

ORDINANCE 2017-13

ORDINANCE AUTHORIZING THE TRANSFER AND ACCEPTANCE OF PROPERTY AND EXECUTION OF CERTAIN DOCUMENTS FROM ACTREO, LLC, TO THE BOROUGH OF BERLIN, SPECIFICALLY 85-87 WHITE HORSE PIKE ALSO KNOWN AS BLOCK 1108, LOT 10, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN AND STATE OF NEW JERSEY, "AS IS", FOR NOMINAL CONSIDERATION, SUBJECT TO CERTAIN TERMS

WHEREAS, ACTREO, LLC, the owner of Block 1108, Lot 10, also known as 85-87 South White Horse Pike in the Borough of Berlin, County of Camden and State of New Jersey desire to convey said parcel to the Borough of Berlin; and

WHEREAS, it has been determined that the subject parcel, located in the Berlin Borough Downtown Redevelopment Area is needed for the purpose of revitalizing the historical downtown area of Berlin Borough; and

WHEREAS, the owner has agreed to convey said parcel, "as is" and for nominal consideration; and

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 et seq., governs the acquisition of municipal land; and

WHEREAS, N.J.S.A. 40A:12-4 provides that a municipality may acquire: (a) Any real property, capital improvement, personal property or any interest or estate whatsoever therein, including easements, water, water power, or water rights, either within or without the county or municipality, except that no such property belonging to the State or any of its agencies, a county or any municipality shall be acquired without its express consent; and

WHEREAS, the Borough of Berlin hereby determines that the subject parcel, which was acquired by the current owner through a tax sale foreclosure, is needed for municipal redevelopment purposes and that it is in the best interests of the residents of the Borough to acquire the property for nominal consideration for redevelopment purposes; and

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

Section 1: The provisions of the **WHEREAS** clauses set forth above are incorporated herein by reference and made a part hereof.

Section 2: The Borough of Berlin hereby authorizes the acceptance of Block 1108, Lot 10, also known as 85-87 South White Horse Pike in the Borough of Berlin, County of Camden and State of New Jersey from ACTREO, LLC, for nominal consideration and in its "as in" condition.

Section 3: The Mayor and Borough Clerk are hereby authorized to accept, for one (\$1.00) dollar and other good and value consideration, the sufficiency of which is acknowledged herein, including the forgiveness of outstanding taxes to the extent necessary, a Deed from ACTREO, LLC, to the Borough of Berlin, in a form acceptable to the Solicitor of the Borough of Berlin and execute any and other documents necessary in order to effectuate the transfer of Block 1108, Lot 10, also known as 85-87 South White Horse Pike as set forth herein.

Section 4: All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 5: If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such subdivision, clause or provision and the remainder of this Ordinance shall be deemed valid and effective.

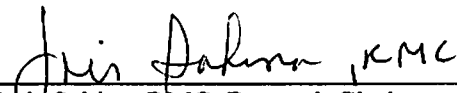
Section 6: This Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF BERLIN




By: James Bilella, Mayor

ATTEST:


Lois Sahina, RMC, Borough Clerk

I, Lois Sahina, Clerk of the Borough of Berlin, hereby certify the foregoing to be a true and correct copy of an Ordinance adopted by the Mayor and Borough Council at their meeting of December 14, 2017, in the Municipal Building, 59 South White Horse Pike, Berlin, New Jersey.


Lois Sahina, RMC, Borough Clerk

Introduced: November 16, 2017
Adopted: December 14, 2017