

Egg Harbor Township

Ordinance No. 19

2019

An ordinance providing for the acceptance of a deed conveying real property, drainage basin at Mill Road Farms a/k/a Crystal Meadows being Lot 1 in Block 4111, of the official tax map in the Township of Egg Harbor, County of Atlantic and State of New Jersey

BE IT ORDAINED, by the Township Committee for the Township of Egg Harbor, County of Atlantic and State of New Jersey that:

SECTION 1: The Township of Egg Harbor is herewith authorized to accept conveyance of a deed for the drainage basin at Mill Road Farms a/k/a Crystal Meadows located on Lot 1 in Block 4111, of the Official Tax Map of the Township of Egg Harbor, and as more particularly described on the attached Exhibit A, deed between G.S. Realty, Corp. and the Township of Egg Harbor. Exhibit A shall be on file in the Township Clerk's Office, Township Hall, Egg Harbor Township.

SECTION 2: All ordinances or parts of ordinances which are inconsistent with the provisions of this Ordinance are, to the extent of such inconsistency, hereby repealed.

SECTION 3: If any section, sentence, or any other part of this ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 4: This Ordinance shall take effect upon final passage, adoption, and publication, in the manner prescribed by law.

NOTICE IS HEREBY GIVEN THAT THE FOREGOING ORDINANCE WAS INTRODUCED AT A MEETING OF THE TOWNSHIP COMMITTEE OF EGG HARBOR TOWNSHIP, IN THE COUNTY OF ATLANTIC, NEW JERSEY, HELD JUNE 19, 2019, WILL BE FURTHER CONSIDERED FOR FINAL PASSAGE AFTER A PUBLIC HEARING THEREON AT A REGULAR MEETING OF SAID TOWNSHIP COMMITTEE TO BE HELD IN THE TOWNSHIP HALL, IN SAID TOWNSHIP ON JULY 17, 2019 AT 6:00 P.M.

Dated: June 19, 2019

Eileen M. Tedesco, RMC
Township Clerk

Attachment

DETENTION BASIN LOT DEED OF DEDICATION

Prepared by:
Todd D. Greene, Esq.

This Deed is made on May 16, 2019

BETWEEN

G.S. REALTY, CORP.

a New Jersey corporation, having an address of 3590 US Highway 9 South, Old Bridge, NJ 08857 (hereinafter referred to as "Grantor")

AND

THE TOWNSHIP OF EGG HARBOR

a municipal corporation of the State of New Jersey, whose address is 3515 Bargaintown Road, Egg Harbor Township, New Jersey 08234, referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of One (\$1.00) Dollar. The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Block 4111, Lot 1, Township of Egg Harbor, County of Atlantic, State of New Jersey.

Property. The property consists of the land and structures, situate in the Township of Egg Harbor, County of Atlantic, State of New Jersey, being known and designated as tax lot 1, Block 4111, as shown on a certain map entitled "Final Plat, Mill Road Farms" prepared by Najarian Associates and recorded in the office of the Atlantic County Clerk on September 2, 2005 as instrument number 2005093540.

The Grantor conveys the property to the Township of Egg Harbor for dedication of a detention basin lot.

Acceptance of dedication herein will occur only upon adoption of a Resolution by the Municipal Governing Body, usually simultaneously with or subsequent to release of Performance Bonds. No responsibility or control is assumed by the Municipality until said acceptance.

Promises of Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights

which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantors sign this Deed as of the date at the top of the first page.

IN WITNESS WHEREOF, the Grantor has hereunto set his/her hand and seal the day and year first above written.

ATTEST:

Peggy Nemlowski

G.S. REALTY, CORP.

By: G. Gregory Scharpf
G. Gregory Scharpf, President

STATE OF NEW JERSEY :
: SS
COUNTY OF MIDDLESEX :

I CERTIFY that on MAY 16, 2019, G. Gregory Scharpf, personally came before me and this person acknowledged under oath, to my satisfaction that:

- (a) this person is the President of G.S. Realty, Corp., the corporation named in this document;
- (b) this person signed and delivered the attached document as the President of G.S. Realty, Corp.;
- (c) this document was signed and made by the corporation as its voluntary act and deed by virtue of authority from its Board of Directors; and
- (d) the full and actual consideration paid or to be paid for the transfer of title to realty evidenced by this Deed, as such consideration is defined in P.L. 1968, C.49, 1(c), is \$1.00.

Denise Hundley
Notary Public

DENISE HUNDLEY
Notary Public, State of New Jersey
My Commission Expires April 8, 2023

RECORD AND RETURN TO:

Todd D. Greene, Esq.
Giordano Halleran & Ciesla, P.C.
125 Half Mile Road
Suite 300
Red Bank, New Jersey 07701



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION

GIT/REP-3
(9-2015)

(Please Print or Type)

SELLER'S INFORMATION

Name(s)

G.S. Realty, Corp.

Current Street Address

3590 US Highway 9 South

City, Town, Post Office Box

Old Bridge

State

NJ

Zip Code

08857

PROPERTY INFORMATION

Block(s)

4111

Lot(s)

1

Qualifier

Street Address

Mill Road Farms

City, Town, Post Office Box

Egg Harbor Township

State

NJ

Zip Code

08234

Seller's Percentage of Ownership

100

Total Consideration

\$1.00

Owner's Share of Consideration

\$1.00

Closing Date

SELLER'S ASSURANCES (Check the Appropriate Box) (Boxes 2 through 14 apply to Residents and Nonresidents)

1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident gross income tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate, or trust and is not required to make an estimated gross income tax payment.
6. The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated income tax payment.
7. The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale and report the recognized gain.
 Seller did not receive non-like kind property.
8. The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
9. The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. The deed is dated prior to August 1, 2004, and was not previously recorded.
11. The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12. The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13. The property transferred is a cemetery plot.
14. The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.

SELLER'S DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

May 16, 2019

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

FOR RECORDER'S USE ONLY
Consideration \$
RTF paid by seller \$
Date By

COUNTY Atlantic } SS. County Municipal Code 0108

MUNICIPALITY OF PROPERTY LOCATION Egg Harbor Township

*Use symbol "C" to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3 and #4 on reverse side)

Deponent, G.S. Realty, Corp., being duly sworn according to law upon his/her oath,
(Name)
deposes and says that he/she is the Grantor in a deed dated transferring
(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)
real property identified as Block number 4111 Lot number 1 located at
Mill Road Farms, Egg Harbor Township and annexed thereto.
(Street Address, Town)

(2) CONSIDERATION \$ 1.00 (Instructions #1 and #5 on reverse side) no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:

(See Instructions #5A and #7 on reverse side)
Total Assessed Valuation ÷ Director's Ratio = Equalized Assessed Valuation
\$ ÷ % = \$
If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (See Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.
Consideration of less than \$100

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) 62 years of age or over. * (Instruction #9 on reverse side for A or B)
B. BLIND PERSON Grantor(s) legally blind or; *
DISABLED PERSON Grantor(s) permanently and totally disabled receiving disability payments not gainfully employed*
Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
Owned and occupied by grantor(s) at time of sale. Resident of State of New Jersey.
One or two-family residential premises. Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

- C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)
Affordable according to H.U.D. standards. Reserved for occupancy.
Meets income requirements of region. Subject to resale controls.

(6) NEW CONSTRUCTION (Instructions #2, #10 and #12 on reverse side)
Entirely new improvement. Not previously occupied.
Not previously used for any purpose. NEW CONSTRUCTION printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)
No prior mortgage assumed or to which property is subject at time of sale.
No contributions to capital by either grantor or grantee legal entity.
No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me
this 16th day of MAY, 2019
Denise Hundley
DENISE HUNDLEY
Notary Public, State of New Jersey
My Commission Expires April 8, 2023

Signature of Deponent
3590 US Highway 9 South
Old Bridge, NJ 08857
Deponent Address
XXX-XXX-325
Last three digits in Grantor's Social Security Number

G.S. Realty, Corp.
Grantor Name
3590 US Highway 9 South
Old Bridge, NJ 08857
Grantor Address at Time of Sale
Name/Company of Settlement Officer

FOR OFFICIAL USE ONLY
Instrument Number County
Deed Number Book Page
Deed Dated Date Recorded

RESOLUTION

BE IT RESOLVED that on this 16th day of May, 2019,

G.S. Realty, Corp., a New Jersey corporation, hereby approves the conveyance of the detention basin lot being known and designated as Block 4111, Lot 1, as set forth on a certain map entitled, "Final Plat, Mill Road Farms" situated in Egg Harbor Township, County of Atlantic and State of New Jersey, said map being duly filed on September 2, 2005 in the Atlantic County Clerk's Office as case No. M2005093540 to the Township of Egg Harbor, a municipal corporation of the State of New Jersey for the sum of \$1.00.

I, G. Gregory Scharpf, hereby certify that the foregoing is a true copy of a Resolution as it appears in the records of G.S. Realty, Corp., and has not been modified, amended or rescinded, and is in full force and effect as of the date hereof and as of the date of closing.

G.S. REALTY, CORP.

BY: _____

G. Gregory Scharpf
President

Signed before me this 16th
day of MAY, 2019

Denise Hundley
DENISE HUNDLEY
Notary Public, State of New Jersey
My Commission Expires April 8, 2023.