

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO.: O-12-2020-024

ORDINANCE OF THE MONROE TOWNSHIP COUNCIL
AUTHORIZING THE DEDICATION OF CERTAIN REAL PROPERTY
KNOWN AND DESIGNATED AS TAX BLOCK 6, LOT 39
ON THE OFFICIAL TAX MAP OF THE TOWNSHIP OF MONROE
TO THE COUNTY OF MIDDLESEX
FOR ANY AND ALL LAWFUL PURPOSES INCLUDING,
BUT LIMITED TO, WIDENING OF PUBLIC RIGHTS-OF-WAY

WHEREAS, the Township of Monroe (the "Township") is the owner of property identified on Official Tax Maps as Block 6, Lot 39 (hereinafter referred to as the "Property"); and

WHEREAS, the Township seeks to dedicate the Property to the County of Middlesex for any all lawful purposes including, but not limited to, the widening of public rights-of-way and installation and maintenance of improvements (the "Dedication"); and

WHEREAS, pursuant to N.J.S.A. 40A:12-13.4 of the Local Lands and Buildings Law, the Township is authorized to sell or convey any real property, or interests therein, by ordinance, to the county in which the real property is located; and

WHEREAS, a Deed of Dedication from the Township to the County of Middlesex has been prepared in connection with the Property and is appended hereto as Attachment A; and

WHEREAS, after analysis and review, the Monroe Township Utility Department ("MTUD") has determined it is in its best interest to enter into the aforementioned Deed of Dedication in a form substantially similar to the form attached hereto as Attachment A; and

WHEREAS, the Township Attorney has reviewed the aforementioned Deed of Dedication and agreed that it is in the best interests of the Township to provide the County of Middlesex the Dedication; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Monroe, County of Middlesex, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized to execute all documents necessary for the dedication of the Property including, but not limited to, the Deed of Dedication to the County of Middlesex as described in substantially the form appended hereto as Attachment A, which sets forth the terms and conditions pertaining to the Dedication.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and in effect; and

BE IT FURTHER ORDAINED, that any ordinance or parts thereof in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict; and


BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.


MIRIAM COHEN, Council President

RECORDED VOTE – INTRODUCTION – December 7, 2020						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilman Dalina	X		X			
Councilman Dipierro		X	X			
Council V. President Schneider			X			
Council President Cohen			X			

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on December 7, 2020. Said Ordinance will again be read and considered for final passage at the next scheduled meeting of the Monroe Township Council to be held on December 28, 2020 at 6:30 p.m. virtually via Zoom. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.


CHRISTINE ROBBINS, Deputy Township Clerk

RECORDED VOTE – SECOND READING & FINAL ADOPTION– December 28, 2020						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilman Dalina			X			
Councilman Dipierro	X		X			
Council V. President Schneider		X	X			
Council President Cohen			X			

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MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is effected by the affixing of my signature hereto.



GERALD W. TAMBURRO, Mayor

Date signed: 12/29/2020

ATTACHMENT A

Prepared by: _____
KENNETH L. PAPE

DEED OF DEDICATION

THIS DEED is made on January 19, 2021,

BETWEEN

TOWNSHIP OF MONROE with an address at 1 Municipal Plaza, Monroe, NJ 08831 as their interest appears, hereinafter referred to as "GRANTOR"

AND

COUNTY OF MIDDLESEX, a Municipal Corporation of the State of New Jersey, whose post office address is Middlesex County Administration Building, New Brunswick, New Jersey, hereinafter referred to as "GRANTEE".

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

Transfer of Ownership. The Grantor grants and conveys (a dedication) 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) Municipality of Monroe, Lot 39 in Block 6.

Property. The property consists of the land and all the buildings and structures on the land in the Township of Monroe, County of Middlesex and State of New Jersey with frontage on Applegarth Road (County Road 619). The legal description is:

SEE SCHEDULES "A-1" (METES AND BOUNDS) AND "B-1" (SURVEY OF PROPERTY) ATTACHED HERETO AND MADE A PART HEREOF.

The foregoing premises being dedicated to the County of Middlesex for any and all lawful purposes including, but not limited to, widening of public rights-of-way and installation and maintenance of improvements.

Signatures. The Grantor signs this Deed of Dedication as of the date at the top of the first page.

WITNESS:

GRANTOR:

ATTEST:

TOWNSHIP OF MONROE

Miriam Cohen
Name:

By: MIRIAM COHEN
Mayor

STATE OF NEW JERSEY :

: SS:

COUNTY OF MIDDLESEX:

BE IT REMEMBERED that on this 19th day of January, 2021 before me, the subscriber, TWP. OF MONROE, personally appeared MIRIAM COHEN who, being by me duly sworn on his/her oath, deposes and makes proof to my satisfaction, that (s)he is the Acting Mayor of the Township of Monroe, the Township named in the within Instrument; that the execution, as well as the making of this Instrument, has been duly authorized by a proper Resolution of the Governing Body of the said Township; that deponent well knows the Seal of said Township; and that the Seal affixed to this Instrument is the proper Township Seal and was hereto affixed and said Instrument signed and delivered by said Township, as and for the voluntary act and deed of said Township, in the presence of deponent, who hereupon subscribed his/her name hereto as attesting witness.

Tanya M. Pannucci

RECORD & RETURN TO:

Kenneth L. Pape
Heilbrunn Pape LLC
516 Route 33
Millstone, NJ 08535

TANYA M. PANNUCCI
NOTARY PUBLIC OF NEW JERSEY
ID # 60018853
My Commission Expires 7/16/2025

May 12, 2020
File No. N-750 (750-LOT 39 ROW)

Description of area to be dedicated to Middlesex County, being a portion of Lot 39 in Block 6 as shown on the current Tax Map of Monroe Township, Middlesex County, New Jersey being more particularly described as follows:

Beginning at a point in the existing easterly right of way line of Applegarth Road (a.k.a Middlesex County Highway Route No. 619 - variable width right of way) at the most northwesterly corner of Tax Map Lot 39 in Block 6 said point being located the following three (3) courses along said right of way line from the intersection of same with the northerly right of way line of Bentley Road, being 35.72 feet from centerline, both extended:

- A. North $01^{\circ} 06' 25''$ West along the existing easterly right of way line of Applegarth Road, being 55 feet from previous centerline, 261.30 feet to a point of curvature; thence
- B. Northwesterly along same, along a curve to the right having a radius of 2055.00 feet, a chord bearing North $02^{\circ} 42' 31''$ West distant 114.88 feet, an arc length of 114.90 feet to a point; thence
- C. North $86^{\circ} 43' 57''$ West, 33.28 feet to the true point and place of beginning and running; thence
 1. North $02^{\circ} 36' 00''$ West along the existing easterly right of way line of Applegarth Road, 5.80 feet to a point of curvature; thence
 2. Northwesterly along same, along a curve to the left having a radius of 1416.50 feet, a chord bearing North $09^{\circ} 35' 00''$ West distant 344.44 feet, an arc length of 345.29 feet to a point of tangency; thence
 3. North $16^{\circ} 34' 00''$ West still along same, 186.96 feet to a point; thence
 4. North $84^{\circ} 41' 00''$ East partially along the common line between Tax Map Lots 39 and 41.02 in Block 6, 28.99 feet to a point; thence
 5. Southeasterly along the proposed easterly right of way line of Applegarth Road, being 36 feet from the previously established centerline, along a curve to the right having a radius of 2291.00 feet, a chord bearing South $12^{\circ} 56' 38''$ East distant 255.58 feet, an arc length of 255.71 feet to a point of tangency; thence

□ 100 Rike Drive
Millstone Township, NJ 08535
Ph 609-448-5550 • Fax 609-448-2157

crestnj@crestengineering.net
www.crestengineering.net

□ 12 Robbins Parkway
Toms River, NJ 08753
Ph 732-244-0888 • Fax 732-244-0788

CREST

Engineering Associates, Inc.

Page 2

May 12, 20201

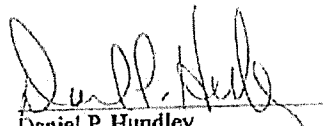
File No. N-750 (750-LOT 39 ROW)

6. South 09° 44' 47" East along same, 91.23 feet, to a point of curvature; thence
7. Southeasterly still along same, along a curve to the right having a radius of 2036.00 feet, a chord bearing South 07° 03' 50" East distant 190.57 feet, an arc length of 190.64 feet to a point; thence
8. North 86° 43' 57" West, 14.11 feet to the true point and place of beginning.

Containing 9,263 square feet, more or less.

Together with all right, title and interest the owner may have in and along Applegarth Road (a.k.a. Middlesex County Highway Route No. 619) contiguous to the above described premises as shown on the aforementioned drawings prepared by Crest Engineering Associates, Inc.

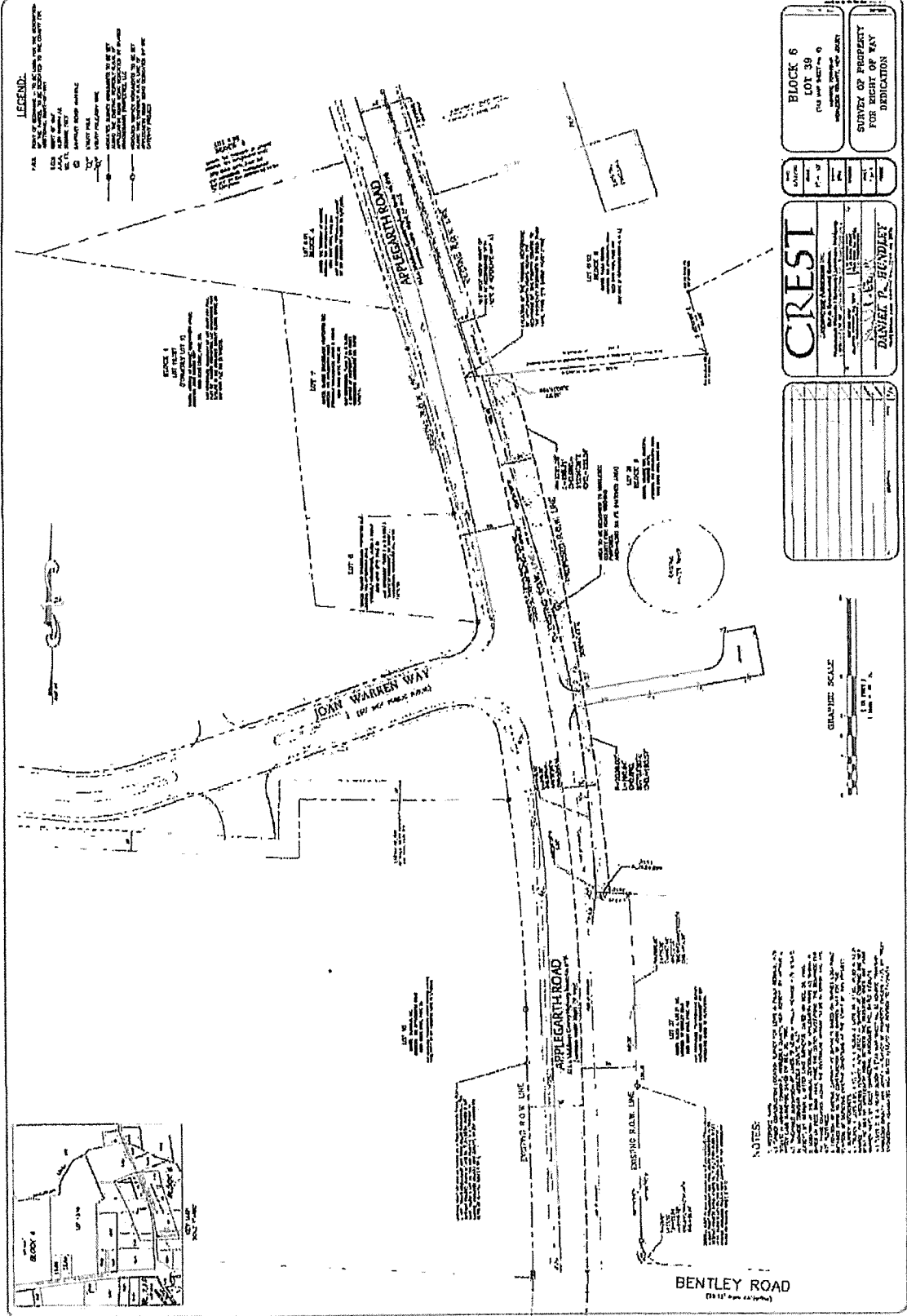
This description is made in accordance with a map entitled "LOT 39 BLOCK 6 (TAX MAP SHEET No. 6) MONROE TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY - SURVEY OF PROPERTY FOR RIGHT OF WAY DEDICATION", by Crest Engineering Associates, Inc., dated April 12, 2020, a full-size, signed and sealed copy of said "survey" to be recorded with this deed to the County of Middlesex.


Daniel P. Hundley
Professional Land Surveyor
New Jersey License No. 33174

□ 100 Rike Drive
Millstone Township, NJ 08535
Ph 609-448-5550 • Fax 609-448-2157

crestnj@crestengineering.net
www.crestengineering.net

□ 12 Robbins Parkway
Toms River, NJ 08753
Ph 732-244-0888 • Fax 732-244-0788



LEGEND:

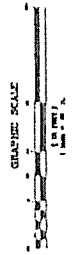
- 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
- 2. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES.
- 3. ALL EASEMENTS ARE TO BE MARKED WITH IRON PIPES.
- 4. ALL EASEMENTS ARE TO BE MARKED WITH IRON PIPES.
- 5. ALL EASEMENTS ARE TO BE MARKED WITH IRON PIPES.
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- 7. ALL EASEMENTS ARE TO BE MARKED WITH IRON PIPES.
- 8. ALL EASEMENTS ARE TO BE MARKED WITH IRON PIPES.
- 9. ALL EASEMENTS ARE TO BE MARKED WITH IRON PIPES.
- 10. ALL EASEMENTS ARE TO BE MARKED WITH IRON PIPES.

BLOCK 6
LOT 39
 (PART OF PART 9)
 SURVEY OF PROPERTY
 FOR RIGHT OF WAY
 DEDICATION

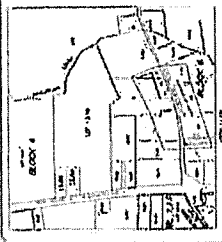
DATE	1981
BY	DANIEL T. BENTLEY

CREST
 DANIEL T. BENTLEY
 SURVEYOR

NO.	1
DATE	1981
BY	DANIEL T. BENTLEY
REVISION	
NO.	2
DATE	
BY	
REVISION	
NO.	3
DATE	
BY	
REVISION	



NOTES:
 1. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
 2. ALL CORNERS ARE TO BE MARKED WITH IRON PIPES.
 3. ALL EASEMENTS ARE TO BE MARKED WITH IRON PIPES.
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BENTLEY ROAD
 (PART OF PART 9)

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

COUNTY Middlesex } SS. County Municipal Code
MUNICIPALITY OF PROPERTY LOCATION Monroe

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

*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, Township of Monroe, being duly sworn according to law upon his/her oath, deposes and says that he/she is the (Name) in a deed dated transferring real property identified as Block number 6 Lot number 39 located at Monroe Township, New Jersey and annexed thereto.

(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.

(a) For consideration of less than \$100. (b) By or to the United States of America, this State, or any instrumentally, agency or subdivision

(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 19th day of January 20 21

Signature of Deponent
1 Municipal Plaza
Monroe, NJ 08831

Township of Monroe
Grantor Name
1 Municipal Plaza
Monroe, NJ 08831

Deponent Address

Grantor Address at Time of Sale

XXX-XXX-

Hellbrunn Papa, LLC

Last three digits in Grantor's Social Security Number Name/Company of Settlement Officer

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

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to: STATE OF NEW JERSEY
PO BOX 251
TRENTON, NJ 08695-0251

ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at: www.state.nj.us/treasury/taxation/lpt/localtax.htm

Alvin Cohen, ACTING MAYOR

GIT/REP-3
(8-19)
(Print or Type)

State of New Jersey
Seller's Residency Certification/Exemption

Seller's Information

Name(s)

Township of Monroe

Current Street Address
1 Municipal Plaza

City, Town, Post Office

Monroe

State

NJ

ZIP Code

08831

Property Information

Block(s)

6

Lot(s)

39

Qualifier

Street Address

City, Town, Post Office

Monroe

State

NJ

ZIP Code

08831

Seller's Percentage of Ownership

100

Total Consideration

\$1.00

Owner's Share of Consideration

100%

Closing Date

Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

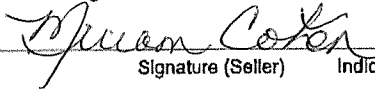
1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property 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.
15. The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
16. The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

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.

11/9/2021

Date



Signature (Seller)

Indicate if Power of Attorney or Attorney In Fact

Date

Signature (Seller)

Indicate if Power of Attorney or Attorney In Fact