

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 08-67

**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT REGARDING
BLOCK 10, LOT 2, 239 SPRING STREET, RED BANK, NEW JERSEY**

Mr. DuPont offered the following resolution and moved its adoption:

WHEREAS, the plaintiff, Greentree Apartments at Red Bank, owners of 239 Spring Street, appealed to the Tax Court of the State of New Jersey under Docket Nos. 665-06 and 3473-07 pertaining to tax assessments for the year 2006 and 2007 on property designated on the municipal tax records as Block 10, Lot 2 and commonly known as 239 Spring Street, Red Bank, New Jersey; and

WHEREAS, the Assessor and the Attorney have advised the Governing Body that they, along with the Borough's valuation expert, have carefully considered the appeal and upon reviewing all the facts and based upon appropriate adjustments of fair market value that they recommend settlement providing for the settlement of the 2006 and 2007 appeals as follows:

	Original Assessment	County Board Judgment	Requested Tax Court Judgment
<u>Tax Year 2006</u>			
Land	\$1,200,000.00	N/A - Direct Appeal	\$1,200,000.00
Improvements	<u>\$3,119,200.00</u>	"	<u>\$2,330,800.00</u>
Total	\$4,319,200.00	"	\$3,530,800.00
<u>Tax Year 2007</u>			
Land	\$2,400,000.00	n/a- Direct Appeal	\$2,400,000.00
Improvements	<u>\$6,176,300.00</u>		<u>\$4,600,000.00</u>
Total	\$8,576,300.00	"	\$7,000,000.00

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Red Bank that the recommended settlement of the above mentioned Tax Court appeal is hereby authorized and approved.

BE IT FURTHER RESOLVED that the attorney is authorized and directed to take appropriate steps to implement this resolution.

BE IT FURTHER RESOLVED that the Clerk forward a certified true copy of this resolution to the Tax Assessor; to the Tax Collector and to Greentree Apartments at Red Bank, c/o Robert D. Blau, Esq., Blau & Blau, 55 Morris Avenue, Springfield, New Jersey 07102, attorney for the property owner; and to the Borough Attorney.

Seconded by Mr. Murphy and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Curley	()	()	()	(x)
Mr. Murphy	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Cangemi	(x)	()	()	()
Ms. Horgan	(x)	()	()	()

Dated: March 24, 2008