

NOTICE IS HEREBY GIVEN that Ordinance #13-31 was introduced and passed on first reading on regular meeting of the Mayor and Council on the 29th day of October, 2013, and that said Ordinance will be taken up for further consideration for final passage at a regular meeting of the Mayor and Council to be held on the 12th day of November, 2013 at 8:00 p.m. or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning same.

Karen Hughes, Borough Clerk
Borough of Westwood

Ordinance #13-31

**AN ORDINANCE AUTHORIZING THE SALE OF LOT 45, BLOCK 2001
IN THE BOROUGH OF WESTWOOD AND STATE OF NEW JERSEY**

WHEREAS, the Borough of Westwood is the owner of Lot 45, Block 2001 within the Borough of Westwood and Diamond Financial, L.L.C., is the owner of Lots 44 and 39, Block 2001, which lands comprise all real property contiguous to the subject; and

WHEREAS, Lot 45 Block 2001 is not needed for a public purpose and is less than the minimum lot size for construction within the R-1 Zone wherein the property is located; and

WHEREAS, it appears to the Governing Body that it may be in the best interests of the Borough of Westwood to sell land locked Lot 45 to Diamond Financial, L.L.C., subject to a requirement that the said lot be combined with Lots 44 and 39 to provide a new lot having dimensions of approximately 100' by 100'; and

WHEREAS, the Mayor and Council, having conferred with the Tax Assessor, and others, has determined that the Fair Market Value of the subject property does not exceed the sum of \$15,000.00;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Westwood as follows:

1. The Mayor and Council hereby approves the sale of Lot 45, Block 2001 to Diamond Financial, L.L.C., for the sum of \$14,000.00. The Borough finds that \$14,000.00 is the Fair Market Value of the property to be combined with contiguous lands owned by the Purchaser to create a lot of conforming area.

2. In approving the aforementioned sale, the Governing Body makes no findings relative to any land use or regulatory aspects of the proposed transaction. The Purchaser will be afforded a period of six (6) months within which to obtain such approvals as the Purchaser in its discretion determines are necessary for the construction of a single family home on the proposed new lot.

3. The Purchaser shall sign a Contract of Sale consistent with this Ordinance within thirty (30) days from the date hereof.

4. The Mayor and Council, with the advice of the Borough Attorney, find and determine that this sale is in accordance with N.J.S.A. 40A:12-113(b).

If any section, subsection, part, clause or phrase of this Ordinance shall be declared invalid by judgment of any court of competent jurisdiction, such section, subsection, part, clause or phrase shall be deemed to be severable from the remainder of this Ordinance.

This Ordinance shall take effect immediately upon final passage and publication as required by law.

Adopted: _____

Approved:

Attest:

John Birkner, Jr., Mayor

Karen Hughes, Borough Clerk