



BOROUGH OF BERLIN  
COUNTY OF CAMDEN

## ORDINANCE 2021-04

**AN ORDINANCE AUTHORIZING THE PURCHASE OF CERTAIN PROPERTY  
LOCATED AT 79-81 SOUTH WHITE HORSE PIKE, IN THE BOROUGH OF BERLIN,  
IDENTIFIED ON THE BOROUGH TAX MAP AS BLOCK 1108, LOT 8, SUBJECT TO  
CERTAIN TERMS AND CONDITIONS, IN ACCORDANCE WITH THE  
REQUIREMENTS OF THE NEW JERSEY LOCAL LANDS AND BUILDINGS LAW**

**WHEREAS**, on February 11, 2021 (Resolution 2021- 021 the Mayor and Borough Council of the Borough of Berlin approved a Resolution authorizing the execution of an Agreement of Sale to purchase property located at 79-81 South White Horse Pike, shown on the Municipal Tax Map as Block 1108, Lot 8, subject to certain terms and conditions.

**WHEREAS** the Borough of Berlin intends to conduct its due diligence prior to purchasing the property which includes, but is not limited to: Phase 1 Environmental Feasibility Study, an appraisal certifying a value of the property which comports to the sales price and adoption of this authorizing Ordinance; and

**WHEREAS**, the Borough Council has determined upon completion of its due diligence, that subject to certain conditions, the purchase of the property is in the best interest of the citizens of the Borough of Berlin.

**NOW, THEREFORE BE IT ORDAINED**, by the Borough Council of the Borough of Berlin, County of Camden and 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 Council of the Borough of Berlin hereby authorizes the purchase of 79-81 South White Horse Pike, identified on the Borough Tax Map as Block 1108, Lot 8, subject to certain terms and conditions.

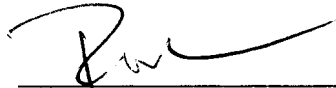
**Section 3:** The Mayor, Municipal Clerk and/or Solicitor are hereby authorized to take all actions necessary to conclude the sale in accordance with the requirements of the New Jersey Local Lands and Buildings Law (N.J.S.A. 40A:12-1 et seq.) including the execution of all legal documents necessary to conclude the subject transaction.

**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4:** All other Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.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 section, paragraph, clause or provision and the remainder of the Ordinance shall be deemed valid and effective.

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

BOROUGH OF BERLIN

  
Rick Miller, Mayor

**Introduction:**

**Moved by:** Councilwoman Hohing; **Seconded by:** Councilman Badolato

**Vote:** Motion carried by roll call vote (summary: Yes = 6 No= 0 Absent=0).

**Yes:** Councilmembers: Badolato, Cummings Simone, Hohing, Miller, Pearce

**No:** None

**Abstain:** None

**Absent:** None

Having been properly introduced, this Ordinance will have a second reading, public hearing and possible adoption will be on March 11, 2021.

I, Dwayne M. Harris, RMC, Municipal Clerk of the Borough of Berlin, hereby certifies the foregoing to be the true and correct actions by the Governing Body at its meeting on Thursday, February 11, 2021.

**Adoption:**

**Moved by:** Councilmember Miller; **Seconded by:** Councilmember Badolato

**Vote:** Motion carried by roll call vote (summary: Yes = 6; Absent = 0).

**Yes:** Council members, Badolato, Cummings, Hohing, Miller, Simone, Pearce

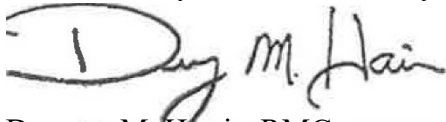
**No:** None

**Abstain:** None

**Absent:** None

I, Dwayne M. Harris, RMC, Municipal Clerk of the Borough of Berlin, hereby certifies the foregoing to be a true action of the Governing Body at its Meeting of Thursday, March 11, 2021.

WITNESS my hand this 16th day of March 2021.



Dwayne M. Harris, RMC