

54:5-25.1 to 54:5-25.4

LEGISLATIVE HISTORY CHECKLIST

RUSA 54:5-25.1 to 54:5-25.4 (Priority right of purchase to owners of contiguous property in tax sale).

LAWS OF 1977 CHAPTER 410

Bill No. A3042

Sponsor(s) Chinnici and others

Date Introduced January 31, 1977

Committee: Assembly Municipal Gov't

Senate County & Municipal Gov't

Amended during passage Yes No

Date of Passage: Assembly July 11, 1977

Senate Jan. 5, 1978

Date of approval Feb. 23, 1978

Following statements are attached if available:

Sponsor statement Yes No (Below)

Committee Statement: Assembly Yes No

Senate Yes No

Fiscal Note Yes No

Veto Message Yes No

Message on signing Yes No

Following were printed:

Reports Yes No

Hearings Yes No

Sponsor's Statement:

This bill gives the owners of real property contiguous to property offered at tax sales the priority right of purchase if the lot is less than the minimum size prescribed by the municipal ordinance. It also requires that the tax collector notify the public and the owners of such property of these rights.

2/1/78

M.S.

1/B

ASSEMBLY, No. 3042

STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1977

By Assemblymen CHINNICI, ORECHIO, STEWART, GORMAN  
and HURLEY

Referred to Committee on Municipal Government

AN ACT concerning sales of real property to enforce tax liens in certain cases and supplementing chapter 5 of Title 54 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. When a municipality determines to offer for sale to enforce  
2 a tax lien a parcel of unimproved real property which is less than  
3 the minimum lot size prescribed by municipal ordinance, the owner  
4 or owners of real property contiguous to the parcel being offered  
5 for sale shall be accorded a priority right to purchase the parcel  
6 in accordance with the provisions of this act.

1 2. At least 1 month prior to the date fixed for the sale a notice  
2 shall be sent by certified mail, to those entitled thereto under  
3 section 1, containing: the date, time and place fixed for the sale,  
4 a description or identification of the parcel as shown on the  
5 delinquent tax list, the amount due the municipality, and of the  
6 procedure to be followed if the owner of adjacent property desires  
7 to exercise a priority right to purchase the property at the public  
8 sale.

1 3. If at the time of the sale only one adjacent owner has indicated  
2 a desire to purchase the parcel and he tenders the amount due the  
3 municipality the parcel shall be sold to him. If more than one  
4 adjacent property owner has indicated a desire to purchase the  
5 parcel, the parcel shall be sold at public auction to the highest  
6 bidder among the adjacent owners bidding, in accordance with and  
7 subject to the terms and conditions of the Tax Sale Law (R. S.  
8 54:5-1 et seq.).

1 4. Notices of the sale of a parcel as described in section 1 shall  
2 contain, in addition to the information required under R. S. 54:5-25  
3 a statement to the fact that the sale is subject to the priority right  
4 of purchase by adjacent property owners.

1 5. This act shall take effect immediately.

**STATEMENT**

This bill gives the owners of real property contiguous to property offered at tax sales the priority right of purchase if the lot is less than the minimum size prescribed by the municipal ordinance. It also requires that the tax collector notify the public and the owners of such property of these rights.

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 3042**

**STATE OF NEW JERSEY**

DATED: JUNE 27, 1977

Assembly Bill No. 3042 would give owners of property contiguous to lots offered at tax sales the priority right of purchase if:

1. The property offered for sale is unimproved, and
2. The property offered for sale is less than the prescribed minimum lot size.

The bill further provides that the municipality notify, by certified mail, at least one month in advance, all contiguous property owners of the sale, providing a description of the property, the amount due the municipality and the procedure to be followed to purchase same.

If only one such property owner indicates an interest and provides the amount due the municipality, the bill requires that the lot be sold to him. If two or more such property owners indicate interest, the bill prescribes that the parcel be sold at public auction to the highest bidder from among the adjacent owners.

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO  
**ASSEMBLY, No. 3042**

—◆—  
**STATE OF NEW JERSEY**  
—◆—

DATED: DECEMBER 15, 1977

The sponsor's statement adequately sets forth the objectives of the bill.

The provisions of this bill concerning odd-size lots in tax lien situations are roughly similar to those governing the purchase of title to odd-size lots pursuant to section 2 of P. L. 1975, c. 73 (C. 40A:12-13.2). Under current law, tax sales of real property are subject to the right of redemption (see R. S. 54:5-32).