reading/Introduction:** 2023 10-06  
**Publication:** 2023 10-12

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek			X			
Commissioner John J. Banning	X		X			
Commissioner Joseph D. Segrest		X	X			

I, **Donna L. Frederick, RMC, Municipal Clerk** of the Borough of West Wildwood, Cape May County, do hereby certify the forgoing to be a true and correct copy of an ordinance introduced and passed on the first reading at the October 6, 2023, Regular Meeting and will be considered for final passage after a public hearing to be held on November 3, 2023, at 7:00pm prevailing time.

  
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**Donna L. Frederick, RMC**  
**Municipal Clerk**

COMMISSIONERS:

  
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 MAYOR MATTHEW J. KSIAZEK


  
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 COMMISSIONER JOHN J. BANNING

  
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 COMMISSIONER JOSEPH D. SEGREST

Second Reading/Public Hearing: 2023 11-03  
 Publication: 2023 11-09

	Motion	Second	Yes	No	Abstain	Absent
Mayor Matthew J. Ksiazek			X			
Commissioner John J. Banning	X		X			
Commissioner Joseph D. Segrest		X	X			

I, **Donna L. Frederick, RMC, Municipal Clerk** for the Borough of West Wildwood in the County of Cape May and State of New Jersey, do hereby certify that the foregoing is a correct and true copy of an Ordinance finally adopted by the Board of Commissioners of the Borough of West Wildwood, New Jersey after a public hearing held on November 3, 2023, at 7:00pm prevailing time.

  
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 Donna L. Frederick, RMC  
 Municipal Clerk