



# Middletown Township

## Floodplain Management

1 Kings Highway  
Middletown, NJ 07748  
732-615-2000 ext. 2167

Stacy Krause, CFM  
Floodplain Administrator

### NON-CONVERSION AGREEMENT

### FOR STRUCTURES IN THE 100-YEAR FLOODPLAIN

(Attached and Detached Garages, Sheds, Storage Rooms – Crawl Spaces greater than 6 Feet in Height)

**This Document Recorded in Book** \_\_\_\_\_ **Page** \_\_\_\_\_

This DECLARATION made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by \_\_\_\_\_  
(“Owner”) having an address at \_\_\_\_\_

WHEREAS, the Owner is the record owner of all real estate property located at: \_\_\_\_\_ in the Township of Middletown in the County of Monmouth, designated in tax records as Block \_\_\_\_\_ Lot \_\_\_\_\_, and WHEREAS, the Owner has applied for a permit or variance to place a structure on that property that either (1) does not conform, or (2) may not be compliant by later conversion, to the strict elevation requirements of FLOODPLAIN MANAGEMENT, Chapter 540 of the Township of Middletown, New Jersey Code of Ordinances and under Permit# \_\_\_\_\_ (“Permit”), and

WHEREAS, as the condition of a Certificate of Occupancy, the Owner agrees to record this DECLARATION and certifies and declares that the following covenants, conditions and restrictions are placed on the affected property as a condition of granting the Permit, and affects rights and obligations of the Owner and shall be binding on the Owner, his heirs, personal representatives, successors and assigns; now, therefore, the undersigned hereby agrees to the following:

1. The structure or part thereof to which these conditions apply is: \_\_\_\_\_
2. At this site, the Design Flood Elevation is \_\_\_\_\_ feet above mean sea level, National Geodetic Vertical Datum.
3. Enclosed areas below the Design Flood Elevation shall be used solely for parking of vehicles, limited storage, or access to the building. All interior walls, ceilings and floors below the Design Flood Elevation shall be unfinished and/or constructed of flood resistant materials. Minimal flood proofed electrical equipment is allowed and no mechanical or plumbing devices shall be installed below the Design Flood Elevation.
4. The walls of the enclosed areas below the Design Flood Elevation shall be equipped and remain equipped with Flood vents as shown on the Permit and released plans and specifications.
5. Any alterations or changes from these conditions constitute a violation of the Permit and may render the structure uninsurable or increase the cost of flood insurance.
6. That the owner and subsequent owners agree to allow a representative of the Township of Middletown in the premises to verify compliance with this agreement at least once each year. The Township representative will provide at least 48 hours notice of such visit.
7. That this Agreement shall be recorded with the deed to the above property so that subsequent owners are made aware of these restrictions.

As witness the hand and seal of the owner of the subject property this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. \_\_\_\_\_

\_\_\_\_\_  
Owner's Name (Printed)

\_\_\_\_\_  
Signature of Owner

(SEAL)

\_\_\_\_\_  
Signature Notary Public, State of New Jersey



## Monmouth County Document Summary Sheet



MONMOUTH COUNTY CLERK PO BOX 1251 MARKET YARD FREEHOLD NJ 07728	Return Name and Address
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Official Use Only	Submitting Company	
	Document Type	
	Document Date (mm/dd/yyyy)	
	Total Number of Pages (Including the cover sheet)	
	Consideration Amount (If applicable)	
	Official Use Only	

First Party	Name(s) (Last Name, First Name or Company Name)	Address (Optional)
Second Party	Name(s) (Last Name, First Name or Company Name)	Address (Optional)

The Following Section is Required for DEEDS Only				
Parcel Information	Municipality	Block	Lot	Qualifier
Recording Reference to Original Document (if applicable)				
Reference Information (Marginal Notation)	Book	Beginning Page		Instrument No.

*Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.*

## **ACKNOWLEDGMENT**

STATE OF: \_\_\_\_\_

COUNTY OF: \_\_\_\_\_

I CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

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personally came before me and acknowledged under oath, to my satisfaction, that this person  
(or if more than one, each person):

- (a) is/are the person(s) name and who executed the within instrument; and,
- (b) acknowledged that he/she/they signed, sealed and delivered the same as their voluntary act and deed.

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Notary's Signature

My commission expires: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

## **ACKNOWLEDGMENT**

### **CORPORATE**

STATE OF: \_\_\_\_\_

COUNTY OF: \_\_\_\_\_

I CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

personally came before me and has satisfactorily identified themselves to be the signer(s) of:

under oath, to my satisfaction, that this person

(a) the attached instrument; and,

(b) was authorized to and did execute this instrument as the \_\_\_\_\_  
of the entity named in this instrument; and,

(c) as the act of the entity named in this instrument.

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Notary's Signature

My commission expires: \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_