

RECORD and RETURN TO:

NONCONVERSION AGREEMENT
FOR STRUCTURES IN THE FLOODPLAIN

WHEREAS, Permit/Control # _____ has been issue to construct, improve, or repair the property owned by _____ (name) at _____ (address) in the Township of Berkeley, County of Ocean, New Jersey located at Block _____ Lot _____ as recorded in the Office of the Ocean County Clerk in Deed Book _____ Page # _____; AND

WHEREAS, the permitted building has the lowest floor elevated above the [design flood elevation/base flood elevation plus 1 foot] and the design and construction of the building meets current building code and flood damage prevention ordinance requirements; AND

WHEREAS, as a condition of a Certificate of Occupancy, the owner must agree to not alter the building at a later date so as to violate the building code or flood damage prevention ordinance requirements.

NOW THEREFORE, the undersigned owner of said property hereby agrees to the following:

1. That the enclosed area below the lowest floor shall be used solely for parking of vehicles, limited storage, or access to the building and will never be used for human habitation without first becoming fully compliant with the flood damage prevention ordinance in effect at the time of conversion.
2. That all interior walls, ceilings and floor below the [design flood elevation/base flood elevation plus 1 foot] shall be unfinished or constructed of flood resistant materials.
3. That mechanical, electrical or plumbing devices that service the building shall not be installed below the design flood elevation/base flood elevation plus 1 foot].
4. That the openings in the walls of the enclosed area below the lowest floor shall not be blocked, obstructed, or otherwise altered to reduce the size of the openings or restrict the automatic entry and exit of flood water.
5. That any variation in construction beyond what is permitted shall constitute a violation of this agreement and section 3.3 of Ordinance Chapter XXIX (29).
6. That this agreement shall be recorded with the deed to the above property so that subsequent owners are made aware of these restrictions.

Signature of Property Owner

Printed Name _____

Date: _____

Signature of Property Owner

Printed Name _____

Date: _____

STATE OF NEW JERSEY, COUNTY OF _____:
On this _____ day of _____, 20____, before me the subscriber personally appeared _____
_____ who, I am satisfied are the persons named in and who executed the within instrument, and
thereupon they acknowledged that they signed, sealed and delivered as their act and deed for the purposes therein expressed.

A Notary Public of New Jersey

Signature of Municipal Official

Printed Name _____

Title of Municipal Official

Date: _____

STATE OF NEW JERSEY, COUNTY OF _____:
On this _____ day of _____, 20____, before me the subscriber personally appeared _____
_____ who, I am satisfied are the persons named in and who executed the within instrument, and
thereupon they acknowledged that they signed, sealed and delivered as their act and deed for the purposes therein expressed.

A Notary Public of New Jersey