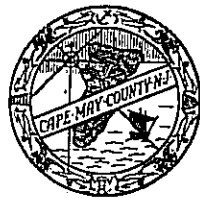


Arkes

COUNTY of CAPE MAY
RITA MARIE FULGINITI, COUNTY CLERK
JO ANN HUNT
DEPUTY COUNTY CLERK



Location:
7 North Main Street
Cape May Court House
New Jersey 08210

Telephone: (609) 465-1010 [] Fax: (609) 465-8625
E-mail: coclerk@co.cape-may.nj.us
Website: www.capemaycountygov.net

Mailing Address:
P.O. Box 5000
Cape May Court House
New Jersey 08210-5000

MEMO

**TO: RECORDING CUSTOMERS, LAND SURVEYORS,
PROFESSIONAL ENGINEERS AND ARCHITECTS**

FROM: RITA MARIE FULGINITI, COUNTY CLERK 609-465-1018 *RMJ*
coclerk@co.cape-may.nj.us

RE: MASTER DEEDS AND CONDOMINIUM PLANS

DATE: JANUARY 24, 2007

It has been a challenge for all of us when it comes to the preparation and recording of Condominium Master Deeds and their Condominium Plans. I can truly appreciate the difficulties our customers experience in recording these documents; particularly when they are rejected. I realize that there is a negative impact on your business when you need to have plans redone, etc.

Enclosed please find a more comprehensive list of requirements for Condominium Master Deeds and Condominium Plans, along with the statutory references. We have developed this document with the expectation that it will be helpful to you as you prepare to have your Master Deeds and Condominium Plans recorded.

These requirements, along and other important information about document recording is posted to our website: <http://www.capemaycountygov.net> click on *County Clerk*, then *Document Recording Requirements*.

Your input and suggestions are always welcome.

/rmf
enclosure

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Recording Requirements for the Master Deed and Condominium Plan:

1. The words "**prepared by,**" followed by the **signature and printed name** of the preparer on the **first page**. (N.J.S.A. 46:15-1.1(6))
2. **Name(s)** of record owner(s) and/or lessees. (N.J.S.A. 46:8B-8)
3. Statement submitting the land described in the Master Deed to the **provisions of the New Jersey Condominium Act, P.L. 1969, c. 257 (N.J.S.A. 46:8B-1 et seq)**. (N.J.S.A. 46:8B-9(a))
4. Name, including the word "**condominium**" or followed by the words "**a condominium,**" by which the property shall thereafter be identified. (N.J.S.A. 46:8B-9(b))
5. A **legal description** of the land. (N.J.S.A. 46:8B-9(c))
6. **Identification of each unit** by distinctive letter, name or number. (N.J.S.A. 46:8B-9(e))
7. **Description of common elements** and limited common elements, if any. (N.J.S.A. 46:8B-9(f))
8. The proportionate undivided interests in the common elements (and limited common elements, if any) appurtenant to each unit. The total of these interests as stated by **percentages shall equal 100%**. (N.J.S.A. 46:8B-9(g))
9. **Voting rights of the unit owners**. (N.J.S.A. 46:8B-9(h))
10. **By-laws**. (N.J.S.A. 46:8B-9(i))

11. **Method of amending and supplementing the Master Deed, which shall require the recording of any amendment or supplement, before it becomes effective, in the County Clerk's Office.** (N.J.S.A. 46:8B-9(j))
12. **Name and business organization of the association, and if the association is not incorporated, the name and residence address in the State of New Jersey of the person designated as agent for service of process on the association.** (N.J.S.A. 46:8B-9(k))
13. **Proportions or percentages and manner of sharing common expenses and owning common surplus by the unit owners.** (N.J.S.A. 46:8B-9(l))
14. **Signature(s) of record owners and/or lessees.** (N.J.S.A. 46:15-1.1(2)).
15. **Name(s) of record owner and/or lessees must appear typed or printed beneath signature(s).** (N.J.S.A. 46:15-1.1(4)).
16. Record owner(s) and/or lessees must be **fully acknowledged** by a notary public or other officer authorized by law to take oaths. Acknowledgment must include the name of the state and county where the acknowledgment is taken, full date, name(s) of the person(s) signing the Master Deed. If the record owner and/or lessee is a corporation or other entity there must be a statement that the maker was authorized to execute the instrument on behalf of the entity and that the maker executed the instrument as the act of the entity. Notary or other officer taking the acknowledgment must sign the acknowledgement and print his/her name and title.
(N.J.S.A. 46:15-1.1(3), N.J.S.A. 46:14-2.1).
17. A survey of the condominium property in sufficient detail to show and identify **common elements, including the name of the condominium, the name of the municipality and tax Block and Lot, each unit and their respective locations and approximate dimensions.** The plans shall bear a **certification, including signature and embossed or raised seal,** by a land surveyor, professional engineer or architect authorized and qualified to practice in the State of New Jersey and setting forth that the **plans constitute a correct**

representation of the improvements described. The survey and plans shall constitute a condominium plan as defined in section 2 of P.L. 1960, c. 141 (N.J.S.A. 46:23-9.10.) The **date of the survey** shall be shown and the map shall be in accordance with the minimum survey detail requirements as promulgated by the State Board of Professional Engineers and Land Surveyors. (N.J.S.A. 46:8B-9(d) (N.J.S.A. 46:23-9.11(m))

18. Additional Requirements for the "Condominium Plan"

a. It shall be **clearly and legibly drawn**, and where required, endorsed and presented as an original drawing in black ink on translucent tracing cloth, translucent mylars at least 4 mils thick or its equivalent, of good quality, which signatures in ink, or as an equivalent reproduction on photographic fixed line mylar 4 mils thick with signatures in black ink or its equivalent and shall be accompanied by a cloth print or photographic fixed line mylar 4 mils thick and **presented to the County Clerk in duplicate.**

(N.J.S.A. 46:23-9.11.a)

b. It shall be **one of six standard sizes:** 8 1/2" X 13" 30" X 42" 24" X 36" 11" X 17" 18" X 24" 15" X 21" measured from cutting edges. If more than one sheet is required the map by be divided into sections to be shown on separate sheets of equal size, with references on each sheet to the other sheets.

(N.J.S.A. 46:23-9-11.b)

c. It shall **show the scale**, which shall be inches to feet and be large enough to contain legibly written data on the dimensions, bearings and all other details of the boundaries, and it **shall also show the graphic scale.**

(N.J.S.A. 46:23-9.11.c)

d. The **reference Meridian** (North Arrow) used for bearings on the map shall be shown graphically. The coordinate base, either assumed or based on the New Jersey Plane Coordinate System, shall be shown on the plat.

(N.J.S.A. 46:23-9.11.f)

e. All municipal boundary lines crossing or adjacent to the territory intended to be shown shall be shown and designated.

(N.J.S.A. 46:23-9.11.g)

f. All natural and artificial watercourses, streams, shorelines and water boundaries and encroachment lines shall be shown.

(N.J.S.A. 46:23-9.11.h)

g. All permanent easements shall be shown and dimensioned, including but not limited to sight right easements and utility easements.

(N.J.S.A. 46:23-9.11.i)

h. If the Condominium Plan is comprised on more than one sheet they must be referenced as such. e.g. *page one of two, see architect plans for dimensions and floor plans, etc.*

i. The County Clerk will accept other accompanying plans, as exhibits in the Master Deed, in paper or mylar format, as long as the Condominium Plan requirements have been satisfied.

Recording Fee: Regular Fees - \$30.00 for the 1st page plus \$10.00 for each printed page after, plus \$10.00 tax abstract fee, per municipality, plus \$55.00 per each duplicate sheet (set of 2) of the Condominium Plan. The Condominium Plan is retained by the County Clerk's Office and will not be returned with the recorded Master Deed. Exhibits are counted as \$10.00 per page (up to 11" X 17"). Oversize exhibits are \$55.00 per page and not returned with the recorded Master Deed.

**Make checks payable to
Cape May County Clerk
and deliver document and fees to
7 N. Main Street DN 109
PO Box 5000
Cape May Court House NJ 08210-5000**

1/24/2007 rmf