

**A RESOLUTION AUTHORIZING THE PUBLIC AUCTION OF
ABANDONED OR UNCLAIMED MOTOR VEHICLES**

WHEREAS, numerous abandoned or unclaimed vehicles have been removed from City streets and property and stored in the City impound lot or towing storage facilities; and

WHEREAS, said abandoned or unclaimed motor vehicles have been stored in excess of twenty (20) days; and

WHEREAS, N.J.S.A. 39:10A-1 et. seq. provides that a municipality can sell such abandoned or unclaimed vehicles that are not reclaimed by the owner or person having a legal right thereto at public auction; and

WHEREAS, N.J.S.A. 40A:14-157 and N.J.S.A. 39:10A-1 et. seq. authorize the sale at public auction of abandoned or unclaimed motor vehicles coming into possession of the police department if unclaimed during the statutory time period; and

WHEREAS, the Police Division has indicated that proper notice has been given to the known owners or person having a legal right thereto; and

WHEREAS, the abandoned and unclaimed motor vehicles listed on the attached schedule should be sold at public auction; and

WHEREAS, due notice of the public auction shall be given to the owner and to the holder of any security interest by certified mail, together with publication of the public auction of said property shall be made in the Courier News, a newspaper circulating in the City of Plainfield, at least five (5) days before the date of sale in accordance with statutory requirements.

NOW THEREFORE BE IT RESOLVED, that the Director of Public Affairs and Safety of the City of Plainfield is hereby authorized to conduct public auction or auctions of the abandoned or unclaimed vehicles set forth on the attached schedule and shall:

- a. Give Notice of the Public Sale and Publication of the motor vehicles as set forth on the attached schedule and offer same for sale in the manner prescribed in N.J.S.A. 39:10A-1 et. seq.
- b. Hold said Public Sale or Sales forthwith of the aforementioned properties at a time and place to be designated in said Notice and there shall sell the same to the highest bidders who shall submit the full bid price in cash.
- c. Remove a vehicle from the public sale if such vehicle is claimed prior thereto by the owner or person having a legal right thereto, upon payment of applicable and reasonable removal and storage charges, fines or penalties.
- d. Turn over the proceeds thereof to the Treasurer of the City of Plainfield for the general use of the City, all in accordance with N.J.S.A. 39:10A-5.

BE IT FURTHER RESOLVED, that the City reserves the right to reject any and all bids if it determines such rejection to be in the public interest.


BE IT FURTHER RESOLVED, that a duly certified copy of this resolution will be filed in the office of the City Clerk.

BE IT FURTHER RESOLVED, that City Officials and employees shall not be eligible to bid at said auction(s).

- Adopted by the City Council

July 20, 2009

Approved as to form


Daniel A. Williamson
Corporation Counsel

Laddie Wyatt
City Clerk