



Legislation Details (With Text)

File #: 19-0608 **Version:** 1 **Name:** Re-Foreclosure 2019
Type: Resolution **Status:** Adopted
File created: 4/4/2019 **In control:** Economic and Housing Development
On agenda: 7/23/2019 **Final action:** 7/23/2019
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 attached Exhibit A
Additional Information:
Resolution authorizing the Corporation Counsel to re-foreclose twenty (20) properties, identified on attached 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.
Sponsors: Council of the Whole

Indexes:

Code sections:

Date	Ver.	Action By	Action	Result
7/23/2019	1	Municipal Council	Adopt	Pass

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

WHEREAS, the City of Newark 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 Mennonite Board of Missions v. Richard C. Adams, 462 U.S. 791, and to obtain marketable title for the sale of same.
2. The Corporation Counsel is hereby delegated and authorized to re-foreclose twenty (20) 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

The purpose of this resolution is to authorize the City of Newark's Corporation Counsel to re-foreclose on twenty (20) 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.