

RESOLUTION

**RESOLUTION OF THE TOWNSHIP OF WEST ORANGE AUTHORIZING
APPLICATION FOR FINAL JUDGMENT IN PENDING IN REM TAX FORECLOSURE
ACTION**

WHEREAS, the Township Council for the Township of West Orange (the "Township") adopted Resolution Number 105-16 authorizing the commencement of an in rem tax foreclosure on the properties located at 18 Central Avenue and 4 Tompkins Street (the "Properties"); and

WHEREAS, the Township filed a Verified Complaint with the Foreclosure Unit of the Superior Court of New Jersey in the matter captioned: Township of West Orange v. 4 Tompkins Street; 18 Central Avenue, Docket No. F-011876-16 on April 21, 2016; and

WHEREAS, the Township published notice of the in rem tax foreclosure in the West Orange Chronicle on May 5, 2016; and

WHEREAS, the deadline to file any Answer or opposition to the foreclosure was due on or before June 20, 2016 (the "Answer Deadline"); and

WHEREAS, the Answer Deadline passed without any opposition filed; and

WHEREAS, on June 21, 2016, the Township filed with the Foreclosure Unit a request for entry of default; and

WHEREAS, the final step in the in rem tax foreclosure proceeding is an application for final judgment transferring title in the Properties to the Township; and

WHEREAS, N.J.S.A. 58:10-23.11 of the Spill Compensation and Control Act provides any federal, State, or local government entity immunity for any discharge of hazardous substances which occurred prior to the entity's acquisition of a particular property through bankruptcy, tax delinquency, abandonment, escheat, eminent domain, condemnation or any proceeding where the government entity acquires the title involuntarily; and

WHEREAS, the Township is in the process of applying for funds from the New Jersey Department of Environmental Protection to remediate possible contamination on the Properties; and

WHEREAS, the Properties are beneficial as part of a potential redevelopment or other disposition in the Central Valley Corridor; and

NOW THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF WEST ORANGE, ESSEX COUNTY AND STATE OF NEW JERSEY that the governing body of the Township of West Orange, authorizes the filing of an application for Final Judgment in the in rem tax foreclosure captioned: Township of West Orange v. 4 Tompkins Street, 18 Central Avenue, Docket No. F-011876-16 whereby the Township will become the owner of the Properties.

Karen Carnevale, R.M.C.
Township Clerk

Victor Cirilo
Council President

Adopted: June 28, 2016