

ORDINANCE 2026-16

**TOWNSHIP OF HARDYSTON
SUSSEX COUNTY, NEW JERSEY**

**ORDINANCE OF THE TOWNSHIP OF HARDYSTON, IN THE COUNTY OF
SUSSEX AND STATE OF NEW JERSEY, AUTHORIZING THE SALE OF
CERTAIN PROPERTY NOT NEEDED FOR PUBLIC PURPOSES**

WHEREAS, the Township of Hardyston ('Township') is the owner of the property located at Lot 44, Block 79 on the Township tax map ('Subject Property'); and

WHEREAS, the Subject Property is smaller than the minimum lot size required for development, and currently contains no capital improvements; and

WHEREAS, the Subject Property is not needed for public purposes; and

WHEREAS, the Township wishes to convey the Subject Property to the owner of a property contiguous to the Subject Property; and

WHEREAS, the Township Tax Assessor has determined that the Fair Market Value of the Subject Property is \$20,000.00, which price shall be the minimum price for which the Township shall convey the Subject Property to the owner of a contiguous property; and

WHEREAS, the Township has complied and will comply with all other relevant provisions of N.J.S.A. 40A:12-13(b)(5) in connection with the sale of the Subject Property to the owner of a contiguous property; and

WHEREAS, should the Township reach an agreement, for the sale of the Subject Property to the owner of a contiguous property, pursuant to this Ordinance, such agreement shall be subject to the approval and ratification of the Hardyston Township Council.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Hardyston, in the County of Sussex, and State of New Jersey, as follows:

1. The Township Council hereby declares that the property located at Lot 44, Block 79 on the Township tax map ('Subject Property') is neither used presently nor needed in the future for the Township's public purposes.
2. The Township Council does hereby, pursuant to N.J.S.A. 40A:12-13(b)(5), authorize a sale of the Subject Property, for the consideration of no less than \$20,000.00 to the owner of a property contiguous to the Subject Property.
3. The Mayor, Township Manager, Township Attorney, Township Clerk, and/or such other Township Officials as the law may provide, are hereby authorized to negotiate the sale

of the Subject Property for the consideration of no less than \$20,000.00 to the owner of a property contiguous to the Subject Property, in accordance with the terms of this Ordinance, N.J.S.A. 40A:12-13, and all relevant law, and to prepare an agreement for such sale, subject to the further approval of the Township Council.

4. The conveyance of the Subject Property shall be strictly ‘as is.’ No representation shall be made by the Township as to the utility, usability or, generally, the condition of the Subject Property.

5. If any article, section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

6. In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the Township of Hardyston, the provisions hereof shall be determined to govern.

7. The Township shall publish and publicly post notice of this Ordinance as required by N.J.S.A. 40A:12-13.

8. This Ordinance shall take effect immediately upon final passage and publication according to law.

ATTEST:

TOWNSHIP OF HARDYSTON
COUNTY OF SUSSEX
STATE OF NEW JERSEY

Jane Bakalarczyk, Municipal Clerk

Stanley J. Kula, Mayor

NOTICE

The ordinance published herewith was introduced and passed upon first reading at a meeting of the governing body of the Township of Hardyston, County of Sussex, New Jersey, held on August 26, 2026. It will be further considered for final passage after public hearing thereon, at a meeting of said governing body to be held in the Municipal Building, 149 Wheatsworth Road, Hardyston, New Jersey on September 23, 2026 at 7:00 p.m., or as soon thereafter as said matter can be reached, at which time and place all persons who may be interested therein will be given an opportunity to be heard concerning the same.

Jane Bakalarczyk, RMC/CMC
Municipal Clerk