

ORDINANCE #16-24

**BOROUGH OF SAYREVILLE
COUNTY OF MIDDLESEX
ORDINANCE RESCINDING ORDINANCE 11-23**

WHEREAS, the Borough Council previously determined that certain municipally owned land located on Warwick Road, designated as Block 337, Lot 9 (the “subject property”) in the official tax map of the Borough of Sayreville, consisting of an undersized, irregularly shaped lot, was no longer necessary for municipal purposes and should be sold at private sale in accordance with N.J.S.A. 40A:12-13(b)(5); and

WHEREAS, the pursuant to N.J.S.A. 40A:12-13(b)(5), the Borough engaged in negotiations with the prior contiguous property owner, Francisco Sequeira, as to the fair market value of the subject property; and

WHEREAS, the Borough Council previously passed Ordinance 11-23, approving the sale of the subject property to Francisco Sequeira and Resolution 2022-71, approving the purchase price of \$4,000.00 (four thousand dollars and zero cents) inclusive of any and all fees associated with the transfer of the property; and

WHEREAS, the prior contiguous property owner, Francisco Sequeira, remitted payment in the amount of \$4,000.00 to the Borough for the subject property, but the Borough never completed the sale of the property to Francisco Sequeira; and

WHEREAS, Francisco Sequeira is no longer the owner of the contiguous property and the sale of the subject property can no longer be completed; and

WHEREAS, the Borough seeks to return the \$4,000.00 paid by Francisco Sequeira.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sayreville in the County of Middlesex, State of New Jersey, that Ordinance 11-23 is hereby repealed in its entirety, and that the Borough shall return all amounts paid by Francisco Sequeira for the subject property in manner to be determined by the Borough Clerk.

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

INTRODUCED/APPROVED ON FIRST READING

DATED: March 25, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Daniel Balka, Councilman
(Admin. & Finance Committee)
Borough of Sayreville

ADOPTED ON SECOND READING

DATED: April 8, 2024

Jessica Morelos, R.M.C.
Clerk of the Borough of Sayreville

Daniel Balka, Councilman
(Admin. & Finance Committee)
Borough of Sayreville

APPROVAL BY THE MAYOR ON THIS _____ DAY OF _____, 2024.

Kennedy O'Brien, Mayor
Borough of Sayreville

APPROVED AS TO FORM:

Borough Attorney