

ORD.#20-2021 An Ordinance of the Township of Mount Olive, In the County of Morris,
State of New Jersey, Accepting a Deed of Roadway Dedication for a
Portion of the Property Designated as Block 2913, Lot 1 and Block 2906,
Lot 3 (Woodland Estates)

CLERK:

Delivered to Mayor:

Date: 8/4/2021

Time: 9:30 am

Signed: _____

Township Clerk
Michelle Masser

MAYOR:

Action by Mayor:

Approved: ✓

Date: 8-4-2021

Vetoed: _____

Date: _____

(Reasons for which Mayor has withheld approval of Ordinance, item or part Thereof.)

Signed: _____

Mayor

CLERK:

Returned:

Date: 8/4/21

Time: 9:40 AM

Not returned with in (10) days

Date: _____

Signed: _____

Township Clerk

ORD.#20-2021

**AN ORDINANCE OF THE TOWNSHIP OF MOUNT OLIVE, COUNTY
OF MORRIS, STATE OF NEW JERSEY, ACCEPTING A DEED OF
ROADWAY DEDICATION FOR A PORTION OF THE PROPERTY
DESIGNATED AS BLOCK 2913, LOT 1 AND BLOCK 2906, LOT 3
(WOODLAND ESTATES)**

WHEREAS, Rand Homes at Rockaway, LLC (the "Developer") entered into a developer's agreement on January 1, 2005 with the Township of Mount Olive, in connection with development of property designated as Block 2913, Lot 1 and Block 2906, Lot 3, on the Official Township Tax Map; and

WHEREAS, as a condition of the approvals granted by the Township Planning Board on August 19, 2004 and the developer's agreement, the Developer is required to convey by deed to the Township a portion of the property known as Second Street northeast, including all water and sewer improvements; and

WHEREAS, the Developer made this conveyance by Deed dated October 29, 2004, as recorded by the Morris County Clerk on December 6, 2004, which Deed and accompanying metes & bounds description is attached hereto and incorporated herein; and

WHEREAS, it was recently discovered that the Township never formally accepted the Deed by ordinance; and

WHEREAS, the Township Engineer and Township Attorney have reviewed the Deed documents and find them acceptable in all respects; and

WHEREAS, the Township desires to now formally accept the Deed.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Mount Olive, County of Morris, State of New Jersey, as follows:

SECTION 1. The Deed dated October 29, 2004 and recorded December 6, 2004, from Rand Homes at Rockaway, LLC to the Township of Mount Olive for Second Street Northeast, which Deed is attached hereto and incorporated herein, is hereby accepted for roadway purposes by the Township of Mount Olive.

SECTION 2. The Mayor and Township Clerk and all other proper officers and employees of the Township are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this ordinance.

SECTION 3. All ordinances of the Township of Mount Olive that are inconsistent with the provisions of this Ordinance, are hereby repealed to the extent of such inconsistency.

SECTION 4. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5. This ordinance shall take effect twenty (20) days following final passage, approval, and publication as required by law.

Introduced: 7/20/2021

Adopted: 8/3/2021

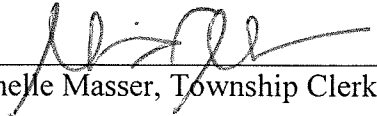
Effective Date: 8/27/2021

TOWNSHIP OF MOUNT OLIVE



Joe Nicastro, Mount Olive Council President

ATTEST: 8/3/2021



Michelle Masser, Township Clerk

PREPARED BY:

Glenn L. Redbord
GLENN L. REDBORD, ESQ.



DEED

This Deed is made on October 29, 2004

**BETWEEN RAND HOMES AT ROCKAWAY, LLC, a limited liability company
Of the state of New Jersey**

whose address is P. O. Box 419, Ledgewood NJ 07852

referred to as the Grantor(s)

**AND THE TOWNSHIP OF MT. OLIVE, A MUNICIPAL CORPORATION
OF THE STATE OF NEW JERSEY**

whose address is P. O. Box 450, Budd Lake, NJ 07828

referred to as the Grantee(s)

The words "Grantor" and "Grantee" shall mean all Grantors and 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 no consideration to comply with the subdivision approval granted by the Mt. Olive Township Planning Board.

Tax Map Reference. (N.J.S.A. 46:15-2,1) Municipality of Township of Mt. Olive
Block , Lot

Tract or parcel of land and premises, situating, lying and located in the Township of Mt. Olive, County of Morris and State of New Jersey.

The legal description is attached hereto as Schedule A.

The purpose of this transfer is to provide public right-of-way for road purposes in accordance with the requirements of the Mt. Olive Township Planning Board as shown on a map entitled "Woodland Estates, Final Subdivision Plat", about to be filed in the Morris County Clerk's Office.

JOAN BRAMHALL - MORRIS COUNTY CLERK
DATE 12 06 2004 TIME 12 55 PM PAGES 5
CONSIDERATION 1.00
50.00 COPE COURTY FEES
30.00 STPG STATE PAGE FEE
80.00 TOTAL RECORDING FEES
00 TOTAL TRANSFER TAX FEES
SK PDCK

DB06218P208

Description of Second Street Northeast of Woodland Avenue in Mount Olive Township, Morris County, NJ

Beginning at a cross cut on a rock at the northeast corner of the intersection of Woodland Avenue and Second Street and running thence:

- 1) North $63^{\circ} 00'$ East 27.80 feet, thence
- 2) North $27^{\circ} 00'$ West 5.00 feet, thence
- 3) North $63^{\circ} 00'$ East 221.06 feet to a point of curvature, thence
- 4) Easterly 109.96 feet and through a central angle of $28^{\circ} 00'$ along a curve concave to the south with a radius of 225.00 feet to a point of tangency, thence
- 5) South $89^{\circ} 00'$ East 49.37 feet to a point of curvature, thence
- 6) Easterly 85.52 feet and through a central angle of $28^{\circ} 00'$ along a curve concave to the north with a radius of 175.00 feet to a point of tangency, thence
- 7) North $63^{\circ} 00'$ East 73.67 feet to a point of curvature, thence
- 8) Northeasterly 29.80 feet and through a central angle of $68^{\circ} 17' 34''$ along a curve concave to the northwest with a radius of 25.00 feet to a point of reverse curvature, thence
- 9) Northerly and easterly 208.01 feet and through a central angle of $248^{\circ} 17' 34''$ along a curve concave to the southwest with a radius of 48.00 feet to a point of tangency, thence
- 10) South $63^{\circ} 00'$ West 141.49 feet to a point of curvature, thence
- 11) Westerly 109.96 feet and through a central angle of $28^{\circ} 00'$ along a curve concave to the north with a radius of 225.00 feet to a point of tangency, thence
- 12) North $89^{\circ} 00'$ West 49.37 feet to a point of curvature, thence
- 13) Westerly 85.52 feet and through a central angle of $28^{\circ} 00'$ along a curve concave to the south with a radius of 175.00 feet to a point of tangency, thence
- 14) South 63° West 21.30 feet, thence
- 15) North $27^{\circ} 00'$ West 5.00 feet, thence
- 16) South 63° West 200.93 feet, thence
- 17) Along Woodland Avenue North $59^{\circ} 50'$ West 48.02 feet to the point of beginning. Containing 35,337 square feet or 0.811 acres.

DB06218P209

BEING a portion of the same premises conveyed to the Grantor herein by deed from Ilmar Aasmaa dated July 11, 2003 and recorded on July 21, 2003 in the office of the Morris County Clerk in Deed Book 05887 at Page 172.

Promises by Grantor: Except for granting a mortgage to Skylands Community Bank, and easements for utilities to serve the subdivision, 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). The Skylands Community Bank is releasing its lien with respect to the property by a Release of Part of Mortgaged Property recorded simultaneously with this Deed.

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

Witnessed by:

RAND HOMES AT ROCKAWAY, LLC


ANDRUS AASMAA, MEMBER

STATE OF NEW JERSEY
COUNTY OF MORRIS

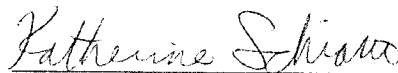
SS:

I CERTIFY that on October 29, 2004

ANDRUS AASMAA

personally came before me and acknowledged under oath, to my satisfaction, that:

- (a) this person is a Member of the LLC named in this Deed
- (b) he stated that he is authorized to execute this instrument on behalf of the limited liability company and that he executed the instrument as the act of the limited liability company; and
- (c) made this Deed for no consideration paid in accordance with a Resolution of the Township of Mt. Olive Planning Board adopted August 19, 2004 (Such consideration is defined in N.J.S.A. 46:15-5).



RECORD & RETURN TO:

Glenn L. Redbord, Esq.
SALNY REDBORD & RINALDI
9 Eyland Avenue
Succasunna NJ 07876

KATHERINE M. SCHIANO
A Notary Public of New Jersey
My Commission Expires April 28, 2006

DB06218P210



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

GIT/REP-3
(7-04)

(Please Print or Type)

SELLER(S) INFORMATION (If Multiple Sellers, Each Seller Must Complete a Certification)

Name(s)

Rand Homes at Rockaway, L.L.C.

Current Resident Address:

Street:

P.O. Box 419

City, Town, Post Office

Ledgewood

State

NJ

Zip Code

07828

Home Phone

(973) 584-6929

Business Phone

()

PROPERTY INFORMATION (Brief Property Description)

Block(s)

Lot(s)

Qualifier

Street Address:

City, Town, Post Office

mt. Olive

State

NJ

Zip Code

07828

Seller's Percentage of Ownership

100%

Consideration

\$1.00

Closing Date

10/29/04

SELLER ASSURANCES (Check the Appropriate Box)

1. ☐ I am a resident taxpayer of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. ☐ I am 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 individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A. 54A:1-1 et seq.
6. ☐ The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.

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 could 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.

10/29/04
Date

Rand Homes at Rockaway, L.L.C.
Andrew Rosmer, MEMBER
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

DB06218P211

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION

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www.aslegal.com 800.222.0510 Page 1

(c. 49, P.L. 1968; as amended by c. 176, P.L. 1975; c. 225, P.L. 1985; c. 113, P.L. 2003)
To Be Recorded With Deed Pursuant to c. 49, P.L. 1968 as amended by c. 308, P.L. 1991 (N.J.S.A. 46:15-5 et seq.)

STATE OF NEW JERSEY

COUNTY OF

MORRIS

} SS.

FOR RECORDER'S USE ONLY

Consideration \$

Realty Transfer Fee \$

Date

By

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

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3, 4 and 5 on reverse side)

Deponent, Andrus Aasma, being duly sworn according to law upon his/her oath deposes and says

that he/she is the

(Name)

Corporate Officer

in a deed dated

October 29, 2004

(State whether Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.)

transferring real property identified as Block No.

Lot No.

located at

Mt Olive Morris

(Street Address, Municipality, County)

and annexed hereto.

(2) CONSIDERATION (See Instruction #6)

Deponent states that, with respect to deed hereto annexed, the actual amount of money and the monetary value of any other thing of value constituting the entire compensation paid or to be paid for the transfer of title to the lands, tenements or other realty, including the remaining amount of any prior mortgage to which the transfer is subject or which is to be assumed and agreed to be paid by the grantee and any other lien or encumbrance thereon not paid, satisfied or removed in connection with the transfer of title is \$ 1.00

(3) FULL EXEMPTION FROM FEE

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by c. 49, P.L. 1968, as amended by c. 113, P.L. 2003, for the following reason(s). Explain in detail. (See Instruction #7.) Mere reference to exemption symbol is not sufficient.

(a) For a consideration of less than \$100.00.

(4) PARTIAL EXEMPTION FROM FEE

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. (See Instructions #8 and #9.)

Deponent claims that this deed transaction is exempt from the increased portion of the Realty Transfer Fee imposed by c. 176, P.L. 1975, as amended by c. 113, P.L. 2003, for the following reason(s):

- A. SENIOR CITIZEN: Grantor(s) 62 years of age or over.*
B. BLIND: Grantor(s) legally blind.*
DISABLED: Grantor(s)* (i) permanently and totally disabled (ii) Receiving disability payments (iii) Not gainfully employed.*

Senior Citizens, blind or disabled persons must also meet ALL of the following criteria:

- ☐ One- or two-family residential premises. ☐ Owners as joint tenants must all qualify.
☐ Owned and occupied by grantor(s) at time of sale. ☐ Resident of the State of New Jersey.

* IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEED QUALIFY IF OWNED AS TENANTS BY THE ENTIRETY

C. LOW AND MODERATE INCOME HOUSING (See Instruction #8)

- ☐ Affordable According to HUD Standards. ☐ Reserved for Occupancy.
☐ Meets Income Requirements of Region. ☐ Subject to Resale Controls.

D. NEW CONSTRUCTION (See Instruction #9)

- ☐ Entirely new improvement. ☐ Not previously occupied.
☐ Not previously used for any purpose.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c. 49, P.L. 1968, as amended by c. 113, P.L. 2003.

Subscribed and sworn to before me
this 4
day of November, 2004
Katherine Schiano

KATHERINE M. SCHIANO
A Notary Public of New Jersey
My Commission Expires April 25, 2006

Andrus Aasma
Signature of Deponent
P.O. Box 419
Ledgebrook, NJ
Address of Deponent

Rand Homes at Rockaway
Name of Grantor
P.O. Box 419
Ledgebrook, NJ
Address of Grantor at Time of Sale

FOR OFFICIAL USE ONLY

Instrument Number _____ County _____
Deed Number _____ Book _____ Page _____
Deed Dated _____ Date Recorded _____

IMPORTANT - BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE HEREOF.
This form is prescribed by the Director, Division of Taxation in the Department of the Treasury, as required by law, and may not be altered or amended without the approval of the Director.

DB06218P212

END OF DOCUMENT