

**NOTICE OF SALE
OF SEASIDE PARK BOARD OF EDUCATION PROPERTY**

WHEREAS, the Seaside Park Board of Education is the owner of property located at 107 Third Avenue, Lot 14, Block 26 in the Borough of Seaside Park; and

WHEREAS, it has been determined that said land and building is no longer needed for school purposes; and

WHEREAS, the Seaside Park Board of Education has received approval from the State of New Jersey, Department of Education to dispose of said property; and

WHEREAS, the Seaside Park Board of Education wishes to move forward with the sale in accord with the relevant statutory provisions; and


WHEREAS, the Board hereby states the following:

1. The Seaside Park Board of Education is hereby offering to sell the property located at 107 Third Avenue known as Lot 14, Block 26 in the Borough of Seaside Park to the highest bidder by way of submission of a sealed bid.
2. Bids may be submitted to the Board commencing on Monday, November 13, 2017 between the hours of 9:00 AM to 12:00 Noon at the Seaside Park Elementary School in the Board Office located at 313 S.W. Central Avenue, Seaside Park, NJ. On Friday, November 17, 2017 at 2:00 PM all bids submitted shall be publicly opened and announced.
3. The sale, if not cancelled, shall be awarded to the highest bidder with the Seaside Park Board of Education reserving the right to reject all bids at the Board's meeting on November 20, 2017 commencing at 6:30 PM. All unsuccessful bid submissions shall be returned to the respective bidders and can be picked up at the the offices of Berry, Sahradnik, Kotzas & Benson located at 212 Hooper Avenue, Toms River, NJ on November 21, 2017 between the hours of 9:00 AM and 4:00 PM.

4. Any person bidding on behalf of a corporation must either submit a copy of a Resolution of the corporation or a letter on corporate stationary, signed by an officer of the corporation, authorizing the bidder to bid on the property on the corporation's behalf. A person bidding on behalf of a partnership or using a trade name must submit a copy of its Certificate of Trade Name and a letter of authorization from the other partners.
5. All bidders at the time of sale must present a certified check or money order payable to themselves which will then be endorsed to the Seaside Park Board of Education, if successful, in an amount of 10% of the bid. At the time of the award, the bidder shall execute an Agreement of Sale with the balance of the purchase price being paid at closing which will occur not later than December 20, 2017.
6. The deposit monies shall be held in a non interest bearing account of the firm of Berry, Sahradnik, Kotzas & Benson, attorneys for the Seaside Park Board of Education, until closing of title.
7. The purchaser shall be entitled to possession immediately following closing of title.
8. The Seaside Park Board of Education reserves the right to accept or reject any and all bids at the public sale and to not award the sale to the highest bidder. In the event that the Board is unable to convey clear and marketable title, insurable at regular rates by a title insurance company licensed to do business in the State of New Jersey, the Board will forthwith return to the purchaser any and all deposit monies previously submitted by the purchaser, and neither party shall have any further rights against the other. The acceptance of a Deed by the purchaser from the Board shall extinguish any claims that said purchaser may have against the Board in connection with the quality of title conveyed.

9. The property herein is sold subject to existing encumbrances, liens, easements, zoning ordinances, other restrictions of record and such facts as an accurate survey would reveal and any present or future assessments for the construction of improvements benefiting said property. The Seaside Park Board of Education makes no representations as to the presence or absence of environmental conditions on the property and the purchaser assumes the risk of such a condition as the property is sold in an "as is" and "where is" condition.
10. The Seaside Park Board of Education reserves the right to waive any and all defects and informalities in any proposal and to accept or reject the highest responsive bid deemed to be in the best interest of the Board. No bid shall be considered finally accepted until passage of a Resolution by the Board subsequent to the opening of said bids.
11. The successful bidder shall pay for the cost of any legal, engineering or appraisal fees and services for preparation of the Deed as well as recording fees, the cost of legal advertisement and any other costs relating to the sale of the subject property. The cost of Deed preparation shall be \$250.00.
12. The Deed prepared by the Seaside Park Board of Education shall be a standard form of Bargain and Sale Deed with a covenant against grantor's acts. The successful bidder shall promptly notify the Board attorney in writing of any specific request for designation of grantees in said Deed.
13. The Seaside Park Board of Education does not make any representations as to the existence or non existence of encroachments upon the subject property.
14. This advertisement shall be published in the Asbury Park Press once a week for two consecutive weeks with the last public notice being no earlier than seven (7) days prior to the date set forth for the public sale.

15. In the event that the successful bidder fails to close on the property, he/she shall forfeit the 10% deposit.
16. All prospective purchasers are put on notice that no employee, agent, officer, body or subordinate body of the Seaside Park Board of Education has the authority to waive, modify or amend any of the terms and conditions of the public sale and of this notice.
17. The Seaside Park Board of Education shall make available to the public an inspection of the property on Thursday, November 9, 2017 between the hours of 10:00 AM and 12:00 PM.
18. It is understood that the cupola and gazebo that are currently located on the property shall be removed and are not a part of this sale.



Barry J. Parlman, Business Administrator
Board of Education, Borough of Seaside Park