

ANNOUNCING

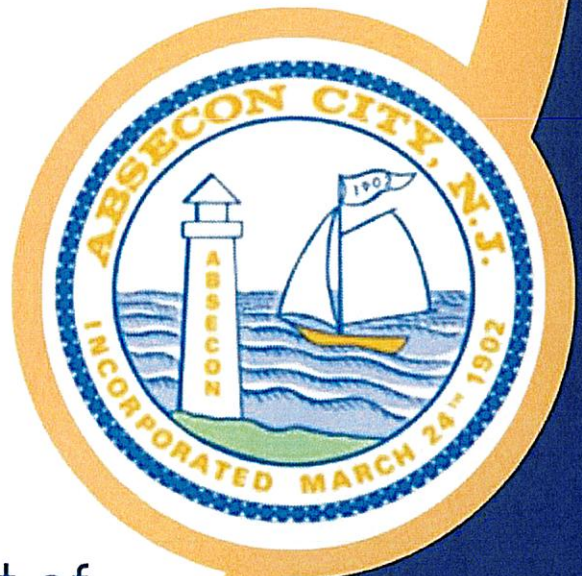
CITY OF ABSECON LAND SALE

**Thurs., November 6th, 2025
Beginning at 5:00 PM**

**City of Absecon
Municipal Complex
500 Mill Road
Absecon, New Jersey**

- **Block 29.01, Lot 2**
 - Additional Lot 3.01
 - Elm Avenue
 - Minimum bid requirement of \$250,000.00.

****LOT SHALL BE SOLD SUBJECT TO THE REQUIREMENT THAT THE SUCCESSFUL BIDDER SHALL BE REQUIRED TO APPLY FOR AND OBTAIN A SUBDIVISION OF THE PROPERTY FROM THE CITY OF ABSECON PLANNING BOARD THAT SUBDIVIDES THE PARCEL INTO A MAXIMUM OF (3) NEWLY CREATED LOTS, THE TOTAL AREA OF WHICH SHALL NOT COLLECTIVELY EXCEED 1.5 ACRES. EACH NEWLY CREATED LOT IS REQUIRED TO FRONT TENTH AVENUE AND THE REMAINING ACREAGE WILL REMAIN THE PROPERTY OF THE CITY OF ABSECON.**



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INFORMATION:**

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CITY OF ABSECON

RESOLUTION 186-2025

**AMENDED RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABSECON
AUTHORIZING THE SALE OF CERTAIN CITY-OWNED LANDS**

WHEREAS, the City Council has determined that certain municipally-owned lands designated as Block 29.01, Lot 2 & Lot 3.01, on the Official Tax Map of the City of Absecon (hereinafter referred to as the "Property"), are no longer necessary for public use or other municipal purposes and, as such, shall be sold at public auction in accordance with N.J.S.A. 40A:12-13; and

WHEREAS, the Local Lands and Building Law, N.J.S.A. 40A:12-1, et seq., authorizes the sale by municipalities of any real property, capital improvement, or personal property no longer needed for public use; and

WHEREAS, the City Council believes it is in the best interest of the City of Absecon to sell the Property to generate revenue, reduce taxes, and reduce liability; and

WHEREAS, the Property, which is not needed for public use or other municipal purposes, shall be sold at a public sale to be held on the same date as set forth herein; and

WHEREAS, it is in the best interest of the City of Absecon to advertise the Property for individual public sale to the highest bidder in accordance with the strict provisions of N.J.S.A. 40A:12-13; and

WHEREAS, the City Council of the City of Absecon unanimously voted to approve the auction and sale of Block 29.01, Lot 2, at a public meeting of the City Council of the City of Absecon on October 2nd, 2025; and

WHEREAS, the adopted Resolution approving the auction and sale of Block 29.01, Lot 2, failed to include additional Lot 3.01 in the designation of the Property to be auctioned and sold by the City of Absecon.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Absecon, County of Atlantic and State of New Jersey as follows:

1. The allegations of the preamble are incorporated herein by this reference.
2. The City Clerk is authorized, subject to the conditions set forth herein, to offer for sale by public auction to the highest bidder all the City's right, title, and interest in the Property listed on the Official Tax Map of the City of Absecon pursuant to the provisions of N.J.S.A. 40A:12-13.
3. The Property shall be auctioned for sale and the minimum bid and conditions of sale for each of the Properties is as follows:
 - a. Block 29.01, Lot 2 & Lot 3.01: Minimum bid requirement of Two Hundred Fifty Thousand (\$250,000.00) Dollars. Lot shall be sold subject to the requirement that the successful bidder shall be required to apply for and obtain a subdivision of the Property from the City of Absecon Planning Board that subdivides the parcel into a maximum of three (3) newly created lots, the total area of which shall not collectively exceed 1.5 acres. Each of the newly created lots shall be required to front on Tenth Avenue and the remaining acreage of the existing Lot 2 & Lot 3.01 that is not encompassed within the newly created lots shall remain the Property of the City of Absecon.

4. No bid less than the minimum amount set forth in Paragraph 3, above, for the Property will be considered by the City of Absecon at the time of auction.
5. The City Clerk is directed to advertise the sale of the Property in the City of Absecon's Official Newspaper by two (2) insertions at least once a week during two (2) consecutive weeks, the last publication to be not earlier than seven (7) days prior to the date of the public sale.
6. The Property is not necessary for public use or other municipal purposes and the best interest of the public shall be served in selling the Property by public sale to the highest bidder at or above the minimum price, as previously set forth herein, with the City Council reserving the right to accept or reject or otherwise remove the Property from sale.
7. Said public auction shall be conducted on Thursday, November 6, 2025, beginning at 5:00 p.m. EST or such later date or time as may be established and advertised by the City Clerk. Said public auction sale shall be conducted at the City of Absecon Municipal building, 500 Mill Road, Absecon, New Jersey 08201, or such other place as designated by the City Clerk and published in accordance with law, subject to the terms and conditions set forth herein. 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 City Clerk, City of Absecon, 500 Mill Road, Absecon, New Jersey 08201, telephone number (609) 641-0663. The City Clerk may establish such other appropriate procedures for the auction as deemed necessary.
8. The City Clerk shall notify all owners of land contiguous to the Property of the auction by certified mail and include a copy of this Resolution. Said notice to be mailed no later than Fourteen (14) days prior to the public sale.
9. On the scheduled date and time of the public sale, the Mayor or City Clerk may by announcement to the public, adjourn the date and time to a later announced date and time not later than thirty (30) days after the original date. Said announcement shall be deemed adequate notice to all interested parties.
10. The highest bid shall be referred to the City Council for review and final approval pursuant to N.J.S.A. 40A:12-13 and the City reserves the right to accept the highest bid or to reject any, and all, bids for the Property. The Deposits with respect to any unsuccessful bid and any rejected bid shall be then returned.
11. A deposit of ten (10%) percent of the minimum price for the Property must be paid in cash, certified check, bank check, or money order payable to the City of Absecon by the successful bidder at the time of the public sale; said time and place to be set by the City Clerk. 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 twenty (20) days after the date of sale or acceptance of bid whichever is later at the office of the City Clerk.
12. 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 City Attorney, or for the City Attorney's review and approval of the documents not to exceed \$300.00, as well as the cost of recording the Deed with the Atlantic 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 Atlantic County recording fee, must be paid by certified check, money order or bank check made payable to the City of Absecon and provided to the City Clerk within twenty (20) days of the date of sale.

13. The Mayor and City Clerk are hereby authorized to execute said Bargain and Sale deed without covenants and other conveyance documents and the City Attorney is authorized to prepare such deed and other documents on behalf of the City after the City Council accepts the bid offer.

14. In addition to the terms and conditions set forth herein, the successful bidder agrees to the imposition of the following conditions of the City:

- a. Acceptance of the offer to purchase shall constitute a binding agreement by the bidder with the City 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 fails to close title, the bidder agrees to forfeit to the City any, and all, monies deposited with the City.
- c. The City does not warrant or certify title to the Property and in no event shall the City be liable for any damages to the successful bidder if title to the Property is found defective or unmarketable for any reason, and the bidder waives any, and all, rights and damages against the City, the sole remedy being the right to receive a refund of deposit paid prior to closing in the event title is found defective or unmarketable for the Property. It is the right of the successful bidder to examine title prior to closing. In the event of closing and later finding of a defect of title, the City shall not be required to refund any money or correct any defect in title and shall not be held liable for damages to the successful bidder. Acceptance of an offer to purchase shall constitute a binding agreement by the bidder and the City and the successful bidder shall be deemed obligated to comply with the terms and conditions contained herein.
- 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 City of Absecon, and the reservation of an easement for all natural or constructed drainage systems, swales, pipes, drains, inlets, waterways, and/or easements, if any, on the land without obligation to provide access, public or private, or to provide any improvements.
- e. The deed will also contain a further covenant that neither the purchaser nor any future owner or potential developer of the Property may ever in any manner, directly or indirectly, assert a claim against the City of Absecon based upon the inability to develop or use the property including, but not limited to, a claim for inverse condemnation or damages of any kind.
- f. The City makes no warranties whatsoever regarding the Property and assumes no responsibility for environmental conditions, known or unknown, regarding said Property and the successful bidder agrees to fully release and indemnify the City with respect thereto. The bidder shall be fully responsible for the exercise of due diligence in determining all aspects of the condition of the Property, 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 Property. The City sells the Properties "AS IS" and, as such, the successful bidder releases the City of all liability and responsibility of any said contamination, if found, on the Property.

15. The City Clerk, the Mayor, and the City 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 effectuate the transactions set forth herein.

16. The City 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), if necessary.
17. 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 City of Absecon to any real estate agent or broker or other representative in connection with the sale of the Property and the successful bidder indemnifies and holds harmless the City of Absecon of any claims made by third-parties related to any commissions alleged to be due and owing from the City of Absecon related to the auctioning of the Property.
18. The sale of the Property is subject to applicable New Jersey Law concerning this disposition of municipal real estate and all other applicable laws, regulations, and ordinances of the State of New Jersey and the City of Absecon.
19. All potential sales are subject to final approval by the City Council of the City of Absecon. This includes the right of the City Council to remove any of the Property from sale at any time and to terminate any sale up to the time of the issuance of a deed to the purchaser. If terminated by the City, any monies paid by a successful bidder will be refunded.
20. The City reserves the right to waive any, and all, defects, informalities, and irregularities in any bid. The City further reserves the right to reject all bids in each instance where the highest bid is not accepted and it is, in its discretion, to re-advertise the Property for sale. No bid shall be considered finally accepted until confirmed by the City Council of the City of Absecon.
21. If any word, phrase, clause, section, or provision in this Resolution shall be found by any Court of competent jurisdiction to be unenforceable, illegal, or unconstitutional, such word phrase, clause, section, or provision shall be severable from the balance of the Resolution and the remainder of the Resolution shall remain in full force and effect.
22. This Resolution shall take effect immediately after final passage and publication in the manner provided by law.

DATE: October 16th, 2025

This is to certify this is a true copy of
an amended Resolution adopted by
the Council of the City of Absecon
at a regular meeting held October 16th, 2025

ATTEST: Carie A. Crone RMC
Carie A. Crone, RMC, Municipal Clerk

