

TITLE BUREAU
MANUAL

Superseded

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Superseded

SECTION I

INTRODUCTION

To assure that the Department of Transportation is acquiring good, sufficient, and unencumbered title to properties needed for highway and transportation purposes, there is established in the Division of Right of Way, the Bureau of Titles.

The validity of titles searched and examined in preparation for expenditure of highway and transportation monies is dependent on the performance and quality of Title Bureau activities.

PURPOSE

The purpose of these guidelines is to outline the standards and procedures which are to be followed in complying with State requirements concerning Title Searching, Title Examining, Deed Preparation, Title Conveyancing, Final Closings and Settlements with property owners, Reimbursement of Real Estate Taxes and Incidental Closing Costs for all property acquired for highway and transportation purposes.

REQUIREMENTS

It is an established requirement of the New Jersey Department of Transportation that title to all property and rights therein to be acquired for highway and transportation purposes, be established prior to the acceptance of a Deed of Conveyance or the institution of Condemnation proceedings. Title is to be established by qualified State Title personnel or Title Insurance Companies registered to do business in this State in the office of the Commissioner of Insurance.

The chain of title is to be made from a search of the records in the Office of the County Clerk or Register of Deeds, as the case may be, in the County wherein the property to be acquired is located.

In addition to a search of the County records, a search in the Superior Court of New Jersey and The United States District Court for the District of New Jersey (commonly known as Upper Court Searches) shall be made against all owners appearing in the chain of title.

An official tax search shall be obtained from the Municipality wherein the parcel being acquired is located in order to ascertain any and all municipal tax liens affecting the said property. Also, depending upon the subject Municipality, a water and sewer search shall be obtained.

A search shall be requested from the New Jersey Corporation Franchise Tax Bureau against all corporations, both domestic and foreign, which the chain of title discloses held title.

BUREAU RESPONSIBILITY

Under the direction of the Director of Right of Way, the Title Bureau Manager and Assistants have the responsibility of complying with all State and Federal procedures concerning the acquisition of property and the vesting of title in the State of New Jersey.

The Title Bureau Manager is the responsible head of the Bureau of Titles and acts as advisor and consultant on matters relating to title to property being acquired; establishes general procedures and policies governing the operation of the Bureau; supervises the personnel and functions of the Bureau as may be necessary to vest good and unencumbered title in the State of New Jersey; critically examines all title papers and finally approves all certificates of title and invoices. Invoices are then transmitted to the Division of Accounting and Auditing for transmission to the Department of the Treasury for the issuance of checks for payment.

In the absence of the Title Bureau Manager, the designated Title Officer II becomes the Acting Title Bureau Manager.

Certificates of title and invoices in an amount up to \$10,000.00 may be approved by either Title Officer II on a daily basis.

BUREAU ORGANIZATION

The Title Bureau consists of the Office of the Manager, two Assistant Title Officers and eight sections, one for each major function of the Bureau. These sections are identified as follows:

1. Field Searching Section
2. Title Examining Section
3. Condemnation Section
4. Title Processing Section
5. Settlement Section
6. Title Company Liaison Section
7. Records and Control Section
8. Special Projects Section

The operations and procedures for each of these sections is fully set forth in subsequent chapters.

PROCEDURES

Upon receipt from the Director of Right of Way of General Property Parcel Maps showing parcels authorized by the Commissioner of Transportation to be acquired, the Manager shall make the decision to assign the project to either the Field Searching Section or to the Title Company Liaison Section. The Supervisor of the Field Searching Section or the Supervisor of the Title Company Liaison Section, in accordance with the assignment, shall thereupon proceed with the work, having due regard for the completion of the project.

The decision to use Title Companies to supplement the staff forces shall be based on available forces in relation to assigned project and parcel target dates as well as those unique circumstances where Title Company "back titles" can most economically provide the services and/or where their local offices can better provide local closing services to owners and their attorneys.

HAZARDOUS WASTE SITUATIONS

Recently enacted environmental laws, such as the Industrial Site Remediation Act (ISRA) and the Spill Fund Act, have added a new dimension to the conveyancing of real property. Because of the various laws dealing with contamination and cleanup, Title Bureau personnel must take precautions to insure that the Department is protected from future cleanup liability resulting from the purchase of contaminated property.

Each district office is responsible for identifying environmentally sensitive parcels (ESP) in the early stages of the acquisition process. When such properties have been identified, any agreement cases transmitted to Headquarters should be so designated (ESP) in order to alert the Headquarters staff of the need to obtain clearances prior to settlement.

Since the potential for contamination is not always obvious, any information, which would raise the question of possible contamination, should be investigated. An example of this would be where the title search disclosed that a prior owner, such as an oil company, could have been a source of contamination.

The procedures established by the Title Bureau for safeguarding against the purchase of contaminated parcels are outlined in the appropriate chapters.

RIPARIAN PARCELS

All payments for Riparian Parcels (preparation fees, application fees, licenses, etc.,) are processed under the supervision of a Title Officer II, when requested by the Manager, Bureau of Administration and Program Control. Final drafts of Riparian Grants from the Department of Environmental Protection and Energy, Bureau of Tidelands Management are also reviewed for acceptance.

INCIDENTAL CLOSING COSTS

All requests for reimbursement of replacement housing incidental closing costs are reviewed under the supervision of a Title Officer II. Requests for such review are initiated by the Office of Relocation Services and Property Management and are accompanied by a copy of the closing statement and related documentation.

SECTION II

FIELD SEARCHING SECTION

REQUIREMENTS

In order to determine the ownership of title to property being acquired for highway and transportation purposes, it is required that a chain of title be prepared by searching and abstracting the records of the County Clerk's Office, the Register of Deeds Office and the Surrogate's Office.

On staff assigned projects, these chains of title are to be prepared by qualified State Title personnel assigned to the Field Searching Section.

RESPONSIBILITY

Under the supervision of the Manager and/or the appropriate Assistant, the Supervisor of the Field Searching Section has the responsibility of complying with all State requirements concerning the preparation and completion of chains of title.

The Supervisor of the Field Searching Section shall exercise general supervision over and assign the work to those employees who are direct reports. The Supervisor shall maintain the proper performance of work with respect to both quality and quantity, instruct direct report employees in their work as may be necessary, and assist them in their problems incident to such work.

The Supervisor shall approve time records for all employees working under his/her supervision.

PROCEDURES

Upon receipt of a project, together with the Right of Way Division master project and parcel target date charts for completion, the Supervisor of the Field Searching Section shall make a parcel-by-parcel log of the project and assign the searching work to the Field Supervisor of the area in which the parcels are located. The Field Supervisor will

be provided the necessary General Property Parcel Maps and descriptions of the parcels to be searched together with the target date for completion of the search work.

The Supervisor of the Field Searching Section shall also determine the number of the field people necessary to complete the project and shall then reassign employees accordingly.

The Field Supervisor shall assign the search work, parcel by parcel, to those employees assigned to him/her together with completion dates in relation to the project target dates.

Upon the completion of a chain of title for a parcel, the Field Supervisor shall review same and if found properly completed, forward it to the Supervisor of the Field Searching Section. Upon receipt of the completed chain of title for a parcel, the Supervisor of the Field Searching Section shall properly log same and forward the completed search to the Supervisor of the Records and Control Section.

MINIMUM SEARCH REQUIREMENTS

| <u>TYPE</u> | <u>MINIMUM REQUIREMENT</u> |
|---|--|
| 1. Temporary and permanent easements | last record owner search |
| 2. Minor acquisitions | 5 year search |
| 3. Partial acquisition valued between \$10,000 and \$50,000 | 10 year search |
| 4. Major entire takings \$50,000 or more | 20 year search |
| 5. Condemnation cases | 20 year search |
| 6. Donations | (a) Old procedure - record owner search (b) New procedure - developer provides title certificate. |

The estimates of value will be used to determine length of searches.

It should be understood that these are minimum standards and that anyone involved in the process, for good reason, may request or perform additional search work to lessen the risk inherent in performing abbreviated searches.

MAKING A CHAIN OF TITLE

In searching titles, it is important to know that all land titles in the State of New Jersey; except for those areas which now or formerly were subject to tide flow, emanate from the Board of Proprietors of either East Jersey or West Jersey.

In some instances, it may be necessary to trace a title back to the Board of Proprietors in order to determine ownership such as when Deed overlaps are found or where there is no owner found of record. The Boards of Proprietors are still in existence today and will execute conveyances for property still found to be owned by the Board.

The first act of the searcher in constructing a chain of title is to find the Deed into the assumed present owner. This is done by consulting the Grantee index under the name of the assumed present owner and ascertaining the book and page number where the Deed is recorded.

The Deed Book is then pulled and turned to the page where the instrument to the assumed present owner may be found. The instrument is carefully examined to make certain that the description covers the parcel being searched. If it is found to cover the parcel, an abstract of the Deed shall be made. If it is found not to cover the parcel being searched, the searcher shall again consult the Grantee index until the correct Deed is found.

The Deed Abstract, Forms RE17(a), RE17(b), RE44, as applicable, (Exhibit Nos. 3(a), 3(b), and 4) shall set forth the names and addresses of the Grantors and the Grantees exactly as set forth in the Deed and shall also set forth the date of the instrument, the consideration, the recording date, the book and page, the acknowledgment and the signatures and seals.

The Deed Abstract shall also set forth the Granting clause and the Habendum together with the covenants and warranties.

The description of the premises contained in the Deed shall be abstracted together with any and all clauses pertaining to easements, rights of way, conditions or reservations. If the Deed contains a recital, this should also be abstracted.

When photocopies are made in place of abstracts, it is the searcher's responsibility to be certain that all necessary information has been copied and that all extraneous information has been noted. (As in the situation where one or more tracts or parcels do not affect the property being searched.)

When the searcher has completed abstracting the Deed, he/she shall then go to the Deed Book and page as recited in the Deed first abstracted. After carefully examining this instrument, if found to cover the parcel being searched, a complete abstract of the

deed shall be made.

The searcher will continue to repeat this process until the appropriate period of time has been covered.

In the event the Deed does not contain a recital or if the recital in the Deed is in error, the searcher must consult the Grantee index under the name of the person set forth as the Grantor in the Deed last abstracted in order to find the correct Deed Book and page.

If it is found that a party in title died or if the recital in the Deed sets forth that the Grantor acquired title by descent or devise, the searcher shall then consult the records of the Office of the Surrogate.

If the records of the Surrogate indicate that the party died testate, the searcher shall abstract the Complaint for Probate, the Will and Codicils, if any, the issuance of Letters Testamentary, together with any other proceedings filed in connection with the Probate of the Will. In the event the party died intestate, the searcher shall abstract the Complaint for Administration and the issuance of Letters of Administration, together with any other proceedings filed therewith.

In the event the Surrogate's Office does not contain a record of the party being searched, the searcher shall so note it and make it a part of the chain of title.

RIPARIAN PARCELS

Riparian lands are those lands lying below the mean high water mark along waters in which the tide ebbs and flows. Title to these lands is vested in the State of New Jersey unless the State has divested itself of its title by a conveyance commonly called a Riparian Grant.

To determine if lands are riparian, an investigation must be made through the Department of Environmental Protection, Division of Coastal Resources.

PLOTTING

In order that the searcher may at all times be able to identify the parcel of land being searched, it may be necessary for the searcher to make a plotting of the description contained in the Deeds in order to prove that the Deeds cover the parcel in question.

This may be necessary where the parcel of land is included in the description of a

larger tract or forms part of several tracts. The plotting will also prove useful to the searcher when making eliminations.

In those instances where there are filed maps covering the parcel in question, the searcher shall make a tracing of the filed map.

SEARCHING THE INDICES

When the searcher has completed abstracting the Deeds covering the required period of time, he/she shall then prepare index work for searching the indices in Deeds, Mortgages and Lis Pendens, utilizing Form RE21 (Exhibit No. 5).

The index work is set up by listing the names of each Grantee and owner appearing in the chain of title and the dates they are to be searched, which is the day before they acquired title to a day after they were divested of title. In the case of the present owner, they are searched to date. The searcher shall then consult the appropriate Grantor, Mortgagor and Lis Pendens indices and search the names for the period of time they were in title. Every instrument found under these names shall be listed.

When this has been completed, the searcher shall then locate and carefully examine every instrument listed to see if it affects the parcel being searched. If the instrument does not affect, the searcher shall mark the index work accordingly, usually by making a check mark. If the instrument does affect, he/she shall circle same on the index work and then abstract the instrument. If the instrument is a mortgage that affects but is cancelled of record, the mortgage is not to be abstracted but the searcher shall circle same on the index work, give the date of cancellation and the amount.

By doing this, the searcher shall ascertain every instrument of record affecting the title and shall make an abstract of same, such as but not limited to, conveyances, easements, agreements of sale, leases, mortgages, tax sales, powers of attorney, lis pendens and final judgments. It then may be necessary for the searcher to run additional names in the indices, such as but not limited to, those parties holding easements, leases and contracts of sale in order to determine the present day holder of these interests.

In abstracting open mortgages, the searcher shall also show any marginal notations, such as assignments, releases, discharges, lis pendens and subordination agreements.

If the mortgagee is an individual, the searcher shall show that the Surrogate's records were consulted versus said party and abstract any proceedings found. This is necessary in order to determine the present day holder of the mortgage.

SEARCHING FOR LIENS

When the searcher has completed the chain of title, a judgment search index shall be prepared, setting forth the names of all persons having held title to the parcel from a date 20 years last past to the day after they were divested of title. In the case of the present owner, they are searched to date. This is done in order to search the County records for liens against said parties.

The liens to be searched in the appropriate County records are:

1. Judgments
2. Attachments
3. Bonds to Sheriff
4. Recognizances
5. Building Contracts
6. Stop Notices
7. Mechanics Notice of Intention
8. Mechanics Liens
9. Federal Liens
10. Institutional Liens
11. Agreements to Reimburse
12. Secured Transactions
13. Condominium Liens
14. Homeowners' No Notice Lien
15. Environmental Liens
16. Construction Liens

The searcher shall abstract any of these liens found open of record against the parties and/or affecting the parcel in question.

SEARCHER'S TITLE REPORT

When the searcher has completed abstracting every instrument found of record affecting the parcel in question and has completed searching all the parties who have held title in all the required indices, he/she shall then prepare the searcher's title report, Form RE9 (Exhibit No. 6).

The report shall set forth the Route, Section, and Parcel that was searched and the County wherein the parcel is located. It shall set forth the owner of record, the owner's Deed Book and page and if there are Surrogate's records versus the present owner. He/she shall also set forth all open mortgages, tax sales, judgments and liens together with any lis pendens, leases, agreement of sales, etc. The searcher shall state the date the records were covered to and shall sign the report. In the event a back title was used, the searcher shall state which one was used and shall certify that he/she personally examined and checked the abstracts and index work.

ASSEMBLAGE OF THE CHAIN OF TITLE

In assembling the chain of title, the searcher's title report will be the first page, followed by the description of the parcel. Then will come the plottings and tracings of filed maps. Next shall be the abstract of the earliest Deed and following in chronological order shall be all the abstracts of the instruments found of record up to the latest recorded instrument. Following this shall be abstracts of all judgments and liens found open of record. Next shall be the searcher's index work with the earliest names first followed by the judgment search index.

CONTINUATIONS

The searcher, at times, will be given a request for a continuation of title for a chain of title previously completed. The request will state the owner of record, the Deed Book and page, together with any open liens, and the date from which the continuation is to be run. The current job number and the block and lot will also be shown.

The searcher shall make the continuation from the date given by following the same procedures required for making a chain of title, searching the indices and searching for liens. In the event a new owner is found, the searcher shall run the new owner for 20 years last past on the judgment search index and shall also check the Surrogate's

records versus the new owner. The searcher shall check the status of any open liens set forth on the continuation request and state to what date the records were covered.

FORMS FOR ABSTRACTING

The searcher shall use the following forms in abstracting the instruments found of record and in making up the complete chain of title:

| | | |
|--------------|------------------------------------|------------------|
| Form RE17(a) | Deed Abstract (1st page) | Exhibit No. 3(a) |
| Form RE17(b) | Deed Abstract (2nd page) | Exhibit No. 3(b) |
| Form RE44 | Sheriff's Deed Abstract | Exhibit No. 4 |
| Form RE62(a) | Mortgage Abstract (1st page) | Exhibit No. 7(a) |
| Form RE62(b) | Mortgage Abstract (2nd page) | Exhibit No. 7(b) |
| Form RE66 | Complaint - Probate or Intestacy | Exhibit No. 8 |
| Form RE37(a) | Last Will and Testament (1st page) | Exhibit No. 9(a) |
| Form RE37(b) | Last Will and Testament (2nd page) | Exhibit No. 9(b) |
| Form RE79 | Judgment | Exhibit No. 10 |
| Form RE21 | Searchers Index | Exhibit No. 5 |
| Form RE32 | Judgment Index | Exhibit No. 11 |
| Form RE181 | Notice of Lis Pendens | Exhibit No. 12 |
| Form T469 | Declaration of Taking | Exhibit No. 13 |
| Form RE9 | Title Report | Exhibit No. 6 |

If the searcher is to abstract an instrument that is not covered by any of the above forms, he shall use the Deed Abstract (2nd page) for any such instrument recorded in a Deed Book and shall use the Mortgage Abstract (2nd page) for any such instrument recorded in a Mortgage Book or which may pertain to a mortgage.

SECTION III

TITLE EXAMINING SECTION

REQUIREMENTS

All chains of title submitted by the Field Searching Section are required to be carefully examined and a Report of Title prepared showing the ownership of the property, the liens and encumbrances affecting the property, and the defects in title, if any.

Reports of Title are to be prepared by qualified State Title personnel assigned to the Title Examining Section.

RESPONSIBILITY

Under the supervision of the Manager and/or Assistants, the Supervisor in charge of the Title Examining Section has the responsibility of complying with all State procedures concerning the examination of title.

The Supervisor in charge of the Title Examining Section shall exercise general supervision over and assign the work to those employees who are direct reports. The Supervisor shall maintain the proper performance of work with respect to both quality and quantity, instruct direct reports in their work as may be necessary, and assist them in their problems incident to such work.

Time records for all direct reports will be approved.

PROCEDURES

Upon receipt of the chain of title (title search) together with any other documents comprising a case from the Supervisor of the Records and Control Section, the Title Examining Section shall log the case in their records (Form RE199 - Title Examiner's Log, Exhibit No. 14), noting the target date for completion and first assign the case to the Drafting Technician for certification of the coverage of the descriptions.

The Drafting Technician shall properly log, file and maintain the General Property Parcel Maps, copies of filed maps, tax maps, geological maps and any other maps that may be used to accurately locate and prove coverage of property descriptions.

Upon receipt of a case, the Drafting Technician shall carefully examine the descriptions contained in each and every abstract in the chain of title to determine whether the parcel in question is covered by the description. He/she shall also carefully examine any exception or reservations from the description and any easements or rights of way in the abstract to determine if they affect in any way the coverage of the parcel in question.

The Drafting Technician shall make accurate plottings of the descriptions, when necessary, to ascertain if they properly cover the parcel and shall carefully superimpose the plottings onto the General Property Parcel Maps. The location of easements and rights of way and any exceptions or reservations as contained in the description in the abstract shall be accurately plotted on the General Property Parcel Map.

When the Drafting Technician has completed examination of the descriptions, he/she shall certify on each abstract the coverage of same, stating that the description covers the entire parcel, or if only a portion, which portion of the parcel is covered. He/she shall also certify whether an exception or reservation affects the coverage of the parcel and also if the description of an easement or right of way affects the parcel.

When the Drafting Technician has completed the certification, the entire case shall be returned to the Supervisor of the Title Examining Section.

READING A TITLE

At this point, the case is ready to be examined, commonly known as reading the title. The Supervisor of the Title Examining Section shall then assign the case to an examiner within his/her section. The examiner assigned to read the case shall first number each page of the chain of title in consecutive order starting with the searcher's title report as Page No. 1. This will prove useful to the examiner when referring to defects, liens, etc. found in the examination and also whether a page has been added or removed from the chain of title.

The examiner shall then carefully examine and scrutinize each instrument in the chain of title noting the accuracy and legal effect the instrument has on the title in question. He/she should note the certification made by the Drafting Technician as to the coverage of the descriptions and whether any exceptions, reservations, easements, or rights of way affect the parcel in question.

In examining Deeds, the examiner should note the following: The parties to the Deed and the marital status; If the grantors are all of the parties who held an interest and if their spouses have joined in the Deed; The date of the Deed, the date of the acknowledgment and the recording date; If the searcher has indicated any difference between the signatures in the Deed and the names of the grantors; The interest being conveyed and whether the Deed conveys the full fee.

In examining instruments made as a result of court proceedings, the examiner should note if all parties holding an interest were made a party to the proceedings. The pleadings or an abstract shall be examined for regularity and any possible defects.

In Deeds made by a corporation, the examiner shall request from the Records and Control Section an abstract of the Certificate of Incorporation and the standing of the corporation at the time it became divested of title, when necessary. The Records and Control Section actions are later explained in this manual.

In examining Wills, the examiner shall determine the devisee of the parcel in question and who has power to sell same. He/she should also note the heirs and next of kin and their ages to determine if there are any after born children and also if there is a surviving spouse.

When the chain of title shows a party in interest who died intestate, the examiner should note the heirs and next of kin to determine who is entitled to the parcel under the Statute of Descent. In the event the searcher has noted in the chain of title that the Surrogate's Office did not contain a record of the party who died, the examiner should note from the abstract the address of the said party to determine if he was a resident of another County or State, and if so, the examiner should request a search of the Surrogate's records from that County or State. He/she should also request from the Records and Control Section a search of the Vital Statistics Bureau for any record of death.

If any owners of record died within 15 years last past, in the absence of an Inheritance Tax Waiver, an exception shall be raised.

In examining mortgages, the examiner should: note the parties, the amount, the terms , all marginal entries and determine the present holder of the mortgage.

Also noted will be leases, easements and rights of way affecting the parcel and a determination made of the present holders of these rights.

The examiner shall also note all open judgments and liens set forth in the chain of title.

The examiner shall review the Right of Way Price Approval Sheet as prepared by the District Office to determine what their physical inspection of the parcel discloses, such as encroachments, tenants, occupants and lessees.

When the examiner has completed this, he/she shall review the notes made of the defects in title and shall determine if any have been cured by Statute and/or Validating Acts. If they have been, the examiner shall make the proper notations on the abstract.

PREPARING THE REPORT OF TITLE

The examiner shall then prepare a Report of Title on the Department's standard Form RE24 (Exhibit No. 19). On the front page of the Report of Title, the following shall be set forth:

1. The name of the person making the examination.
2. The date examined.
3. The route, section and parcel number or other identity of the property being examined.
4. The project and code number.
5. The date of the condition of title.
6. The period of time the examination covers.
7. The kind of Deed to be given to the State, such as Warranty, Bargain and Sale, Executor's, Easement.

8. The names of the grantors with the owners of record underlined. As an example, the owner of record is John Smith. He is married and his wife's name is Mary. The grantors would then be John Smith and Mary Smith, his wife.

However, pursuant to Chapter 485, Laws of 1979 effective May 28, 1980, all rights of dower and curtesy in property acquired after May 27, 1980 are abolished, except as to such real property occupied jointly by the owner and spouse as their principal matrimonial residence. Therefore, the spouse need not be shown as a grantor if it is determined the property is not the principal matrimonial residence, occupied jointly by the owner and spouse, and acquired subsequent to May 27, 1980.

9. The amount of consideration being paid by the State except when the Report of Title is being prepared for institution of condemnation proceedings.
10. The county and municipality where the parcel is located.
11. The examiner shall set forth the names of all parties having held title to the date they were divested of title. This will show the parties to be searched in the Upper Court Searches. The examiner shall then make a request to the Records and Control Section to have these parties searched in the Upper Court Searches.
12. The examiner shall set forth all corporations which have held title within the past 10 years from the date they acquired title to the date they were divested of title. This will show the corporations to be searched for Corporation Franchise Taxes. The examiner shall make a request to the Records and Control Section to have these corporations searched in the Corporation Franchise Tax Bureau.
13. On the reverse side of the Report of Title, the examiner shall set forth the names that the title of record is vested in and the instrument by which title was acquired.
14. From the notes the examiner made when reading the title, he/she shall then set forth the exceptions to title, defects of title, proofs being required, liens, judgments, leases, tenants, easements and all encumbrances affecting the title. In numbering the exceptions, the examiner shall also set forth the page number of the abstract where the exception is on as an aid in readily referring to same.

15. The Report of Title is to be signed by the employee who examined the chain of title.

When this has been completed, the case is to be reviewed by the Supervisor of the Title Examining Section. It shall then be entered in the log, when necessary, and the Records and Control Section notified.

The case shall then be given to the Supervisor of the Title Processing Section if it is an approved agreement or the Supervisor of Condemnation if condemnation proceedings are to be instituted. In the event the case is a nonaction case, it shall then be filed.

If the Report of Title indicates that the parcel needs to be subdivided because of ownership, the appropriate offices will be notified.

The Supervisor of the Examining Section is also responsible for the Title Bureau's participation in Pre-Phase II reviews.

FORMS FOR EXAMINING

The examiner shall use the following forms in completing the examination of title:

| | | |
|-----------|-----------------------------------|----------------|
| Form RE6 | Superior Court Proceeding Request | Exhibit No. 15 |
| Form RE57 | Request for Vital Statistics | Exhibit No. 16 |
| Form RE67 | Certificate of Incorporation | Exhibit No. 17 |
| Form RE24 | Report of Title | Exhibit No. 18 |

SECTION IV

CONDEMNATION SECTION

REQUIREMENTS

In the condemnation of a parcel of property to be acquired for Highway or Public Transportation purposes, it is required that a Condemnation Memorandum of Title be prepared setting forth the owner and all parties who have an interest in and to the parcel being condemned.

The Condemnation Memorandum of Title is to be prepared by qualified State Title Bureau personnel assigned to the Condemnation Section. It shall be based on a title search covering a period of at least 20 years last past, which said title search shall have been completed by either qualified State Title Bureau personnel or by an approved Title Company.

The Title Memorandum is to be used by the Bureau of Acquisition Legal Processing Section in the preparation and filing of the Condemnation Complaint, Notice of Lis Pendens and Declaration of Taking.

RESPONSIBILITY

Under the supervision of the Manager and/or Assistant, the Supervisor of the Condemnation Section has the responsibility of complying with all State requirements concerning the preparation and completion of Condemnation Memoranda of Title.

The Supervisor of the Condemnation Section shall exercise general supervision over and assign the work to those employees who are direct reports. The supervisor shall maintain the proper performance of work with respect to both quality and quantity, instruct direct reports in their work, as may be necessary, and assist them in their problems incident to such work.

The Section Supervisor is responsible for reviewing and approving time records for all direct reports.

PROCEDURES

Upon receipt of a request from the Bureau of Acquisition for a Condemnation Memorandum of Title, the Supervisor of the Condemnation Section shall properly log same in a control log and assign the case.

The Report of Title shall be carefully reviewed to determine the owners of record and also the parties who hold any liens, mortgages, judgments, outstanding interests, rights of way, easements, leases, etc. that affect the parcel.

The Upper Court Search and Corporation Franchise Tax Searches shall be carefully examined to determine if there are any outstanding judgments or liens, and the names of the parties who hold said judgments or liens.

The Price Approval Sheet must be carefully reviewed to determine the names of the parties who are lessees, tenants or occupants and any other facts that may affect the parcel.

Upon determining the correct names of the parties in interest, it is then essential to obtain the present addresses of same. In the case of a corporation, it will be necessary to obtain the present name and address of the registered agent from the Secretary of State's Office.

PREPARING THE CONDEMNATION MEMORANDUM

When the correct present names and addresses of all parties in interest have been secured, the Condemnation Memorandum of Title shall then be prepared.

The Condemnation Memorandum of Title shall set forth the following facts and information:

1. The date of the condition of title;
2. The route, section and parcel number or other identity of the property being condemned;
3. The name of the owner or owners of record. If the owner is a corporation, the State in which it was incorporated;

4. The date and recording data of the Deed by which the owner acquired title;
5. The name of the owner's spouse, if any, will always be shown when the property was acquired prior to May 28, 1980. However, pursuant to Chapter 485, Laws of 1979, effective May 28, 1980, all rights of dower and curtesy are abolished except as to such real property occupied jointly by the owner and spouse as their principal matrimonial residence. The spouse, therefore, need not be named if it is determined the property is not the principal matrimonial residence occupied jointly by the owner and spouse and the property was acquired after May 27, 1980.
6. The present address of the owner. If the owner is a corporation, the name and address of the registered agent;
7. All open mortgages affecting the property, setting forth the date and recording data of the mortgage and the name and present address of the mortgagee;
8. If the mortgage was assigned, the date and recording data of the last assignment, the name and present address of the last assignee;
9. The County and Municipality in which the property being condemned is located;
10. The names and addresses of any other parties in interest together with a statement as to the interest they hold.

An original and two copies of the Condemnation Memorandum shall be made and the original and one copy shall be forwarded to the Bureau of Acquisition. The third copy shall be retained in the title file. The date the Condemnation Memorandum is forwarded to the Bureau of Acquisition shall be properly entered in the log.

UPDATING TITLE TO COVER LIS PENDENS - DECLARATION OF TAKING

Upon receipt of a request from the Legal Processing Section to have the title updated to cover the recording of a Notice of Lis Pendens, a request shall be made to have the County records continued to cover the recording of the Lis Pendens and/or Declaration of Taking. The Upper Court Searches shall be continued to cover the date the Lis Pendens was recorded.

Upon receipt of the County and Upper Court Searches, they shall be carefully reviewed and, if found clear, a statement shall be affixed to the Condemnation Memorandum setting forth the date title was continued to, the date the Lis Pendens and/or Declaration of Taking was recorded and the book and page of the Lis Pendens.

If, however, a review of the continuation discloses any additional parties in interest, a statement shall be affixed to the Condemnation Memorandum setting forth the date title was continued to, the date the Lis Pendens and/or Declaration of Taking was recorded and the book and page of same, together with the names and addresses of the additional parties in interest and the reason they hold an interest.

If a continuation indicates that the parcel needs to be subdivided because of ownership, the appropriate offices will be notified.

The vesting of title by the recording of the Declaration of Taking will be determined by the Condemnation Section.

ENVIRONMENTALLY SENSITIVE PARCELS (ESP)

When examining a Price Approval Sheet that is stamped "ESP", the Condemnation Memorandum will be noted that the parcel is environmentally sensitive.

If the Price Approval Sheet is not stamped "ESP" but shows information referring to anything that may cause contamination such as underground storage tanks, it should be brought to the attention of the Bureau of Acquisition, District Coordinator for a determination. If the parcel is found to be environmentally sensitive, the Condemnation Memorandum will be noted as stated above.

FORMS FOR CONDEMNATION

| | | |
|-----------|----------------------------------|----------------|
| Form RE3 | Condemnation Memorandum | Exhibit No. 19 |
| Form T392 | Log Record | Exhibit No. 20 |
| Form RE56 | Continuation Search-Condemnation | Exhibit No. 21 |

SECTION V

TITLE PROCESSING SECTION

REQUIREMENTS

In the acquisition of every parcel of property acquired for Highway or Public Transportation purposes, it is required that the necessary instruments of conveyance be prepared and submitted to the property owner or their legal representative for execution and that such owner or legal representative be advised of all liens and encumbrances that must be satisfied or released and of any defects in title that must be cured before settlement can be made.

At the time of such notice, the owner or their legal representative shall also be notified that, as is customary in any title closing, the proceeds the owner expects to receive from the State, may be used towards satisfying any mortgage and/or other liens.

On staff assigned cases, these instruments together with the notification as concerns the title, are to be prepared by qualified State Title personnel assigned to the Title Processing Section.

RESPONSIBILITY

Under the supervision of the Manager, Bureau of Titles and/or Assistants, the Supervisor of the Title Processing Section has the responsibility of complying with all State requirements concerning title processing procedures.

The Supervisor(s) in charge of the Title Processing Section shall exercise general supervision over and assign the work to direct reports assigned to the section. The supervisor(s) shall maintain the proper performance of work with respect to both quality and quantity, instruct direct reports in their work as may be necessary, and assist them in their problems incident to such work.

They are responsible for approving time records for all direct reports.

PROCEDURES FOR PROCESSING AGREEMENT CASES

Upon receipt of a case containing an agreement approved by the Department via a Commission Action, together with the title file containing the Report of Title, the Supervisor(s) of the Title Processing Section shall properly log the case and assign same. Notification of the assignment shall be given to the Supervisor of the Records and Control Section for entry in the master log.

The agreement shall be carefully reviewed to determine the terms and conditions regarding the conveyance to the State and or third party. The names of the owners shall be compared with the names of the owners as set forth on the Report of Title.

The Report of Title shall also be carefully reviewed to determine what liens, mortgages, judgments, outstanding interests, rights of way, easements, leases, etc. affect the parcel, and to determine which interests must be released or disposed of.

If necessary, the Report of Title shall be updated.

1. The General Property Parcel Map should be checked for easements, rights of way, underground storage tanks, etc., which are not set forth on either the report or title or price approval sheet.
2. If either the commission action or price approval sheet is stamped "E.S.P." (Environmentally Sensitive Parcel), clearance should be obtained from the Acquisition Bureau prior to closing. If nothing is stamped "E.S.P." but information indicates a potential source of contamination, such as an underground storage tank, the Acquisition Bureau should be contacted for a determination.

Exceptions to title, as set forth on the Report of Title, shall only be removed by carefully referring to appropriate statutes, decisions based on case law, or if an instrument is received which disposes of said exception.

The clearing of exceptions can also be waived with the approval of the Manager or an Assistant when the risk involved outweighs the cost in time and effort consumed in disposing of the exception in the customary manner.

The Upper Court Search and Corporation Franchise Tax Searches shall be examined to determine if there are any outstanding judgments or liens which must be released or satisfied.

The names and dates, as set forth on the Report of Title under judgment searches and Corporation Franchise Tax Searches shall be compared against the actual search received to be absolutely certain that the proper parties have been run for the proper periods of time.

The Price Approval Sheet shall be reviewed to determine any facts set forth on same that may affect the title, such as leases, tenants, encroachments, etc.

The appropriate Deed shall then be prepared in accordance with the terms of the agreement such as Deed of Warranty, Bargain and Sale Deed with covenants against Grantor's Acts, Deed by Attorney in Fact, etc., using the description as set forth in the agreement.

If the agreement provides for the conveyance of the parcel together with a remnant, a request shall be forwarded to the Department's engineers to prepare a description to be used in the Deed of Conveyance to the State, if not already requested.

At this time, all other instruments needed to clear title shall be prepared, such as Release of Mortgage, Deed of Release of Easement or Right of Way, Deed of Release of Lease, Waiver of Lease or any other such required instrument.

At this time, a request shall be made to obtain an official Tax Search from the municipality wherein the parcel being acquired is located. Also, depending upon the subject municipality, a Water and Sewer Search shall be requested.

A proper Affidavit of Title to be executed by the owners setting forth the conditions of title shall be prepared.

An invoice drawn to the order of the owners of record in the amount due the owners under the terms of the agreement shall be prepared in accordance with the instructions and procedures set forth by the Department of the Treasury as amended from time to time, if not already done. If the invoice was done previously, it shall be checked for accuracy and completeness.

These prepared instruments, together with a letter setting forth the liens and encumbrances and any defects in title that must be cured, shall be forwarded to the owner or legal representative for execution. It shall also contain a letter of instructions for execution of the instruments and information that the Deed of Conveyance, Affidavit of Title and Invoice must be executed and returned in order for the case to be processed for approval and issuance of the State's check. *It should set forth that any other instruments to clear the title need not be delivered until the State's check is issued and a final closing arranged by the Supervisor of the Settlement Section.*

The specific intention of this notice is to make it clear to the owner that at the title closing he/she may utilize the proceeds of the State check to clear a mortgage and other liens in accordance with Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, P.L. 91-646 and that the property does not have to be vacated until such funds are available.

The notice letter for reimbursement of incidental closing costs may be sent at this time.

When the instruments are forwarded to the owner or legal representative, the case shall be logged and a notice given to the Supervisor of the Records and Control Section for entry on the master log.

A follow-up letter shall be forwarded to the owner or legal representative in the event the executed Deed is not returned within two months. If the executed Deed to the State is not returned within six months, the agreement shall be sent for recording and the case referred to the Acquisition Bureau for institution of appropriate legal action.

Upon receipt of the executed instruments from the owner or legal representative, they are to be logged in. The instruments shall be carefully reviewed to determine if they are properly completed. The Deed of Conveyance shall then be given to the supervisor of the Records and Control Section for forwarding to the appropriate recording office. Deeds containing other than standard language are subject to approval by the Attorney General's Office prior to recording.

A request for a Continuation of Title of the County records and a Continuation of the Upper Court Searches shall be made to cover the recording of the Deed to the State. Upon receipt of these various continuations and searches, they shall be reviewed and, if found proper, they shall be given to the appropriate Supervisor of the Settlement Section.

NOTICE TO TAX ASSESSOR

Pursuant to N.J.S.A. 54:4-3.3b, when a deed vesting title into the State is recorded, a notice by certified mail shall be forwarded to the Tax Assessor of the municipality wherein the property is located advising of the States ownership.

PREPARING THE CERTIFICATE OF TITLE

The case shall then be properly assembled for certification of title. The assemblage shall include the chain of title, continuations of title, a photo copy of the Deed to the

State, releases of mortgages, affidavits, all other pertinent documents, the Report of Title, the agreement and the approved Department Commission Action Slip.

It shall be properly indicated on the Report of Title the disposition of all liens, encumbrances and exceptions to title and signed by the employee removing same.

When cases were formerly in condemnation, the Report of Title, Condemnation Memorandum, Title Search and its Continuation Searches should be compared for any additional encumbrances of title.

An appropriate Certificate of Title shall then be prepared. The Certificate of Title shall set forth, among other things, the number of years title was searched, the County, the Municipality, the route, section, and parcel number, the date of the Deed to the State, and who the owners of record were. It shall also set forth any exceptions to title that are to be satisfactorily disposed of when actual payment is made, such as taxes, Satisfaction of Judgment, Release or Cancellation of Mortgage, etc.

An original and copy of the certification shall be made. It shall be noted on the certificate who is to be contacted to arrange the final closing and payment to the owner.

When the invoice has been properly coded, signed by the employee handling the case, and attached to the original Certificate of Title, this package shall be attached to the assembled case. The certification package is now complete. The person presenting the package should then check the docket and map to make certain nothing has been overlooked. Once this is done, the certification package is presented to the Manager or an assistant for final approval.

AGREEMENTS PROVIDING FOR EXCHANGE OF EXCESS LANDS AS PART CONSIDERATION

In those cases wherein the approved agreement provides that, as part consideration, the State is to convey an "X" (excess land) parcel in addition to the aforementioned procedures for processing an agreement case, a request shall be made to the Department's engineers for a description covering the "X" parcel to be used in the Deed out of the State.

Upon receipt of the description, the appropriate Deed in accordance with the terms, conditions and restrictions as set forth in the agreement, shall then be prepared out of the State to be executed by the Commissioner of Transportation, or the Commissioners designee. This prepared Deed shall then be held in the case file pending delivery of the executed instruments from the owner.

Upon receipt of the executed instruments from the owner, the case shall be processed as aforementioned. When the assembled case, together with the Certificate of Title, is presented to the Manager, the Deed to be executed by the Commissioner or the Commissioners designee shall also be included.

PROCESSING AWARDS AND JUDGMENTS

Upon receipt of a case containing an Award or Judgment approved by the Department together with the title file, the Supervisor(s) of the Title Processing Section shall properly log the case and assign same. Notification of the assignment shall be given to the Supervisor of the Records and Control Section for entry in the master log.

The Condemnation Complaint, any amendments thereto, and the Condemnation Memorandum shall be carefully reviewed to determine all the parties in interest, such as the owners of record, their spouses, mortgagees, lessees, tenants, judgment holders, et. The necessary instruments to release and dispose of these interests shall be prepared using the description as contained in the Condemnation Complaint or any amendment thereto.

A tax search shall be ordered, if necessary.

In order to prepare the invoice, the case and Title Bureau logs and records must be carefully examined to determine what monies, if any, have been deposited or are awaiting deposit into Superior Court under a Declaration of Taking and any amendments thereto. This will enable the person handling the Judgment or Award to know the exact total of monies paid and determine the exact balance due. If, after this examination, the amounts do not correspond with the Award, Judgment, or Department Commission Action, the case may be referred to the Legal Division for entry of an Amended Award or Amended Judgment or corrected Commission Action Slip, as the case may be.

In calculating interest on an Award or Judgment, the interest shall only be paid in accordance with existing statutes and case law and/or an official Court Order approved by the Legal Division and the Commissioner of Transportation via Commission Action.

The following steps shall be taken:

1. The case shall be reviewed for authority to pay interest.
2. The Award or Judgment shall be reviewed for correct dates and calculations of interest.
3. If the Award or Judgment does not set forth the interest, the interest

shall be computed at the legal rate on the full amount from Date of Complaint to first deposit and on the balance due from the date of deposit under a Declaration of Taking or the date of possession, whichever occurred first.

4. If possession has not been taken nor has a deposit under a Declaration of Taking been made, no interest shall be paid unless so ordered under the terms of the Award or Judgment.
5. If the Award or Judgment is entered inclusive of all interest, no interest is to be paid.

When the proper balance due has been determined, together with the proper amounts of interest, the invoice shall be prepared. It shall be drawn to the order of the owners of record or as provided by the court and shall set forth the total amount of the Award or Judgment less the amount of any monies deposited into Court and show the balance due. The rate of interest together with the dates on which interest was calculated and the amount of interest shall be set forth. The balance due and the amount of interest shall be totalled giving the exact amount to be paid.

These prepared instruments, together with a letter setting forth the liens, encumbrances and any defects in title that must be cured, shall be forwarded to the owner or their legal representative for execution. It shall also set forth that the invoice must be signed and returned within seven days, and that any other instruments to clear the title need not be delivered until the State's check is issued and a final closing arranged by the Supervisor of the Settlement Section.

Owners and/or their attorneys shall be notified that the proceeds of the settlement check, as available at the closing, may be used to pay the mortgage or other encumbrances.

Under the Eminent Domain Act of 1971, the State becomes vested with title as of the earliest date of the happening of any of the following events:

1. Filing and recording a Declaration of Taking and depositing the funds into Superior Court.
2. Filing and recording in the recording office the Report of Commissioners and payment of the Award.
3. Filing in the action and recording in the recording office, an agreement between the State and the owner fixing the date as of which title shall vest.
4. Paying and satisfying of record a final Judgment fixing the

compensation.

If the invoice is not returned within one week, a follow-up letter shall immediately be sent requesting the signed invoice be returned or a waiver of additional interest be forwarded. Either of these must be received within ten days or the case may be processed for payment into Superior Court to stop the running of interest.

Upon receipt of the invoice and any other instruments, they are to be carefully reviewed and, if found in order, the case is to be immediately assembled for preparation of a Certificate of Title.

The invoice is to be properly coded by the employee assigned the case. In Federal participating projects, the amount of any interest to be paid from the Date of Complaint to first deposit and 45 days after the entry of an Award or Judgment shall be coded as non participating (100% State) unless the file is so documented as to make the interest payments eligible for Federal-aid reimbursement.

The case shall be assembled the same as set forth under agreement cases except in place of the agreement, the Condemnation Complaint and any amendments thereto together with the Award or Judgment shall be inserted.

The appropriate Certificate of Title shall then be prepared. The Certificate of Title shall set forth, among other things, the County, the Municipality, the route, section and parcel number, the date the Condemnation Complaint was filed, the owner of record, and whether it is a Judgment or Award. It shall also set forth any exceptions to title that are to be satisfactorily disposed of when actual payment is made, such as taxes, Satisfaction of Judgment, Release or Cancellation of Mortgage, etc.

Owners may utilize the State check proceeds to satisfy such mortgages, liens or encumbrances.

A continuation search shall be requested at this time to confirm the recording of the Declaration of Taking and to reveal any assignment of funds.

An original and copy of the certification shall be made. It shall be noted who is to be contacted to arrange the final closing and payment.

The properly coded invoice is to be signed by the employee handling the case. The original invoice shall then be attached to the original Certificate of Title. This, together with the copies, shall be attached to the assembled case and presented to the Manager and or Assistant.

PROCESSING AWARDS OR JUDGMENTS TO BE PAID INTO COURT

In processing those cases where the Award or Judgment is to be paid into the Superior Court of New Jersey because of an involved "unmarketable" title, or where the owner refuses to deliver the necessary instruments to clear title and to stop the running of interest, an invoice shall be prepared drawn to the order of the Superior Court of New Jersey.

The invoice shall be prepared and coded in accordance with the procedures as previously set forth under Awards or Judgments.

The entire case shall be assembled in accordance with the procedures as previously set forth, and the appropriate Certificate of Title shall be prepared setting forth the reason the case is being paid into the Superior Court of New Jersey. The entire assembled case, together with the invoice and Certificate of Title shall be presented to the Manager and/or Assistant.

AWARD OR JUDGMENTS THAT ARE THE SAME AS THE DEPOSIT UNDER A DECLARATION OF TAKING

In those cases where the amount of the Award or Judgment is the same as the deposit under a Declaration of Taking or any amendments thereto, the case shall be properly assembled as aforementioned, and an appropriate Certificate of Title shall be prepared stating that the Award or Judgment equals the amount deposited into the Superior Court of New Jersey under a Declaration of Taking or any amendments thereto, the case shall be properly assembled as aforementioned, and an appropriate Certificate of Title shall be prepared stating that the Award or Judgment equals the amount deposited into the Superior Court of New Jersey under a Declaration of Taking. The case shall then be presented to the Manager and/or Assistant

In all Award and Judgment cases, a continuation search in deeds only will be sent to confirm recording of the Declaration of Taking and/or any assignment of funds.

NOTICE FOR REIMBURSEMENT OF INCIDENTAL CLOSING COSTS

Upon receipt of executed instruments, a letter shall be forwarded to the owner or legal representative advising that the Department of Transportation will reimburse the owner for recording fees, transfer taxes and similar expenses incidental to conveying title to the State, if paid by the owner, as well as penalty costs for prepayment of a mortgage entered into in good faith encumbering the property conveyed, provided, however, that the mortgage was on record as of the date of final approval by the State of the project location.

DOWN PAYMENT CHECKS

Upon receipt of a case from the Bureau of Acquisition wherein both the agreement and the approved Department Commission Acting provide for a down payment, the invoice for the down payment, as prepared by the District Office, is to be reviewed by an Assistant Title Officer, and if found correct and proper, it shall be logged and coded. It is then approved and forwarded to the Division of Accounting and Auditing for issuance of the down payment check. Upon receipt of the down payment check from the Division of Accounting and Auditing, it shall be logged and entered in the docket.

An Assistant Title Officer shall carefully review the entire case to determine if the balance due the owner under the agreement is sufficient to satisfy any liens and encumbrances affecting title to the property. Specifically, he/she shall determine if, as per the executed contract terms, the check does not exceed 75% of the owner's apparent free and clear equity in the property.

If it is found that the balance due is sufficient, the Assistant Title Officer shall forward, by certified mail, the down payment check to the owner or legal representative.

In the event it is found that the amounts due on any liens and encumbrances exceed the balance due the owner, the Assistant Title Officer shall not forward the down payment check but shall advise the owner or legal representative of this fact. However, ~~these funds shall be made available to the owner at final closing in order to fully pay and satisfy the liens and encumbrances.~~

FORMS TO BE USED FOR PROCESSING CASES

The Title Processing Section shall use the following forms in the processing of assigned cases:

| | | |
|-------------|--|----------------|
| Form RE22 | Deed - Fee (1st page) | Exhibit No. 22 |
| Form RE1(a) | Deed - Easement (1st page) | Exhibit No. 23 |
| Form RE28 | Deed - Warranty (2nd page) | Exhibit No. 24 |
| Form RE80 | Deed - Bargain & Sale (2nd page) | Exhibit No. 25 |
| Form RE72 | Deed - Covenant Against Grantor's Acts | Exhibit No. 26 |
| Form RE33 | Deed - Acknowledgment - Individual | Exhibit No. 27 |

| | | |
|--------------|---|----------------|
| Form RE76 | Deed - Acknowledgment - Corporation | Exhibit No. 28 |
| Form RE1(b) | Deed - Easement (2nd page) | Exhibit No. 29 |
| Form RE69(a) | Release of Mortgage (1st page) | Exhibit No. 30 |
| Form RE69(b) | Release of Mortgage (2nd page) - Individual | Exhibit No. 31 |
| Form RE84 | Release or Mortgage (2nd page) - Corporation | Exhibit No. 32 |
| Form RE101 | Backer - For Deeds and Releases of Mortgages | Exhibit No. 33 |
| Form RE53 | Affidavit of Title - Individual | Exhibit No. 34 |
| Form RE78 | Affidavit of Title - Corporation | Exhibit No. 35 |
| Form PV | Invoice | Exhibit No. 36 |
| Form RE2 | Certificate of Title - Fee | Exhibit No. 37 |
| Form RE30 | Certificate of Title - Easement | Exhibit No. 38 |
| Form RE41 | Certificate of Title - Award or Judgment | Exhibit No. 39 |
| Form RE29(a) | Deed from State - Exchange (1st page) | Exhibit No. 40 |
| Form RE29(b) | Deed from State - Exchange (2nd page) | Exhibit No. 41 |
| Form RE48 | Information for Execution of Instruments by Individual | Exhibit No. 42 |
| Form RE49 | Information for Execution of Instruments by Corporation | Exhibit No. 43 |

Superseded

SECTION VI

SETTLEMENT SECTION

REQUIREMENTS

Upon the acquisition of a parcel of property for Highway or Public Transportation purposes, it is required that a final settlement and payment be made with the property owner.

The final settlement and payment on staff assigned projects is to be accomplished by qualified State personnel assigned to the Settlement Section.

RESPONSIBILITY

Under the supervision of the Manager and/or Assisiant, the Supervisor of the Settlement Section has the responsibility of complying with all State requirements concerning final settlements and payments to property owners on staff assigned projects.

The Supervisor of the Settlement Secion shall exercise general supervision over and assign the work to direct reports assigned to the section. The Supervisor shall maintain the proper performance of work with respect to both quality and quantity, instruct directs in their work, as may be necessary, and assist them in their problems incident to such work.

Time records for all direct reports will be approved.

PROCEDURES

Upon receipt of the State's check for final payment, together with a conformed copy of the Certificate of Title, record of such receipt shall be entered in the Section's log book.

The Supervisor shall carefully review the names of the payees on the check and the amount with the names and the amount set forth on the Certificate of Title. If there are any errors, the check is to be immediately returned to the Division of Accounting and Auditing for correction. If the check is correct, the Certificate of Title is to be carefully reviewed for any exceptions or encumbrances to be disposed of before final payment is made.

It is the responsibility of the Supervisor of the Settlement Section to verify that title is vested in the condemnor, in all staff award and judgment cases, before payment is made.

If there are no exceptions or encumbrances, the check shall be forwarded by certified letter to the owner or their legal representative with a request that a receipt for the check be signed and returned. The signed receipt shall be made a permanent part of the file.

If the Certificate of Title discloses exceptions or encumbrances to be disposed of, the Supervisor of the Settlement Section shall review the files to ascertain if any additional instruments, tax searches, continuations, etc., that would dispose of the exception or encumbrance, have been received. If so, then the exception or encumbrance will be removed and the appropriate reason for removal noted.

If all the exceptions or encumbrances cannot be removed, the Supervisor of the Settlement Section shall forward a letter to the owner or legal representative advising that the State's check is available and listing any encumbrances to be disposed of. The owner or legal representative shall also be advised that arrangements for a final closing and payment may be made and that a representative from the Title Bureau can meet with them to accomplish this.

Copies of the above letter shall be distributed to the Acquisition Bureau, Office of Relocation Services and Property Management, appropriate district office, and the Legal Processing Section.

This procedure permits the owner or their attorney, as in any "private" title closing, to utilize the payment check to release or satisfy the mortgage or other liens.

Upon being notified by the owner or legal representative of the time and place they desire to have the closing, the Supervisor of the Settlement Section shall immediately arrange to have a qualified Settlement Officer of the Title Bureau attend the closing and shall instruct the employee what instruments or proofs are to be delivered in exchange for the State's check. A receipt for the check to be signed by the owner or legal representative shall also be prepared.

In all cases: when final payment is made, the owner or legal representative is to be

notified that the payment will generate the issuance of a Form 1099 by the State Treasurer' office.

When the final payment and closing has been completed, entry of same shall be made in the Settlement Section's log.

When final payment is made, the Office of Relocation Services and Property Management and the Legal Processing Section shall be notified. If final payment is being made of a Judgment, Award, or an Agreement case which was previously in condemnation, the Legal Division shall also be notified.

The master docket sheet in the Records and Control Section shall be removed. An entry shall be made on the docket sheet setting forth the date payment was made and to whom the payment was delivered.

On the reverse side of the conformed copy of the Certificate of Title, the Supervisor of the Settlement Section shall set forth all checks used in payment of the case, such as down payment, declaration of taking, final payment, etc., the date payment was made and to whom.

The case file and the docket sheet shall then be stamped "SETTLED". A serial number shall be entered on the case file, the docket sheet and the conformed copy of the Certificate of Title.

The closed case file shall then be transmitted to the Right of Way Division's Bureau of Administration and Program Control for their action. Upon the return of the closed case from the Bureau of Administration and Program Control, the conformed copy of the Certificate of Title shall then be placed in the permanent file for same in numerical order according to its serial number.

Permanent entry of the settled case is then made in the Acquisition log and appropriate indices.

When an exchange deed is delivered to a property owner or legal representative, entry of the conveyance shall be made in the conveyance log book. Notice of the conveyance is to be sent to the tax assessor of the appropriate municipality.

Where the Department has acquired in the name of New Jersey Transit, after closing, the original recorded deed and a copy of the General Property Parcel Map are to be sent to the Real Estate Department of New Jersey Transit.

Closed cases are then sent to the Bureau of Administration and Program Control for billing.

When closed cases are returned from billing, they are then sent to the Special Projects Section for review for any tax liability.

VALIDATING CHECKS

The State's check is valid for a period of one hundred eighty days. If a closing is to be held after the expiration of the one hundred eighty days, it will be necessary to return the check to the Department of Treasury to have the check validated. This validation is for an additional thirty days.

FOLLOW-UPS AND CANCELLATION OF CHECKS

A follow-up shall be made on all cases wherein the owner or legal representative do not respond or come to a closing after being notified that the State's check in payment is available, and the State is ready to close at a time and place convenient to the owner or their attorney.

If, after six months from the issuance of the State's check the case is not closed, the check may be returned to the Division of Accounting and Auditing for cancellation. The owner or legal representative shall be notified that the check is being cancelled, but it will be reissued when the owner is ready to have final closing.

In the alternative, the matter may be sent back to the Acquisition Bureau with a recommendation that legal action be taken to acquire the property.

LOCAL AID PROJECTS

REQUIREMENTS

For many years, the Department has acted as the acquiring agency for Sponsors of Local Aid projects. For our purposes, the procedure established required acceptance by the Department of the completed construction project, after which, title to the project would be conveyed to the Sponsor. The Department is now moving toward acquiring each individual parcel in the Sponsor's name.

RESPONSIBILITY

Under the supervision of the Manager, an Assistant or delegate has the responsibility of determining that all parcels required for the project have been acquired and of preparation, processing, and delivery of the appropriate deed to the Sponsor.

Upon receipt of an approved Department Action, accepting as complete, the construction of a Local Aid project, and directing a conveyance to the Sponsor of the necessary right of way, the following steps will be taken:

Properties Acquired in the Name of the State

After it is determined that all necessary acquisitions have been completed, a deed, conveying all parcels acquired for the project, will be prepared from the State of New Jersey, Department of Transportation to the Sponsor.

A Department Action will then be prepared authorizing execution and delivery of the deed to the Sponsor.

When the executed deed is delivered to the Sponsor, copies of the transmittal are sent to the Bureau of Administration and Program Control and to Right of Way Engineering.

Properties Acquired in the Name of the Sponsor

When it is determined that all necessary acquisitions have been completed, a written list of all parcels, together with the recording date for each deed, is sent to the Sponsor.

A copy of the transmittal letter is also sent to the Bureau of Administration and Program Control and to Right of Way Engineering.

Superseded

SECTION VII

TITLE COMPANY LIAISON SECTION

INTRODUCTION

On occasion due to work load or priorities, it may be in the public interest to supplement the staff with use of a title company's services.

The following procedure is subject to the Supreme Court's determination of the practice of law as it pertains to various functions performed by title companies which follow "South Jersey Practice."

In instances judged appropriate, the Manager shall notify the Director of the circumstances and of the supporting reasons as to the need for title company services. Upon the Director's concurrence of a recommendation, the Manager and /or Assistant shall secure competitive proposals from available title companies licensed with the State and known to be competent and reliable.

The Bureau has obtained the approval of the Consultant Selection Committee for all title companies licensed to do business in New Jersey.

The competitive proposals secured by the Manager and/or Assistant shall be carefully reviewed as to accuracy, completeness, agreement to meet the State's schedules, and all other relevant data. Subject to overriding cogent circumstances clearly in the public interest, the proposal recommended for acceptance and approval by the Commissioner via an official Commission Action shall be the best priced for the total required services.

REQUIREMENTS

Upon approval via an official Commission Action by the Commissioner of the Department of Transportation of a competitive proposal from a title company to complete all title work on a project, it is required that all title searching, title examining, deed preparations, title conveyancing and final settlements and closings with property owners be completed by the title company and its attorney in strict compliance with the approved proposal.

The title work performed by a title company and its attorney on behalf of the Department of Transportation shall be under the supervision of qualified State Title personnel assigned to the Title Company Liaison Section.

RESPONSIBILITY

Under the supervision of the Manager and/or Assistant, the Supervisor of the Title Company Liaison Section has the responsibility of ensuring that all title work performed by a title company and its attorney on behalf of the Department of Transportation is in compliance with all State requirements.

The Supervisor in charge of the Title Company Liaison Section shall exercise general supervision over and assign the work to direct reports assigned to the section. The Supervisor shall maintain the proper performance of work with respect to both quality and quantity, instruct direct reports in their work, as may be necessary, and assist them in their problems incident to such work.

Time records for all direct reports will be approved.

PROCEDURES

Upon receipt from the Manager of an approved title company proposal, the Supervisor of the Title Company Liaison Section shall advise the title company of the approval and shall forward a list of the parcels, together with descriptions of same and the General Property Parcel Maps.

He/She shall instruct the title company to have all Reports of Title completed and delivered on or before the completion date as set forth in the proposal, together with any other required information.

A master docket log shall be prepared setting forth the route and section, the project, the County, the title company, the Department approval data of the proposal and shall list each parcel.

An index card shall be prepared setting forth the owner's name and the route, section and parcel number. This shall be filed alphabetically in the open case index.

AGREEMENT CASES

Upon receipt from the Bureau of Acquisition of a case containing an agreement approved by the Department, an entry of same shall be made in the master docket log.

The title company shall then be forwarded a copy of the approved agreement and instructed to have its attorney prepare the necessary instruments for closing and to forward these instruments to the owner or legal representative for execution with all copies of their correspondence submitted to this office. The title company shall also be given any information that their Report of Title does not reveal, such as tenants or lessees as shown on the Price Approval Sheet, the date of possession, the date to which taxes are to be paid .

A copy of this letter of instructions to the title company shall be forwarded to the owner or legal representative.

If the agreement provides for a down payment, entry of same shall be made in the master docket and the procedures regarding down payments, as set forth on pages 31 and 32 of this manual, shall be strictly followed.

The title company shall advise the owner or attorney that at the appropriate time arrangements shall be made for a closing at a time and place convenient to the owner. Specifically, the owner or attorney shall be advised that at the closing, as in a "private" transaction, the proceeds of the payment check may be utilized to satisfy the mortgage or other liens.

A follow-up letter shall be forwarded to the owner or legal representative in the event the executed deed is not returned to the title company. If the executed Deed to the State is not returned within six months, the agreement shall be sent for recording and the case referred to the Bureau of Acquisition for appropriate action.

A letter shall then be sent to the owner or attorney advising that legal action will be taken to acquire.

Upon receipt of the executed instruments from the title company, they are to be entered in the master docket. The instruments are to be carefully reviewed to determine if they are properly completed. Deeds containing other than standard language are subject to approval by the Attorney General's Office prior to recording.

The Deed shall then be sent to the appropriate County Recording Officer for recording. A copy of this shall also be sent to the title company in order for them to continue the records to cover the vesting of title into the State. Entry of this shall be made in the master docket. The Records and Control Section shall also be notified.

NOTICE TO TAX ASSESSOR

Pursuant to N.J.S.A. 54:4-3.3B, when a Deed vesting title into the State is recorded, a notice by certified mail shall be forwarded to the Tax Assessor of the municipality wherein the property is located advising of the State's ownership.

PREPARING THE CERTIFICATE OF TITLE

The case shall then be properly assembled for certification of title. The assemblage shall include the Report of Title, a photo copy of the Deed to the State, releases of mortgages, and all other pertinent documents, the agreement and the approved Department Commission Action slip.

An appropriate Certificate of Title shall then be prepared. The Certificate of Title shall set forth, among other things, the number of years title was searched, the County, the Municipality, the route, section and parcel number, the date of the Deed to the State, and the owner of record. It shall set forth any exceptions to title that are to be satisfactorily disposed of when actual payment is made, such as taxes, Satisfaction of Judgment, Release or Cancellation of Mortgage, etc.

An original and one copy of the certification shall be made. On the copy, it shall be noted the name of the title company handling the case.

The invoice shall be properly coded and signed by the employee handling the case. The original invoice shall then be attached to the original Certificate of Title. This, together with the copy, shall be attached to the assembled case and presented to the Manager. Upon approval of the certification by the Manager or an Assistant, the invoice shall be returned to the Title Company Liaison Section where entry of same shall be made in the master docket log.

The invoice shall then be processed to the Division of Accounting and Auditing for issuance of the check.

Upon receipt of the check together with a conformed copy of the Certificate of Title, the Supervisor of the Title Company Liaison Section shall make entry of same in the master docket. The Supervisor shall carefully review the names of the payees on the check and the amount with the names and the amount set forth on the Certificate of Title.

If there are any errors which would hinder payment, the check is to be immediately returned to the Division of Accounting and Auditing for correction. If the check is correct, it shall be forwarded to the title company by certified mail with instructions for closing with the owner. A copy of said letter shall be forwarded to the owner or his legal representative. Entry of same shall be made in the master docket.

The title company is, at this point, to arrange with the owner or attorney for a personal closing, if the owner desires same. At the closing, the owner shall be permitted to utilize the proceeds of the payment check to satisfy the mortgage or other liens.

Owners are to be notified that payment will generate a Form 1099.

Upon final closing and payment to the property owner, the title company shall forward a copy of the closing statement to be followed by the Certificate of Title showing title vested in the State. Entries of these shall be made in the master docket. When final closing has been accomplished, the case file shall be stamped "Closed" and given to the Supervisor of the Settlement Section for entry of the final closing serial number.

Notice of all closings is to be given to the Office of Relocation Services and Property Management.

The open file index card shall be removed and the date of closing inserted. The index card together with notice of final closing shall be entered in the Acquisition Log and index.

At this time, closed cases may be sent to Administration for billing.

The Supervisor of the Title Company Liaison Section shall maintain a follow-up on all cases wherein the check has been forwarded to the title company for closing. On those cases wherein the owner does not come to closing after the check has been issued for six months, the check shall be returned by the title company for cancellation. The owner and his legal representative shall be notified that the check is being cancelled, but it will be reissued when the owner is ready to have final payment.

AGREEMENTS PROVIDING FOR EXCHANGE OF EXCESS LANDS AS PART CONSIDERATION

In those cases wherein the approved agreement or judgment provides that, as part consideration, the State is to convey an "X" (excess land) parcel, in addition to the aforementioned procedures for processing agreement cases, a request shall be made to the Department's engineers for a description covering the "X" parcel to be used in the Deed out of the State.

Upon receipt of the description, the appropriate Deed in accordance with the terms, conditions and restrictions, as set forth in the agreement or judgment, shall then be prepared out of the State to be executed by the Commissioner of Transportation, or the Commissioners designee.

When the case is presented to the Manager for certification of title, the Deed to be executed by the Commissioner or designee shall also be included in order that it may be processed (by Department Commission Action when necessary) for execution.

Upon receipt of the executed Deed, conformed copies shall be made, and the Deed shall be forwarded to the title company with instructions that it is to be delivered at the time of final closing with the owner.

When final closing has been accomplished, the Supervisor of the Records and Control Section shall be notified in order that entry may be made in the permanent "excess" conveyance log. The copies of the Deed shall be appropriately filed.

PROCESSING AWARDS OR JUDGMENTS

Upon receipt of a case containing an Award or Judgment approved by the Department, entry of same shall be made in the master docket log.

The Title Company Liaison Section shall then be instructed to prepare and forward to the owner or legal representative the necessary instruments to dispose of the interests of all parties as set forth in the Condemnation Complaint and any amendments thereto and using the description as contained therein.

The Supervisor of the Title Company Liaison Section shall prepare the invoice for payment of the Award or Judgment. The invoice shall be prepared in accordance with the procedures previously set forth under the Title Processing Section in this manual.

The invoice shall then be forwarded to the owner or legal representative. If the invoice is not returned in one week, a follow-up letter shall immediately be sent requesting the signed invoice be returned or a waiver of additional interest be forwarded. Either of these must be received within ten days or the case shall be processed for payment into Superior Court to stop the running of interest.

Upon receipt of the invoice and any other instruments, they are to be carefully reviewed, and if found in order, the case is to be immediately assembled for preparation of a Certificate of Title.

In Federal participating projects, the amount of any interest being paid, (a) for the period between the filing of the Complaint and the first deposit and (b) the period beyond 45 days after the entry of the Award or Judgment, shall be coded as non participating (100% State) unless the file is so documented as to make the interest payments eligible for Federal reimbursement.

The case shall be assembled the same as set forth under agreement except in place of the agreement, the Condemnation Complaint and any amendments thereto, together with the Award or Judgment shall be inserted.

The appropriate Certificate of Title shall then be prepared. in duplicate. It shall set forth, among other things, the County, the Municipality, the route, section and parcel number, the date of the filing of the Complaint, the owner of record and whether it is a Judgment or Award. It shall also set forth any exceptions to title that are to be satisfactorily disposed of when actual payment is made, such as taxes, Satisfaction of Judgment, Release or Cancellation of Mortgage, etc.

The title company handling the case will be shown on the duplicate copy of the certificate of title.

The invoice is to be properly coded and signed by the person handling the case. The original invoice shall then be attached to the original Certificate of Title.

This, together with a copy, shall be attached to the assembled case and presented to the Manager.

Thereafter, the same procedures, as previously set forth under agreement cases, shall be followed.

PROCESSING AWARDS OR JUDGMENTS TO BE PAID INTO COURT

In processing those cases where the Award or Judgment is to be paid into the Superior Court of New Jersey because of an involved title, or where the owner refuses to deliver the necessary instruments to clear title and to stop the running of interest, an invoice shall be prepared drawn to the order of the Superior Court of New Jersey.

The invoice shall be prepared and coded in accordance with the procedures as previously set forth under Awards and Judgments.

The entire case shall be assembled in accordance with the procedures previously set forth, and the appropriate Certificate of Title shall be prepared setting forth the reason the case is being paid into the Superior Court. The entire assembled case, together with the invoice and Certificate of Title, shall be presented to the Manager.

Thereafter, the same procedures, as previously set forth under agreement cases, shall be followed for issuance of the check.

Upon receipt of the check, if found correct, it shall be forwarded to the Department's Legal Division for payment into the Superior Court. Upon payment into Court, the title company may be so notified in order that they may issue their Certificate of Title showing title vested in the State.

Thereafter, the same procedures, as previously set forth under Agreement cases shall be followed.

Whenever this procedure is followed, the owner or attorney shall be notified by letter of the deposit.

AWARD OR JUDGMENTS THAT ARE THE SAME AS THE DEPOSIT UNDER A DECLARATION OF TAKING.

In those cases where the amount of the Award or Judgment is the same as the deposit under a Declaration of Taking or any amendments thereto, the case shall be properly assembled and an appropriate Certificate of Title shall be prepared stating that the Award or Judgment equals the amount deposited into the Superior Court of New Jersey under a Declaration of Taking. The case shall then be presented to the Chief Title Officer.

Upon approval of the Certificate of Title, the title company may be notified in order that they may issue their Certificate of Title showing title vested in the State.

Thereafter, the same procedures, as previously set forth under agreement cases, shall be followed.

NOTICE FOR REIMBURSEMENT OF INCIDENTAL COSTS

In all cases, upon receipt of executed instruments, a letter shall be forwarded to the owner or his legal representative advising that the Department of Transportation will reimburse the owner for recording fees, transfer taxes and similar expenses incidental to conveying title to the State, if paid by the owner, as well as penalty costs for prepayment of any preexisting recorded mortgage entered into in good faith encumbering the property conveyed.

TITLE COMPANY PAYMENTS

The title company is entitled to receive payment in the amount of the fees set forth in the approved proposal.

Upon receipt of an invoice payable to the title company for these fees, it shall be carefully reviewed against the fees set forth in their proposal. If found correct, the invoice shall be approved and processed for payment. Entry of same shall be made in the master docket log.

FORMS

The Title Company Liaison Section shall use the various forms as set forth under the other Title Bureau Sections, except for their master docket log which is Form RE 38 (Exhibit No. 44).

Superseded

SECTION VIII

TITLE BUREAU RECORDS AND CONTROL SECTION

REQUIREMENTS

It is required that permanent records, complete files and indices for all parcels of property acquired or to be acquired for Highway or Public Transportation purposes be maintained, together with complete records and files for all parcels of property conveyed out by the Department of Transportation.

It is also required that complete control of the work flow be maintained to ensure the completion of projects within the established target dates. This essential record and control function is to be performed by qualified State Title personnel assigned to the Title Bureau Records and Control Section.

RESPONSIBILITY

Under the Supervision of the Manager and/or Assistants, the Supervisor of the Records and Control Section has the responsibility of complying with all State and Federal requirements regarding permanent records and complete files for all parcels of property acquired or conveyed by the Department of Transportation.

The Supervisor of the Records and Control Section shall exercise general supervision over and assign the work to direct reports assigned to the section. The Supervisor shall maintain proper performance of work with respect to both quality and quantity, instruct direct reports in their work, as may be necessary, and assist them in their problems incident to such work.

Time records for all direct reports will be approved.

The Supervisor is responsible for receiving and stamping in all incoming correspondence and distributing same to the proper party within the Title Bureau.

PROCEDURES

Upon receipt of General Property Parcel Maps and agreement forms for new projects assigned to staff personnel, or for additional parcels on staff assigned projects, the following steps shall be performed for each parcel:

1. A master docket sheet shall be prepared using the information set forth in the agreement forms, such as the route, section, parcel number, the owner, the County and Municipality, the project number, if any, and the control number of the project. These master docket sheets shall then be placed in the docket logs in numerical order by the route, section and parcel number.
2. An index tab shall be prepared setting forth the name of the owner (last name first) and the route, section and parcel number. These tabs shall then be inserted alphabetically in the open case index.
3. An index card shall be prepared setting forth the name of the owner (last name first) and the route, section and parcel number, and the County.

Upon completion of these steps, the agreement forms, a set of the General Property Parcel Maps and the index cards shall be transmitted to the Supervisor of the Field Searching Section. A set of the General Property Parcel Maps shall be given to the Drafting Technician assigned to the Title Examining Section.

MASTER DOCKET ENTRIES

Upon receipt of progress reports from the various sections of the Title Bureau and Right of Way Division Bureaus, the following entries shall be made on the master docket sheet:

1. The date the Title Search is completed;
2. The date the Title Search is assigned to be examined (read) and the name of the examiner;
3. The date the examination is completed and the Report of Title prepared;
4. The date Upper Court Searches are requested and the date received;

5. The date an agreement is approved by the Department;
6. The date the approved agreement is received from the Bureau of Acquisition;
7. The amount of the consideration to be paid;
8. The date a down payment invoice is processed to the Division of Accounting and Auditing and the amount;
9. The date condemnation proceedings are authorized by the Department;
10. The date the Condemnation Memorandum of Title is completed;
11. The date an approved Award of Commissioners or Judgment is received and the amount to be paid;
12. The name of the employee assigned to prepare and process the necessary instruments;
13. The date the prepared instruments are forwarded to the owner or his legal representative for execution;
14. The date the executed instruments are received from the owner or his legal representative;
15. The date the Deed to the State is (approved by the Legal Division) sent for recording;
16. The date the Deed to the State is recorded and the Book and Page;
17. Any other instruments sent for recording setting forth the names of the Grantors and the recording date;
18. The date a tax search is requested, the number of the check sent for payment of same and the date it is received;
19. The date the Certificate of Title is approved and processed to the Division of Accounting and Auditing for issuance of the final payment check;
20. Any revision, subdivision, elimination or hold placed on a parcel; (When any of these events occur after an approved action, the Manager or Assistant will be alerted.)

21. The date of possession;
22. All checks received are to be entered, such as down payment, declaration of taking, final payment and additional interest, setting forth the check number, the date of the check, the amount, and the disposition of the check.

These entries are made on the master docket sheet so that the case status can be immediately determined.

MASTER STATUS CONTROL LOG

The Supervisor of the Title Bureau Records and Control Section shall maintain a Master Status Control Log for each case wherein there has been a Department Commission Action approving (1) an Agreement, (2) and Award of Commissioners, or (3) a Condemnation Judgment.

The purpose of this Master Status Control Log is to ensure that, on each of the above mentioned approved cases, the Title Bureau completes its functions within the required period of time to bring the case to a final closing and payment.

This log shall include both staff assigned cases and cases assigned to title companies.

The log shall list each case chronologically by the date the Commission Action was approved by the Department. It shall also set forth the route, section and parcel number and the following required functions of the Title Bureau:

1. Title Search completed;
2. Report of Title completed;
3. Instruments sent to owner;
4. Instruments received from owner;
5. Case approved and certified for payment;
6. Final payment check received;
7. Owner notified payment is available;
8. Case settled.

The status of each approved case shall be kept up-to-date in the log on a daily basis from the information set forth on the Progress Control Daily Report submitted from the various sections of the Title Bureau.

The log shall be reviewed to be certain that each function is being completed on time. If the review indicates that a case appears to be coming overdue in a particular section, a report of same shall be given to the Supervisor of that respective section. This acts as an alert for that Supervisor to take the necessary action to complete the section's function.

The Supervisor of the Records and Control Section shall furnish, on a weekly basis, a report to the Manager setting forth any case that appears to be coming overdue in order that appropriate action may be taken to ensure that the case is processed within the required period of time.

TARGET LOGS

Upon receipt of target sheets for projects wherein a target date for completion has been established by the Director of Right of Way, the Supervisor of the Records and Control Section shall maintain same in the target log. The log shall include all projects assigned to staff or title companies.

The status of each case shall be kept up-to-date from reports received from the various sections of the Title Bureau, Right of Way Division Bureaus and information supplied at the weekly target date meetings.

The purpose of the target log is to ensure that all functions are sequentially completed prior to the established target date for the project. As an example, at the target meeting, the District Office advises that a parcel is being processed for condemnation. This alerts the Title Bureau to be certain that the Title Search and Report of Title are completed in order that the Condemnation Memorandum of Title may be immediately prepared and completed on time.

RECORDING INSTRUMENTS

A record of all instruments sent to County Recording Offices shall be maintained by the Records and Control Section.

All instruments should be carefully reviewed before being sent for recording. Any deeds, which do not contain the standard language and clauses previously

approved, should be forwarded to the Attorney General's Office for approval. When any instrument has been found to be acceptable, it is ready to be sent for recording in the Recording Office of the County where the property is located.

A request for recording shall be prepared in triplicate. The original shall be forwarded to the County Recording Office together with the instruments to be recorded. One copy shall be returned to the employee processing the case and one copy shall be retained by the Records and Control Section to verify recording fees when the billing for same is received from the County Recording Office.

Upon receipt of the recorded instruments from the County Recording Office, the recording data of same shall be entered on the master docket sheet. A copy of the recorded Deed shall then be forwarded to the Department's engineers for the records as to the property acquired by the Department. The original deed then becomes a part of the Title Bureau permanent file.

NOTICE TO TAX ASSESSOR

Pursuant to N.J.S.A. 54:4-3.3B, when a Deed vesting title into the State is sent for recording, a notice prepared by the Title Bureau Records and Control Section and signed by an Assistant Title Officer, shall be forwarded by certified mail to the Tax Assessor of the municipality wherein the property is located advising of the State's ownership. As a courtesy to the tax assessor, a cutout of the General Property Parcel Map is also enclosed.

PETTY CASH CHECK ACCOUNT

In the examination and closing of title, it is required that official tax searches, water and sewer searches be obtained from the municipality wherein the parcels being acquired are located. Also, it may be necessary to obtain death certificates, wills, Surrogate's records and other documents from other States.

In order to obtain these documents, the method of payment may vary. If the provider will accept payment by the State voucher system, this method of payment is preferred. If not, a system is in place whereby checks are furnished by the Division of Auditing and Accounting.

TAX SEARCH REQUESTS

A record of all requests for official tax searches, water and sewer searches covering property being acquired by the Department shall be maintained by the Records and Control Section.

The request for a tax search shall be prepared in duplicate and the original forwarded to the Tax Collector of the municipality wherein the parcels are located. The request shall set forth the route, section, parcel number, the name of the owner, the tax lot and block, if known, and shall include a cutout of the General Property Parcel Map showing the parcels to be searched. A check in the amount of the required fee shall also be forwarded.

An entry shall be made in the master docket sheet setting forth the date the search was requested and the check number used for payment of same.

The duplicate request shall be retained and use for follow-up purposes in the event the requested searches are not received within fifteen days. Upon receipt of the search, entry of same shall be made in the master docket sheet and given to the employee who requested same.

RECORDS OF STATE DEPARTMENTS

To facilitate the work function of the other various sections of the Title Bureau, the Records and Control Section shall, upon request, search the records of various State Departments for status of corporations, partnerships, trade names, birth records, death records, divorce decrees, etc.

The Records and Control Section shall also be responsible for obtaining abstracts of court Chancery proceedings regarding tax foreclosures, mortgage foreclosures, partition proceedings.

All information regarding the status of a corporation shall be entered on a permanent index entitled "Certification of Incorporation" and filed alphabetically. This index is to be reviewed prior to requesting a corporation search in the event the status was previously obtained in another case. Of course, if the status of a corporation is requested to the present date, the search must be updated.

A permanent index shall also be maintained for all Chancery proceedings. This index is to be reviewed prior to requesting an abstract of the Chancery proceedings in the event it was obtained in another case.

OFFICIAL MINUTES COMMISSION ACTION SCHEDULE

Upon receipt of the official schedule of minutes of approved Department Commission Actions, it shall be reviewed by the Title Bureau. The schedule shall be filed by date order.

ACQUISITION LOG

A permanent record log shall be maintained by the Records and Control Section for all property acquired by the Transportation Department.

Upon receipt of a notice of final settlement from the Supervisor of the Settlement Section or the Supervisor of the Title Company Liaison Section, the following details shall be permanently entered for each parcel of property acquired under the heading of route and section:

1. The parcel number;
2. The name of the owner of record from whom the property was acquired.
3. The recording data of the Deed or a notation of an Award or Judgment;
4. Date of final settlement;
5. Dates of all checks and check numbers used in making payment;
6. The amount of each check.

In addition to the permanent record log for all acquired property, a permanent index shall be maintained setting forth the name of the owner from whom the property was acquired together with the route, section and parcel number and the date of final settlement. This index shall be maintained alphabetically. Upon completion of these procedures, the index tab from the open cases shall be removed.

EXCESS PARCEL CONVEYANCE LOG

The Records and Control Section shall maintain a permanent log of all parcels of property conveyed by the Transportation Department.

Upon receipt of a notice that a Deed has been executed by the Commissioner of Transportation conveying excess lands and that the Deed has been delivered to

the Grantee, the following details shall be entered in the excess parcel conveyance log.

The log shall set forth the County, the route, section and parcel number, the date of the Deed, the name of the Grantee and reference to the case under which the parcel was originally acquired.

FILING CASE FOLDERS

The Title Bureau Records and Control Section has the responsibility of maintaining accurate filing of case folders.

The folders shall be filed in file cabinets located in the file room. All papers, correspondence, etc. received shall be filed daily in the appropriate case folder.

ACTIVE FILES

Upon request for a case folder, an "out-card" shall be prepared setting forth the date and the person taking the folder, and the "out-card" shall then be inserted in place of the folder. If the party requesting a folder is someone other than an employee of the Title Bureau, an entry shall also be made in a charge-out log.

STORAGE FILES

The charge-out log shall be reviewed monthly and a listing shall be made of all folders not returned. A follow-up shall then be made to the party having the folder in order that it may be returned. When a case folder is returned, it shall be so noted in the charge-out log and shall be promptly filed and the "out-card" removed.

PROCESSING CASES FOR STORAGE

A case folder is eligible to be sent to storage when three years have elapsed since final closing and payment. A list of such cases shall be obtained on a monthly basis from the duplicate certification of titles showing the cases closed three years last past.

These cases shall then be entered in the storage suspense log and carefully reviewed to be certain there is no lease rental activity. If there is, the case is not to be sent to storage.

Before a case can be placed in storage, it must be culled and stripped of duplicate papers. Any paper that is a duplicate of another that is in the file shall be stripped from the file. The remaining papers shall be neatly fastened together. After the case has been stripped, it shall be placed in a storage box. A storage box number shall be obtained from the Bureau of Records and Services in the Division of Central Services. This storage number shall be affixed to the box.

A record storage index shall be prepared setting forth each case being sent to storage together with the storage box number in which the case will be found. This information shall also be set forth in a record storage log.

When a box is sent to storage, a receipt shall be obtained from the Bureau of Records and Services setting forth each case received for storage. This receipt shall be permanently retained by the Title Bureau Records and Control Section.

FORMS USED FOR RECORDS AND CONTROL

The following are forms generally used by the Records and Control Section.

| | | |
|------------|---|----------------|
| Form RE12 | Docket Sheet | Exhibit No. 45 |
| Form RE134 | Target Log Sheet | Exhibit No. 46 |
| Form RE159 | Status Control Sheet | Exhibit No. 47 |
| Form RE133 | Progress Control Daily Report | Exhibit No. 48 |
| Form RE140 | Progress Control Report to Supervisor | Exhibit No. 49 |
| Form RE15 | Request for Recording | Exhibit No. 50 |
| Form RE18 | Request for Tax Search | Exhibit No. 51 |
| Form RE23 | Certificate of Incorporation Index Card | Exhibit No. 52 |
| Form RE90 | Chancery Proceedings Index Card | Exhibit No. 53 |
| Form RE73 | Acquisition Log Sheet | Exhibit No. 54 |
| Form RE168 | Out Card | Exhibit No. 55 |

SECTION IX

SPECIAL PROJECTS SECTION

REQUIREMENTS

Under Federal and State laws, it is required that, on all parcels of property acquired by the Department of Transportation, owners be reimbursed for real estate taxes paid in advance and for incidental closing costs and also, as appropriate, that payment be made to municipalities for real estate taxes for the remainder of the year in which the property is acquired.

It is also required that for any excess lands sold at public auction an appropriate Deed be prepared conveying said lands.

The adjustment, calculation, reimbursement and payment of these real estate taxes and incidental closing costs and the preparation of the appropriate Deed conveying excess lands sold at public auction are to be accomplished by qualified State Title personnel assigned to the Special Projects Section.

RESPONSIBILITY

Under the supervision of the Manager and/or an Assistant, the Supervisor in charge of the Special Projects Section has the responsibility of complying with all State and Federal laws and procedures regarding real estate tax payments, incidental closing cost payments and public sale conveyances.

The Supervisor of the Special Projects Section shall exercise general supervision over and assign the work to direct reports assigned to the section. The Supervisor shall maintain proper performance of work with respect to both quality and quantity, instruct direct reports in their work, as may be necessary, and assist them in their problems incident to such work.

Time records for all direct reports will be approved.

PROCEDURES FOR TAX PAYMENTS

All cases, wherein final closing has been accomplished, shall be forwarded to the Special Projects Section. The cases shall include both staff assigned and those assigned to the Title Company Liaison Section.

Upon receipt of the case, it shall be entered in a permanent tax reimbursement and payment log. The log shall set forth the route, section and parcel number, the owner's name, the municipality, the type of taking, the tax lot and block, date of possession or vesting of title, the taxes paid by the owner, the amount of reimbursement made to the owner and the date paid, the amount paid to the municipality and the date paid.

All taxes shall be adjusted in accordance with R. S. 20:1-1 et seq. (Eminent Domain Act of 1971) unless there is an agreement entered into between the owner and the State which provides otherwise.

The case shall be carefully reviewed for all tax information such as tax searches, tax receipts or statements from the title companies. If additional tax information is needed, the Supervisor of the Special Projects Section shall obtain same from the concerned tax office.

The case shall be further examined to determine the date to which payment of taxes was the owner's obligation, the actual date to which the owner paid the taxes, the amount of taxes paid by the owner, the amount of taxes assessed by the municipality.

All this information shall then be set forth on the tax reimbursement calculation sheet. Using the tax calculation sheet, it can then be determined the amount of taxes actually paid by the owner. If the owner made an overpayment covering any part of the taxable year after the State took title and/or possession, he/she shall be reimbursed for the amount overpaid, unless it is determined that the taking has no effect on the assessed value of the property, in which case no adjustment is offered. However, if the property owner requests reimbursement of an amount, which is considered nominal (\$25.00 or less) the reimbursement will be paid. Thus, *all property owners do not receive tax adjustments.*

An invoice drawn to the order of the owner in the amount to be reimbursed shall be forwarded to the owner or legal representative for execution, together with a letter explaining the State's calculation for the tax reimbursement. Upon receipt of the executed invoice, the control section and function code numbers are affixed to said invoice to charge the costs to the projects involved, thereby insuring the State that reimbursement will be forthcoming if other agencies are participating the project costs. The invoice is then processed to the Division of Accounting and Auditing for issuance of the check. Upon receipt of the check, it

shall be forwarded to the owner or legal representative.

Pursuant to N. J. S. A. 54:4-3.3A - 3.3F, the State is required to pay the municipality the remaining taxes due for the year of the State's acquisition. Using the tax calculation sheet, it can be determined the amount of taxes due the municipality from the State.

An invoice drawn to the order of the municipality in the amount of the taxes due shall be prepared and forwarded to the Tax Collector for execution. Upon receipt of the executed invoice, it shall be properly coded and processed to the Division of Accounting and Auditing for issuance of the check. Upon receipt of the check, it shall be forwarded to the Tax Collector.

The tax calculation sheet shall be made a permanent part of the case file.

(Partial Takings)

In partial takings, the tax calculation sheet shall be prepared as before stated except the owner shall be requested to pay the taxes for the remainder of the year unless the taxes are apportioned by the municipality.

The preferred method of determining the amount of reimbursement in partial takings is to use the old and new assessment figures determined by the local tax assessor. This information is requested in November of the tax year since the assessor is required to have the succeeding years assessment figures completed on October 1.

If an acquisition occurs between October 1 and December 31, additional time is required for the local assessor to furnish any new figures.

The reimbursement is determined by developing the ratio of the taking, using the old and new assessment figures. If an assessor does not furnish the requested information, the appraisal is used to develop this ratio. When this ratio has been established, the amount of taxes to be reimbursed shall be calculated on the tax reimbursement calculation sheet.

An invoice drawn to the order of the owner shall be prepared in the amount to be reimbursed and shall be forwarded to the owner or legal representative for execution, together with a letter explaining the State's calculation for the tax reimbursement.

Upon receipt of the executed invoice, the control section and function code

numbers are affixed to said invoice to charge the costs to the projects involved, thereby insuring the State that reimbursement will be forthcoming if other agencies are participating in the project costs. The invoice is then processed to the Division of Accounting and Auditing for issuance of the check. Upon receipt of the check, it shall be forwarded to the owner of legal representative.

The tax reimbursement calculation sheet shall be made a permanent part of the case file.

CALCULATION FOR IN-LIEU OF TAXES

Upon a request from the Office of Relocation Services and Property Management for tax information regarding lease rental properties, the Special Projects Section shall determine, from the tax records in the file, the monthly amount of in-lieu of taxes to be obtained by the Office of Relocation Services and Property Management in accordance with N. J. S. A. 27:21.7, and the date that such payments to the municipality should commence.

Water and sewer bills do not usually require adjustment; however, when bills are tendered, they should be investigated to determine any liability. These bills often pertain to lease-rental property. If this is determined to be the case, the bills are forwarded to the Office of Relocation Services and Property Management for payment.

If a bill or apportionment is the responsibility of the Title Bureau, the appropriate payment or adjustment will be processed.

Although most water and sewer bills are for measurable service, it should be noted that utility authorities assess these services one year at a time, and these charges must be treated the same as taxes.

PAYMENT OR REIMBURSEMENT FOR INCIDENTAL CLOSING COSTS

The owner or legal representative is notified by letter, either by the Title Processing Section or the Title Company Liaison Section, as concerns the reimbursement of costs incidental to closing of title with the State and that statements of such costs, together with proof of payment of same, must be submitted. Upon receipt of such items, the Special Projects Section shall carefully review same to determine if the costs are eligible to be reimbursed in accordance with R. S. 27:7-58 et seq.

A reimbursement of closing costs sheet shall be completed setting forth the route, section and parcel number, the owner's name, the project number and the date the project was approved by the Department. It shall set forth the items to be reimbursed, the amount for each item and if such item is eligible for reimbursement. The name of the employee reviewing the case shall be set forth together with the date the invoice was sent to the owner, the date the check was requested, and the date payment was made.

An invoice shall be prepared drawn to the order of the owner in the amount to be reimbursed and shall be forwarded to the owner or legal representative for execution, together with a letter setting forth the items eligible for reimbursement and those items found not to be eligible.

Upon receipt of the executed invoice, the control section and function code numbers are affixed to said invoice to charge the costs to the projects involved, thereby insuring the State that reimbursement will be forthcoming if other agencies are participating in the project costs. The invoice is then processed to the Division of Accounting and Auditing for issuance of the check. Upon receipt of the check, it shall be forwarded to the owner or legal representative.

The reimbursement of closing cost sheet shall be made a permanent part of the case file. A permanent reimbursement of costs incidental to closing log shall be maintained setting forth the route, section and parcel number, the owners name, the amount of reimbursement, the date the check was requested, the date the check was received and the date payment was made

Where the owner is unable or requests that the department make direct payment of an eligible incidental closing cost, such payment shall be made.

EXCESS LAND SALES

The Office of Relocation Services and Property Management requests status as to the State's title prior to having lands declared excess. The Special Projects Section shall conduct the research regarding these matters.

This research includes determining whether or not the lands in question have been acquired and whether or not the acquisition was subject to any conditions pertinent to its marketability. Sources used for making a determination include: Title Bureau property books; active files; closed files; pilot papers; stored files and the settled case index. The Title Bureau conveyance log is also searched to determine whether or not the land in question have already been disposed of as

excess or exchanged as part consideration. *It is also important to note the method of acquisition, since, prior to May 29, 1951, the Department only obtained an easement in condemnation. It is also important to note if the property has been acquired within the last ten years, since this affects the first right of refusal.*

The written response to the Office of Relocation Services and Property Management includes the prior owners name, the date of acquisition, the owners address(if within ten year period) and any conditions under which the property is to be sold.

The sale of property, which is in the process of being acquired, is not recommended.

When appropriate, deeds from the Department now contain an environmental clause.

All deeds for public use now contain a reverter clause.

Upon receipt from the Office of Relocation Services and Property Management of a Department Commission Action approving the sale of excess lands in accordance with N.J.S.A. 27:12-1, the Special Projects Section shall prepare the appropriate Deed

The description to be used in the Deed out of the State shall be obtained from the Department's Engineers. Any conditions or restrictions set forth under the terms of the sale shall be included in the Deed. The proposed Deed, together with a Commission Action (if necessary) shall be given to the Manager for processing by the Director's office in accordance with the current delegation of authority.

Upon receipt of a duly executed deed, it shall be forwarded to the successful bidder, provided that full payment of the bid has been received by the Department.

If full payment has not been received, the bidder shall be notified to forward same before the Deed can be delivered. Upon receipt of any monies due under the bid, they shall be forwarded to the Department's Cashier and a receipt obtained. A copy of the Deed shall be filed in the case under which the property was acquired and notice of the conveyance shall be given to the Supervisor of the Records and Control Section.

FORMS USED BY THE SPECIAL PROJECTS SECTION

The following forms are used by the Special Projects Section:

| | | |
|------------|-------------------------------------|----------------|
| Form RE124 | Tax Reimbursement and Payment Log | Exhibit No. 56 |
| Form RE144 | Tax Reimbursement Calculation Sheet | Exhibit No. 57 |

EFFECTIVE DATE

JULY 1, 1994

Superseded

TABLE OF EXHIBITS

EXHIBIT NO

| | |
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| Right of Way Division Organizational Chart | 1 |
| Proposal by Title Company | 2 |
| Form RE17(a) Deed Abstract (1st page) | 3(a) |
| Form RE17(b) Deed Abstract (2nd page) | 3(b) |
| Form RE44 Sheriff's Deed Abstract | 4 |
| Form RE21 Searcher's Index | 5 |
| Form RE9 Title Report | 6 |
| Form RE62(a) Mortgage Abstract (1st page) | 7(a) |
| Form RE62(b) Mortgage Abstract (2nd page) | 7(b) |
| Form RE66 Complaint - Probate or Intestacy | 8 |
| Form RE37(a) Last Will and Testament (1st page) | 9(a) |
| Form RE37(b) Last Will and Testament (2nd page) | 9(b) |
| Form RE79 Judgment | 10 |
| Form RE32 Judgment Index | 11 |
| Form RE181 Notice of Lis Pendens | 12 |
| Form RE209 Declaration of Taking | 13 |
| Form RE199 Title Examiner's Log | 14 |
| Form RE6 Request for Abstract of Superior Court Proceedings | 15 |
| Form RE57 Request for Vital Statistics | 16 |
| Form RE67 Certificate of Incorporation | 17 |
| Form RE24 Report of Title | 18 |
| Form RE3 Condemnation Memorandum | 19 |
| Form T392 Log Record | 20 |
| Form RE56 Continuation Search - Condemnation | 21 |
| Form RE22 Deed - Fee (1st page) | 22 |

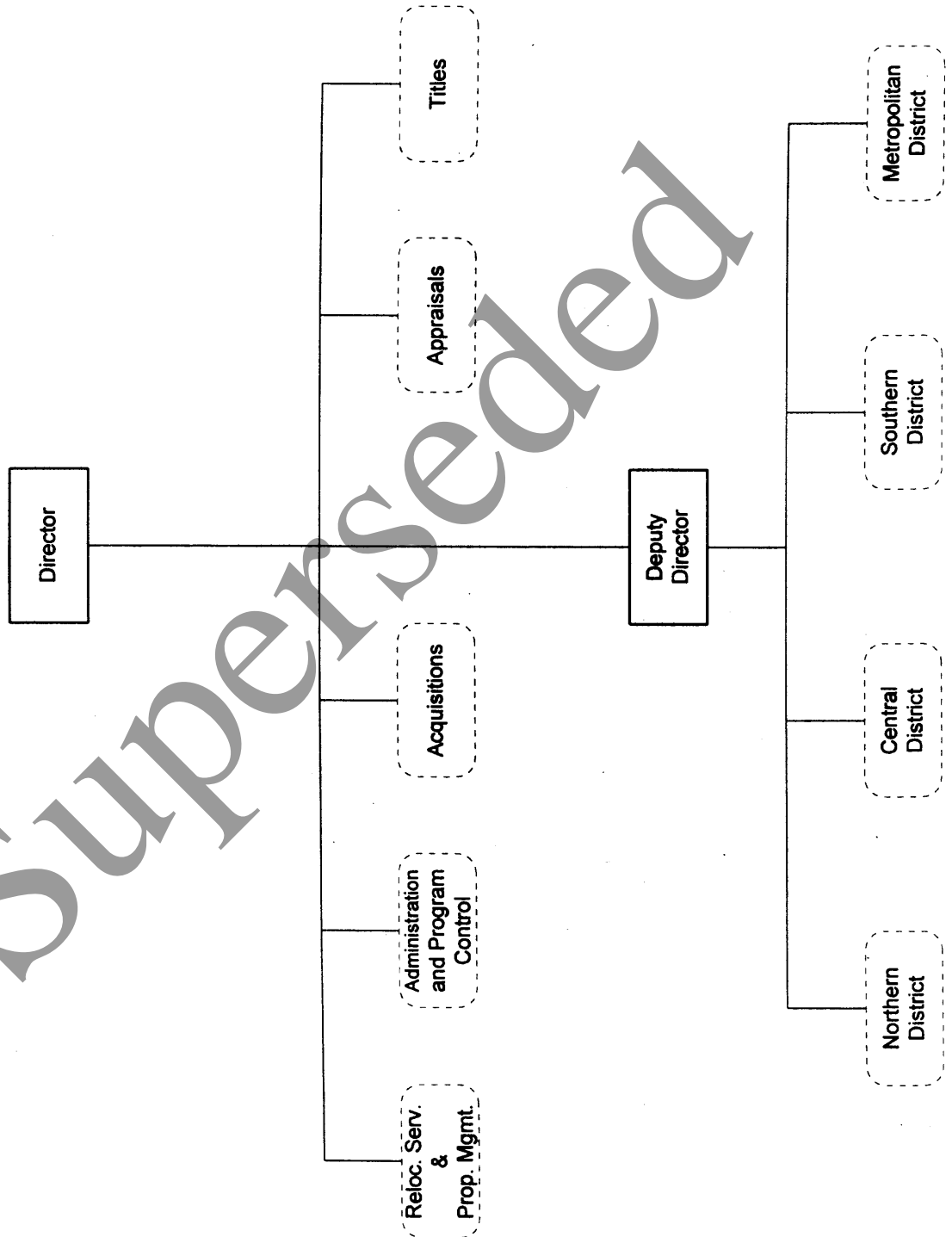
| | | |
|--------------|---|----|
| Form RE1(a) | Deed - Easement (1st page) | 23 |
| Form RE28 | Deed - Warranty (2nd page) | 24 |
| Form RE80 | Deed - Bargain and Sale (2nd page) | 25 |
| Form RE72 | Deed - Covenant Against Grantor's Acts (2nd page) | 26 |
| Form RE33 | Deed - Acknowledgement - Individual | 27 |
| Form RE76 | Deed - Acknowledgment - Corporation | 28 |
| Form RE1(b) | Deed - Easment (2nd page) | 29 |
| Form RE69(a) | Release of Mortgage (1st page) | 30 |
| Form RE69(b) | Release of Mortgage (2nd page) Individual | 31 |
| Form RE84 | Release of Mortgage (2nd page) Corporation | 32 |
| Form RE101 | Backer - For Deed and Releases of Mortgages | 33 |
| Form RE53 | Affidavit of Title - Individual | 34 |
| Form RE78 | Affidavit of Title - Corporation | 35 |
| Form PV | Invoice | 36 |
| Form RE2 | Certificate of Title - Fee | 37 |
| Form RE30 | Certificate of Title - Easement | 38 |
| Form RE41 | Certificate of Title - Award or Judgment | 39 |
| Form RE29(a) | Deed from State - Exchange (1st page) | 40 |
| Form RE29(b) | Deed from State - Exchange (2nd page) | 41 |
| Form RE48 | Information for Execution of Instruments by Individual | 42 |
| Form RE49 | Information for Execution of Instruments by Corporation | 43 |
| Form RE38 | Master Docket Log - Title Company Liaison Section | 44 |
| Form RE12 | Docket Sheet | 45 |
| Form RE134 | Target Log Sheet | 46 |
| Form RE159 | Status Control Sheet | 47 |
| Form RE133 | Progress Control Daily Report | 48 |

| | | |
|------------|---|----|
| Form RE140 | Progress Control Report to Supervisor | 49 |
| Form RE15 | Request for Recording | 50 |
| Form RE18 | Request for Tax Search | 51 |
| Form RE23 | Certificate of Incorporation Index Card | 52 |
| Form RE90 | Chancery Proceedings Index Card | 53 |
| Form RE73 | Acquisition Log Sheet | 54 |
| Form RE168 | Out-Card | 55 |
| Form RE124 | Tax Reimbursement and Payment Log | 56 |
| Form RE144 | Tax Reimbursement Calculation Sheet | 57 |

Superseded

New Jersey Department of Transportation RIGHT OF WAY Division

04/25/94



State of New Jersey
Department of Transportation
1035 Parkway Avenue
CN 600
Trenton, New Jersey 08625

Attention: Mr. John R. Christian
Manager, Title Bureau

Re: Title Company Proposal

Gentlemen:

This is a schedule on behalf of this Company to furnish the New Jersey Department of Transportation evidence of title to properties which the Department proposes to acquire for highway purposes, as designated above, to arrange for the drawing of closing papers, closings of title and final settlements, and to cooperate with your Title Officer and in conformity with "Procedure for Title Companies, New Jersey Department of Transportation", as outlined, and as it may be modified or amended from time to time.

We understand the evidence of title which will be required will be in the form of a certificate of title based upon a sixty year search of each parcel lying within the area above referred to, and which will be designated on maps to be submitted in connection with this examination. This search will include not only the sixty year search of the county records, but also the customary searches in the office of the clerks of the New Jersey Superior Court, the United States District Court for the District of New Jersey, official tax searches, and necessary continuation searches. Each certificate will include an assumption of liability by the Company in the amount of \$5,000.00 or such part thereof equal to the purchase price paid by the State, but not less than \$2,000.00. The cost of assumption of minimum liability will be included in the basic charge under item (1) hereafter. The cost of assumption of the balance of liability will be added to basic charge under item (4) hereafter at the rate of \$ _____ per each \$1,000.00 or part thereof.

The charges for the respective operations per parcel (a parcel for that purpose being defined as a property or several

parts of a property taken from one owner at one location) will be as follows:

(1) For making the complete sixty year search as above mentioned on each separate parcel, preparing and submitting preliminary title reports and final certificates of title, basic charge \$ _____.

(2) Where this Company has guaranteed the specific parcels or lots within fifteen years last past, basic charge \$ _____.

The basic charge above stated is predicated upon the fact that each parcel contains only one chain of title. If a particular parcel is found to contain more than one chain, which may not have been a part of the adjoining property examined, a charge of \$ _____ for each additional chain will be made.

(3) The Company agrees to retain the services of competent attorneys to draw deeds and other necessary closing papers, clear the titles of ordinary defects and of encumbrances, and to make final settlement vesting title in the State of New Jersey, free and clear of all encumbrances, including the presence of a representative of the Company at the closing, basic charge \$ _____.

Where extra services are involved in closing, or when closing occurs at a place mutually agreed upon other than our office, an additional charge of \$ _____ will be made.

(4) It shall be the duty of this Company to make arrangements to clear all titles in accordance with item (3) above, except in such instances where outstanding interests, liens or title questions are such as to make necessary the payment into court of an award in condemnation proceedings for the court's determination of the manner of distribution of such funds. In special cases, where work out of the ordinary necessary to clear title, is performed by the attorney retained by this Company, which work would ordinarily be done by the legal representative of the owner, if he had retained one, an additional charge of \$ _____ will be made.

The charges hereinabove set forth shall include payment for the Company's supervision of the work of the attorneys so engaged to enable the Company to issue its title certificates, and are fixed as above to include said services.

(5) For making a continuation of title search, court searches and appropriate tax searches necessary to up-date a Report of Title, which work is other than a normal continuation for closing, and results in extra cost to the Company, such cost

may be billed to the State, but not in excess of \$_____.

(6) Upon completion by the Company of 75% of the Reports of Title provided for in this schedule, the Company may bill the State for the immediate payment of the basic charges therefor, in accordance with item (1) above.

This Company understands that it is essential to the State that the title work which it undertakes be promptly completed and agrees that it will employ, organize and maintain an adequate staff to perform its work and will maintain such staff during the course of the work and organize its members in such a manner that the work described in its proposal shall be accomplished with the highest degree of efficiency, accuracy and speed, consistent with complete and accurate reports of title, and that upon being notified to proceed, will commence the work immediately and prosecute it dilligently and without interruption.

The Company understands that time is of the essence and will, therefore, issue and submit all title reports provided for in this schedule no later than _____.

The Company further agrees that it will arrange for the preparation of the deed and other necessary instruments of conveyance and arrange for their execution within ten days after being notified to do so by the Title Officer of the Department of Transportation, except in instances where title questions arise preventing such action. The Company understands that the property owner is not required to surrender physical possession, in cases settled by agreement, until the purchase price is tendered by the State, and in cases to be condemned by the State until the fair market value of the property, as determined by the State review appraiser, has been made available to the property owner, without prejudice, by deposit of such fair market value into Court in accordance with Chapter 361, P.L. 1971 and agrees to reimburse the State for losses it may incur by reason of undue delay in the Company's performance of its duties under this proposal.

This Company understands and agrees that in the event it fails to perform the terms and provisions of this schedule in any respect, unless granted specific extension of time, the State may, by written notice, terminate the services of this Company as to such part or parts thereof wherein delay occurs, and may hold the Company liable for any damage caused the State by reason of such termination, which such termination shall not be invoked, however, if the delay is due to causes beyond the control and without the fault or negligence of this Company.

This Company further agrees that it will notify the State of

the settlement of the individual cases by immediately forwarding to the State a copy of the closing statement, and that it will deliver the certificate of title within 30 days thereafter.

This Company further agrees to comply in all respects with the requirements, intents and purposes of the Civil Rights Assurances as set forth in Appendix A attached hereto and made a part hereof; wherein the work "Contractor" shall be construed to be "Company" and consistent interpretation otherwise be used.

This Company further assures the New Jersey Department of Transportation that it is operating in conformity with N.J.S.A. 17:46B-1, et seq.

This Company further agrees to comply in all respects with New Jersey Department of Transportation Code of Ethics for Vendors as set forth in Appendix B attached hereto and made a part hereof.

Superseded

APPENDIX A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor"), agrees as follows:

a. **Compliance With Regulations:** The contractor will comply with the Regulations of the Department of Transportation relative to non-discrimination in Federally-assisted programs of the Department of Transportation (Title 49, Code of Federal Regulations, Part 21, hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.

b. **Nondiscrimination:** The contractor, with regard to the work performed by it after award and prior to completion of the contract work, will not discriminate on the ground of race, color, religion, sex or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

c. **Solicitations:** In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor, supplier, or lessor shall be notified by the contractor of the contractor's obligation under this contract and the Regulations relative to nondiscrimination on the ground of race, color, religion, sex or national origin.

d. **Information and Reports:** The contractor will provide all information and reports required by the Regulations, or orders and instructions issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the New Jersey Department of Transportation or the Federal Highway Administration to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the New Jersey Department of Transportation, or the Federal Highway Administration as appropriate, and shall set forth what efforts it has made to obtain the information.

e. **Sanctions for Noncompliance:** In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the New Jersey Department of Transportation shall impose such contract sanctions as it or the Federal Highway Administration may determine to be appropriate, including, but not limited to:

(1) withholding of payments to the contractor under the contract until the contractor complies, and/or

(2) cancellation, termination or suspension of the contract, in whole or in part.

f. Incorporation of Provisions: The contractor will include the provisions of Paragraphs a to e in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, orders, or instructions issued pursuant thereto. The contractor will take such action with respect to any subcontract, procurement, or lease as the New Jersey Department of Transportation or the Federal Highway Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor, supplier, or lessor as a result of such direction, the contractor may request the State to enter into such litigation to protect the interests of the State, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

It is the policy of the New Jersey Department of Transportation, that Minority Business Enterprises as defined in 49 CFR Part 23 shall have the maximum opportunity to participate in the performance of contracts financed in whole or in part with Federal funds under this agreement. Consequently, the MBE requirements of 49 CFR Part 23 apply to this agreement.

The New Jersey Department of Transportation and its contractor/consultant agrees to ensure that Minority Business Enterprise as defined in 49 CFR Part 23 have the maximum opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided under this agreement. In this regard the New Jersey Department of Transportation and all contractors/consultants shall take all necessary and reasonable steps in accordance with 49 CFR Part 23 to ensure that Minority Business Enterprises have the maximum opportunity to compete for and perform contracts. The New Jersey Department of Transportation and its contractors/consultants shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of USDOT-assisted contracts.

NEW JERSEY DEPARTMENT OF TRANSPORTATION CODE OF ETHICS FOR VENDORS

Introduction

The New Jersey Department of Transportation considers the maintenance of public trust and confidence essential to its proper functioning, and accordingly has adopted this vendors Code of Ethics. Vendors who do business with NJDOT must avoid all situations where proprietary or financial interests, or the opportunity for financial gain, could lead to favored treatment for any organization or individual. Vendors must also avoid circumstances and conduct which may not constitute actual wrongdoing, or a conflict of interest, but might nevertheless appear questionable to the general public, thus compromising the integrity of the Department.

This code is based upon the principles established in the laws governing the Executive Commission on Ethical Standards, *N.J.S.A. 52:13D-12 et. seq.*, which, while not strictly applicable to contractors, provide general guidance in this area.

Accordingly, pursuant to the authority embodied in *N.J.S.A. 27:1A et seq.*, and for good cause, the following is hereby established as the New Jersey Department of Transportation Code of Ethics for vendors.

This Code of Ethics shall be made part of every Request for Proposals (RFP) promulgated by the Department and be attached to every contract and agreement to which NJDOT is a party following the effective date of this resolution. It shall be distributed to all parties who presently do business with the Department and, to the extent feasible, to all those parties anticipating doing business with the Department.

NJDOT Code of Ethics for Vendors

1. No vendor shall employ any NJDOT officer or employee in the business of the Vendor or professional activity in which the vendor is involved with the Department officer or employee.
2. No vendor shall offer or provide any interest, financial or otherwise, direct or indirect, in the business of the vendor or professional activity in which the vendor is involved with the Department officer or employee.
3. No vendor shall cause or influence, or attempt to cause or influence any NJDOT employee or officer in his or her official capacity in any manner which might tend to impair the objectivity or independence of judgment of that NJDOT officer or employee.
4. No vendor shall cause or influence, or attempt to cause or influence, any NJDOT officer or employee to use or attempt to use his or her official position to secure any unwarranted privileges or advantages for that vendor or for any other person.

(Continued on reverse side)

5. No vendor shall offer any NJDOT officer or employee any gift, favor, service or other thing of value under circumstances from which it might be reasonably inferred that such gift, service or other thing of value was given or offered for the purpose of influencing the recipient in the discharge of his or her official duties. In addition, employees or officers of NJDOT will not be permitted to accept breakfasts, lunches, dinners, alcoholic beverages, tickets to entertainment and/or sporting events or any other item which could be construed as having more than nominal value.

NOTE: This section would permit an NJDOT employee or officer to accept food or refreshments of relatively low monetary value provided during the course of a meeting, conference or other occasion where the employee is properly in attendance (for example — coffee, danish, tea or soda served during a conference break).

Acceptance of unsolicited advertising or promotional materials of nominal value (such as inexpensive pens, pencils or calendars) would also be permitted.

Any questions as to what is or is not acceptable or what constitutes proper conduct for a Departmental employee or officer should be referred to the Department's Ethics Liaison Officer or his or her designee.

6. This code is intended to augment, not to replace, existing administrative orders and the current Departmental Code of Ethics.

7. This code shall take effect immediately upon approval of the N.J. Executive Commission on Ethical Standards and adoption by the NJDOT.

*Vendor is defined as any general contractor, subcontractor, consultant, person, firm, corporation or organization engaging in or seeking to do business with NJDOT.

Adopted on the 16th day of December, 1987.

Thomas H. Kean
Governor



Hazel Frank Gluck
Commissioner

DEED Dated

Consideration \$

Acknowledged

Before

Title Seal

TO Co. Clerk's Certificate

Recorded

Liber page

Grantor's signature

Wife's or husband's signature

Seals Rev. Stps.

Give grant bargain sell alien remise release enfeoff convey confirm quit-claim

HABENDUM to grantee heirs, successors, assigns, to
 own proper use, benefit and behoof forever

COVENANTS seizin right to convey peaceable possession against incumbrances
 against grantor's acts further assurance warranty.

DESCRIPTION OF PREMISES: -

County Municipality

NEW JERSEY DEPARTMENT OF TRANSPORTATION
Division of Right of Way
SHERIFF'S DEED ABSTRACT

Sheriff of _____ Sheriff's Deed Dated _____
County _____ Consideration \$ _____
_____ Acknowledged _____
-- TO -- Before _____
_____ Title _____
_____ Recorded _____
_____ Book _____ Page _____
_____ Grantor's Signature _____
_____ Seal _____ Rev. Stamps _____
_____ Superior Court Docket No. _____
In _____ Court _____ Cause _____
_____ Bill Filed _____
_____ Decree Dated _____
_____ Writ Issued _____
_____ Execution Book _____ Page _____
_____ Compl. _____ Adv. & Posting _____
-- VS -- Date of Sale _____
_____ Sold To _____
_____ Consideration \$ _____
_____ Writ Returned _____
_____ Defdts. _____ Confirmation _____
Grant _____ Bargain _____ Sell _____ Assign _____ Transfer _____ Convey _____
To Grantee _____
Habendum To Grantee _____ Heirs, Successors, Assigns, to _____
_____ Only Proper Use, Benefit & Behoof Forever _____
Covenants _____ Against Grantor's Acts _____
Description of Premises: - _____
County _____ Municipality _____

NEW JERSEY DEPARTMENT OF TRANSPORTATION
Division of Right-of-Way
TITLE REPORT

File No. _____ County _____
Route _____ Section _____ Parcel _____

OWNER OF RECORD

By deed recorded in Liber _____ Page _____ Liber _____ Page _____

Surrogate's records vs present owners:

MORTGAGES OPEN

TAX SALES

JUDGMENTS AND LIENS

LIS PENDENS

LEASES, AGREEMENTS OF SALE, ETC.

REMARKS

Records Covered to and Including _____

Title Searcher

CERTIFICATION AS TO BACK TITLE

This is to certify that I have personally examined and checked the abstract, including the index work in file No. _____ and find it will furnish a complete 60 year search covering the parcel hereinabove set forth.

All encumbrances in aforesaid back title affecting parcel in question have been noted on this report.

Title Searcher

Superseded

New Jersey Department of Transportation
COMPLAINT - PROBATE OR INTESTACY

..... County Surrogate's Office.

In the matter of the Estate of

Dated

Recorded

Book page

1. On, said decedent died ^{testate.} _{intestate.}
2. Said decedent resided at
3. Said decedent left surviving as heirs as law and next of kin the following persons:

| | Age | Kin | P. O. Address |
|--|-----|-----|---------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

4. There are no other heirs or next of kin to the plaintiff.
5. That the decedent had issue living when the will was made, and no child was born or adopted thereafter.

..... of Administration
 6. Letters Testamentary issued to

On

..... County Surrogate's Office

LAST WILL AND TESTAMENT

of

Dated

Probated

Before Surrogate of

Exemplified copy recorded

Will recorded

Book Page

Date of death

(Taking out all clauses affecting premises in question)

Superseded

Superseded

..... County Court.

Between

.....
.....

Address

..... Complaint

and

.....

Address

..... Defendant

JUDGMENT dated

Entered

Docketed

From

Book of

page

Attorney –

Superseded

..... SUPERIOR COURT OF
..... NEW JERSEY
..... COUNTY
..... LAW DIVISION
..... DOCKET NO.
..... DATED
..... REC'D.
..... L.P. BK. PG.

STATE OF NEW JERSEY,
BY THE COMMISSIONER
OF TRANSPORTATION

PLAINTIFF,

CIVIL ACTION

VS.

NOTICE OF LIS PENDENS

DEFENDANTS,

COUNTY MUNICIPALITY

THE GENERAL OBJECT OF THE ACTION IS TO TAKE IN THE NAME OF THE STATE OF NEW JERSEY
THE LAND AND PREMISES HEREINAFTER DESCRIBED FOR THE USE OF THE SAID STATE FOR PUBLIC
USE FOR STATE HIGHWAY PURPOSES.

ROUTE SECTION PARCEL

NOTICE - DECLARATION OF TAKING

SUPERIOR COURT OF NEW JERSEY

COUNTY

LAW DIVISION

STATE OF NEW JERSEY,

DOCKET NO.

BY THE COMMISSIONER

DATED

OF TRANSPORTATION

RECORDED

Plaintiff,

DEED BOOK

PAGE

vs

DECLARATION OF TAKING

CIVIL ACTION

Defendants

County

Municipality

Route

Section

Parcel

Superseded

NEW JERSEY STATE HIGHWAY DEPARTMENT
REQUEST FOR ABSTRACT OF SUPERIOR COURT PROCEEDINGS

Date

File No.

Complainant

Vs

Defendant

Date of Decree

Date of Lis Pendens

Foreclosure

Mortgage Book

Page

Partition

Quiet Title

Divorce

Remarks

Superseded

Name of person making request

Title

NEW JERSEY DEPARTMENT OF TRANSPORTATION

REQUEST FOR VITAL STATISTICS

File No. _____

Date _____

Name _____

Date of Death _____

Age at Time of Death _____

Died a Resident of _____

Name of Wife or Husband _____

Name of Father _____

Name of Mother _____

Burial Place _____

Informant _____

Address _____

REMARKS: -

Requested By: _____

Superseded

CERTIFICATE OF INCORPORATION

Vault No.

DATE FILE
ROUTE SECTION PARCEL
NAME REQUESTED

NAME FOUND

CORPORATION OF

INCORPORATED

CERTIFICATE FILED

STANDING FROM

TO

VOID

DISSOLVED

NAME & ADDRESS
of PRESENT AGENT

REMARKS: (Merger, Name Changes, etc.)

Superseded

Requested by:

REPORT OF TITLE

File No. Examined by on

Route No. Section No. Parcel No.

Project No. Code No.

Condition of Title as of Exam. covers years

Deed: Warranty B. & S. Executor's Easement

Grantors: (Names of Owners of Record are underlined)
.....
.....
.....

Grantee: THE STATE OF NEW JERSEY

Invoice: Amount \$ (Names underlined above)

(1) Mortgage dated \$ Bk. Pg.

Mortgagor

Mortgagee

Assignee

(2) Mortgage dated \$ Bk. Pg.

Mortgagor

Mortgagee

Assignee

County Municipality

Judgment Searches:

Corporation Franchise Tax Searches:

Superseded

CONDEMNATION MEMORANDUM

Condition of title as of

File No.

Route

Section

Parcel

OWNER:

By : Dated
Deed : Recorded

Consideration

Book

Page

Name of Spouse

Address

MORTGAGES:

(1) Mortgagor

Mortgagee

Address of mortgagee

Dated

Amount

Recorded

Book

Page

ASSIGNED TO:

Address of Assignee

Dated

Rec.

Book

Page

(2) Mortgagor

Mortgagee

Address of mortgagee

Dated

Amount

Recorded

Book

Page

ASSIGNED TO:

Address of Assignee

Dated

Rec.

Book

Page

TAXES AND ASSESSMENTS:

Municipality

Street Address

County

(See Over for Parties)

NEW JERSEY DEPARTMENT OF TRANSPORTATION
CONDEMNATION SECTION

ROUTE _____ SECTION _____ PARCEL (S) _____

OWNER(S) _____

DATE MEMORANDUM REQUESTED: _____

ASSIGNED TO: _____

DATE ASSIGNED: _____ DUE DATE _____

| ITEMS | REQUESTED | RECEIVED |
|-------------------------------|-----------|----------|
| SEARCH | | |
| REPORT OF TITLE | | |
| CONTINUATION FROM COUNTY | | |
| CONTINUATION FROM UPPER COURT | | |

TITLE COMPANY COMMITTED: _____

MEMORANDUM COMPLETED: _____

REMARKS:

CONTINUATION SEARCH - CONDEMNATION

CONTROL NO.
PROJECT NO.
FILE

Lot:
Block:

COUNTY

DATE

ROUTE

SECTION

PARCEL

OWNER OF RECORD

By deed recorded in BOOK

PAGE

MORTGAGES OPEN:

JUDGMENTS AND LIENS

SURROGATE VS RECORD OWNERS AND MORTGAGEES

REMARKS:

COVER Declaration of Taking Please hold until it goes on record. Sent for recording on

CONTINUE RECORDS TO DATE FROM _____

SEARCH HAS BEEN CONTINUED TO DATE AND NOTHING ADDITIONAL FOUND EXCEPT:

RECORDS COVERED TO AND INCLUDING _____

Title Searcher

DEED (1 st Page)

THIS INDENTURE, Made the _____ day of _____
in the Year One Thousand Nine Hundred and _____
BETWEEN

_____ of the first part,
AND THE STATE OF NEW JERSEY, Department of Transportation, 1035 Parkway Avenue,
Township of Ewing, County of Mercer, State of New Jersey _____ of the second part.

WITNESSTH _____ that the said party of the first part, in consideration of the sum of

_____ dollars, lawful money of the United States of America, to _____ in hand paid at or before
the ensealing and delivery of these presents by the said party of the second part, the receipt whereof is
hereby acknowledged, and other valuable consideration, ha _____ granted, bargained, sold, aliened,
remised, released, conveyed and confirmed, and by these presents do _____ grant, bargain, sell,
alien, remise, release, convey and confirm unto the said party of the second part and unto its successors
and assigns forever,

All _____ certain lot, _____ tract, _____ or parcel _____ of land _____ and premises,
situate, lying and being in the _____ of _____
in the County of _____, and State of New Jersey, and more particularly described
as follows:

Prepared for the State by _____

THIS INDENTURE, Made the _____ day of _____
in the Year One Thousand Nine Hundred and _____

BETWEEN

AND THE STATE OF NEW JERSEY, Department of Transportation, 1035 Parkway Avenue,
Trenton, New Jersey of the first part,
of the second part,

WITNESSETH that the said party of the first part, in consideration of the sum of _____

dollars, lawful money of the United States of America, to _____ in hand paid at or before the ensembling and
delivery of these presents by the said party of the second part, the receipt whereof is hereby acknowledged, and other
valuable consideration, has _____ granted, conveyed and confirmed, and by these presents do _____ grant, con-
vey and confirm unto the said party of the second part and unto its successors and assigns forever, an ease-
ment over and across all that certain lot, tract or parcel of land and premises, situate, lying and being in the

_____ of _____
in the County of _____, and State of New Jersey, and more particularly
described as follows:

Superseded

(WARRANTY DEED)
(2nd Sheet)

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof and every part and parcel thereof.

AND ALSO all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part of, in and to the above described premises and every part and parcel thereof with the appurtenances.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, its successors and assigns forever, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever.

And the said party of the first part, for heirs, executors and administrators successors and assigns do hereby covenant that the title to said premises is vested in fee simple absolute in the said party of the first part; that he has the right and authority to convey the said premises to the said party of the second part; that the party of the second part shall have peaceable and quiet possession of the said premises free from all encumbrances; that the same are now free and clear of all encumbrances whatsoever; that the party of the first part will execute such further assurances and conveyances of the said land as may be reasonably required; and that the party of the first part will warrant and defend the premises hereby conveyed against all persons lawfully claiming the same.

IN WITNESS WHEREOF the party of the first part

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part of, in or to the above described premises and every part and parcel thereof, with the appurtenances.

To have and to hold, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, its successors and assigns forever, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever.

In witness whereof the party of the first part

Superseded

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

And also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part of, in or to the above described premises and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, *all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, its successors and assigns forever, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever.*

AND *the said party of the first part do* for
heirs, executors and administrators, successors and assigns, covenant and grant to and with the said party of the second part, its successors and assigns, that the said party of the first part ha not done, caused, suffered or procured to be done, any act, matter or thing, whereby the title of the said party of the second part, of, in and to the above granted, bargained and described land and premises, or any part thereof, can or may be changed, charged, altered or defeated in any way whatsoever.

IN WITNESS WHEREOF *the party of the first part*

STATE OF NEW JERSEY }
COUNTY OF } SS.:

BE IT REMEMBERED, that on this _____ day of _____
in the year One Thousand Nine Hundred and _____ before me, the subscriber,

personally appeared

who, I am satisfied, _____ the grantor _____ mentioned in the within Instrument,
to whom I first made known the contents thereof, and thereupon _____ acknowledged that
signed, sealed and delivered the same as
voluntary act and deed, for the uses and purposes therein expressed. The full and actual consid-
eration paid or to be paid for the transfer of title to realty evidenced by the within deed, as such
consideration is defined in P.L. 1968, c. 49, Sec. 1(c) is \$ _____ .

STATE OF

County of

ss,

BE IT REMEMBERED that on this

day of

, A. D. Ninteen Hundred and

before me, the subscriber,

personally appeared

who being by me duly sworn, does depose and make proof to my satisfaction that

he is the

a corporation of the State of

, the grantor in the within indenture named;

that

he well knows the corporate seal of the said corporation and that the seal affixed to

the within indenture is the proper corporate seal of such corporation, and that the same was so affixed and

the said indenture signed and delivered by

who was at the date

and execution thereof the

President of the said corporation, as the voluntary

act and deed of the said corporation, by virtue of authority from its Board of Directors, in the presence of

deponent, whereupon deponent subscribed the same as witness to the execution thereof. The full and actual

consideration paid or to be paid for transfer of tide to realty evidenced by the within deed, as such

consideration is defined in P.L. 1968 c. 49, Sec. 1 (c) is \$ _____

Superseded

Subscribed and sworn before me
the day and year above written.

.....

To have and to hold, *all and singular the above mentioned and described rights and privileges unto the said party of the second part, its successors and assigns forever, to the only proper use, benefit and behoof of the said party of the second part, its successors and assigns forever.*

In witness whereof *the party of the first part*

Superseded

THIS INDENTURE, Made the _____ day of _____
in the Year One Thousand Nine Hundred and _____

BETWEEN

_____ of the first part,
AND THE STATE OF NEW JERSEY of the second part,

WITNESSETH that, whereas,

by indenture of mortgage bearing date the _____ day of _____
A.D. Nineteen Hundred and _____ for the consideration therein
mentioned and to secure the payment of the money therein specified, did convey certain lands and
tenements, of which the lands hereinafter described are part, unto

which said mortgage was duly recorded in Book _____ of Mortgages
at pages _____ etc., and which said mortgage has been duly assigned to the
party of the first part hereto; and whereas the party of the first part, at the request of the party of
the second part, has agreed to give up and surrender the lands hereinafter described unto said party
of the second part and to hold and retain the residue of said mortgaged lands as security for the
money remaining due on the said mortgage;

NOW THIS INDENTURE WITNESSETH, that the said party of the first part, in pursuance of said
agreement and in consideration of the sum of one dollar, lawful money of the United States of
America, paid to the said party of the first part at or before the ensealing and delivery of these
presents, the receipt of which is hereby acknowledged, has released, quit-claimed, given, granted
and conveyed, and by these presents does release, quit-claim, give, grant and convey unto the said
party of the second part, all that part of the said mortgaged lands, to wit:-

ALL that certain lot, tract or parcel of land and premises, situate, lying and being in the
_____ of _____ and State of New Jersey, and more particularly
in the County of _____
described as follows: -

Superseded

TOGETHER with the hereditaments and appurtenances thereunto belonging, and all the right, title and interest of the said party of the first part to the same, to the intent that the lands hereby conveyed may be discharged from the said mortgage, and that the rest of the lands in the said mortgage described may remain to the said party of the first part as heretofore; TO HAVE AND TO HOLD the lands and premises hereby released and conveyed to the said party of the second part, its successors and assigns forever, free and discharged from the encumbrance of the indenture of mortgage aforesaid.

IN WITNESS WHEREOF the party of the first part ha hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of:

STATE OF

COUNTY OF

BE IT REMEMBERED that on this
A. D. Nineteen Hundred and
before me, the subscriber,
personally appeared

} ss. day of

who I am satisfied the person mentioned in and who executed the
within indenture, and to whom I first made known the contents thereof, and thereupon
acknowledged that signed sealed and delivered the same as voluntary act
and deed for the uses and purposes therein expressed.

.....

Superseded

TOGETHER with the hereditaments and appurtenances thereunto belonging, and all the right, title and interest of the said party of the first part to the same, to the intent that the lands hereby conveyed may be discharged from the said mortgage, and that the rest of the lands in the said mortgage described may remain to the said party of the first part as heretofore; To Have And To Hold the lands and premises hereby released and conveyed to the said party of the second part, its successors and assigns forever, free and discharged from the encumbrance of the indenture of mortgage aforesaid.

IN WITNESS WHEREOF the party of the first part has caused these presents to be signed by its President, attested by its Secretary and its corporate seal to be hereunto affixed the day and year first above written.

ATTEST: -

.....
President

.....
Secretary

STATE OF }
COUNTY OF } ss.

BE IT REMEMBERED that on this _____ day of _____ A.D. Nineteen Hundred and _____ before me, the subscriber, personally appeared _____

who being by me duly sworn, does depose and make proof to my satisfaction that he is the

a corporation of the _____ the grantor in the within indenture named; that he well knows the corporate seal of the said corporation and that the seal affixed to the within indenture is the proper corporate seal of such corporation, and that the same was so affixed and the said indenture signed and delivered by

who was at the date and execution thereof the _____ President of the said corporation, as the voluntary act and deed of the said corporation, by virtue of authority from its Board of Directors, in the presence of deponent, whereupon deponent subscribed the same as witness to the execution thereof.

Subscribed and sworn before me the day _____ and year above written.

COMPARED WITH ORIGINAL
CONTRACT AND FOUND
CORRECT.....

THE AFOREMENTIONED INSTRUMENT HAS
BEEN REVIEWED AND APPROVED AS TO
FORM

ATTORNEY GENERAL OF NEW JERSEY

BY DEPUTY ATTORNEY GENERAL

The State of New Jersey

To

Dated

State Highway Route No.
County

NEW JERSEY
DEPARTMENT OF TRANSPORTATION
1035 PARKWAY AVENUE
TRENTON, NEW JERSEY
C/O TITLE BUREAU
CN 614

Superseded

Affidavit of Title

State of New Jersey,)

County of)

ss.

being duly sworn according to law, say(s) that _____, of full age
in the _____ of _____ the owner(s) of premises situate
described as Parcel No. _____, Route No. _____, in the County of _____
this day to be conveyed to the State of New Jersey; _____, Section No. _____

Deponent(s) further say(s) that deponent(s) and deponents predecessors in title, so far as deponent(s) know(s), have been in peaceable and undisputed possession of said premises for at least _____ years last past;

Deponent(s) further say(s) that _____ know(s) of no right, claim, lien, easement or encumbrance affecting the title to said premises nor any suit at law or in equity now pending against said deponent(s), that the said premises are free and clear of any trusts, limitations or agreements other than hereinafter set forth, and that to the best of deponents knowledge, there are no bankruptcies, assignments for the benefit of creditors, judgments or liens created by statute or by virtue of any proceedings in any Court of the State of New Jersey or United States District Court for the District of New Jersey adversely affecting the owner and the title to said premises, except:

Deponent(s) further say(s) that _____ special attention has been directed to the following:

and that the liens, judgments or claims herein set forth are not against deponent(s).
Deponent(s) further say(s) that no person has any contract for the purchase of the said premises, nor any right of possession under any lease, oral or written, or other right of possession except:

PREMISES ARE OCCUPIED BY

Deponent(s) further say(s) that no building, or addition to any building has been commenced or completed on said lands within four months last past, and that no building or addition to any building is now in course of erection thereon.

Deponent(s) spell(s) _____ name as above and no other way, and ha _____ never been known under any other name except:

Deponent(s) further state(s) that _____ married to _____
and that _____ never been married to any other person now living
except:

Deponent(s) further say(s) that all real estate taxes have been paid, including the quarter of 19 _____, and that there are no other municipal liens affecting the premises except:

Deponent(s) make(s) this affidavit to induce the State of New Jersey to accept a deed for said premises, and pay the consideration therefor, knowing that said State of New Jersey relies upon the truth of the statements herein contained.

Subscribed and Sworn to before me }
this _____ day of _____
19 _____

STATE OF
COUNTY OF

} ss.:

and

being duly sworn, depose and say that they are the President and Secretary, respectively, of

a corporation existing under and by virtue of the Laws of the State of
address
that they reside at
and

respectively; that they are citizens of the United States, twenty-one years of age and upwards; and that said corporation is now in possession, and the owner in fee simple, of the

in said

, this day to be

by it to

Deponents further say that the said premises have been held by said corporation for years last past, and that its possession thereof has been peaceable and undisturbed, and that its title thereto has never been disputed or questioned to their knowledge, nor do deponents know of any facts by reason of which said possession or title might be disturbed or questioned, or by reason of which any claim to said premises, or any part thereof, might arise or be set up adverse to said corporation; that they are informed and believe that the said corporation's grantor, and those under whom said grantor claimed title to the above mentioned premises held the said premises for more than twenty years prior to the transfer to it; and that no person or persons have any contract for the purchase of, or claim to or against said premises, except as hereinafter stated; and that the same are free and clear of all taxes, incumbrances or liens by mortgage, decree, judgment or by statute, or by virtue of any proceeding in any Court, or filed in the office of the clerk of any County or Court in this State, that no work has been done or materials furnished to said premises, for the past four months, that there are no outstanding claims for the furnishing of material or labor, for the erection, construction, or alteration of any building on said premises whereby the same are now or might become subject to mechanic's or other liens. That there are no prospective assessments for improvements which have already been made on or about said premises and that the said premises are free and clear of all other liens of every nature or description, save and except

There are no Unemployment Compensation or Federal Social Security taxes due and owing from said corporation; it does not hold title to the premises for the benefit or on behalf of any foreign country or contrary to any regulation or law of the State of New Jersey, the United States or executive order of the President of the United States, pertaining to the control of foreign funds, assets and property; at no time since April 8th, 1940 has any foreign country or national thereof had any interest of any nature whatsoever, direct or indirect, in the premises. Such corporation has executed no chattel mortgage or conditional bill of sale, which remains unpaid, affecting any equipment, apparatus, personal property or fixtures to be used in connection with the premises; to the best of deponents knowledge and belief no such chattel mortgage or bill of sale executed by any prior owner remains unpaid.

The premises are now occupied as follows:

Deponents further state that the execution and acknowledgment of the from said corporation to this day executed, as well as the making of this affidavit of title have been duly authorized by a proper resolution of the board of directors of the said corporation, a copy of which resolution, verified by the seal of said corporation, is attached hereto and made a part hereof; that the said corporation is legally authorized to transact its business in the State of ; that no proceeding of any nature is now pending in, and no order of any kind has been passed by any Court of the State of or any other jurisdiction, to restrain said corporation from doing business in said State in accordance with its charter; that said corporation has never changed its name; and that there are no judgments, decrees, or attachments, recognizances and bail bonds or orders of any Court or officer for the payment of money against the said corporation, or to which it is a party, unsatisfied, or not cancelled of record in any of the Courts, or before any officer of the United States or of this State, or any suit or proceeding pending anywhere affecting the said premises, to their knowledge, information or belief; and that no proceedings in bankruptcy or insolvency have ever been instituted by or against said corporation.

Deponents further state that the matters and fact above contained are within their personal knowledge and are not based on hearsay, and that this affidavit is made to induce

to accept a
knowing that the said


said premises, and pay the consideration therefor,

relies upon the truth of the statements herein contained.

Subscribed and Sworn to before me
this day of

19

}

| | | | | | | | | | | | | | | |
|--|---|--------|---------------|-------------|---------------------|-------------|--|------------|------------------|---------|-----------------|----|--------------|-------------------------|
|  | STATE OF NEW JERSEY PAYMENT VOUCHER (VENDOR INVOICE) | | DOCUMENT | | | | BATCH | | | | ACTG PER. | FY | | |
| | TC AGY NUMBER | | TC AGY NUMBER | | PP START | | SCHED PAY | | CHK | OFF | F | RF | CK | (A) VENDOR ID NUMBER |
| | MO DY YR | | MO DY YR | | CAT | LIAB | A | TY | FL | | | | | |
| PO # | PV DATE | | | | | | | | | | | | | |
| CONTRACT NO | AGENCY REF | BUYER | (B) TERMS | | [REDACTED] | | | | (C) TOTAL AMOUNT | | | | | |
| (D) PAYEE NAME AND ADDRESS | | | | | | | (E) SEND COMPLETED FORM TO: | | | | | | | |
| (F) PAYEE DECLARATIONS I CERTIFY THAT THE WITHIN PAYMENT VOUCHER IS CORRECT IN ALL ITS PARTICULARS, THAT THE DESCRIBED GOODS OR SERVICES HAVE BEEN FURNISHED OR RENDERED AND THAT NO BONUS HAS BEEN GIVEN OR RECEIVED ON ACCOUNT OF SAID DOCUMENT. | | | | | | | | | | | | | | |
| | | | | | | | | | | | PAYEE SIGNATURE | | | |
| | | | | | | | | | | | PAYEE TITLE | | BILLING DATE | |
| LINE NO | REFERENCE | | | | (G) PAYEE REFERENCE | | | | | | | | | |
| | CD | AGY | NUMBER | | LINE | | | | | | | | | |
| 1 | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | | | |
| | FUND | AGCY | ORG CODE | SUB-ORG | APPR UNIT | ACTIVITY CD | OBJECT CD | SUB-OBJ | REV SRCE | SUB-REV | PROJECT/JOB NO | | | |
| 1 | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | | | |
| | RPT CT | BS ACT | DT | DESCRIPTION | | | QUANTITY | AMOUNT | | | ID | PF | TX | |
| 1 | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | | | |
| ITEM NO. | COMMODITY CODE/DESCRIPTION OF ITEM | | | | | QUANTITY | UNIT | UNIT PRICE | AMOUNT | | | | | |
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| | | | | | | | | | TOTAL | | | | | |
| CERTIFICATION BY RECEIVING AGENCY: I certify that the above articles have been received or services rendered as stated herein. | | | | | | | CERTIFICATION BY APPROVAL OFFICER: I certify that this Payment Voucher is correct and just, and payment is approved. | | | | | | | |
| Signature | | | | | | | Authorized Signature | | | | | | | |
| Title | | | | | | | Title | | | | | | | |
| Date | | | | | | | Date | | | | | | | |

PV 3/93

WHITE - Original

CANARY - Duplicate

THIS CERTIFIES that I have caused to be made an appropriate search covering a period of years last past for all deeds and other instruments of conveyance, and all mortgages, attachments, mechanic's liens, bonds to sheriff, civil and criminal recognizances, judgments in the County Courts and docketed judgments from the County District Courts and notices of lis pendens as the same are filed or recorded in the office of the Register and Clerk of the County of _____ and all wills, applications for letters of administration and the proceedings thereon as the same are filed or recorded in the office of the Surrogate of said County, and for unpaid taxes and other municipal liens as the same are of record in the office of appropriate officers of the municipality in which the lands hereinafter described are situate, and all judgments, decrees and other liens in the respective offices of the Clerks of the Superior Court of the State of New Jersey and the District Court of the United States for the District of New Jersey, as shown by the indices of said instruments and liens kept in said offices, affecting certain lands and premises situate in the _____ of _____ in the County of _____ and designated as Parcel No. _____ on plan of lands to be acquired by THE STATE OF NEW JERSEY for its use in the construction of State Highway Route No. _____ Section _____ which said plan has been filed or is about to be filed in the office of the Clerk of said County and find from an examination of such search that on _____

was (were) the owner (s) of said premises in fee simple, clear and discharged of all encumbrances whatsoever, except as hereinafter set forth.

I FURTHER CERTIFY that by deed bearing date as aforesaid all the persons thus seized, and all other persons interested therein, did convey said premises to THE STATE OF NEW JERSEY and that said deed has been duly delivered to the Commissioner of Transportation and accepted on behalf of said State, has been approved as to form and execution by the Attorney General and recorded in the office of the Clerk or Register of said County; that by the execution and delivery of said deed the said STATE OF NEW JERSEY became and now is seized of a good estate in fee simple in said premises and that said premises are now free, clear and discharged of all encumbrances whatsoever except the following, which exceptions are to be satisfactorily disposed of before actual payment of the purchase price.

Superseded

Dated: _____

.....
 Title Officer
 Department of Transportation

(CERTIFICATE OF TITLE - EASEMENT)

THIS CERTIFIES that I have caused to be made an appropriate search covering a period of _____ years last past for all deeds and other instruments of conveyance, and all mortgages, attachments, mechanic's liens, bonds to sheriff, civil and criminal recognizances, judgments in the County Courts and docketed judgments from the County District Courts and notices of lis pendens as the same are filed or recorded in the office of the Register and Clerk of the County of _____ and all wills, applications for letters of administration and the proceedings thereon as the same are filed or recorded in the office of the Surrogate of said County, and for unpaid taxes and other municipal liens as the same are of record in the office of appropriate officers of the municipality in which the lands hereinafter described are situate, and all judgments, decrees and other liens in the respective offices of the Clerks of the Superior Court of the State of New Jersey and the District Court of the United States for the District of New Jersey as shown by the indices of said instruments and liens kept in said offices, affecting certain lands and premises situate in the

of _____ in the County of _____ and designated as Parcel No. _____

on plans of lands to be acquired by THE STATE OF NEW JERSEY for its use in the construction of State Highway Route No. _____ Section _____ which said plan has been filed or is about to be filed in the office of the Clerk of said County and find from an examination of such search that on

was (were) the owner (s) of said premises in fee simple, clear and discharged of all encumbrances whatsoever, except as hereinafter set forth.

I FURTHER CERTIFY that by deed of easement bearing date as aforesaid all the persons thus seized, and all other persons interested therein, did convey an easement over and across said premises to THE STATE OF NEW JERSEY and that said deed of easement has been duly delivered to the Commissioner of Transportation and by him accepted on behalf of said State, has been approved as to form and execution by the Attorney General and recorded in the office of the Clerk or Register of said County; that by the execution and delivery of said deed of easement the said STATE OF NEW JERSEY became and now is seized of an easement over and across said premises and that said premises are now free, clear and discharged of all encumbrances whatsoever except the following, which exceptions are to be satisfactorily disposed of before actual payment of the purchase price.

DATED:

.....
(Title Officer, Department of Transportation)

THIS CERTIFIES that I have caused to be made an appropriate search covering a period of sixty years last past for all deeds and other instruments of conveyance, and all mortgages, attachments, mechanic's liens, bonds to sheriff, civil and criminal recognizances, judgments in the County Courts and docketed judgments from the County District Courts and notices of lis pendens as the same are filed or recorded in the office of the Register and Clerk of the County of _____ and all wills, applications for letters of administration and the proceedings thereon as the same are filed or recorded in the office of the Surrogate of said County, and for unpaid taxes and other municipal liens as the same are of record in the office of appropriate officers of the municipality in which the lands hereinafter described are situate, and all judgments, decrees and other liens in the respective offices of the Clerks of the Superior Court of the State of New Jersey and the District Court of the United States for the District of New Jersey, as shown by the indices of said instruments and liens kept in said offices, affecting certain lands and premises situate in the _____ of _____ and designated as Parcel No. _____ in the County of _____

on plan of lands to be acquired by THE STATE OF NEW JERSEY for its use in the construction of State Highway Route No. _____ Section _____ which said plan has been filed or is about to be filed in the office of the Clerk of said County and find from an examination of such search that on _____

was (were) the owner (s) of said premises in fee simple, clear and discharged of all encumbrances whatsoever, except as hereinafter set forth.

I FURTHER CERTIFY that by a complaint filed in the office of the Clerk of the Superior Court of New Jersey, on the aforesaid date, and by condemnation proceedings properly instituted under and by the authority of Chapter 1, Title 27 of Revised Statutes, as amended and supplemented; and N.J.S.A. 27:7-22.2, as amended and supplemented; and N.J.S.A. 27:7A-1 et seq., as amended and supplemented; and in the manner provided in Chapter 3 of the Title Eminent Domain (20:3-1 et seq.), as amended and supplemented; the Commissioner of Transportation acting for and on behalf of the State of New Jersey, did acquire the lands and premises to which reference is hereinabove made.

I HEREBY FURTHER CERTIFY that payment of the _____ made in pursuance to the said condemnation proceedings has been approved and directed by the said Commissioner of Transportation, and that by virtue of the said proceedings, the State of New Jersey became and now is seized of all right, title and interest in and to the said premises which it could lawfully acquire by virtue of the statutory authority above set forth., which (Award) (Judgment) is to be paid to owner on the disposition of the following exceptions.

DATED:

.....
Title Officer, Department of Transportation

THE STATE OF NEW JERSEY, to all to whom these presents shall come or may concern, GREETINGS:

WHEREAS, pursuant to the provisions of an act of the Legislature of said State, approved March 13, 1917, entitled "An Act to establish a State Highway Department and to define its powers and duties; vesting therein all the powers and duties now devolved by law upon the Commissioner of Public Roads, and the existing State Highway Commission and Highway Commission", and the several acts amendatory and supplementary thereof, the said State did acquire certain lands and premises, hereinafter more particularly described, and

WHEREAS, by virtue of the provisions of Chapter 301, P.L. 1966, all of the functions, powers, and duties of the existing State Highway Department and the State Highway Commissioner devolved upon the Commissioner of Transportation, and

WHEREAS, the Commissioner of Transportation has determined that the lands and premises hereinafter described are no longer required for the use of the State of New Jersey in the improvement, betterment, reconstruction, and maintenance of any State Highway;

WHEREAS, the party of the second part hereinafter mentioned has heretofore conveyed to the State of New Jersey certain lands and premises, the consideration for such conveyance being, among other things, the conveyance to said party of the second part of the lands and premises hereinafter described as an exchange for the lands and premises conveyed to said State by said party of the second part, now therefore,

THIS INDENTURE, Made the _____ day of _____ A.D.
One thousand Nine Hundred and Sixty -

BETWEEN ----- STATE OF NEW JERSEY -----

by _____ Commissioner of Transportation, acting under and
by virtue of the provisions of Section 27:12-1, etc., of the Revised Statutes of New Jersey 1937, ----- of the
first part,

AND

_____ of the second part,

WITNESSETH, that the said party of the first part, in consideration of the sum of One Dollar (\$1.00), lawful money of the United States of America, to it in hand paid at or before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, and other valuable consideration as hereinabove set forth, has granted, bargained, sold, aliened, remise, released, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the said party of the second part, and unto his her its their heirs successors and assigns forever,

ALL _____ certain lot , tract , or parcel , of land and premises situate, lying and being
in the _____ in the County of _____
and State of New Jersey, and more particularly described as follows:-

INFORMATION REGARDING EXECUTION OF INSTRUMENTS BY INDIVIDUALS

Read all instruments carefully, especially the Affidavit of Title, to make certain that the information set forth therein is correct.

The deed, invoice, and Affidavit of Title are to be executed and returned immediately. Check in settlement will be available in about thirty days thereafter. Other instruments enclosed, if any, should be returned as soon as possible, but may be delivered at any time before actual settlement. Proof or information requested to clear up any title question should be furnished as soon as possible. The deed and Affidavit of Title must be executed before an attorney or Notary Public. The invoice is to be signed by one of the Claimants on the line provided under Payee Declaration on the first page and dated. Under item F on the invoice kindly insert the Social Security Number of _____ Please return both copies of the invoice.

All instruments are to be dated at the time of execution and the names of all persons signing the same must be typed or printed below the signatures. Acknowledgments to deeds and other legal instruments should be completed by inserting:

1. Name of State and County where the instrument is acknowledged.
2. Date acknowledged
3. Name and full official title of the person taking the acknowledgment typed or printed below the signature.

If a Notary Public of the State of New Jersey takes the acknowledgment to the instrument, the date of the expiration of his Notary commission must be stated below his title and his seal should be affixed, if he has one.

If a Notary Public of any state other than New Jersey takes the acknowledgment to any instrument, he must state in the acknowledgment that he is a Notary Public of such State, the date of the expiration of his Notary commission, and affix his official seal thereto.

No instrument can be delivered in escrow or conditionally. If any of the proceeds of the sale to the State are needed to secure instruments to clear title, such instruments must be held until the date of settlement. Arrangements can be made to hold settlement on any working day between 11:00 a.m. and 2:00 p.m. at a place convenient to all persons involved in the transaction. The check in settlement will be drawn only to the order of the owners of record as their names appear on the invoice.

INFORMATION

To assist in execution of instruments by a CORPORATION

Read all instruments carefully. Return an incorrect form, and explain why.

Date all instruments at time of execution.

Instruments must be signed by proper officers. Their names and titles are to be typed or printed beneath their signatures.

The paragraph above their signature is to state the officers' titles correctly.

Corporate seal must be affixed.

Corporate proof must be made before a lawyer or notary public by the person attesting the signature of the executive officer.

Corporate proof must be completed by inserting: -

- 1. Name of State and County where proven.**
- 2. Date proven.**
- 3. Full official title of officer before whom proven.**
- 4. Names and titles of corporate officers.**

The persons making the proof signs on line to the right. The officer before whom proven, signs on line to the lower left. His name and full official title is to be typed or printed beneath his signature.

The invoice is to be signed by a proper officer of the corporation on the line provided under Payee Declaration on the first page and is to be dated. It will also be necessary that the corporation's federal identification number be inserted in Block No. F.

Deed conveying title to the State of New Jersey must be accompanied by certified copy of resolution of board of directors authorizing its execution.

TAX SEARCH REQ.

CHECK NO.

TAX SEARCH REC'D.

ROUTE SECTION NO. PARCEL NO. COUNTY

OWNER ASSIGNED TO

AGREEMENT APPROVED AGREEMENT RECEIVED AMOUNT \$

CONDEMNATION AUTHORIZED MEMO TO ATTY. GENERAL

REPORT OF COMM'R'S REC'D. JUDGMENT REC'D. AMOUNT \$ INT. FROM

SEARCH RECEIVED ASSIGNED TO READER TITLE READ

LIEN SEARCHES - U.S. DIST. CT. AND N.J. SUP. CT.

INSTRUMENTS SENT TO OWNER FOR EXECUTION RECEIVED FROM OWNER

DEED APPROVED BY ATTY. GENERAL AND SENT FOR RECORDING RECORDED BOOK PAGE

GRANTOR

GRANTOR

GRANTOR

TITLE CERT. APPR. BY ATTY. GENL. AND ALL PAPERS TO AUDITOR FOR CHECK DATE OF POSSESSION

DOWN PAYMENT INVOICE TO AUDITOR FOR CHECK DATE \$

REMARKS

LETTER TO ASSESSOR DATED FOR \$ FORWARDED TO

ADD. INTEREST CHECK NO. DATED FOR \$ TO ATTY. GENERAL

D. D. T. CHECK DATED FOR \$ FORWARDED TO

DOWN PAYMENT CHECK NO. DATED FOR \$ FORWARDED TO

LAND AND DAMAGE CHECK NO. DATED FOR \$ FORWARDED TO

TO ATTORNEY

New Jersey Department of Transportation
REQUEST FOR TAX SEARCH

FILE

DATE

| ROUTE: | SECTION: | DESCRIPTION: |
|---------|----------|--------------|
| PARCEL: | | |
| OWNER: | | |
| | | |
| | | |

To Collector of Taxes:

Please furnish this department with tax and municipal lien search on above lands, making references to our Route; Section; Parcel and File Number, As required by N.J.S.A. 54:5-12 and 54:5-13, include on the search whether the lands are or may be subject to roll-back taxes under the Farm Land Assessment Act.

Forward to New Jersey Department of Transportation, 1035 Parkway Avenue, P.O. Box 101, Trenton, New Jersey 08625
ATTENTION: TITLE OFFICER.

Title Officer

CERTIFICATE OF INCORPORATION

Date _____

Name _____

Corp. of _____

File No. _____ Vault No. _____

Cert. Filed _____

Inc. Date N. J. _____

Agent _____

Address of Office _____

Void _____ Dissolved _____

Merged _____ (See Over) _____

Change of Name _____ (See Over) _____

SuperSeal

CHANCERY PROCEEDINGS

| Name Compt | | DATE |
|-----------------|----------------|-----------------------------------|
| Compt | | Check Kind of Case Foreclosure |
| | | Partition |
| | | Receivership |
| Deft's | | Adm Rt to Sell |
| | | Gdn Rt to Sell |
| | | Misc |
| Loc Prem County | Municipality | |
| Mig Bk | Page | |
| Our File | Chey Dkt | Vault |
| Copy Filed | REMARKS (Over) | |

NEW JERSEY DEPARTMENT OF TRANSPORTATION
 LAND ACQUIRED FOR USE IN THE CONSTRUCTION OF STATE HIGHWAYS

| ROUTE NO. | SECTION NO. | ACQUIRED FROM | LOCATION | | | CONDEMNATION AWARD FILED | CLAIM PAID | | | FILE NO. |
|-----------|-------------|---------------|--------------------|------|------|--------------------------|------------|-----------|--------|----------|
| | | | DEED RECORDED DATE | BOOK | PAGE | | DATE | CHECK NO. | AMOUNT | |
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Superseded

TAX REIMBURSEMENT CALCULATION SHEET

| | |
|----------------|----------------|
| Type of Taking | PARTIAL-ENTIRE |
| Calculated by | |
| Date | |
| File No. | |

| |
|-------------------|
| Attorney or Agent |
| |
| |

| | | | | |
|---------|--------------|-----------|---------------|----------------------|
| Route | Owner | | | |
| Section | Address | | | |
| PAR | Municipality | Agreement | Date of Poss. | Date of Rec. of Deed |

| | | | | | | |
|-----------|---------|-------------|---------------|----------------|-------|----------|
| Tax Block | Tax Lot | Account No. | Taxes Paid To | Dec. of Taking | Award | Judgment |
|-----------|---------|-------------|---------------|----------------|-------|----------|

| | | |
|------|---------------------|--------|
| YEAR | TAXES FOR QUARTERS: | P.I.Q. |
| 19 | | |

| | | | |
|----|-------|----------|-------|
| 1. | _____ | 1 | |
| 2. | _____ | 1st Half | _____ |
| 3. | _____ | | |
| 4. | _____ | 2nd Half | _____ |

Total Taxes for Full Year _____ (Land - Improvements)

AMOUNT PAID BY OWNER _____

BALANCE DUE MUNICIPALITY: _____

| | | | |
|--------------------------|-------|-------|-------|
| (1) (2) QUARTER 1st Half | _____ | _____ | _____ |
| (3) (4) QUARTER 2nd Half | _____ | _____ | _____ |
| Unused S. C. Exempt | _____ | _____ | _____ |
| TOTAL | _____ | _____ | _____ |

State-Owner's Liability Paid by Owner _____

_____ Days @ _____ Per Day _____

REIMBURSEMENT TO OWNER _____

REMARKS: _____

| | | | |
|---------|---------------------|--------------|------|
| Code No | Federal Project No. | Record Sheet | Line |
|---------|---------------------|--------------|------|