Legislation Details (With Text)

File #:	18-0996	**Version:**	1	**Name:**	Resolution authorizing In-Rem Floreclosure for 2018
Type:	Resolution			**Status:**	Adopted
File created:	6/19/2018			**In control:**	Finance
On agenda:	8/8/2018			**Final action:**	8/8/2018
Title:	Dept/ Agency: Finance Action: ( ) Ratifying (X) Authorizing ( ) Amending Purpose: Authorizing the Foreclosure of 297 properties List of Property: (Address/Block/Lot/Ward) See Exhibit A (attached) Additional Information: Resolution authorizes the In-rem Tax Foreclosure of 297 Tax Sale Certificates and related properties on the 2018 Tax Foreclosure List (Exhibit A)				
Sponsors:	Council of the Whole				
Indexes:					
Code sections:					

Date	Ver.	Action By	Action	Result
8/8/2018	1	Municipal Council	Adopt	Pass

Dept/ Agency: Finance
Action: ( ) Ratifying (X) Authorizing ( ) Amending
Purpose: Authorizing the Foreclosure of 297 properties
List of Property:
(Address/Block/Lot/Ward)
See Exhibit A (attached)
Additional Information:
Resolution authorizes the In-rem Tax Foreclosure of 297 Tax Sale Certificates and related properties on the 2018 Tax Foreclosure List (Exhibit A)

WHEREAS, the City of Newark is currently holding tax sale certificates relating to 297 properties that represent the 2018 Tax Foreclosure List (Exhibit A); and

WHEREAS, in accordance with the In-Rem Tax Foreclosure Act (1948), N.J.S.A. 54:5-104 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 2018 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 shall perform all work necessary to allow the City to foreclose the Tax Sale Certificates for the 297 properties identified on the 2018 Tax Foreclosure List (Exhibit A) and certified to by the Tax Collector, and the redeeming party shall pay the statutory amount to redeem including all allowable fees and costs authorized by the Statute, Court Rules, and Regulations.

3. The amount to redeem does not include the 2018 2nd half billing, and the interest is calculated to December 31, 2017, therefore, upon redemption, the amount to redeem will be adjusted accordingly to the date of redemption.

4. The Corporation Counsel and/or his designee, with the written consent of the Tax Collector who is the Custodian of the tax foreclosure data, shall have authority to enter into Consent Orders or Stipulations of Dismissal where it is found that the actions were instituted erroneously or the tax sale certificates were redeemed.

5. 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 charged if redemption occurs prior to Final Judgment being entered, or

   b. One Thousand Three Hundred Dollars and Zero Cents ($1,300.00) will be charged if redemption occurs after Final Judgment has been entered.

STATEMENT

This Resolution authorizes the In-rem Tax Foreclosure of 297 Tax Sale Certificates and related properties on the 2018 Tax Foreclosure List (Exhibit A).