

TOWNSHIP OF LOWER, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE #2011-16

AN ORDINANCE AUTHORIZING EXECUTION OF A CONVEYANCE BY QUIT CLAIM DEED OF CERTAIN POTENTIAL PROPERTY INTERESTS TO THE LOWER TOWNSHIP RESCUE SQUAD IN CONNECTION WITH PROVIDING EMERGENCY FIRST AID SERVICES TO THE TOWNSHIP OF LOWER

Section 1. In accordance with N.J.S.A. 40A:12-21, this special ordinance is introduced to be adopted for the purpose of allowing the execution of a quit claim deed of certain land conveying any interest the Township of Lower may have in such land to the Lower Township Rescue Squad to be used in connection with the provision of emergency first aid service to the citizens of the Township of Lower.

Section 2. The aforementioned deed is on file with the Township Clerk and is hereby incorporated herein by reference. As may be required by N.J.S.A. 40A:12-21, the following findings of fact are made by the governing body:

- a. The Township of Lower may or may not have an interest in the real property by operation of law as a result of certain language in a prior deed of conveyance to the Lower Township Rescue Squad;
- b. The Township of Lower finds that, to the extent the Township may have obtained some interest in the property, there is no public need for same.
- c. Consideration for the provision of the quit claim deed, as allowed by N.J.S.A. 40A:12-21, shall be \$1.00 as set forth in the deed;
- d. The deed furthers the important public purpose of providing volunteer rescue squad services to the citizens of the Township of Lower;
- e. The entire citizenry and visitors to the Township benefit from the granting of this conveyance to the Rescue Squad;
- f. The conveyance comes under the provisions of N.J.S.A. 40A:12-21 and is authorized by that statute for conveyance to the rescue squad with the conditions of said statute contained in the deed.

Section 3. Upon final adoption and approval of this Ordinance, the Mayor and Clerk shall be and hereby are authorized and directed to execute and record the aforementioned quit claim deed on behalf of the Township of Lower for the purposes aforesaid and to provide a copy of same to the Lower Township Rescue Squad.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same are hereby repealed.

Section 5. This Ordinance shall take effect after final passage and publication as provided by law.

Attest: Claudia R Kammer
Claudia Kammer, Township Clerk

Adopted: Sept. 7, 2011

Abstain
Thomas Conrad, Councilmember

[Signature]
Erik Simonsen, Councilmember

[Signature]
Glenn Douglass, Councilmember

[Signature]
Kevin Lane, Councilmember

[Signature]
Michael Beck, Mayor

2y. Orig. to
Rescue Squad Atty.
9.21.11

Prepared by:


FRANK L. CORRADO, ESQUIRE

DEED

This Deed is made on September 21, 2011,

Between the TOWNSHIP OF LOWER, whose address is 2600 Bayshore Road, Villas, New Jersey 08251 referred to as the Grantor,

AND the LOWER TOWNSHIP RESCUE SQUAD, whose address is P.O. Box 89, Villas, New Jersey 08251, referred to as the Grantee.

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

Transfer of Ownership. Upon the authority of N.J.S.A. 40A:12-21, the relevant provisions of which are incorporated herein by reference, and duly adopted Ordinance of the Township of Lower in accordance therewith, The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of ONE DOLLAR (\$1.00). The Grantor acknowledges receipt of this money.

Reverter. In accordance with N.J.S.A. 40A:12-21, such lands shall be used only for the purposes of the Lower Township Rescue Squad and to render such services or to provide such facilities as may be agreed upon by and between the Township of Lower and the Lower Township Rescue squad, and except as provided in subsection (a) of 40A:12-21, not for commercial business, trade or manufacture, and that, unless waived, released, modified, or subordinated pursuant to N.J.S.A. 40:60-51.2, if said lands or buildings are not used in accordance with said limitation, title thereto shall revert to the Township of Lower without any entry or reentry made thereon on behalf of the Township of Lower.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Township of Lower, Block 233.01, Lot 1.

Property. The property consists of the land and all the buildings and structures on the land in the Township of Lower, County of Cape May and State of New Jersey. The legal description is:

ALL that certain plot or parcel of land situate; lying and being in the Township of Lower, County of Cape May, and State of New Jersey bounded and described as follows, to wit:

BEGINNING at the point of intersection of the Southwesterly side line of Cardinal Road with the Southeasterly boundary line of Skill's Beach, said boundary line being also the Northwesterly side line of Main Street as laid out on a map of Wildwood Villas Section 7; and extending thence

(1) Along the aforementioned Southeasterly boundary line of Skill's Beach, being also the Northwesterly side line of Main Street, South 20 degrees 08 minutes West, a distance of One hundred twenty four and forty-one-hundredths (124.40) feet to the Northeasterly side line of Georgia Avenue: thence

(2) Along the Northeasterly side line of Georgia Avenue, North 60 degrees 00 minutes 30 seconds West, a distance of Sixty-six and fifty-four one-hundredths (66.54) feet, to the point of intersection with the Southeasterly side line of Yuma Avenue, said side line being 10 feet Northwestwardly from the division line between Lot No. 1 and Lot No. 2 when measured at right angles thereto; thence

(3) Along the Southeasterly side line of Yuma Avenue, through Lot No. 2 (said side line being 10 feet Northwestwardly of the division line between Lot No. 1 and Lot No. 2 when measured at right angles thereto), and continuing along Southeasterly side line of Yuma Avenue through Lot No. 23, (said side line being 10 feet Northwestwardly from the division line between Lot No. 23, and Lot No. 24, when measured at right angles' thereto), North 32 degrees 09 minutes 30 seconds East, a distance of One hundred twenty-six and eighty one-hundredths (126.80) feet to the Southwesterly side line of Cardinal Road; thence

(4) Along the Southwesterly side line of Cardinal Road, South 57 degrees 50 minutes 30 seconds East, a distance of Fifty-nine and ninety-two one-hundredths (59.92) feet, to the point and place of beginning.

Containing within the above described bounds Seven thousand nine hundred thirty seven and thirty-nine one-hundredths (7937.39) square feet of land to be the same more or less. Comprising all of Lot No. 24, the Southeasterly 10 feet of Lot No. 23, and portions of Lots No. 1 and No. 2, of Block No. 5, as laid out on a map of "Skill's Beach, Delaware Bay; Lower Township, Cape May County, New Jersey, C.B. Middleton, C. E., December 18, 1946, duly filed.

signed and delivered this Deed as and for the voluntary act and deed of the Township of Lower. All this was done in the presence of the Witness, who signed this Deed as attesting witness. The Witness signs this proof to attest to the truth of these facts.

The Witness also acknowledged that 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.

Sworn to and subscribed
before me on the 21st day
of September, 2011.

Stephanie Dent
NOTARY PUBLIC OF NEW JERSEY

Claudia Kammer
CLAUDIA KAMMER, RMC



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

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Name(s)

TOWNSHIP OF LOWER

Current Resident Address:

Street: 2600 BAYSHORE ROAD

City, Town, Post Office

State

Zip Code

VILLAS

NJ

08251

PROPERTY INFORMATION (Brief Property Description)

Block(s)

Lot(s)

Qualifier

233.01

1

Street Address:

101 GEORGIA AVENUE

City, Town, Post Office

State

Zip Code

VILLAS

NJ

08251

Seller's Percentage of Ownership

Consideration

Closing Date

100%

0

SELLER ASSURANCES (Check the Appropriate Box)

1. I am a resident taxpayer (individual, estate, or trust) 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 an 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.
7. The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such 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.
8. Transfer 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.

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.

September 21, 2011
Date

Michael Beck
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

DEED

Dated: *September 21, 2011*

TOWNSHIP OF LOWER,

Grantor,

TO

LOWER TOWNSHIP RESCUE
SQUAD,

Grantee.
