

CITY OF ENGLEWOOD

ORDINANCE #25-21

AN ORDINANCE AUTHORIZING THE CITY OF ENGLEWOOD TO EXCHANGE CERTAIN REAL PROPERTY FOR OTHER LANDS DESIRED FOR PUBLIC USE PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW, N.J.S.A. 40A:12-16

WHEREAS, N.J.S.A. 40A:12-16 authorizes municipalities to exchange real property owned by the municipality for other lands desired for public use; and

WHEREAS, in order to effect such an exchange, a municipality must adopt an ordinance authorizing same; and

WHEREAS, the Governing Body of the City of Englewood has deemed it desirable to acquire certain real property for public use, currently owned by Shiloh Craftsman Club, Inc. (“Shiloh”) with an address of 173-183 West Forest Avenue, and identified as Block 2207, Lot 10.02 on the Official Tax Map of the City (the “Forest Ave. Property”); and

WHEREAS, in consideration for the acquisition of the Forest Ave. Property, the City will convey real property it owns to Shiloh, with an address of 37 Bennett Road, and identified on the Tax Map of the City as Block 2303, Lot 26 (“Bennett Road Property”), plus payment of One Hundred Sixty-Five Thousand and 00/100 Dollars (\$165,000.00); and

WHEREAS, the City and Shiloh have executed a Letter of Intent dated March 21, 2025, for the said exchange of lands (“Letter of Intent”); and

WHEREAS, the Governing Body believes that it is in the best interest of the City to exchange the lands as aforesaid and that the acquisition of the Forest Ave. Property is desirable for public use.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the City of Englewood, County of Bergen and State of New Jersey, as follows:

1. The terms of the Preamble are incorporated herein by reference as if set forth at length.

2. The City Manager and all appropriate officials, consultants, agents and employees of the City are hereby directed, authorized and empowered to execute all documents, and to take all steps necessary and appropriate to acquire from Shiloh Craftsman Lodge, Inc., the real property located at 173-183 West Forest Avenue, and identified on the Tax Map of the City of Englewood as Block 2207, Lot 10.02, in consideration for the conveyance of City owned lands to Shiloh located at 37 Bennett Road and identified on the Tax Map of the City as Block 2303, Lot 26, plus payment of One Hundred and Sixty Five thousand Dollars (\$165,000.00), consistent or substantially consistent with the terms of the attached Letter of Intent dated March 21, 2025, and in accordance with a Contract of Sale that incorporates all of the terms and conditions of the said Letter of Intent and contains other terms recommended by and acceptable to the City Attorney (the “Contract”).

3. The City hereby confirms its approval of appraisals determining the fair market value of the Bennett Road Property in the amount of Three Hundred and Ninety Five Thousand Dollars (\$395,000.00) and the fair market value of the Forest Ave. Property in the amount of Five hundred Sixty Thousand Dollars (\$560,000.00) as of the date of the adoption of this Ordinance, subject to usual and customary adjustments and as set forth in the Contract which together with the City's payment of \$165,000.00 as aforesaid, makes the cash consideration on account of each of the said properties to be of equal value.

4. The City further confirms that the acquisition of the Forest Ave. Property is more advantageous to the City for public use than the Bennett Road Property and it is in the public interest that such exchange of lands be consummated.

5. This purchase is authorized by the provisions of the Local Lands and Buildings Law, and specifically N.J.S.A. 40A:12-16, which permits a municipality, by ordinance, to exchange any real property it owns for other lands desirable for public use.

6. If any provision or portion of a provision of this ordinance is held to be unconstitutional, preempted by Federal or State law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated and shall remain in full force and effect.

7. All ordinances and parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

8. This Ordinance shall take effect immediately.

ORDINANCE #25-20

**AN ORDINANCE AUTHORIZING THE CITY OF ENGLEWOOD TO EXCHANGE
CERTAIN REAL PROPERTY FOR OTHER LANDS DESIRED FOR PUBLIC USE
PURSUANT TO THE LOCAL LANDS AND BUILDINGS LAW, N.J.S.A. 40A:12-16**

RECORD OF VOTE

FIRST READING DATE: April 1, 2025

COUNCIL	MOTION	VOTE
David		
Rosenzweig		
Tokayer		
Wilson	X	
Wisotsky		

DATE PUBLISHED IN THE RECORD: April 7, 2025

DATES PUBLIC HEARINGS HELD: April 22, 2025

DATE SECOND READING HELD: April 22, 2025

COUNCIL	MOTION	OPEN	MOTION	CLOSE	MOTION	ADOPT
David						
Rosenzweig						
Tokayer						
Wilson						
Wisotsky						

Y=YES

N=OPPOSED

A=ABSTAINED

AB=ABSENT

PRESENTED TO MAYOR:

APPROVED

REJECTED _____ (VETO)

MAYOR MICHAEL WILDES

DATE: _____

I do hereby certify that the foregoing is a true and exact copy of
an Ordinance adopted and approved by the Mayor and
Council of the City of Englewood.

Yancy Wazirmas, RMC
City Clerk