



Legislation Details (With Text)

**File #:** 22-0719      **Version:** 1      **Name:** Resolution: In Rem Re-Foreclosure of Properties  
**Type:** Resolution      **Status:** Adopted  
**File created:** 5/12/2022      **In control:** Economic and Housing Development  
**On agenda:** 6/21/2022      **Final action:** 7/13/2022

**Title:** Dept./ Agency: Economic and Housing Development  
Action: ( ) Ratifying (X) Authorizing ( ) Amending  
Purpose: In Rem Re-Foreclosure of various properties.  
List of Property:  
(Address/Block/Lot/Ward)  
Please see attachment Exhibit A.  
Additional Information:  
Resolution authorizing the Corporation Counsel to re-foreclose thirty-two (32) properties identified on Exhibit A list, by Summary Proceedings, In Rem as provided by In Rem Tax Foreclosure Act (1948). N.J.S.A. 54:5-104.72, 73.  
  
Deferred 7R2-h (s/as) 062122

**Sponsors:** Council of the Whole

**Indexes:**

**Code sections:**

Date	Ver.	Action By	Action	Result
7/13/2022	1	Municipal Council	Adopt	Pass
6/21/2022	1	Municipal Council	Defer	Pass

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**Deferred 7R2-h (s/as) 062122**

**WHEREAS,** the City of Newark (the “City”) is desirous of re-foreclosing several tax sale certificates it held in various In Rem Proceedings; and

**WHEREAS,** the City initiated various In Rem Complaints and obtained Final Judgements foreclosing on the land and or premise situated in the City of Newark as shown on the Tax Re-foreclosure List annexed hereto and made a part hereof; and

**WHEREAS,** pursuant to N.J.S.A. 54:5-104.29 to N.J.S.A. 54:5-104.71, as amended, and

pursuant to N.J.S.A. 54:5-104.72, the City has determined to re-foreclose In Rem, for the purpose of correcting and overcoming any irregularities in the prior foreclosure proceedings, the Tax Sale Certificates particularly mentioned and described in the Tax Re-foreclosure list annexed hereto and made a part thereof.

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

1. It is hereby determined that the City of Newark is authorized to re-foreclose by summary proceedings, In Rem, as provided by In Rem Tax Foreclosure Act (1948), N.J.S.A. 54:5-104.72, et seq., and the law amendatory thereof and supplementary thereto, properties owned by it, in order to fulfill the notice provision as required by Menonite Board of Missions v. Richard C. Adams, 462 U.S. 791 (1983), and to obtain marketable title for the sale of same.
2. The Corporation Counsel is hereby delegated and authorized to re-foreclose thirty-two (32) properties set forth on the attached Exhibit A, by summary proceedings, In Rem, as provided by In Rem Tax Foreclosure Act (1948), N.J.S.A. 54:5-104.72, 73.
3. It is further determined that the Corporation Counsel shall have the authority to change the schedule/claim numbers on the attached Exhibit A, if necessary, prior to the filing of the In Rem Tax Foreclosure Complaint.

**STATEMENT**

This Resolution authorizes the City's Corporation Counsel to re-foreclose on thirty-two (32) properties, identified in Exhibit A attached, by summary proceedings, In Rem, as provided by the In Rem Tax Foreclosure Act of 1948, N.J.S.A. 54:5-104.72, 73.