

**O-16-21  
04/20/16**

**AN ORDINANCE**

**AUTHORIZING THE DISABLED AMERICAN VETERANS CHAPTER #5 TO CONVEY BY WAY OF DEED OWNERSHIP OF BLOCK 318, LOT 25 (ALSO KNOWN AS 14-16 WEST 7<sup>TH</sup> STREET), BAYONNE, NEW JERSEY TO THE DISABLED AMERICAN VETERANS, CHAPTER #5 AND THE VIETNAM VETERANS OF AMERICA, INC., CHAPTER 151, PURSUANT TO N.J.S.A. 40A: 12-21.**

**WHEREAS**, on February 20, 1956, the City of Bayonne conveyed by deed the former lots 20 and 20 ½ in former Block 469 (now known as Block 318, Lot 25), also known as 14-16 West 7<sup>th</sup> Street, Bayonne, New Jersey to the Disable American Veterans, Chapter #5; and

**WHEREAS**, the Disabled American Veterans, Chapter #5 is part of a nationally chartered and distinguished organization of disabled veterans of war; and

**WHEREAS**, the aforesaid deed contains a clause which states, “The above described premises shall be used only for the corporate purposes of the grantee organization.”; and

**WHEREAS**, the aforesaid deed also contains a clause which states, “Upon cessation of such use the property shall thereupon revert to the City of Bayonne.”; and

**WHEREAS**, pursuant to N.J.S.A. 40A12-21, private sales to nationally chartered organizations or associations of veterans of any war may be made by the City of Bayonne as long as the lands and buildings revert to the ownership of the City of Bayonne if the lands and buildings fail to be used for the purposes of the aforesaid organizations or associations; and

**WHEREAS**, the Disabled American Veterans, Chapter #5 is desirous of conveying, by way of deed, joint ownership of the aforesaid property to themselves and the Vietnam Veterans of America, Inc., Chapter 151; and

**WHEREAS**, the Vietnam Veterans of America, Inc., Chapter 151, is part of a nationally chartered and distinguished organization of veterans of the Vietnam War; and

**WHEREAS**, the Disabled American Veterans, Chapter #5 desires to confirm that the aforesaid transfer shall not violate the terms of the deed and shall not cause a reversion of the ownership of the aforesaid lands and buildings to the City of Bayonne; now, therefore, be it

**ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF BAYONNE AS FOLLOWS:**

**Section 1.** That the City of Bayonne hereby authorizes the Disabled American Veterans, Chapter #5 to execute a deed of conveyance from the Disabled American Veterans, Chapter #5 and to the Vietnam Veterans of America, Inc., Chapter 151 to jointly own and use the aforesaid property for the purposes of the aforesaid organizations.

**Section 2.** That this conveyance shall not cause a reverter of the ownership of the aforesaid lands and buildings to the City of Bayonne.

**Section 3.** This authorization is conditioned upon the deed containing the following limitation:  
“That the lands and buildings shall be used only for the purposes of the Disabled American Veterans, Chapter #5 and the Vietnam Veterans of America, Inc., Chapter 151 and not for commercial business, trade or manufacture, and if said lands and buildings are not used in accordance with this limitation, the title for the property, lands and buildings shall revert to the City of Bayonne without the need for entry or reentry by the City of Bayonne.

**Section 4.** That the conveyance and transfer shall take place on or before June 1, 2016.

JFC/jc