

RULE 4:62. Quiet Title

4:62-1. Complaint

The complaint in an action in the Superior Court authorized by statute to quiet and determine title and claims to property, real or personal, or any right or interest therein, shall state the manner in which plaintiff either acquired title or the right to possession and shall describe the property with such certainty that the defendant will be distinctly apprised of its location or character, and a judgment affecting the same may be entered according to that description.

Note: Source-R.R. 4:80-1.

4:62-2. Answer

If a defendant to such an action claims any title, interest, estate, lien or other right in the property, or any part thereof, the answer shall set forth such facts with specificity and also the manner in and the sources through which said claim is held and derived.

Note: Source-R.R. 4:80-2; amended July 13, 1994 to be effective September 1, 1994.

4:62-3. Tender; Deposit in Court

The Attorney General need not, on behalf of the State, make or offer to make any tender or payment into court either on or before filing a complaint seeking to settle the title to riparian lands or lands under water.

Note: Source-R.R. 4:80-3.

4:62-4. Judgment by Default or for Failure to Appear

If in any such action judgment is sought either for failure of the defendant to plead or appear at trial or upon the filing of a disclaimer or the withdrawal of an answer, the allegations of the complaint may, if the court permits, be proved by affidavit.

Note: Source-R.R. 4:80-4; amended November 27, 1974 to be effective April 1, 1975; amended July 13, 1994 to be effective September 1, 1994.