

PREPARED BY:

DEED OF RIGHT-OF-WAY EASEMENT

THIS DEED OF EASEMENT is made on this _____ day of

_____, 20_____ by

whose mailing address is

(hereinafter referred to as "Grantor"), and **THE COUNTY OF CAPE MAY**, a body corporate and politic of the State of New Jersey, with offices at 4 Moore Road, Cape May Court House, New Jersey 08210 (hereinafter referred to as "Grantee"). The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

THIS EASEMENT is granted by Grantor to Grantee for and in consideration of One (\$1.00) Dollar, receipt of which is hereby acknowledged. Grantor also acknowledges that the conveyance of this right-of-way easement is a condition of site plan/subdivision approval by the Cape May County Planning Board (File Number _____) for the development of Block No. _____, Lot No. _____ as delineated on the prevailing tax map of the _____ of _____.

THE LANDS AFFECTED by this Easement (the "Affected Lands") are more formally described on **Exhibit "A"** (attached hereto and incorporated herein by this reference) prepared by _____, New Jersey License No. _____. Said Affected Lands is also depicted on a Site Plan/Subdivision Plan dated _____ (last revised _____) as prepared by _____, New Jersey License No. _____, attached hereto as **Exhibit "B"** and incorporated herein by this reference (which subdivision map was filed on _____ in the Cape

May County Clerk's Office as Map No. _____) (*strike out if Easement is granted as a condition of Site Plan approval*).

SAID AFFECTED LANDS are a part of the lands and premises conveyed unto Grantor by deed from _____, dated _____ and recorded in the Cape May County Clerk's Office on _____ at Deed Book _____, Page _____.

THIS DEED OF EASEMENT conveys to Grantee the right to utilize the easement area in perpetuity for the widening or improving of _____ Road (County Road No. _____) where said road abuts Grantor's property, as set forth herein, to aid the traveling public as deemed necessary and appropriate by the Cape May County Engineer.

IT IS THE SPECIFIC INTENTION of the easement to permit Grantee to plan, construct, install, maintain, renew, repair and widen as to future road improvements, utilities and associated drainage facilities (including related piping or material incident thereto) on _____ Road (County Road No. _____) as the County of Cape May may deem necessary for public safety.

THE TERMS OF THIS DEED OF EASEMENT are as follows:

1. Grantor and Grantee shall exercise due care in the manner in which rights hereunder are exercised.
2. Grantor and Grantee agree to exercise its rights with respect to the described area so as to not to unreasonably interfere with the rights of the other party.
3. Grantee is permitted the right to enter in and upon the described premises to plan, survey, place, construct, maintain, repair and inspect the road and any and all road improvements that may be constructed.
4. Grantee is permitted to place, construct, erect, operate, maintain and inspect storm drainage facilities across and upon the described premises.
5. Grantee shall have the right of ingress and egress to and over said described premises at any and all times for the purpose of doing

anything necessary or useful or convenient for the enjoyment of the easement herein granted.

- 6. Grantor shall not construct, install, alter, or cause to be constructed, installed or altered, any improvements within the described premises that will interfere with or impede in any manner Grantee's ability to access or use this easement.

THIS DEED OF EASEMENT and the rights and obligations hereunder shall run with the land and be binding upon all the parties hereto, their successors, heirs, transferees and assigns.

THE GRANTOR signs this Deed to be effective as of the date at the top of the first page.

WITNESS:

GRANTOR:

(ACKNOWLEDGMENT)

STATE OF _____ :

: ss.

COUNTY OF _____ :

I HEREBY CERTIFY that on _____, 20____, the Grantor,

_____, appeared before me and established

to my satisfaction that:

- (a) he/she signed, sealed and delivered this Easement as his/her act and deed individually and/or on behalf of any corporate entity named herein as Grantor;
- (b) if executed on behalf of a corporate Grantor, he/she verified that he/she has been authorized to execute this Easement on behalf of the corporation and has affixed the true seal of the corporation hereto; and

- (c) made this Easement for One Dollar (\$1.00) as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

NOTARY PUBLIC

Seal

RECORD AND RETURN TO:

OFFICE OF COUNTY COUNSEL

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Cape May Court House, N.J. 08210

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