

RESOLUTION NO. 2023-165

RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, APPROVING CHARGES FOR THE DEMOLITION OF 50 W. RARITAN DRIVE, PURSUANT TO CHAPTER 148 AND AUTHORIZING SAID CHARGE TO BECOME A LIEN AND TO BE ADDED TO AND BECOME A PART OF THE TAXES TO BE ASSESSED AND LEVIED ON SAID PROPERTY

WHEREAS, Chapter 148 of the Little Egg Harbor Township Code provides for the repair, closing and demolition of structures within the Township which are unsafe and unfit for human habitation; and

WHEREAS, in accordance with the terms of N.J.S.A. 40:48-2.4 et seq. and Chapter 148 of the Township Code, the Township provided notice and opportunity to the property owner of a hearing regarding the condition of the building and premise at 50 W. Raritan Drive, determined said building was unfit for human habitation, occupancy or use and issued an order setting forth the reasons for the decision and requiring the repair, alteration or improvement of said building or ordering its demolition if left in a state of disrepair; and

WHEREAS, said owner failed to comply with the order to repair or demolish; and

WHEREAS, the Township filed a Verified Complaint in Superior Court of New Jersey, Chancery Division, Ocean County, Docket No. OCN-C-26-21 and the Honorable Francis R. Hodgson, Jr., P.J.Ch. executed an Order that the Township should act to abate the nuisance and that any and all funds expended to abate the nuisance shall become a Municipal Lien against the Defendant's real property; and

WHEREAS, the building was demolished by the Township pursuant to said Court Order, hereto attached as Schedule A; and

rmshc

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WHEREAS, it is the desire of the Township to place liens against the property, to provide reimbursement to the Township for the costs of demolition as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Little Egg Harbor, County of Ocean, State of New Jersey as follows:

1. That the following charge has been found to be correct and the cost as shown shall be charged against such property:

Block 325.100, Lot 28	50 W. Raritan Drive	\$27,300.00
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The amount so charged shall forthwith become a lien upon such land and shall be added to and become a part of the taxes next to be assessed and levied upon such lands, the same to bear interest at the same rate as taxes and shall be collected and enforced by the Township of Little Egg Harbor Tax Collector.

2. That the Township Clerk is hereby authorized and directed to file a statement of the amount due the Township for the cost of demolition, along with a copy of this Resolution, with the Tax Collector of the Township of Little Egg Harbor.

3. That the Tax Collector shall file, by registered mail, with the owners of said property and parties in interest a copy of the municipal lien certificate.

CERTIFICATION

I, KELLY LETTERA, RMC, Municipal Clerk of the Township of Little Egg Harbor do hereby certify that the foregoing resolution was duly adopted by the Township of Little Egg Harbor Township Committee at a meeting held on this **11th** day of **May, 2023**.



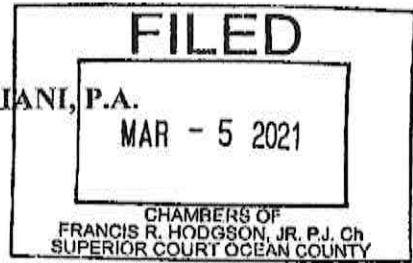
KELLY LETTERA, RMC
Township Clerk
Little Egg Harbor Township

r|m|s|h|c

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Attorneys for **Plaintiff, Township of Little Egg Harbor**

TOWNSHIP OF LITTLE EGG HARBOR, : SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION, OCEAN COUNTY

Plaintiff,

: DOCKET NO. OCN-C- *26-21*

v.

: CIVIL ACTION

**ROCHELLE SHOAP, JOHN AND JANE
DOES 1-10, ABC LLC'S 1-10, DEF
PARTNERSHIPS 1-10, GHI GENERAL
PARTNERSHIPS 1-10, JKL LIMITED
LIABILITY PARTNERSHIPS 1-10, MNO
LIMITED LIABILITY LIMITED
PARTNERSHIPS 1-10, AND XYZ CORPS
1-10,**

ORDER

Defendants.

THIS MATTER being brought before the Court by Michael S. Nagurka, Esq. on behalf of the law firm of Rothstein, Mandell, Strohm, Halm & Cipriani, P.A., attorney for plaintiff, Township of Little Egg Harbor, seeking relief by way of summary action pursuant to N.J. Ct. R. 4:67- 1(a). Based upon the facts set forth in the verified complaint filed herewith and the Court having determined that this matter may be commenced by order to show cause as a summary proceeding pursuant to N.J. Ct. R. 4:52 and the court having established a return date of *March 5, 2021* and having reviewed such evidence and heard such testimony as deemed necessary and appropriate.

IT IS ON THIS 5 day of March, 2021;

r|m|s|h|c

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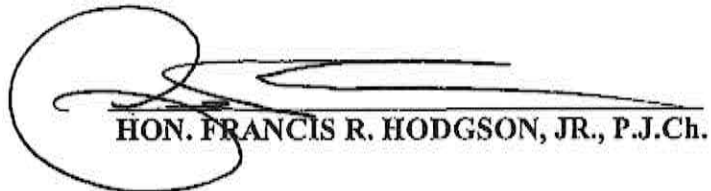
ORDERED that the court finds the Defendant's property is a continuing public nuisance and is a danger to the health safety and welfare of the members of the Township of Little Egg Harbor and must be immediately abated; and it is further

ORDERED that the Plaintiff is hereby granted access on and over the Defendant's property, located at 50 W. Raritan Drive in Little Egg Harbor Township, New Jersey, for the purpose of demolishing the structure to cure and abate the public nuisance; and it is further

ORDERED that the Plaintiff shall cure and abate the condition at the Defendant's property between the hours of 9:00 am and 4:00 p.m. on any weekday, Monday through Friday after first having served this order on the Defendants; and it is further

ORDERED that Pursuant to 40:48-2.12(f) the Township is acting as set forth in the Verified Complaint to expend public funds to abate the nuisance on the Defendant's property. Upon the completion of such action / abatement by the Plaintiff any and all funds expended by the Plaintiff to abate the nuisance shall become a Municipal Lien against the Defendant's real property; and it is further

ORDERED that copies of this Order be served upon all parties within seven (7) days of the date herein.


HON. FRANCIS R. HODGSON, JR., P.J.Ch.

FOR THE REASONS
EXPRESSED ON THE RECORD

3/5/2021

r|m|s|h|c
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