

Mr. Caizza offered the following Resolution and moved its adoption:

R-06-158

**RESOLUTION AUTHORIZING THE ADVERTISING FOR SEALED BIDS
TO LEASE LAND OWNED BY THE BOROUGH OF HIGHLANDS**

WHEREAS, the Block 94, Lots 1 & 16 owned by the Borough of Highlands is not needed for public purposes; and

WHEREAS, it has been determined that the subject premises would be well suited for use for public parking; and

WHEREAS, it is in the best interest of the Borough of Highlands to advertise for this property for lease to the highest bidder for the aforesaid purpose;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Highlands, Country of Monmouth, State of New Jersey, as follows:

1. The above property shall be advertised for lease pursuant to all requirements and procedures set forth in the Local lands and Buildings Law (N.J.S.A. 40A:12-14 et seq.) subject to the following conditions:

- (a) Sealed Bids shall be received by the Borough Clerk on the Monday, October 4, 2006 at 10:00 a.m., at the Council Chambers of the Municipal Building, 171 Bay Avenue, Highlands, NJ, in accordance with procedures to be announced by the Borough Clerk. All bids must be sealed, submitted and clearly marked as: 'BID DOCUMENTS – LAND LEASE 9.27.06'.
- (b) All bids shall be referred to the Governing Body for review and final approval pursuant to *N.J.S.A. 40A:12-1 et seq.* The Borough reserves the right to accept the highest bid or to reject any and all bids submitted in accordance herewith, subject to the "as is" proviso described in (g)O hereof, including the highest bid, and shall make its decision known by resolution within ten (10) days after bids are received. The highest successful bidder shall enter into a lease with the Borough of Highlands within 10 days following the adoption of a resolution approving said lease, or shall be subject to loss of deposit paid herewith.
- (c) Bids shall be received for the property: as is, with no representation that the premises are buildable under any applicable federal, state or local law, ordinance or regulation, including but not limited to environmental or zoning laws, ordinances or regulations.

- (d) Failure to comply with any of the above requirements or to close on or before shall entitle the Borough of Highlands to rescinding prior bid approval, terminate any and all rights of the designated bidder in said property and retain all monies theretofore deposited.
- (e) The lease shall be subject to existing encumbrances, liens, zoning regulations, easements, other restrictions, such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property.

Seconded by Mr. Nolan and adopted on the following roll call vote:

ROLL CALL:

AYES: Mr. Nolan, Mrs. Little, Mr. Caizza, Mr. Urbanski, Mayor O'Neil
NAYES: None
ABSENT: None
ABSTAIN: None

DATE: September 20, 2006

NINA LIGHT FLANNERY
Borough Clerk

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Governing Body of the Borough of Highlands at a meeting held on September 20, 2006.

Clerk/Deputy Clerk.