

BERLIN BOROUGH
ORDINANCE NO. 2018-09

ORDINANCE AUTHORIZING THE LEASE OF LAND AND BUILDING LOCATED AT 11 JACKSON ROAD, BLOCK 1400, LOT 14, ON THE OFFICIAL TAX MAP OF THE BOROUGH OF BERLIN, COUNTY OF CAMDEN AND STATE OF NEW JERSEY TO THE DOWNTOWN BERLIN REVITALIZATION CORPORATION FROM THE BOROUGH OF BERLIN FOR NOMINAL CONSIDERATION IN ACCORDANCE WITH N.J.S.A. 40A:12-14 OF THE NEW JERSEY LOCAL LANDS AND BUILDINGS LAW, UNDER TERMS AND CONDITIONS TO BE ESTABLISHED BY THE MAYOR AND BOROUGH COUNCIL

WHEREAS, the Mayor and Borough Council of the Borough of Berlin (“Borough”) previously adopted Ordinance No. 2017-09 accepting the donation of certain property by recorded deed located at 11 Jackson Road, Block 1400, Lot 14 (“Dill House”), on the Official Tax Map of the Borough of Berlin, County of Camden and State of New Jersey on July 13, 2017; and

WHEREAS, it has been determined that the subject Parcel is historical in nature and will hopefully serve as the gateway to Downtown Berlin which is the historic town core and is often considered the heart of the community stretching along the White Horse Pike from Cross Keys Road to the Dill House on Jackson Road; and

WHEREAS, when acquired, a condition was imposed mandating that within thirty-six (36) months of the conveyance of the Dill House, the Borough or other respective volunteers or organizations, would take such steps as necessary to rehabilitate to the Dill House so that it is rendered structurally sound and habitable and returned to a condition that is in conformance with comparable homes in the general vicinity and

WHEREAS, the Borough has determined that the property can best be rehabilitated as required by leasing the Dill House to the Downtown Berlin Revitalization Corporation (“DBRC”); and

WHEREAS, the DBRC is non-profit organization that works to preserve and promote Downtown Berlin as a desirable destination to live, work and visit and includes a talented team of passionate professionals and advocates, dedicated volunteers, influential stakeholders, as well as and community organizers who desire to lease the Dill House and restore it to its once famous historical origin; and

WHEREAS, N.J.S.A. 40A:12-14 of the New Jersey Local Lands and Buildings Law permits the Borough to lease the Dill House to the DBRC for nominal consideration because it is a recognized non-profit corporation, organized under the laws of the State of New Jersey.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Borough Council of the Borough of Berlin, 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 Mayor and Borough Clerk are hereby authorized to lease, in a form prepared by the Borough Solicitor, the Dill House for the sum of one (\$1.00) dollar and other good and value consideration, the sufficiency of which is acknowledged, to the DBRC for a term of two (2) years commencing May 1, 2018 and terminating April 30, 2020.

Section 3: If the conditions of the transfer of ownership of the Dill House to the Borough of Berlin are satisfied and the building is rendered structurally sound and habitable and returned to a condition that is in conformance with comparable homes in the general vicinity within the required time frame and is determined to be structurally sound as determined by the Local Construction Official, the term of the Lease may be extended for an addition eight (8) years, at the discretion of the Mayor and Borough Council.

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 introduced by the Mayor and Borough Council at their meeting of April 12, 2018, in the Municipal Building, 59 South White Horse Pike, Berlin, New Jersey.

Lois Sahina, RMC, Borough Clerk

INTRODUCED: April 12, 2018

ADOPTED: May 10, 2018