

RESOLUTION

WHEREAS, JAMES K. & BETH A. GREENBERG are the owners of the real property and dwelling house at 9 Elm Court Way (Block 101.02, Lot 4); and

WHEREAS, the subject property was formerly assessed as follows:

LAND:	\$ 71,000.00
BLDG.:	<u>\$279,300.00</u>
	\$350,300.00

and

WHEREAS, on April 16, 2010, the Tax Court of New Jersey entered Judgment reducing the assessment on the subject to \$265,000.00 (Land - \$71,000.00, Bldg.- \$194,000); and

WHEREAS, the assessment on the subject property should have been changed to \$265,000.00 for tax year 2010 in order to reflect the Judgment entered on April 16, 2010 and to also comply with the "Freeze Act"; and

WHEREAS, because of the aforesaid error the property owners overpaid the 2010 real property taxes which were erroneously calculated on an erroneous assessment of \$350,300.00; and

WHEREAS, legal counsel has advised that any overpaid 2010 real property taxes should be refunded to the property owner; and

WHEREAS, the Council believes it would be in the best interest of the Township to refund any overpaid taxes; and

WHEREAS, the Tax Collector has advised that there should be refunded to the property owners the sum of \$10,074.50 representing all overpaid real property taxes for 2010.

NOW THEREFORE BE IT RESOLVED that:

1. JAMES K. & BETH A. GREENBERG be refunded the sum of \$10,074.50 which represents all overpaid 2010 real property taxes.
2. The Tax Collector & Tax Assessor be and they are authorized to adjust their records accordingly.

Karen J. Carnevale, Municipal Clerk

Sal M. Anderton, Council President

Adopted: May 17, 2011