

# Bond Case Briefs

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## **ZONING - NEW JERSEY**

### **R. Neumann & Co. v. City of Hoboken**

**Superior Court of New Jersey, Appellate Division - September 23, 2014 - A.3d - 2014 WL 4686556**

Property owner brought action against city and city officials, alleging claims in lieu of prerogative writs, challenging city council's resolution designating area including owner's property as an area in need of rehabilitation pursuant to the Local Redevelopment and Housing Law (LRHL). The Superior Court dismissed the claims, and owner appealed.

The Superior Court, Appellate Division, held that resolution was insufficient to allow determination of whether city had complied with statutory standards for designation of area as in need of rehabilitation.

Resolution of city council designating certain area to be in need of rehabilitation pursuant to the Local Redevelopment and Housing Law (LRHL), stating that council had relied on reports indicating that water and sewer lines in area were at least 50 years old "or" were in need of substantial maintenance, was insufficient to allow determination of whether city had complied with statutory standard requiring majority of water and sewer infrastructure in delineated area be at least 50 years old "and" in need of repair or substantial maintenance, and thus vacation of resolution was warranted for city to reconsider designation.

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