HAMPTON BOROUGH

COUNTY OF HUNTERDON

NOTICE is hereby given that the following Ordinance was Introduced by title on first reading at a regular meeting of the Borough Council of the Borough of Hampton held on June 15, 2026 and ordered published in accordance with the law. Said Ordinance will be considered for final reading, Public Hearing and Adoption at a regular meeting of the Hampton Borough Council to be held on July 20, 2026 at 6:30p.m. or as soon thereafter at the Municipal Building, 1 Wells Avenue, Hampton, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance

ORDINANCE 07-2026

AN ORDINANCE AUTHORIZING THE SALE OF BOROUGH OWNED LAND

WHEREAS, the Borough of Hampton is the current owner of property identified as Block 21, Lot 22, which is not needed for public purposes; and

WHEREAS, it is in the best interest of the Borough to sell such land to generate revenue, reduce taxes and reduce liabilities; and

WHEREAS, N.J.S.A. 40A:12-13-2 provides in pertinent part that whenever any municipality intends to sell real property (Block 21, Lot 22), which is without any capital improvements thereon, the municipality must accord contiguous property owners of right of first refusal to purchase such land; and

WHEREAS, the Borough proposes to offer such right to all contiguous owners and to sell such land to the highest bidder amount the contiguous owners as authorized by N.J.S.A. 40A:12-13; and

WHEREAS, if no contiguous owner offers to purchase such property, then the property shall be opened to full public bidding.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Hampton, in the County of Hunterdon and State of New Jersey, as follows:

1. The Borough Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction all of the Borough's right, title and interest in and to the following lot pursuant to the provisions of N.J.S.A. 40A:12-13, in property known as Block 21, Lot 22, consisting of approximately 1.6 acres, located at 202 Rte 31 North, Hampton.

2. The minimum bid for the lot is $25,000.00 No bid less than the minimum amount set forth herein will be considered.

3. Said public auction sale shall be conducted on Monday, October 19, 2026, at 12 noon, or such later date or time as may be established and advertised by the Borough Clerk. Said public auction shall be conducted at the Hampton Borough Municipal Building, 1 Wells Avenue, Hampton, NJ. Each bidder wishing to submit a bid and participate in the auction shall be registered as a bidder prior to the sale by contacting the Borough Clerk, Hampton Borough, 1 Wells Avenue, Hampton, NJ, telephone number 908-537-2329. The sale shall be to the highest bidder at the auction. No bid shall be considered unless it is made orally at the auction. The Borough Clerk may establish such other appropriate procedures for the auction as deemed necessary.

4. On the scheduled date and time, the Borough Clerk may, by announcement to the public, adjourn the date and time to a later announced date and time not later than twenty (20) days after the original date.

5. The highest bid shall be referred to the Borough Council for review and final approval pursuant to N.J.S.A. 40A:12-13, and the Borough reserves the right to accept the highest bid or to reject any and all bids for any property. The deposits with respect to any unsuccessful bid and any rejected bid shall be returned.

6. A deposit of 10 percent of the minimum price for real property must be paid in cash or by certified bank check by the successful bidder at the time of the public sale; said time and place set forth herein. This deposit shall be made subject to return in the event of rejection of said bid. The balance, together with the costs of sale and legal expenses, must be deposited in full by either cash or certified bank check within thirty (30) days after the date of sale of acceptance of bid, whichever is later, at the office of the Borough Clerk.

7. The successful bidder shall be responsible for the cost of preparation of the deed of conveyance and any related documents for the transfer of title by the Borough Attorney, or for the Borough Attorney's review and approval of the documents, not to exceed $150, as well as the cost of the recording of the Deed with the Hunterdon County Clerk. The balance of the purchase price, together with cost of preparation of the deed of conveyance and related documents for the transfer of title and the Hunterdon County recording fee must be paid by certified check or bank check made payable to the Borough of Hampton and provided to the Borough Clerk within thirty (30) days of the date of sale.

8. The Mayor and Borough Clerk are hereby authorized to execute said Bargain and Sale Deed and other conveyance documents, and the Borough Attorney is authorized to prepare such deed and documents on behalf of the Borough, after the Borough Council accepts the bid offer.

9. In addition to the terms and conditions set forth herein, the successful bidder agrees to the imposition of the following conditions by the Borough:

   a. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.

   b. In the event that the successful bidder fail to close title, the bidder agrees to forfeit to the Borough any and all monies deposited with the Borough.

   c. The Borough does not warrant or certify title to the property and in no event shall the Borough be liable for any damages to the successful bidder if title is found defective or unmarketable for any reason, and the bidder waives any and all rights and damages against the Borough, the sole remedy being the right to receive a refund of the deposit paid prior to closing in the event title is found defective or unmarketable. It is the right of the successful bidder to examine title prior to closing. In the event of closing and a later finding of a defect of title, the Borough shall not be required to refund any money or correct any defect in title and shall not be held liable for damages.

   d. The deed of conveyance shall be subject to all matters of record which may affect title, what an accurate survey would reveal, the Ordinances of the Borough of Hampton, and the reservation of an easement for all natural or constructed drainage systems, swales, pipes, drains, and easements, if any, on the land and a continued right of maintenance and flow thereof. The Borough shall be without obligation to provide access, public or private, or to provide any improvements.

   e. The Borough makes no warranties whatsoever regarding said land and assumes no responsibility for environmental conditions, known or unknown, regarding said land. The bidder shall be responsible for the exercise of due diligence in determining the condition of the land, including, but not limited to, the determination of any title conditions, environmental conditions, zoning and development restrictions, and any other condition or restriction that might impact the use of the land.

10. The Borough Clerk, the Mayor, and the Borough Attorney are authorized to prepare and execute any and all such documents and to take any and all such actions as may be required to effect the transactions set forth herein.

11. The Borough Clerk shall file with the Director of Local Government Services in the Department of Community Affairs, sworn affidavits verifying the publications of the advertisements required by N.J.S.A. 40A:12-13(b).

12. Bidding may be made by an individual, corporation or other entity. Bids may also be submitted by a prospective purchaser's attorney, real estate agent or broker, or other duly authorized representative. However, no commission shall be paid by the

Borough of Hampton to any real estate agent or broker or other representative in connection with any sale.

13. The sale of such land is subject to applicable New Jersey Law concerning the disposition of municipal real estate and all other applicable laws and ordinances of the State of New Jersey and the Borough of Hampton.

14. All potential sales are subject to final approval by the Borough Council. This includes the right of the Borough Council to remove a property from the sale list at any time and to terminate any sale up to the time of the issuance of a deed to the purchaser. If terminated, any monies paid by a successful bidder will be refunded.

15. The Borough reserves the right to waive any and all defects, informalities and irregularities in any bid. The Borough further reserves the right to reject all bids in each instance where the highest bid is not accepted, and to, in its discretion, re-advertise the property for sale. No bid shall be considered finally accepted until confirmed by the Borough Council.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances, or parts therein, conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect following adoption and approval in the time and matter prescribed by law.

Todd Shaner, Mayor

Linda Leidner, RMC
Borough Clerk