

**TOWNSHIP OF UPPER
CAPE MAY COUNTY
ORDINANCE**

ORDINANCE NO. 011-2025

**RE: AUTHORIZING THE SALE OF LAND TO WIT, A PORTION OF BLOCK 455,
LOT 29 TO THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION**

WHEREAS, the Township of Upper, County of Cape May, State of New Jersey, is the owner, in fee, of certain real property located within the Township of Upper, County of Cape May, and State of New Jersey, identified on the municipal tax map as Block 455, Lot 29 (the "Property"); and

WHEREAS, the Township has received notice from the New Jersey Department of Transportation ("NJDOT") that it will be acquiring a portion of the Property for the purpose of a planned transportation improvement project known as the Rt 50 Upper Bridge Road to Carl Road project; and

WHEREAS, the Township Committee has determined that it is in the best interests of the Township to authorize the sale of the Property to the NJDOT for the public purpose of facilitating the transportation improvement project; and

WHEREAS, the Township of Upper is authorized under N.J.S.A. 40A:12-13(b) to dispose of real property in accordance with the provisions of the New Jersey Local Land and Buildings Law; and

WHEREAS, the NJDOT has provided an Administrative Determination of Just Compensation, dated October 3, 2025, establishing the fair market value of the Property at the sum of \$2,950.00; and

WHEREAS, the full terms and conditions of the sale have been negotiated and are set forth in an agreement between the Township and the NJDOT.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Upper, County of Cape May, State of New Jersey, as follows:

SECTION 1: AUTHORIZATION OF SALE

The Township Committee hereby authorizes the sale of the Property described as a portion Block 455, Lot 29, to the New Jersey Department of Transportation for the sum of \$2,950.00, in

accordance with the terms and conditions of the agreement between the Township and NJDOT.

SECTION 2: EXECUTION OF DOCUMENTS

The Mayor and Township Clerk are hereby authorized and directed to execute any and all documents necessary to effectuate the sale, including but not limited to a deed of bargain and sale and any other documents required by NJDOT to complete the transaction.

SECTION 3: CONDITIONS OF SALE

The sale shall be subject to all applicable laws, including the review and approval of the sale by the New Jersey Department of Transportation, and any other necessary regulatory approvals.

SECTION 4: EFFECTIVE DATE

This Ordinance shall take effect immediately upon final adoption and publication as required by law.

ATTEST:

JOANNE R. HERRON, Township Clerk

CURTIS T. CORSON, JR., Mayor

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED FOR FIRST READING AT A MEETING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 10TH DAY OF NOVEMBER, 2025 AT THE TOWNSHIP HALL, AND WAS TAKEN UP FOR CONSIDERATION AS TO FINAL ADOPTION AT A PUBLIC HEARING OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UPPER HELD ON THE 8TH DAY OF DECEMBER, 2025 AT 5:30 P.M. AT THE TOWNSHIP HALL, PETERSBURG, NEW JERSEY, AT WHICH TIME SAID ORDINANCE WAS ADOPTED.

JOANNE R. HERRON, TOWNSHIP CLERK
TOWNSHIP OF UPPER

Legislative History:

Introduced: November 10, 2025

Publication: November 18, 2025

Newspaper(s): The Press of Atlantic City

Second Reading and Public Hearing: December 8, 2025

Final Adoption: December 8, 2025

Final Publication Date: December 13, 2025

I certify that the foregoing Ordinance was finally adopted by the Township Committee of the Township of Upper on December 8, 2025 and notice of adoption was thereafter published pursuant to law in the Press of Atlantic City on December 13, 2025.

JOANNE R. HERRON, Township Clerk