



BARNEGAT TOWNSHIP

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NON-CONVERSION AGREEMENT FOR STRUCTURES IN THE 100 YEAR FLOODPLAIN (Attached and detached garages, sheds, storage rooms, 3 season rooms)

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 Barnegat in the County of Ocean, 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 FLOOD DAMAGE PREVENTION, Chapter 46B, of the Township of Barnegat, New Jersey Code of Ordinances and under 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 agrees to the following:

1. The structure or part thereof to which these conditions apply is: _____
2. The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience. The depth of flooding that the enclosure would experience to the flood hazard area design flood elevation; current site DFE is _____ -; BFE _____ + 3ft Freeboard.
3. All interior walls, ceiling and floors below the Design Flood Elevation shall be unfinished and/or constructed of flood resistant materials. NO electrical, mechanical or plumbing devices shall be installed below the Design Flood Elevation.
4. That the opening 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 floodwater.
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. Habitation of the enclosure and converting the enclosure into a habitable area may subject the property owner to enforcement.
6. That the owner and subsequent owners agree to allow a representative of Barnegat Township in the premises to verify compliance with this agreement at least once a 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___.

Owners Signature

Print Owners Name

Signature of Notary, State of New Jersey

Seal and Stamp