

**BOROUGH OF FRANKLIN
ORDINANCE NO. 15-2025**

**AN ORDINANCE OF THE BOROUGH OF FRANKLIN, COUNTY OF SUSSEX,
STATE OF NEW JERSEY AUTHORIZING THE SALE OF CERTAIN NON-
CONFORMING PROPERTY OWNED BY THE TOWNSHIP AND NOT
REQUIRED FOR PUBLIC PURPOSES**

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-13 authorizes the sale by municipalities of any real property, capital improvements or personal property or interests therein, not needed for public use by open public sale at auction to the highest bidder after the required newspaper advertisements; and

WHEREAS, the Borough of Franklin is the owner of certain real property known as (1) 605 Route 23, also known as Block 102, Lot 6, (2) Newton Street Rear, also known as Block 802, Lot 6, and (3) 296 Wildcat Road, also known as Block 2101, Lot 1.

WHEREAS, said properties are not needed for public use, and the Borough Council has determined that it is in the best interest of the Borough to sell the property; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Franklin, County of Sussex, State of New Jersey, that:

1. The properties to be offered for sale by open public sale at auction will go to the highest bidder, pursuant to N.J.S.A. 40A:12-13. Said auction shall be conducted on October 14, 2025 at 7:00 p.m. at the Municipal Building, 46 Main Street, Franklin, New Jersey.

Block	Lot	Address	Description	Minimum Bid
102	6	605 Rt. 23	.122 acres	\$4,300.00

802	6	Newton St. Rear	.146 acres	\$2,750.00
2101	1	296 Wildcat Rd.	.325 acres	\$3,600.00

2. The said properties shall be sold subject to the following terms and conditions:

(a) The sale shall be made at public auction, after legal advertisement of this Ordinance, and shall be to highest bidder.

(b) The Borough does not warrant or certify title to the properties and the acreage set forth is approximate. In no event shall the Borough of Franklin be liable for any damages to the purchaser-successful bidder if title is found unmarketable for any reason and the purchaser-successful bidder waives any and all right in damages or by way of liens against the Borough. The sole remedy shall be the right to receive a refund if a title objection is made prior to closing of the ten percent (10%) deposit paid. It shall be the obligation of the successful purchaser to examine title to said premises prior to the closing. In the event of closing and a later finding of defect of title, the Borough shall not be responsible for same and shall not be required to refund money or correct any defect in title or be held liable for damages.

(c) Acceptance of the highest bid shall constitute a binding agreement of sale and the purchaser shall be deemed to agree to comply with the terms and conditions of the sale herein contained.

(d) The purchaser shall be required to pay upon the acceptance of the purchaser's bid ten percent (10%) of the bid, plus \$450.00 for the Borough's

transaction costs, in cash or check, which shall be put toward the preparation cost of this Ordinance, the Deed of Conveyance, and all charges of sale, including the cost of advertisement, the notice of public sale and all other instruments necessary or required by law at the time of the sale.

(e) A Quit Claim Deed will be delivered at the office of the Borough Clerk on or before thirty (30) days after the date of the auction, at which time and place the balance of the purchase price shall be required to be paid in cash or certified check. The Mayor and Clerk are hereby authorized to execute said Deed.

(f) The Deed of Conveyance will be subject to all matters of record, which may affect title herein, or what an accurate survey may reveal. The Borough of Franklin reserves an easement for all natural or constructed drainage systems, waterways and water easements on the premises, if any, and the continued right of maintenance and flow thereof.

(g) The properties will be sold subject to 2025 taxes, pro-rated from the date of sale.

(h) The governing body does hereby reserve the right to withdraw this offer to sell, or upon completion of the bidding to accept or reject any or all bids for said properties or to waive any informality in relation thereto.

(i) The properties shall only be sold to adjoining landowners. The successful bidder must merge the subject lot with the bidder's adjoining lot by Deed within 90 days of the date of sale.

(j) The properties mentioned herein are sold as-is. The Borough makes no warranty or representation regarding the condition of the property, wetlands

drainage, or subsurface conditions.

Effective Date.

This Ordinance shall take effect upon final passage and publication as provided by law.

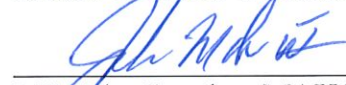
ATTEST:



Colleen L. Little, CLERK

DATED: September 23, 2025

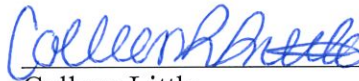
BOROUGH OF FRANKLIN



BY: John Sowden, MAYOR

NOTICE

NOTICE is hereby given that the foregoing Ordinance was introduced to pass on first reading at a regular meeting of the Council of the Borough of Franklin held on September 9, 2025, at 7:00 PM and ordered published in accordance with the law. Said Ordinance will be considered for final reading and adoption at a regular meeting of the Borough Council to be held on September 23, 2025, at 7:00 PM, or as soon thereafter as the Borough Council may hear this Ordinance at the Municipal Building, 46 Main Street, Franklin, New Jersey, at which time all persons interested may appear for or against the passage of said Ordinance.



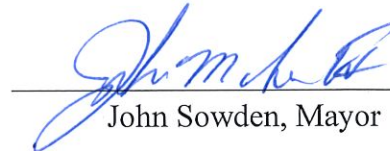
Colleen Little
Borough Clerk

CERTIFICATION

I, Colleen L. Little, Clerk of the Borough of Franklin, do hereby certify that the Borough of Franklin Council duly adopted the foregoing Ordinance on the 23rd day of September, 2025.



Colleen L. Little, Clerk
Borough of Franklin



John Sowden, Mayor

Introduced: September 9, 2025

Adopted: September 23, 2025

**BOROUGH OF FRANKLIN
ORDINANCE 15-2025**

RECORD OF COUNCIL VOTES-FIRST READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES	X					
CONCETTO FORMICA	X					
RACHEL HEATH	X				X	
JOSEPH LIMON	X					
STEPHEN SKELLENGER COUNCIL PRESIDENT	X					X
GILBERT SNYDER	X					
MAYOR SOWDEN, IV (Tie Only)	X					

RECORD OF COUNCIL VOTES-SECOND READING					Move	2nd
COUNCIL MEMBER	AYES	NAYES	ABSTAIN	ABSENT		
PATRICIA CARNES	X					
CONCETTO FORMICA	X					
RACHEL HEATH	X					X
JOSEPH LIMON	X					
STEPHEN SKELLENGER COUNCIL PRESIDENT	X				X	
GILBERT SNYDER	X					
MAYOR SOWDEN, IV (Tie Only)						

**BOROUGH OF FRANKLIN
LEGAL NOTICE**

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NEW JERSEY AUTHORIZING THE SALE OF CERTAIN NON-CONFORMING
PROPERTY OWNED BY THE TOWNSHIP AND NOT REQUIRED FOR PUBLIC
PURPOSES**

NOTICE is hereby given that the above Ordinance was introduced and passed on first reading at a meeting of the Borough Council of the Borough of Franklin, in the County of Sussex, State of New Jersey, held in the Borough Municipal Building, 46 Main Street, Franklin, NJ, on the 9th day of September, 2025, and the same came up for final passage at a meeting of the said Borough Council on the 23rd day of September, 2025, at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Borough according to law by order of the Borough Council of the Borough of Franklin, County of Sussex and State of New Jersey.



Colleen L. Little, Municipal Clerk