SENATE, No. 158

STATE OF NEW JERSEY

INTRODUCED MARCH 6, 1950

By Mr. WALLACE

Referred to Committee on Counties and Municipalities

AN ACT concerning the sale or other disposition of land, not needed for public use, owned by any county, and amending section 40:32-8 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 40:32-8 of the Revised Statutes is amended to read as follows:

40:32-8. The board of chosen freeholders may sell or dispose of any real estate or right or interest therein not needed for public use. All sales or disposition, except as hereinafter in this article provided, shall be by public sale to the highest bidder, after public advertisement at least once a week for four weeks prior to the sale, in a newspaper circulating in the county. The board of chosen freeholders may also impose any restrictions on the use to be made of such land and any conditions of sale as to buildings or structures to be erected thereon, or as to the type, size, or other specifications of such buildings or structures, or as to demolition, repair, or reconstruction of buildings or structures, and the time within which such conditions shall commence or be concluded, or any other conditions of sale in the manner and to the same extent as any other vendor of real estate; *provided, however*, that any restrictions on the use to be made of the land and the condi-

tions of sale shall be set forth at length in any advertisement of sale herein-
above required.

2. This act shall take effect immediately.

le herein-

[OFFICIAL COPY REPRINT]

SENATE, No. 158

STATE OF NEW JERSEY

INTRODUCED MARCH 6, 1950

By Mr. WALLACE

Referred to Committee on Counties and Municipalities

AN ACT concerning the sale or other disposition of land, not needed for public use, owned by any county, and amending section 40:32–8 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Section 40:32–8 of the Revised Statutes is amended to read as follows:

40:32–8. The board of chosen freeholders may sell or dispose of any real estate or right or interest therein not needed for public use. All sales or disposition, except as hereinafter in this article provided, shall be by public sale to the highest bidder, after public advertisement at least once a week for four weeks prior to the sale, in a newspaper circulating in the county.

The board of chosen freeholders may also impose any restrictions on the use to be made of such land and any conditions of sale as to buildings or structures to be erected thereon, or as to the type, size, or other specifications of such buildings or structures, or as to demolition, repair, or reconstruction of buildings or structures, and the time within which such conditions shall commence or be concluded, or any other conditions of sale in the manner and to the same extent as any other vendor of real estate; *provided, however,* that any restrictions on the use to be made of the land and the conditions of sale shall be set forth at length in any advertisement of sale herein above required.

2. This act shall take effect immediately.

48–*703. Portion of building may be rented. 703. In case any portion of any building owned by any county is not presently needed for the use of the county, the board of chosen freeholders may rent such portion for private purposes to the person or persons who will pay the highest rent therefor, for any use not detrimental to such building or to the use of the remainder thereof by the public or said county. (L. 1918, c. 185, p. 581.)

48–*704. Acquisition of land, waters, etc.—right of entry after acquisition. 704. Every board of chosen freeholders shall have power to acquire by purchase, gift or condemnation any lands, easements, waters, water rights or property, or any real estate or interest therein within the county limits, which it may deem necessary or useful for the proper exercise of any power expressly or impliedly conferred upon it; provided, this section shall not repeal any provision requiring the consent of any municipal corporation or any State authority for the acquirement of any such lands, easements, waters, water rights or property or real estate or interest therein.

The board of chosen freeholders proposing to acquire any lands, easements, waters or water rights or property or interest therein, may enter upon such lands or waters and make such examinations, explorations and measurements as may be necessary and proper, doing thereby as little damage as possible, and being responsible to the owner or owners thereof for any such damage. (L. 1918, c. 185, p. 581.)

48–*705. Disposition of property not needed. 705. Every board of chosen freeholders may sell or dispose of any lands or buildings or any right or interest therein not needed for public use. Any lands owned by a county and which are or shall become unsuited or inconvenient for the use for which they were acquired, may be devoted to any other public use, except as may now be prohibited by statute. (L. 1918, c. 185, p. 581.)

48–*706. May acquire certain rights. 706. Any board of chosen freeholders in possession of any land, may acquire by purchase, gift or condemnation any outstanding right, title or interest or easement therein. (L. 1918, c. 185, p. 582.)

48–*707. Sale of property. 707. No land, or right or interest therein, shall be sold by any county, except at public sale and to the highest bidder, after public advertisement at least once a week for four weeks prior to such sale, in a newspaper circulating in the county. (L. 1918, c. 185, p. 582.)

48–*708. Municipal use of county buildings. 708. Any board of chosen freeholders may permit any municipality of the county to use, for municipal purposes, any portion of any county building. The terms upon which any such municipality may use such building shall be agreed upon by the said board of chosen freeholders and the governing body of the municipality. (L. 1918, c. 185, p. 582.)

48–*709. Joint purchase and erection of buildings by county and municipality. 709. Any board of chosen freeholders and the governing body of any municipality may contract for the purpose of acquiring land and for the erection thereon of a building or buildings for joint county and municipal use, and to agree as to the proper division of the expense thereof. The title to such land may be taken in the joint names of the county and the municipality, each holding such undivided part of

Generated on 2016-02-17 19:43 GMT / http://hdl.handle.net/2027/mdp.35112204571311
Public Domain, Google-digitized / http://www.hathitrust.org/access_use#pd-google
Digitized by Google
Original from UNIVERSITY OF MICHIGAN

or interest therein not needed for public use. Any lands owned by a county and which are or shall become unsuited or inconvenient for the use for which they were acquired, may be devoted to any other public use, except as may now be prohibited by statute.

May acquire certain rights.

706. Any board of chosen freeholders in possession of any land, may acquire by purchase, gift or condemnation any outstanding right, title or interest or easement therein.

Sale of property.

707. No land, or right or interest therein, shall be sold by any county, except at public sale and to the highest bidder, after public advertisement at least once a week for four weeks prior to such sale, in a newspaper circulating in the county.

Municipal use of county buildings.

708. Any board of chosen freeholders may permit any municipality of the county to use, for municipal purposes, any portion of any county building. The terms upon which any such municipality may use such building shall be agreed upon by the said board of chosen freeholders and the governing body of the municipality.

Joint purchase and erection of buildings by county and municipality.

709. Any board of chosen freeholders and the governing body of any municipality may contract for the purpose of acquiring land and for the erection thereon of a building or buildings for joint county and municipal use, and to agree as to the proper division of the expense thereof. The title to such land may be taken in the joint names of the county and the municipality, each holding such undivided part of the title to such land and building or buildings as may be agreed upon.

May lease property.

710. Where any board of chosen freeholders is empowered to acquire lands or real estate, or to erect or construct any building for any purpose, such board shall have power to lease or hire any lands or real estate, building or buildings, suitable for such purpose.