



Legislation Details (With Text)

**File #:** 19-1042      **Version:** 1      **Name:** In-Rem Tax Foreclosure  
**Type:** Resolution      **Status:** Adopted  
**File created:** 6/21/2019      **In control:** Finance  
**On agenda:** 8/7/2019      **Final action:** 8/7/2019

**Title:** Dept/ Agency: Finance  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: In-Rem Tax Foreclosure of 159 Properties  
List of Property:  
(Address/Block/Lot/Ward)  
Please see attached  
Additional Information:

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
8/7/2019	1	Municipal Council	Adopt	Pass

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**Purpose:** In-Rem Tax Foreclosure of 159 Properties  
**List of Property:**  
**(Address/Block/Lot/Ward)**  
Please see attached  
**Additional Information:**

**WHEREAS**, the City of Newark is currently holding Tax Sale certificates relating to 265 properties that represent the 2019 Tax Foreclosure List (Exhibit A); and

**WHEREAS**, in accordance with the In-Rem Foreclosure Act (1948), N.J.S.A. 54:5-104.29 et seq., and the laws amendatory and supplementary thereto for the eligible tax sale certificates, the City of Newark wishes to commence with In-Rem Foreclosure proceedings.

**NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE CITY OF NEWARK, NEW JERSEY, THAT:**

1. The City of Newark shall commence with In-Rem Foreclosure proceedings, in accordance with the In-Rem Tax Foreclosure Act (1948), N.J.S.A. 54:5-104.29 et seq., and the laws amendatory and supplementary thereto, and pursuant to the rules governing Civil Practice in the Courts of the State of New Jersey for eligible tax sale certificates held by it, and the relating property, as listed on the 2019 Tax Foreclosure List (Exhibit A) appended hereto and made a part hereof. In the event that there are Federal Liens on the property, the City may Foreclose In-Personam with a Sheriff's Sale to remove any Federal Liens.

2. The Tax Collector is the custodian of the Tax Foreclosure list, and shall perform the work required of the Tax Office. The Law Department shall perform all legal processes that are necessary to foreclose the tax sale certificates for the 159 properties identified on the 2019 Tax Foreclosure List (Exhibit A) which will be certified to by the Tax Collector.
3. The amount to redeem, as shown, does not include the 2019 2nd half billing. The interest shown is calculated to December 31, 2019. Therefore, upon redemption, the amount to redeem will be adjusted accordingly to the date of redemption along with all fees and costs authorized by New Jersey State Statutes, Court Rules and Regulations.
4. The Corporation Counsel, and/or his designee, with the written consent of the Tax Collector, and/or his authorized designee, shall enter into consent orders or stipulations of dismissals where it is found that the actions were instituted erroneously or upon redemption, and the Tax Collector or his authorized designee, is authorized to remove accounts for administrative reasons.
5. The amount due as shown on the attached Exhibit A does not include any other municipal charge that may be due. Any delinquent water and sewer charges, or other outstanding municipal charges shall be collected at the time of redemption.
6. Upon redemption, the fees and costs incurred by the City of Newark as permitted by Law shall be collected as follows:
  - a. Eight Hundred Dollars and Zero Cents (\$800.00) will be assessed upon adoption of this resolution and collected upon redemption BEFORE Final Judgment is entered;
  - b. An additional One Thousand Three Hundred Dollars and Zero Cents (\$1,300.00) will be assessed if redemption occurs AFTER Final Judgment is entered.

### **STATEMENT**

This Resolution authorizes the In-Rem Tax Foreclosure of 159 Tax Sale Certificates and related properties on the 2019 Tax Foreclosure List (Exhibit A).