


C-2, NOTICE: YOUR PROPERTY MAY BE CONDEMNED

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AN EMINENT DOMAIN EUPHEMISM: An Area in Need of Redevelopment

NOTICE – YOUR PROPERTY MAY BE CONDEMNED

If you own a property in an "area in need of redevelopment," (a.k.a. "blighted area") you might expect to see those exact words at the top of the notice you receive from the municipality prior to passing the ordinance which declares your property will be included in the area of the redevelopment project.

Think again. What you are likely to receive is something that begins like this:

TO: ALL PROPERTY OWNERS WITHIN THE BOUNDRIES OF THE PROPOSED RICHLAND REDEVELOPMENT AREA; AND; TO: PROPERTY OWNERS AND PARTIES IN INTEREST WITHIN 200 FT. OF THE BOUNDRY OF THE RICHLAND REDEVELOPMENT AREA PLEASE TAKE NOTICE that on Monday July 18, 2005, at 8:00 p.m. a hearing will be held before the Buena Vista Township Committee at the Municipal Building, 890 Harding Highway, Buena, New Jersey, to determine whether certain property more fully described below, or any part thereof, should or should not be designated a "Redevelopment Area" in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 48:12A-1 et seq.

This notice is typical of the kind we have seen in Bloomfield, Long Branch, Jersey City, and other municipalities which have undertaken redevelopment projects. Many owners have not understood, ignored, or simply not been served personally with notice of the pending municipal action. None of the notices alert the property owner to the prospect of condemnation through eminent domain proceedings after the ordinance is adopted.

The notice provision of the Local Redevelopment Housing Law (LRHL) must be changed. It must mandate personal service by certified mail to the property owner and, when there is publication in the newspapers, both notices must say clearly that the properties included may be acquired by eminent domain proceedings by the municipality.

The current practice is for the notice to list the properties by lot and block. Sometimes only the street boundaries are given, like the notice in the Press of Atlantic City published on July 8 about the [Richland Redevelopment Project](#) in Buena Vista Township in Atlantic County. To see a copy of the text of the notice, click on the link and you will visit the [New Jersey Public Notice](#) website, a public service by the members of the New Jersey Press Association. Of course, the hard-copy newspaper notice of the adoption of the ordinance, which must be published twice, is printed in 6 pt. font and can only be read with a magnifying glass.

We suggest that property owners visit the [New Jersey Public Notice](#) website and perform a search for "an area in need of redevelopment" in their county to keep abreast of the activities of their elected officials and proposed projects that may affect them.

The Passaic Redevelopment Agency justified taking Shennett's land. Executive Director Donna Rendeiro said, "I don't believe we stole this property. We did what we were legally required to do."

This is not enough. The notice requirement does not spell out in the text what the ultimate outcome will be: in this case, condemnation and acquisition of the property through eminent domain proceedings. How is this due process?

Shennett, the son of sharecroppers, says it best: "My great aunt gave me this house and always tried to keep it all straight through the years. And they just came and took it. There ain't no good feelings here."