

ORDINANCE #17-2020

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF DEED OF
DEDICATION FROM HOVBROS CLAYTON, LLC TO THE BOROUGH OF
CLAYTON, BLOCK 1904.10, LOT 1**

WHEREAS, Hovbros Clayton, LLC, a New Jersey Limited Liability Company, has executed and delivered to the Borough of Clayton a deed of dedication by which the said Hovbros Clayton, LLC has conveyed to the Borough of Clayton property known as Block 1904.10, Lot 1 and more particularly described and upon the terms set forth in the said deed of dedication attached hereto; and

WHEREAS, acceptance of the said deed of dedication by the Borough of Clayton is in the public interest.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Clayton, in the County of Gloucester and State of New Jersey that, pursuant to the Local Lands and Buildings Law of the State of New Jersey, N.J.S.A. 40A:12-1, et seq., the Borough of Clayton does hereby accept the conveyance of the aforementioned deed of dedication, attached hereto, by Hovbros Clayton, LLC to the Borough of Clayton.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon final passage and publication as required by law.

BOROUGH OF CLAYTON



THOMAS BIANCO, Mayor

Attest:



CHRISTINE NEWCOMB, Borough Clerk

Deed of Dedication

This Deed is made on _____, 2020

Between HOVBROS CLAYTON , L.L.C.,
A New Jersey limited liability company

whose post office address is 900 Birchfield Drive
Mount Laurel, New Jersey 08054

referred to as the Grantor,

and BOROUGH OF CLAYTON, a Municipality
125 North Delsea Drive
Clayton, New Jersey 08312

referred to as the Grantee.

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

1. **Transfer of Ownership.** The Grantor grants and conveys (transfer ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of ONE DOLLAR (\$1.00).

The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** (N.J.S.A. 46:15.1.1) Municipality of the Borough of Clayton
Block No. 1904.10 Lot No. 1

3. **Property** The Property consists of 0.923 acres in the Township of Clayton, County of Gloucester, State of New Jersey the legal description of which is set forth in Exhibit A attached hereto and made a part hereof.

Prepared by:

Mitchell T. Grayson, Esquire
Gerstein Grayson & Cohen, LLP
1288 Route 73 South, Suite 301
Mount Laurel, New Jersey 08054

(For Recorder's Use Only)

Being part of the same land and premises which Hovbros Clayton, LLC acquired by deed from J.S. Hovnanian & Sons, LLC dated May 6, 2005 recorded 5/23/2005 in the Gloucester County Register of Deeds Office in Deed Book 3984 page 180.

4. **Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. **Signature.** The Grantor signs this Deed as of the date at the top of the first page.

Witness:

Hovbros Clayton Urban Renewal, L.L.C.

By: _____
Stephen J. Hovnanian, Managing Member

By: _____
Peter J. Hovnanian, Managing Member

STATE OF NEW JERSEY, COUNTY OF BURLINGTON: SS.

I CERTIFY that on _____, 2020, STEPHEN J. HOVNANIAN and PETER J. HOVNANIAN, Managing Members of HOVBROS CLAYTON URBAN RENEWAL, L.L.C. personally came before me and stated to my satisfaction that each person:

- (a) was the maker of this Deed;
- (b) was authorized to and did execute this Deed as Managing Members of Hovbros Clayton Urban Renewal, L.L.C., a New Jersey limited liability company, the entity named in this Deed;
- (c) executed this Deed as the act of the entity named in this Deed; and
- (d) made this Deed for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

(Notary Public)



Taylor Wiseman & Taylor

ENGINEERS / SURVEYORS / SCIENTISTS

124 Gaither Drive, Suite 150, Mt. Laurel, NJ 08054

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#01200

DESCRIPTION OF PROPERTY

ACADEMY WALK

Block 1904.10 Lot 1

Open Space

BOROUGH OF CLAYTON

GLOUCESTER COUNTY, NEW JERSEY

ALL THAT CERTAIN TRACT or parcel of land, situate and lying in the Borough of Clayton, County of Gloucester, State of New Jersey being more particularly bounded and described as follows:

BEGINNING AT A POINT in the westerly line of Garwood Boulevard (50' Wide Right of Way), at the southeasterly end of a 25' radius curve connecting said line of Garwood Boulevard with the southerly line of the northerly portion of DuBois Avenue (50' Wide Right of Way), as illustrated on a plan entitled "Academy Walk, Clayton Borough, Gloucester County, New Jersey, Final Plan of Lots" Prepared by Millennium Surveying and Engineering, revised to 8/25/2006 and filed in the Gloucester County Clerk's Office as Map No. 4087, and from said beginning point runs; thence,

1. Along said line of Garwood Road, **S 01° 26' 04" W** a distance of **100.00'** to a point at the northeasterly end of a 25' radius curve connecting the same to the northerly line of the southerly portion of DuBois Avenue (50' Wide Right of Way); thence,
2. Along said connecting curve, on a curve to the right, with a radius of **25.00'**, having an arc length of **39.27'**, through a central angle of **90° 00' 00"**, said curve having a chord bearing and distance of **S 46° 26' 04" W 35.36'**, to a point in the aforesaid line of Dubois Avenue; thence,

Along the line of Dubois Avenue the following three courses:

3. **N 88° 33' 56" W** a distance of **186.01'** (*erroneously shown as 186.27' on filed map*) to a point; thence,
4. On a curve to the right, with a radius of **75.00'**, having an arc length of **235.62'**, through a central angle of **180° 00' 00"**, said curve having a chord bearing and distance of **N 01° 26' 04" E 150.00'** (*arc length, central angle, and chord information all shown erroneously on filed map*), to a point; thence,
5. **S 88° 33' 56" E** a distance of **186.01'** (*erroneously shown as 186.27' on filed map*) to a point at the northwesterly end of the aforesaid 25' radius curve connecting the westerly line of Garwood Boulevard with the southerly line of the northerly portion of DuBois Avenue; thence,



Legal Description
Block 1904.10 Lot 1
Borough of Clayton, Gloucester County, NJ

6. Along said connecting curve, on a curve to the right, with a radius of **25.00'**, having an arc length of **39.27'**, through a central angle of **90° 00' 00"**, said curve having a chord bearing and distance of **S 43° 33' 56" E 35.36'**, to the **POINT AND PLACE OF BEGINNING**.

SAID ABOVE DESCRIBED TRACT OR PARCEL OF LAND, containing with said bounds 40,219 square feet, 0.923 acres, more or less.

A handwritten signature in black ink, appearing to read 'Samuel S. Previtera', written over a horizontal line.

Samuel S. Previtera, P.L.S.

NJ Professional Land Surveyor No. 24GS03897600

NJ Certificate of Authorization No. 24GA28032900

May 13, 2020

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NOTICE OF INTRODUCTION

BOROUGH OF CLAYTON

ORDINANCE #17-2020

**AN ORDINANCE AUTHORIZING ACCEPTANCE OF DEED OF
DEDICATION FROM HOVBROS CLAYTON, LLC TO THE BOROUGH OF
CLAYTON, BLOCK 1904.10, LOT 1**

TAKE NOTE that the foregoing ordinance was introduced at a meeting of the Mayor and Council of the Borough of Clayton held on December 10, 2020 and was then read for the first time. The said ordinance will be further considered for final passage by the Mayor and Council at the Municipal Building, 125 N. Delsea Drive, Clayton, New Jersey, at a meeting beginning 6:00 p.m. on December 30, 2020, at which time and place, or any time and place to which such meeting be adjourned, all persons interested will be given an opportunity to be heard concerning such ordinance.

BY ORDER of the Mayor and Council of the Borough of Clayton.

Christine Newcomb
Borough Clerk

NOTICE OF ADOPTION

BOROUGH OF CLAYTON

ORDINANCE #17-2020

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The foregoing Ordinance was finally adopted by the Mayor and Council of the Borough of Clayton on December 30, 2020.

Christine Newcomb
Borough Clerk