

PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the City of Cape May has filed a request with the New Jersey Department of Environmental Protection (“NJDEP”) proposing to dispose of 0.14 +/- acres of parkland, which is located along St. John Street, at or near the intersection of St. John Street and Lafayette Street, and identified as Block 1061, Lots 44 and 47 of the Official Tax Maps of the City of Cape May (the “Existing Parkland”) in connection with the proposed relocation of the City’s police station and development of a new police station facility on site. The Existing Parkland is located within a designated Overburdened Community and in accordance with Executive Order 23, the Department will be taking Environmental Justice issues into consideration when evaluating the proposed disposal application to the extent not inconsistent with law. As compensation for the proposed disposal, the City proposes to dedicate as parkland approximately 6.607 +/- acres of City-owned land, commonly known as the Sewell Tract, and identified as Block 1163, Lot 7; Block 1164, Lot 6; Block 1165, Lots 1 and 6; and, Block 1167, Lot 2; Block 1168, Lot 2 on the Official Tax Maps of the City of Cape May, as well as various vacated right-of-way areas, and commonly referred to as the Sewell Tract (“Replacement Land”). The proposed disposal of the Existing Parkland will allow for the potential development of a new police station facility, while creating a larger park area with the Replacement Land.

Pursuant to *N.J.A.C. 7:36-26.11(e)*, a hearing to obtain public comment on this request will be held at the City of Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey 08204 on Tuesday, January 21, 2025, at 6:00 p.m.

This application is subject to NJDEP Commissioner and State House Commission approval, and is available for review with the (i) City of Cape May Clerk, Erin C. Burke, located at 643 Washington Street, Cape May, New Jersey 08204; (ii) the City of Cape May Library, located at 730 Franklin Street, Cape May, New Jersey 08204; and (iii) NJDEP's Office of Transactions and Public Land Administration, Public Land Compliance Section, 401 East State Street, 7th Floor, Trenton, New Jersey 08625-0420.

All interested parties are invited to attend and participate in the hearing. Written comments on the proposed disposal request may be directed to the City of Cape May Clerk, Erin C. Burke, at 643 Washington Street, Cape May, New Jersey 08204. You may also call Ms. Burke at 609-884-9532 with any questions regarding the hearing. In addition to oral arguments presented during the public hearing, written comments may be submitted to: Jessica Patterson, Cape May County Compliance Officer, New Jersey Department of Environmental Protection, Office of Transactions and Public Land Administration, Public Land Compliance Section, Mail Code 401-07, 401 East State Street, P.O. Box 420, Trenton, New Jersey 08625-0420 or via email Jessica.Patterson@dep.nj.gov.

Public comment on the proposed disposal request will be accepted during the hearing or until two weeks after the hearing date, which will be Tuesday, February 4, 2025.

APPRAISAL REPORT

Green Acres Project Name: SHC-0502001

Owner: City of Cape May
St. John Street (Diversion land)
Block 1061, Lots 44 and 47 (.137 acres)
Cape May, NJ
and
Sewell Tract (Compensation land)
Block 1163 Lot 7; Block 1164 Lot 6; Block 1165 Lot 1; Block 1165 Lot 6; and
Block 1167 Lot 2; and, Block 1168, Lot 2 (6.607 acres)
Cape May, NJ

ACREAGE AND INTEREST BEING ACQUIRED

6.607 acres – fee simple – Sewell Tract (Compensation land)
and
.137 acres – fee simple - St. John Street (Diversion land)

PREPARED FOR

City of Cape May
c/o Michael F. Floyd, Esquire
Archer & Greiner P.C.
One Centennial Square
Haddonfield, NJ 08033

DATE OF VALUE

October 8, 2024

DATE OF REPORT

October 10, 2024

PREPARED BY

J. Paul Bainbridge, MAI
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Cape May Court House, NJ 08210
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J. P. BAINBRIDGE & ASSOCIATES, INC.

Real Estate Appraisers ♦ Consultants

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(609) 465-9978 (Tel) • (609) 465-9969 (Fax)

October 10, 2024

City of Cape May
c/o Michael F. Floyd, Esquire
Archer & Greiner P.C.
One Centennial Square
Haddonfield, NJ 08033

Re: **Green Acres Project Name: SHC-0502001**
St. John Street (Diversion or disposal land)
Block 1061, Lots 44 and 47 (.137 acres)
Cape May, New Jersey
and
Sewell Tract (Compensation land)
Block 1163 Lot 7; Block 1164 Lot 6; Block 1165 Lot 1; Block 1165 Lot 6; and
Block 1167 Lot 2; and, Block 1168, Lot 2 (**6.607 acres combined**)
Cape May, New Jersey

Dear Mr. Floyd:

According to your request, I have appraised the above captioned property for the purpose of estimating the market value of the real estate. The intended use is for a land diversion application. The client is the City of Cape May, NJ. The intended users are the client, Michael F. Floyd, Esquire, Special Counsel, for the City of Cape May, and **the NJDEP Green Acres Program.**

St. John Street (diversion land) is .137 acres of residentially zoned land fronting St. John Street on the north side of Cape May City. The Sewell Tract (compensation land) is 6.607 acres of residentially zoned land proximate to Pittsburg Avenue on the east side of Cape May City. **Strengths:** all parcels are recreation land abutting recreation land. **Weakness:** none. There is one extraordinary assumption and no hypothetical conditions made for the appraisal.

As a result of my investigation and analysis, I have formed an opinion that, as of October 8, 2024, subject to the attached assumptions and limiting conditions and extraordinary assumption, the estimated market value values are:

0.137 acres – St. John Street (Diversion land)	\$5,000 (\$36,496 per acre)
6.607 acres – Sewell Tract (Compensation land)	\$30,000 (\$4,639 per acre net of riparian claim)

For the subject property Diversion Land and Compensation Land, the appraisal assumes the subject properties are clean and free from environmental contamination and debris, and if this is not true, the assignment results may be affected. NOTE: Relating to the Diversion Land, there is a history of environmental contamination impacting land adjacent to the diversion parcels which is discussed in the appraisal report, but the diversion land itself is assumed clean and free of contamination. The attached appraisal report sets forth the pertinent facts about the subject and the procedure, data, and reasoning leading to the conclusions.

Respectfully submitted,



J. Paul Bainbridge, MAI
State Certified General Real Estate Appraiser
NJ 42RG00073500

J. P. BAINBRIDGE & ASSOCIATES, INC.

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EXECUTIVE SUMMARY

Green Acres Project Name:	SHC-0502001	
Purpose of the appraisal:	Estimate market value	
Client:	City of Cape May	
Intended users:	Client, Michael F. Floyd, Special Counsel for the City of Cape May, and the NJDEP Green Acres Program	
Intended use:	Land diversion application	
Property rights appraised:	Fee simple	
Property Identification:	Diversion Land St. John Street Block 1061, Lots 44&47 Cape May, NJ	Compensation Land Sewell Tract Block 1163, Lot 7; et al Cape May, NJ
Owners:	City of Cape May	
Property type:	Vacant land	
Site acreage:	Diversion Land St. John Street .137 acres	Compensation Land Sewell Tract 6.607 acres
Zoning:	Residential (both properties)	
Improvements:	None	
Highest and best use:	Recreation use	
Valuation conclusion (only the sales comparison approach was developed):		
	<u>Diversion Land</u> <u>St. John Street</u>	<u>Compensation Land</u> <u>Sewell Tract</u>
Sales comparison approach	\$5,000 (\$36,496 per acre)	\$30,000 (\$4,639 per acre ¹)
Date of value and inspection:	October 8, 2024	
Date of report:	October 10, 2024	

¹ Total acreage = 6.607 less riparian claim (.14 acres) = 6.467 acres. \$30,000/6.467 acres = \$4,639 per acre

Subject photographs

Photographs taken by J. Paul Bainbridge, MAI, SCGRE, on October 8, 2024



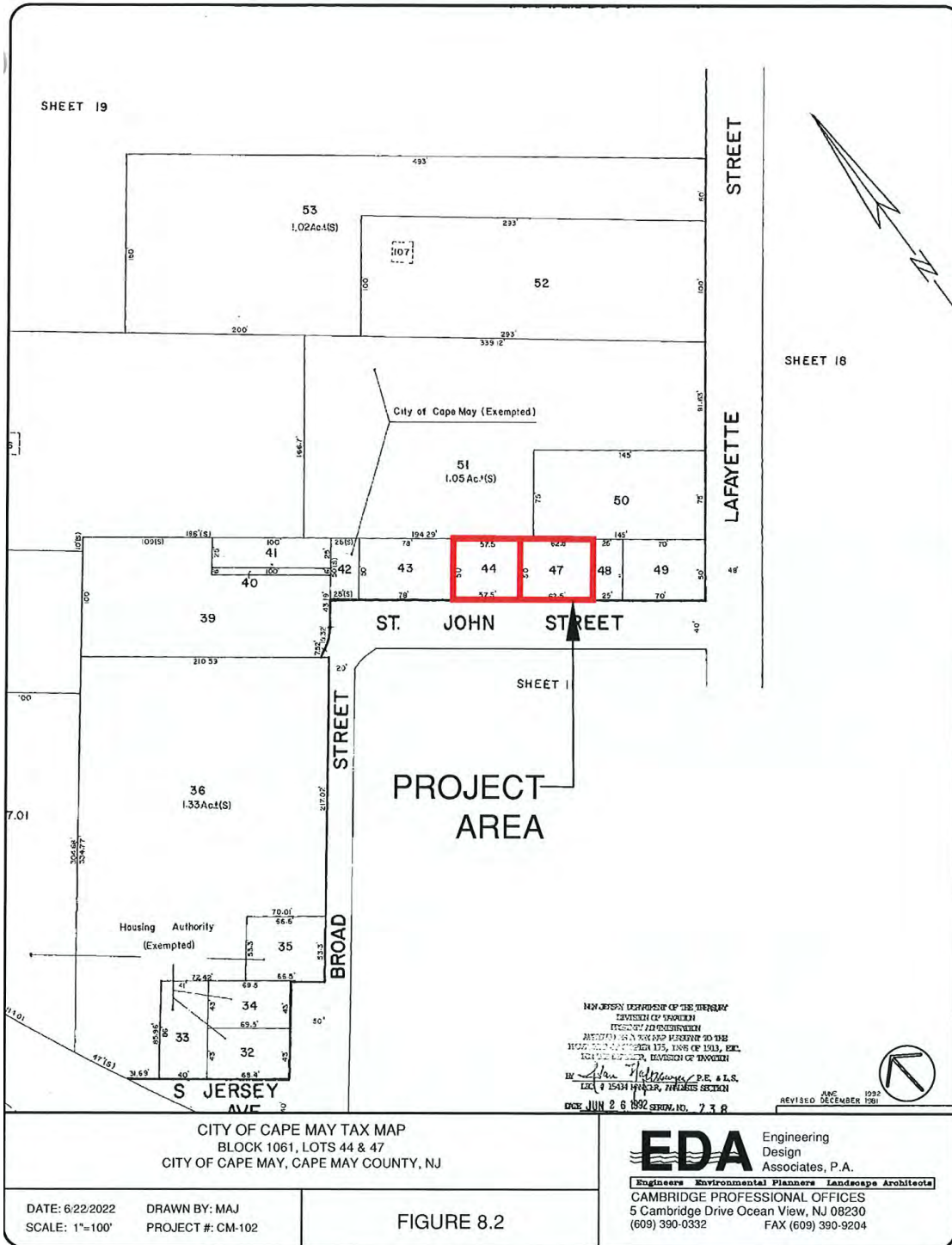
Diversion Land looking southeast from St. John Street



Compensation Land – looking eastward from Pittsburgh Avenue at Ohio Avenue

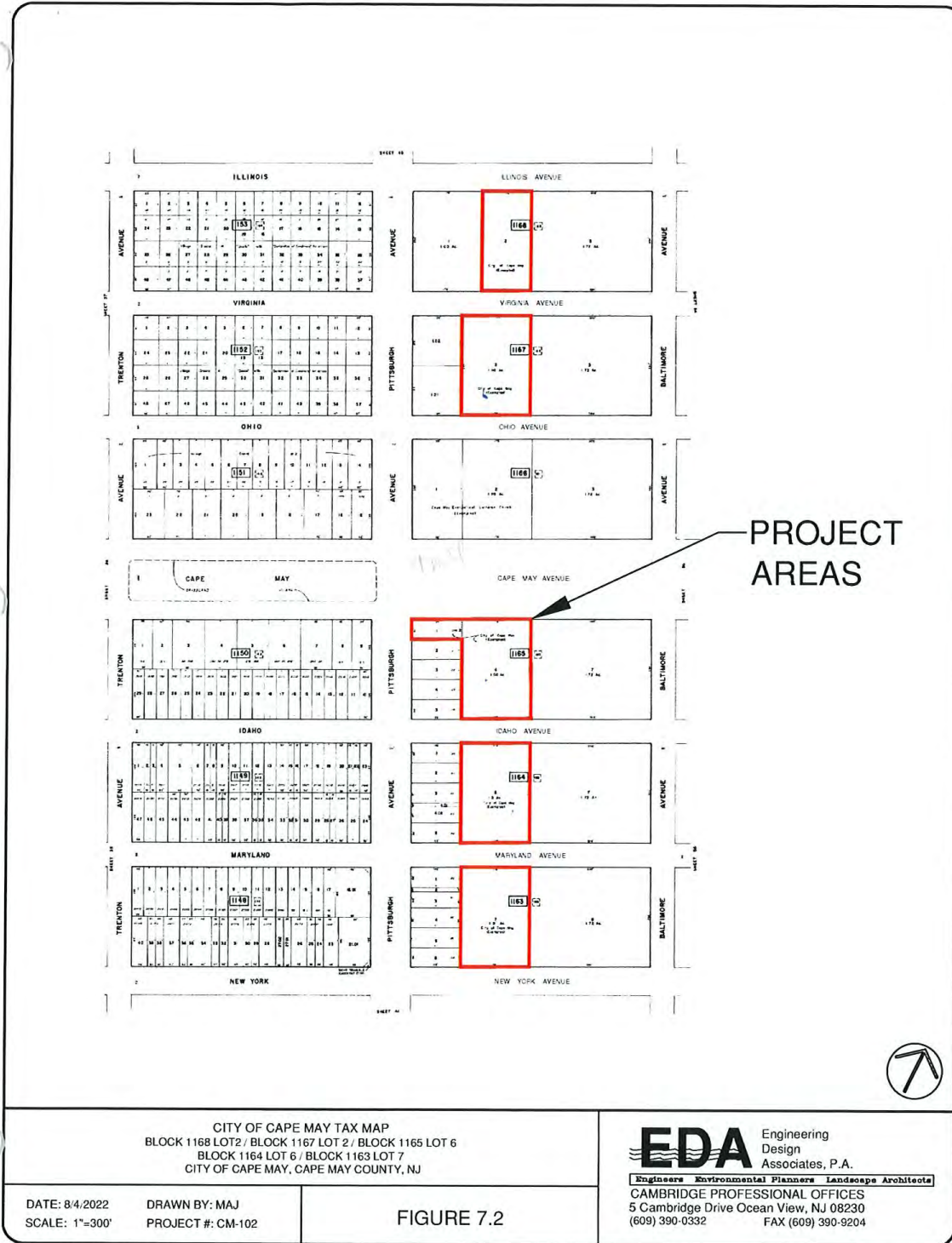
Tax map diversion land

See page 23 for diversion land description.



Tax map compensation land

The compensation land consists of six tax parcels depicted on the tax map below. Street vacations impacting the subject lots are not depicted on the tax maps. See page 35.



CERTIFICATION

I certify that to the best of my knowledge and belief:

The statements of fact contained in this report are true and correct.

The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.

I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.

I have performed no services as an appraiser or in any other capacity regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.

I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.

My engagement in this assignment was not contingent upon developing or reporting predetermined results.

My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.

My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice, and the Green Acres Appraisal Requirements.

The use of this appraisal is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

As of the date of this report, I, J. Paul Bainbridge, MAI, SCGREA has completed the continuing education program for designated members of the Appraisal Institute.

J. Paul Bainbridge, MAI, SCGREA inspected the subject on October 8, 2024.

No one provided significant real property appraisal assistance in the preparation of this appraisal.

This appraisal was not based on a requested minimum valuation, a specified valuation, or the approval of a loan.

As a result of my investigation and analysis, I have formed an opinion that, as of October 8, 2024, subject to the attached assumptions and limiting conditions and extraordinary assumptions, the market value estimates are:

St. John Street
Diversion Land

FIVE THOUSAND DOLLARS
\$5,000
(\$36,496 per acre)

Sewell Tract
Compensation Land

THIRTY THOUSAND DOLLARS
\$30,000
(\$4,639 per acre)

For the subject property Diversion Land and Compensation Land, the appraisal assumes the subject properties are clean and free from environmental contamination and debris, and if this is not true, the assignment results may be affected. NOTE: Relating to the Diversion Land, there is a history of environmental contamination impacting land adjacent to the diversion parcels which is discussed in the appraisal report, but the diversion land itself is assumed clean and free of contamination.



J. Paul Bainbridge, MAI
State Certified General Real Estate Appraiser
NJ 42RG00073500

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal has been made with the following general assumptions:

1. COPIES, PUBLICATION, DISTRIBUTION, USE OF APPRAISAL REPORT: Possession of this report or any copy thereof does not carry with it the right of publication, nor may it be used for other than its intended use; the physical report remains the property of the appraiser for the use of the client, the fee being for the analytical services only. The report may not be used for any purpose by any person or corporation other than the client or the party to whom it is addressed or copied without the written consent of J. Paul Bainbridge, MAI, SCGRE, and then only in its entirety.

2. INFORMATION USED: No responsibility is assumed for accuracy of information furnished by or from others, the client, his agent, or public records. The appraiser(s) is not liable for such information. The comparable data relied upon in this report has been confirmed with one or more parties familiar with the transaction or from the deed affidavit; all are considered appropriate for inclusion to the best of our factual judgment and knowledge.

3. TESTIMONY, CONSULTATION, COMPLETION OF CONTRACT FOR APPRAISAL SERVICES: The contract or appraisal, consultation, or analytical service, is fulfilled and the total fee payable upon completion of the report. The appraiser or those assisting in the preparation of the report will not be asked or required to give testimony in court or hearing because of having made the appraisal, in full or in part, nor engage in post appraisal consultation with client or third parties except under separate and special arrangement and at additional fee.

4. EXHIBITS: The sketches and maps in this report are included to assist the reader in visualizing the property and are not necessarily to scale. Various photos, if any, are included for the same purpose and are not intended to represent the property in other than actual status, as of the date of the photos.

5. LEGAL, ENGINEERING: No responsibility is assumed for the legal description or for matters including legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated.

6. PROPERTY TITLE: The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated.

The legal description is assumed to be correct as used in this report as furnished by the client, his agent, or as derived by the appraiser.

7. HIDDEN COMPONENTS: It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.

The appraiser has inspected as far as possible, by observation, the land and the improvements thereon; however it was not possible to personally observe conditions beneath the soil or hidden structural, or other components, or any mechanical components within the improvements; no representation is made herein as to these matters unless specifically stated and considered in the report; the value estimate considers there being no such conditions that would cause a loss of value unless otherwise stated. The land or the soil of the area being appraised appears firm unless otherwise noted, however subsidence in the area is unknown. The appraiser does not warrant against this condition or occurrence of problems arising from soil or environmental conditions.

8. LEGALITY OF USE: It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless noncompliance is stated, defined and considered in the appraisal report; further, that all applicable zoning, building, and use regulations and restrictions of all types have been complied with unless otherwise stated in the report; further, it is assumed that all required licenses, consents, permits, or other legislative or administrative authority including, but not limited to, those from any local, state, federal and/or private entity or organization have been or can be obtained or renewed for any use considered in the value estimate.

It is assumed that the utilization of the land and the improvements is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in the report.

9. MANAGEMENT: Responsible ownership and competent management are assumed.

10. ENVIRONMENTAL: No expertise in the area of toxic waste, pollution or contaminants is claimed. Physical inspection and observation of the subject and surrounding properties has been made and any condition or situation warranting further investigation by the client will be reported.

- the appraiser is not an expert in the field of hazardous materials;
- the appraisal was made for valuation purposes and does not constitute an expert inspection of the property;
- the only way to be certain as to the condition of the property with respect to environmental hazards is to have an expert in the field inspect the property;
- the appraisal should not be relied upon as to whether or not environmental hazards actually exist on the property.

11. THE AMERICANS WITH DISABILITIES ACT (ADA), effective January 26, 1992. A specific analysis to determine compliance is not within the scope of this appraisal. Compliance matches each property owner's financial ability with the cost to cure. As such, the appraisal assumes the subject is in compliance with ADA.

12. ACCEPTANCE OF, AND/OR USE OF THIS APPRAISAL REPORT CONSTITUTES ACCEPTANCE OF THE ABOVE CONDITIONS.

EXTRAORDINARY ASSUMPTIONS AND HYPOTHETICAL CONDITIONS

Extraordinary Assumption

An assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser's opinions or conclusions.²

For the subject property Diversion Land and Compensation Land, the appraisal assumes the subject properties are clean and free from environmental contamination and debris, and if this is not true, the assignment results may be affected. NOTE: Relating to the Diversion Land, there is a history of environmental contamination impacting land adjacent to the diversion parcels which is discussed in the appraisal report, but the diversion land itself is assumed clean and free of contamination.

There are no other extraordinary assumptions required for this appraisal.

Hypothetical Condition

A condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results but is used for the purpose of analysis.³

There are no Hypothetical Conditions required for this appraisal.

² The Appraisal Foundation, USPAP 2024 Edition, page 4

³ Ibid, page 4

TYPE AND DEFINITION OF MARKET VALUE

The purpose of this appraisal is to estimate the market value of the real estate.

Market value is defined as the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

Buyer and seller are typically motivated;

Both parties are well informed or well advised, and acting in what they consider their own best interests;

A reasonable time is allowed for exposure in the open market;

Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.⁴

CLIENT, INTENDED USER, AND INTENDED USE

The client is the City of Cape May.

The intended users are the client, Michael F. Floyd, Esquire, Special Counsel, for the City of Cape May, and **the NJDEP Green Acres Program.**

The intended use is for a land diversion application.

⁴ 12 CFR, Part 34.42(g); 55 *Federal Register* 34696, August 24, 1990, as amended at 57 *Federal Register* 12202, April 9, 1992; 59 *Federal Register* 29499, June 7, 1994

SCOPE OF WORK

Michael F. Floyd, Esquire, of Archer & Greiner P.C., requested an appraisal report of the subject property on behalf of the City of Cape May. The engagement letter is copied in the addenda.

The scope of the appraisal provides an outline of the appraisal process for the client, as follows.

This report has been prepared in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which includes the Uniform Standards of Professional Appraisal Practice. This appraisal also conforms to the NJDEP Green Acres Appraisal Requirements.

The scope of work provides an outline of the appraisal process for the client, as follows:

1. Identify the appraisal problem: Identification of the property, type of value, and property rights appraised. The appraisal is for a land diversion application, consisting of compensation land and diversion land identified herein. These are valued separately. Market value of the fee simple interest is estimated.
2. Inspection of the property: The City of Cape May is the client, the owner of the subject properties, and the applicant, and waived notification by certified letter. An email from Michael Floyd, Attorney representing Cape May City, approving the waiver of the notification letter, is copied in the addenda. J. Paul Bainbridge, MAI, SCGREA, inspected the subject alone on October 8, 2024. The diversion land was easily accessed and photographed. The compensation land was not accessible because it is removed from the road and covered with small trees and shrubbery, or meadowlands. Roadside pictures were taken.
3. Research, analysis, and reporting: Collection, verification and communication of all relevant facts related to the subject property, including, but not limited to zoning, utilities, land areas, restrictions, demographic, economic and environmental factors, easements, and other pertinent factors which are considered germane to the assignment.
4. Consideration of the highest and best use of the subject properties and other factors affecting value.
5. Consideration of the recognized and accepted approaches to value and other analytical techniques, and the explanation and application of those which are considered to be the most appropriate to utilize in estimating value as well as providing the rationale for not utilizing those considered the least appropriate.
6. Verification of the comparable data with one or more of the parties who have knowledge of the transactions including, but not limited to buyers, sellers, brokers

and lawyers of record, lenders, appraisers and government transfer and property records.

- 7. Conclusion: Reconciliation of the value estimates resulting from the utilization of the various approaches into a final value conclusion. In this case, only one approach was used and evaluated.
- 8. Covid-19 is acknowledged here per Green Acres appraisal instructions. Covid conditions do not exist and no in-person meetings were held.**

PROPERTY RIGHTS APPRAISED

This appraisal is made with the assumption that the present ownership of the subject property is titled in "fee simple" and appraised accordingly.

Definition of fee simple estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.⁵

Title is assumed to be free and clear of encumbrances, excepting utility and access easements of record, if any.

The diversion land is encumbered by a deed notice relating to remediation on adjacent land. This is discussed further in the description.

The compensation land is subject to a Riparian Grant, a copy of which is part of the appraisal work file.

DATE OF VALUE, DATE OF INSPECTION, DATE OF REPORT

Date of value:	October 8, 2024
Date of inspection:	October 8, 2024
Date of report:	October 10, 2024

⁵ The Dictionary of Real Estate Appraisal, 7th Edition, Appraisal Institute

IDENTIFICATION OF THE PROPERTY

Address: St. John Street (Diversion or disposal land)
Block & Lot: Block 1061, Lots 44 and 47 (.137 acres)
Cape May, New Jersey

Address: Sewell Tract (Compensation land)
Block & Lot: Block 1163, Lot 7; Block 1164 Lot 6; Block 1165,
Lot 1; Block 1165 Lot 6; and Block 1167 Lot 2;
and, Block 1168, Lot 2 (6.607 acres combined)
Cape May, New Jersey

OWNERSHIP AND HISTORY

Title is in the name of:

City of Cape May
643 Washington Street
Cape May, NJ 08204

Diversion Land

There have been no transfers of the diversion land in the past five years. 817 St. John Street, Block 1061, Lot 44, was acquired from Mary Jane Barrett on June 30, 2015, for \$300,000. A copy of the deed is in the addenda.

811 St. John Street, Block 1061, Lot 47, was acquired from Brenda E. Robinson, Trustee of the Brenda E. Robinson Living Trust, on February 5, 2016, for \$441,000. A copy of the deed is in the addenda.

No other sales, listings, or contracts of sale in the last five years are known.

Compensation Land

There have been no transfers of the compensation land in the past five years. All of the compensation land tax lots were acquired by the city in 1940, except for Block 1165, Lot 1, which was acquired in 1956. Ordinance no. 407-2020 dated 2020 vacated the streets that are now included with the compensation land.

Historical use of the property

The diversion land is vacant now but was improved with residential single family dwellings at the time of acquisition, which were demolished. The compensation parcel has been vacant land and not previously developed.

GENERAL PROPERTY IDENTIFICATION

Economic region- Census Tract

The subject's 2020 Census Tract number is 220.⁶

MARKET AREA ANALYSIS

Cape May is a historic community at the southern tip of the state of New Jersey in Cape May County.

Cape May County

Cape May County, the southernmost county in the state of New Jersey, is a peninsula bounded on the east by the Atlantic Ocean and on the west by the Delaware Bay. Atlantic and Cumberland counties are on the north.

The area covers 620 square miles with a usable land surface of only 251 square miles, the balance being riparian land, flood plains and marsh.

It is about 75 to 80 miles southeast of Philadelphia, 130 to 140 miles south of the New York metropolitan area and 20-25 miles south of Atlantic City.

The transportation network is centered on the Garden State Parkway, State Highways 9 and 47, and County Roads 619 and 621(Ocean Drive) which all lie in a north-south direction. The Cape May-Lewes Ferry provides passenger and vehicular transportation across the Delaware Bay. There is a small public airport in Lower Township and several small airfields scattered throughout the county.

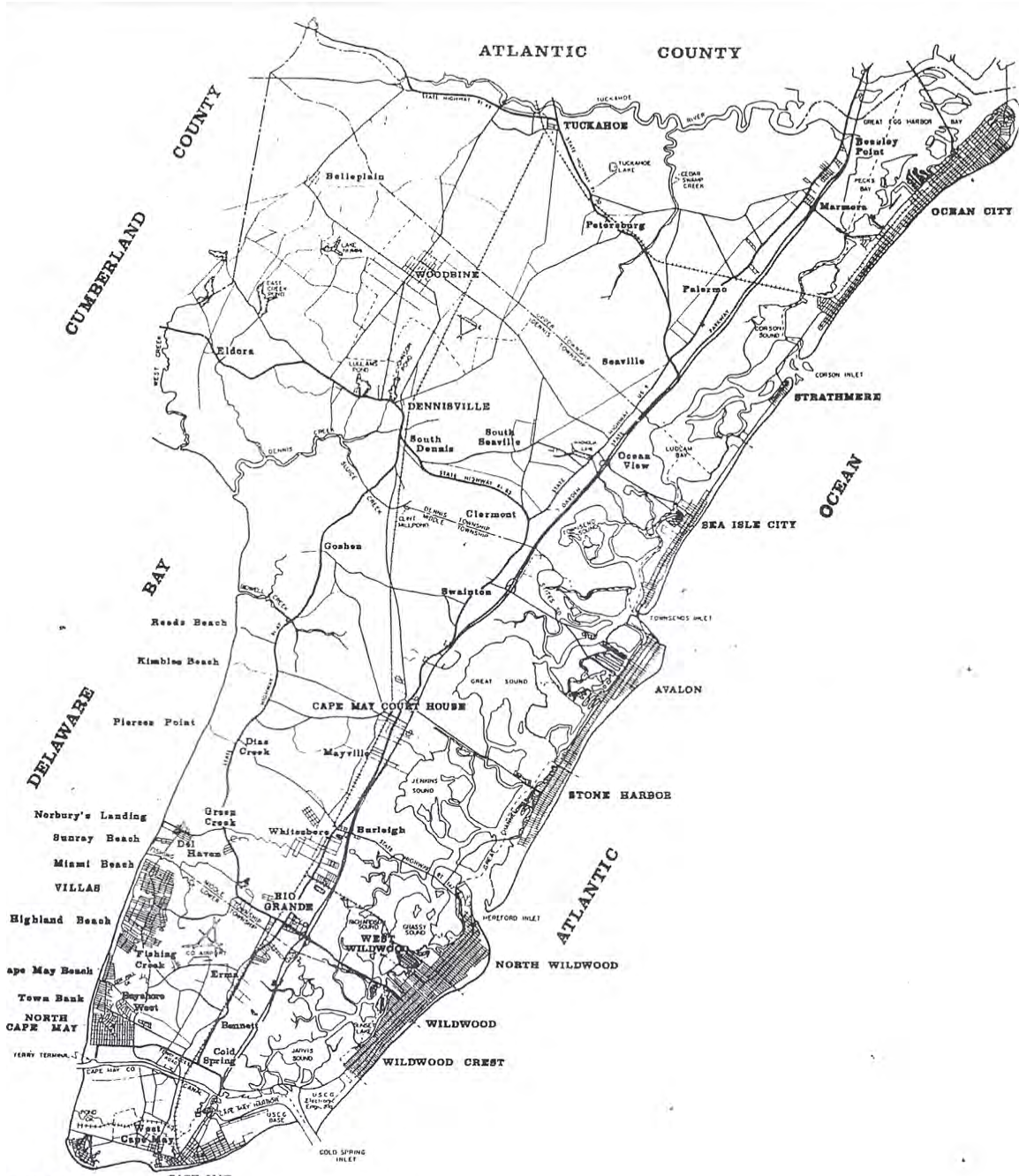
Commerce is centered on seasonal vacation and tourism activity, which occurs mostly in the barrier island vacation communities. This sustains secondary industries such as retail, service, construction, commercial fishing, government, and professional.

Agriculture consists of small farms, typically with less than 100-acres. Fresh produce is harvested for local consumption. There are seven established wineries developed from traditional farms.

Large areas of undeveloped land, a state forest, two wildlife management areas and a much lower population density characterize the western section of the county.

⁶Census Reporter.org

REGIONAL MAP
Cape May County



CAPE MAY COUNTY NEW JERSEY

Prepared By The Cape May County Planning Board



Cape May County Permanent Population:

Year	Population	Change
1970	59,613	-
1980	82,266	38%
1990	95,089	16%
2000	102,326	8%
2010	97,265	-5%
2020	95,263	-2%

A population decline after 2000 is attributed to an increase in the number of second homeowners, particularly on the barrier islands.

The summer population expands dramatically with the influx of vacationers and tourists. According to the Cape May County Planning Board, the 2021 summer population was estimated to be 763,940.

Figures from the New Jersey Office of Travel and Tourism show the revenue generated by tourism in Cape May County as follows:

Annual Travel and Tourism Expenditures

data provided by Tourism Economics

	Lodging	Food & Beverage	Recreation	Retail	Transportation	Total	Change
2017	\$2,508,400,000	\$1,465,600,000	\$702,600,000	\$1,260,000,000	\$432,000,000	\$6,368,600,000	1.5%
2018	\$2,632,500,000	\$1,536,100,000	\$711,400,000	\$1,280,300,000	\$452,700,000	\$6,613,000,000	3.8%
2019	\$2,680,700,000	\$1,644,000,000	\$742,400,000	\$1,361,900,000	\$475,900,000	\$6,904,900,000	4.4%
2020	\$2,287,600,000	\$1,308,200,000	\$529,200,000	\$994,400,000	\$318,800,000	\$5,438,200,000	-21.2%
2021	\$2,751,600,000	\$1,529,800,000	\$661,100,000	\$1,266,600,000	\$413,500,000	\$6,622,600,000	21.8%
2022	\$3,055,900,000	\$1,667,100,000	\$766,700,000	\$1,403,400,000	\$515,900,000	\$7,409,000,000	11.9%
2023	\$3,195,000,000	\$1,746,000,000	\$797,100,000	\$1,441,000,000	\$534,600,000	\$7,713,700,000	4.1%

The County’s tourism economy exhibits continued annual growth. The government shutdowns related to the pandemic skewed the numbers for 2020, resulting in an overall 21 percent decline in total tourism revenue. Tourism expenditures for 2021 reflect a large rebound almost to 2019 levels. Tourism expenditures for 2022 indicated a historic surge in spending by tourists with an increase of 11.9 percent over 2021.⁷ Expenditures for 2023 reflect 4.1 percent growth over 2022.

Occupancy tax collections were up 13.32 percent in 2023 and 19 percent in 2022.⁸ Occupancy tax started in 2005 and is levied on hotel, motel, bed & breakfast and online bookings such as Airbnb and VRBO. The tax is five percent of the room rate. Some municipalities collect additional taxes for tourism related service.

Cape May County tourism expenditures (\$7.7 billion) are a close second to Atlantic

⁷Cape May County Tourism Report, Cape May County

⁸ibid

County (\$8.1 billion) among the 21 counties in the State of New Jersey. The two counties represent about 1/3 of total State tourism spending.

The county's dependence on tourism, its large elderly population living off investment income and social security, and the population collecting unemployment and welfare tend to skew personal income or wage data. As such, Labor Department data does not provide a meaningful basis to analyze employment.

Labor market conditions vary greatly from summer to winter. Unemployment rates climb in the winter (off-season), pushing the average annual unemployment rate up to 11 to 13 percent. Full employment is achieved during the peak summer months.

Income and employment characteristics are not expected to change. The wealth that drives the tourist economy originates from outside of the county. Spending surges during the summer and is depressed during the winter.

Residential real estate values are increasing throughout the County.

Commercial real estate values are relatively stable with pockets of growth and there is an uptick in commercial real estate activity.

Cape May City

Cape May City is located at the southernmost point of Cape May County, NJ, about 90 miles southeast of Philadelphia, PA, at the southern tip of the Cape May County peninsula.

The main access to the City is Lafayette Street, which stretches along the northern border and connects with the Garden State Parkway via a bridge over the Cape May Canal. The city was given recognition on the National Historic Register in the late 1970's due to its heavy concentration of Victorian architecture dating back to the 1800's. A Historic District was established in 1982. As a result, the city gained popularity with tourists visiting the many Victorian structures which were converted into Bed & Breakfasts or guesthouses.

This popularity, combined with the economic growth of the 1980's, caused tourism and Cape May City's economy to excel and those trends continue today.

Population

Population trends are summarized as follows:

	<u>2010</u>	<u>2020</u>	<u>Change</u>
Permanent ⁹	3,607	2,768	-23%

A steady migration of permanent residents from Cape May City (and other coastal resorts) to the mainland is attributable to an expanding population of second homeowners.

The summer population expands to almost 14 times the permanent population. The Cape May County Planning Board estimates the 2021 summer population to be 45,874.

Employment trends

Cape May City is recognized as a seasonal employment center. Employers consist of the government, school district, retailers, Realtors, and tourism businesses. Summer employment surges, but many businesses are closed during the winter months. Businesses rely heavily on foreign students under the J1 Visa program.

The Mall

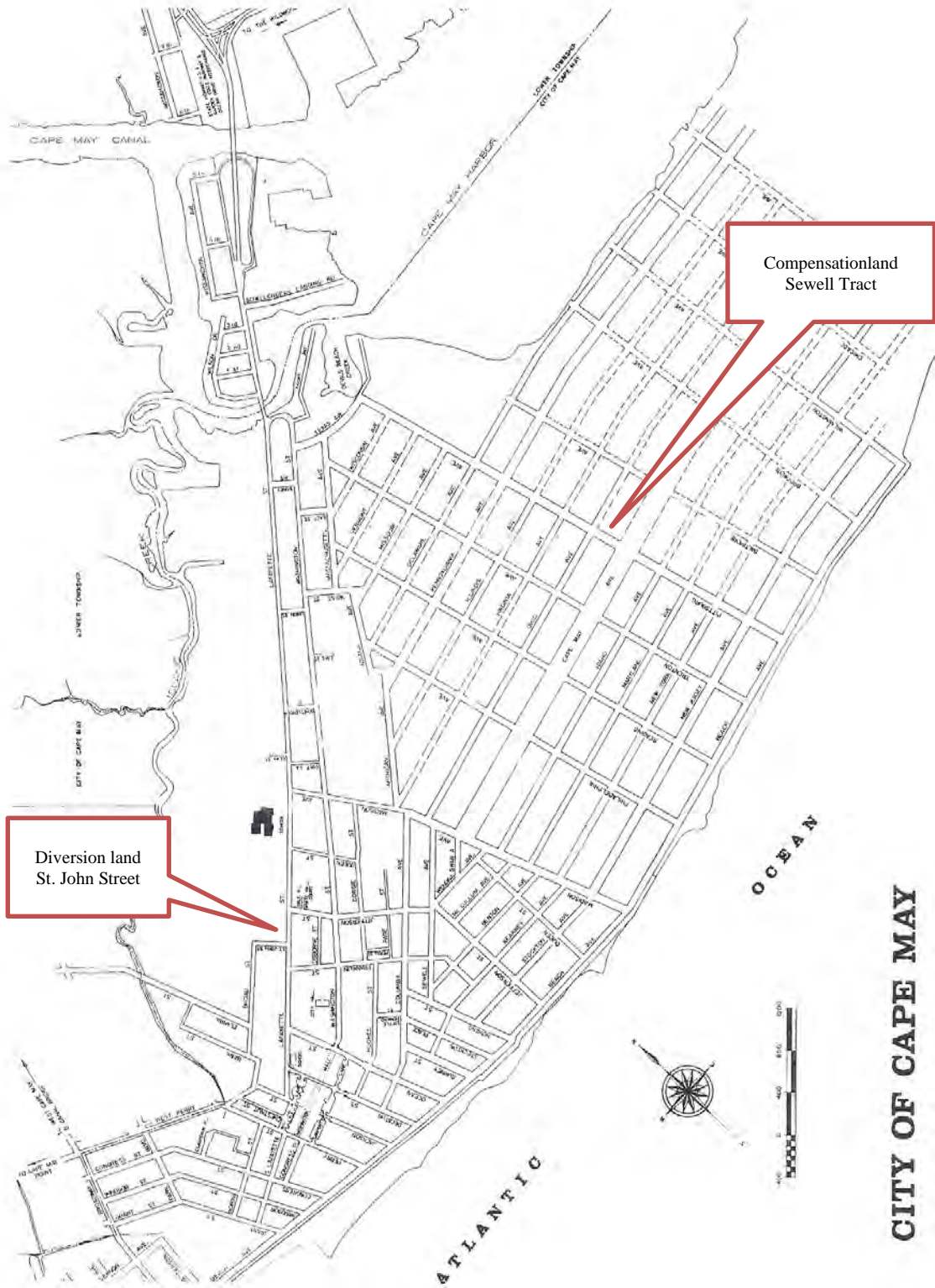
The Washington Street Mall was developed during the 1970's and consists of a three-block section renovated for pedestrian traffic between Perry and Ocean Streets. It contains a variety of gift shops, eateries, galleries, personal service shops, and restaurants and taverns. It has the largest concentration of commercial activity in the city and benefits significantly from the City's historic status. Renovations in 2008 consisted of an upgrade of the infrastructure, as well as an improvement of the general aesthetics of the mall.

Beach Avenue

Beach Avenue in Cape May City is aptly named as it is adjacent to the beach and extends along the entire length of the city from west to east. Primarily commercial uses (hotels, motels, and eating and drinking establishments) front the northerly side while the boardwalk and beach front the southerly side. The Cape May Convention Center, rebuilt in 2012, is located on the ocean side of the promenade.

⁹ US Census

LOCATION MAP – CAPE MAY CITY



Residential value trends

The following data from the Cape May County MLS shows the average prices for single-family homes and condominium sales since 2019.

Cape May Single-Family Sales

	Num Sold	Avg DOM	Avg Sale Price	% Change
2019	75	192	\$1,088,090	16.41%
2020	79	149	\$1,230,239	13.06%
2021	108	156	\$1,381,217	12.27%
2022	60	195	\$1,691,941	22.50%
2023	46	198	\$1,913,566	13.10%
2024	21	132	\$1,845,547	-3.55% (10/8/2024)

Cape May Condo Sales

	Num Sold	Avg DOM	Avg Sale Price	% Change
2019	53	147	\$427,868	-17.54%
2020	62	137	\$589,505	37.78%
2021	64	114	\$588,157	-0.23%
2022	48	124	\$738,891	25.63%
2023	29	128	\$863,344	16.84%
2024	22	98	\$855,590	-0.90% (10/8/2024)

Sales volume declined considerably since 2021 and Days-on-Market decreased in 2024, reflecting continued strong demand chasing a lack of inventory. Appreciation was at historically high levels between 2020 and 2022. Appreciation decreased to a healthy level for 2023 and prices appear to have stabilized in 2024.

Commercial value trends

Commercial real estate value trends reflect varied levels of appreciation, but not as much as the residential market. Commercial sales volume is average.

Hotel and Motel Market

Hotels and motels are concentrated along Beach Avenue between Pittsburgh Avenue and its western end and include a mixture of historic properties in varying conditions, low and mid-rise motels, and large motor inns. There are approximately 1,610 hotel and motel units.

Hotels and motels are typically operated on a seasonal basis with some of the larger

establishments open year round. Annual occupancy is typically 50 to 80 percent with full occupancy during the peak summer season and shoulder season weekends.

Generally, oceanfront hotels reflect stable occupancy and steadily increasing rates. Hotels closest to the historic district reflect the greatest rental rates and vice versa. Ocean views command a premium.

City occupancy tax revenues have increased consistently since 2013, except for 2020 due to the Covid-19 pandemic and government shutdowns. A recent surge in occupancy tax revenue underscores the surge in lodging revenues reported with the County Tourism data. This increase is due to rising occupancy and rates as there have been no new hotel units built in recent years, except for 21 units added to Le Mer Beachfront Inn.

Neighborhood – Diversion Land – St. John Street (Lots 44 & 47, Block 1061)

The subject diversion land is about ¼ mile from the Washington Street Mall and central commercial district, and about ½ mile from the beach. It is adjacent to the Cape May City Dog Park to the east and ¼ mile west of the Cape May Elementary School.

The Cape May Elementary School consists of a school building, parking, tot lot, and Dellas Field. Dellas Field includes a little league and adult softball complex, plus a field that accommodates regulation football, lacrosse, or soccer.

The JCP & L properties are adjacent to the subject diversion land and consist of an ongoing site remediation impacting Lot 43 and Lots 48, 49, and 50, Block 1061. Lot 50 is the site of a former coal gasification plant. JCP & L deeded the impacted lots to the City of Cape May with conditions and this is discussed under the highest and best use.

St. John Street leads westward and then southward to Broad Street. The Cape May Housing Authority has 84 housing units within three properties on Broad Street and both east and west of Lafayette Street near the subject. Units consist of one-story efficiency and one-bedroom apartments for seniors and disabled residents, and larger 2-4 bedroom apartments in two-story buildings.

Four single family properties are located across the street from the subject diversion land. Two were razed for new construction and two are existing, relatively small, residential dwellings.

Neighborhood – Compensation Land – Sewell Tract

The subject compensation land is located due east of Pittsburgh Avenue, which is one of the main roads connecting the entrance to the City at Lafayette Street to the oceanside and Beach Avenue.

The neighborhood is known as Sewell's Point. It is bordered on the west by Pittsburgh Avenue, on the north by Pennsylvania Avenue, on the east by the U.S. Coast Guard Base and Cape May Harbor, and on the south by the Atlantic Ocean.

About half of Sewell Point was acquired by the State of New Jersey in 2019 for \$19,000,000, ending a 25 year inverse condemnation litigation with East Cape May Associates, LP. The tract was about 100 acres of mixed upland and wetland and thought to have residential subdivision potential of as many as 229 lots north of Cape May Avenue.

Residential development fronts Pittsburgh Avenue, consisting of mostly single family residential dwellings. Immediately east or to the rear of these properties are mostly wetlands, including the subject compensation land.

Market area summary

Cape May County is a tourist destination reflected by its natural resources, annual surge in summer population, seasonal housing development patterns, and concentration of amusement, retail, restaurant, and hotel properties. Government is tailored to serve the tourism economy. The tourism economy exhibits historic growth.

Cape May City residential real estate values appear to be stabilizing after years of historic appreciation and commercial values are appreciating at a modest rate. The market is less active in 2024 than in prior years.

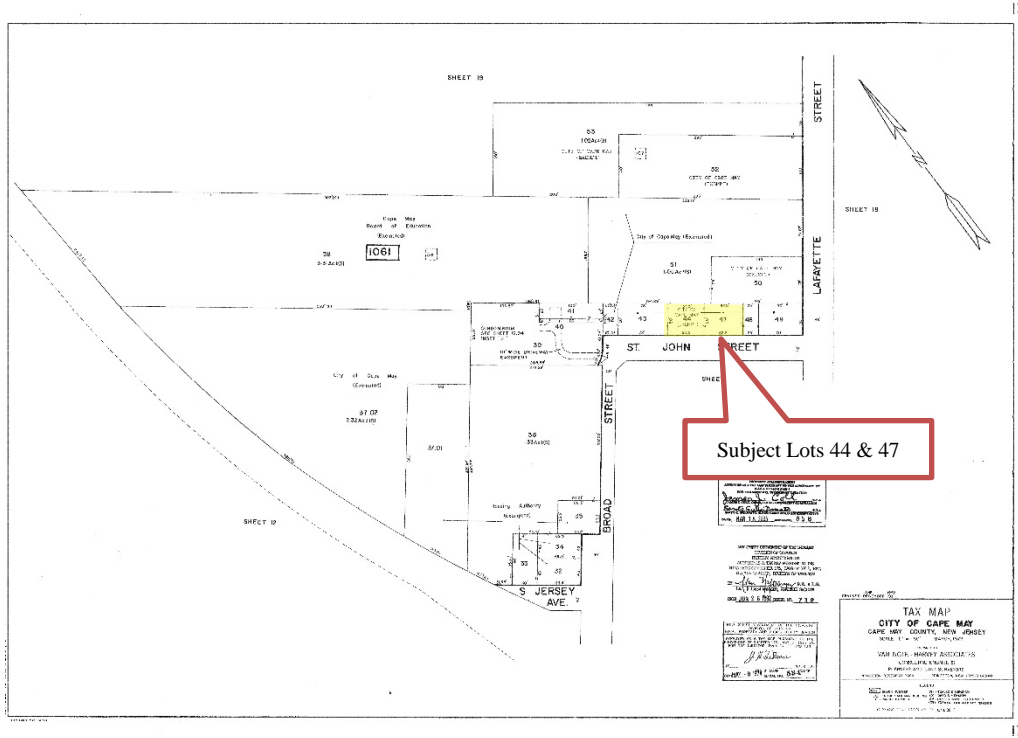
Rising demand is reflected in residential appreciation, increased hotel room tax revenue, and increased rental rates.

The subject diversion land is a non-developable property suitable for recreation use adjacent to other recreation use land and located in a mixed residential, public use, and apartment neighborhood.

The subject compensation parcels are non-developable property suitable for recreation use. They are adjacent to other recreation land and residential development.

SITE DESCRIPTION – DIVERSION LAND

The diversion land consists of two adjacent tax parcels, Lot 44, and Lot 47, Block 1061, depicted on the tax map below. A metes & bounds description is copied in the addenda.



Lot 44

Lot 44 is rectangular with 56.5 linear feet fronting St. John Street, and 50 feet in depth, containing 2,825 square feet/.065 acres. This description is based on the survey.¹⁰

Lot 47

Lot 47 is rectangular with 62.5 linear feet fronting St. John Street, and 50 feet in depth, containing 3,124 square feet/.072 acres, based on the survey.

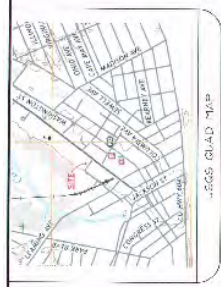
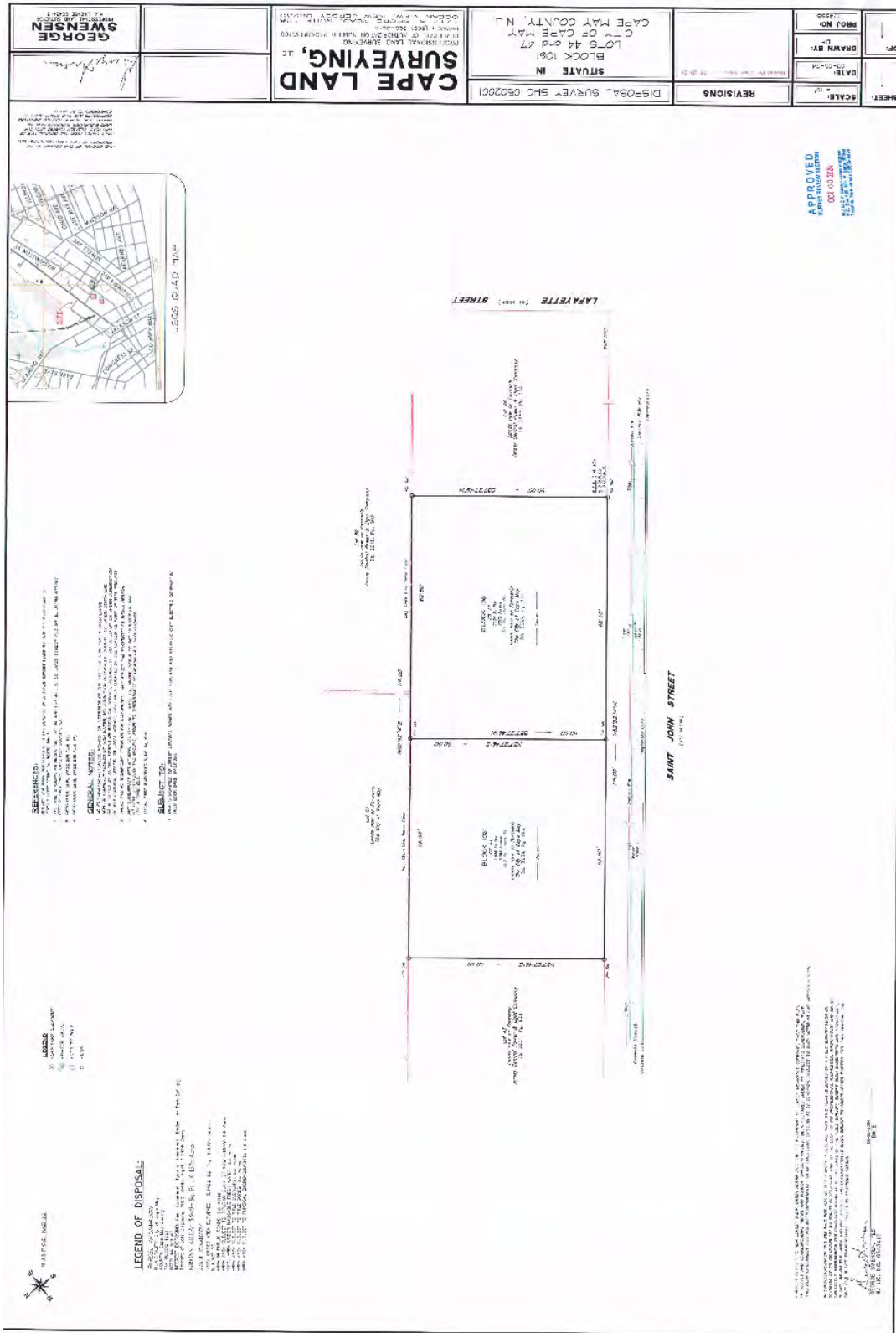
Combined, these lots are 5,949 square feet/.137 acres with 119 feet on St. John Street and 50 feet of depth and make-up the diversion land.

Topography

The site is level and clear.

¹⁰ The tax map lot dimensions differ slightly from the survey for both lots.

SURVEY – DIVERSION LAND



APPROVED
DATE: 08/20/24
BY: [Signature]

Wetlands and soils

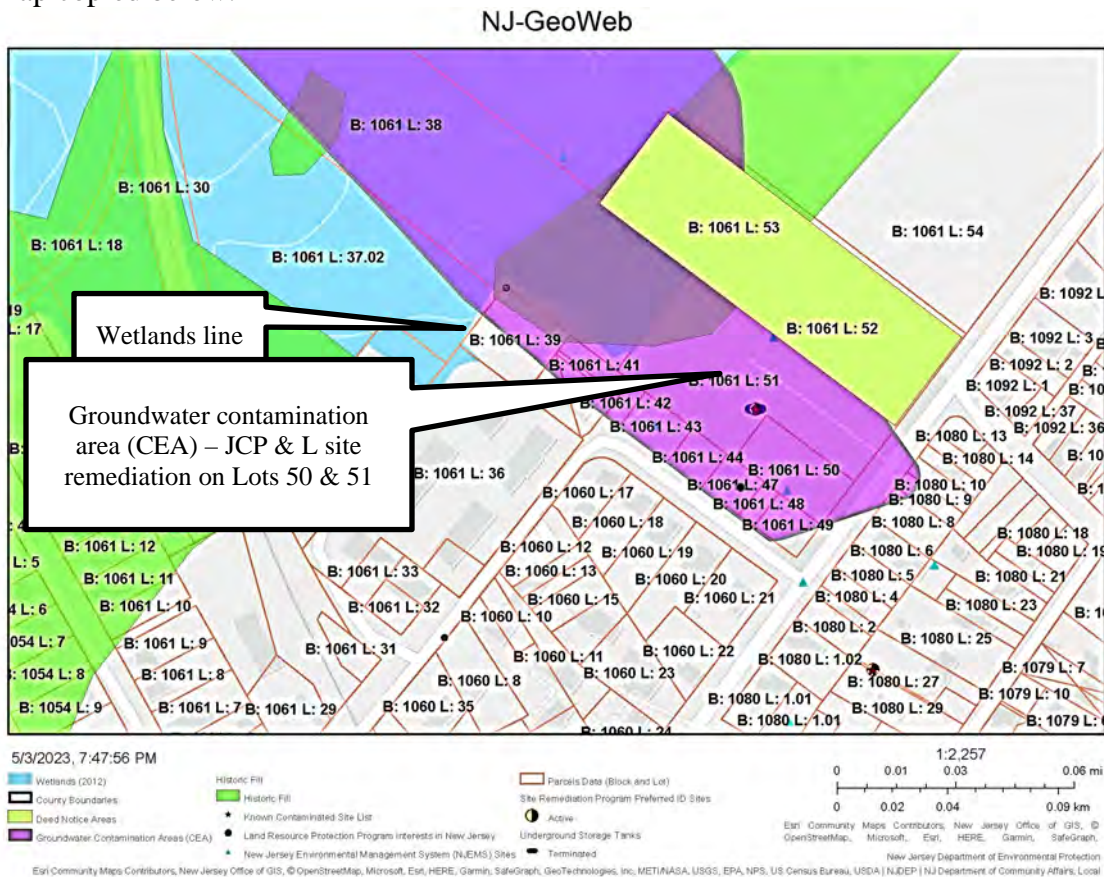
There are no wetlands on the site.

The soils consist of UR, Urban Land, which is filled and covered land.¹¹ A copy of the soils overlay is in the addenda.

Environmental constraints or hazards

Site remediation on adjacent Lots 43, 48, 49, 50 and 51 is discussed in the next section. The groundwater contamination area (CEA) mapped below covers the subject lots.

Wetlands to the northwest are within about 135 feet of Lot 44, based on the NJGeoWeb map copied below.



¹¹ <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>

Jersey Central Power & Light remediation on the surrounding land

NJDEP Site Remediation Program – Active Sites with Confirmed Contamination includes three Site ID associated with JCP & L remediation. This information is available at njems.nj.gov/DataMiner/Report

Active Sites

Run Date: 03/25/24 2:43 pm

Cape May County

Cape May City

PI Number	PI Name	PI Location	Zip Code	Site Activity Information
009858	CAPE MAY RIGGINS	1381 WASHINGTON ST	08204	Click for Details...
015756	CAPE MAY CITY WATER WORKS	830 CANNING HOUSE LN	08204	Click for Details...
033607	CAPE MAY WATER & SEWER FACILITY	830 CANNING HOUSE LN	08204	Click for Details...
1036259	CAPE MAY COAL GAS (JCP&L)	705 LAFAYETTE ST	08204	Click for Details...
231882	GAS STATION FORMER	3000 BAYSHORE RD	08204	Click for Details...
332585	COACHMANS MOTOR INN (SEA SIDE RESORT MOTEL)	205 211 BEACH AVE	08204	Click for Details...
734209	CAPE MAY HOUSING AUTHORITY OSBORNE COURT PROP	OSBORNE ST & LAFAYETTE ST	08204	Click for Details...
798137	YACHT AVE ASSOC	1507 1509 YACHT AVE	08204	Click for Details...
848167	CAPE MAY CITY LAFAYETTE STREET PARK	805 903 LAFAYETTE ST	08204	Click for Details...
990048	PELICAN PLACE	1600 DELAWARE AVE	08204	Click for Details...
G000005363	CAPE MAY MANUFACTURED GAS PLANT SITE FORMER	705 LAFAYETTE ST	08240	Click for Details...

Three active site remediation cases related to the former coal gasification plant on Lafayette Street impact Lots 43, 48, 49, 50 and 51, Block 1061.

JCP & L deeded Block 1061, Lots 43, 48, 49, and 50 to the City of Cape May on June 1, 2022, for no monetary consideration, as is recorded in Deed Book 1006, Page 350. The “deed notice” is 51 pages, identifies the site remediation, remaining soil contamination, and outlines restrictions.

The remediation area covers Wise-Anderson Park and its perimeter plus some surrounding areas and the dog park (Lot 50), which is next to the subject. The deed notice assures JCP & L access to the site for monitoring and further remediation. JCP & L settlement with the City included construction of two underground containment walls and a series of below surface chambers to filter contaminated groundwater on the site. The contamination will be monitored and pumped out periodically and not allowed to spread to surrounding areas through the groundwater. JCP & L assumes all liability with continued NJDEP oversight. The only mention of the subject land is a requirement for a vapor monitoring system (VMS) as a precaution, not for remediation. A VMS would be required to develop the subject lots, but not as long as they are vacant. **Residential use is prohibited. The “deed notice” with its restrictions does not otherwise impact the subject lots and can be terminated with NJDEP approval.**

Available utilities include

Public water by Cape May City
Public sewer by Cape May City
Electric by Atlantic City Electric Company
Gas by South Jersey Gas

Municipal services include police protection through a paid police department and fire protection through a paid and volunteer fire department.

Streets, Curbs, Sidewalks, and Off Site Improvements

There are concrete curbs and sidewalks along St. John Street which is paved with asphalt and has a 40 foot right of way.

Flood Zone

The subject is situated in Zone X, an area of minimal flood hazard according to the community panel 34009C0291F, effective 10/5/2017.

See the flood map on the following page.

Interest being acquired

The interest being acquired in the entire fee.

ASSESSMENT – DIVERSION LAND

Cape May City owns the subject and it is tax exempt.

The real estate assessment is as follows:

Diversion land Block 1061	Lot 44	Lot 47
Land	\$181,100	\$148,800
Improvement	0	0
Total assessment	\$181,100	\$148,800

The 2023 tax rate is \$1.074 per \$100 of assessed valuation. The reported ratio of aggregate assessed to aggregate true value is 67.34 percent.

The sum of the assessments is \$329,900 and the equalized value is \$489,902. This assessment is dated and reflects the prior owner's use a single family residence. The improvements were demolished.

A revaluation is not in process or scheduled.

LAND USE REGULATION – DIVERSION LAND

Zoning

The subject is in the R-3, Medium Density Residential district. Zoning regulations are copied below.

The subject is an undersized lot, which represents a non-conforming use grandfathered through zoning changes.

525-16. R-3 Medium-Density Residential District.

A. Use regulations.

- (1) Uses by right. In any R-3 District, land, buildings or premises may be used by right for the following purposes:
 - (a) Churches, synagogues or similar places of worship and related religious facilities subject to § 525-63.
 - (b) Attached dwellings.
 - (c) Multifamily dwellings.
 - (d) Municipal uses and facilities subject to § 525-61.
 - (e) Schools subject to § 525-64.
 - (f) Semidetached dwellings.
 - (g) Single-family detached dwellings.
 - (h) Two-family detached dwellings.
 - (i) Attached dwellings.
- (2) Accessory uses. Only the following accessory uses may be permitted in any R-3 District:
 - (a) Customary accessory uses related to municipal uses and buildings subject to § 525-61
 - (b) Off-street parking facilities.
 - (c) Private and semiprivate recreation facilities subject to § 525-62.
 - (d) Residential accessory uses subject to § 525-55.
- (3) Conditional uses. Historic structure conversions subject to § 525-44.

B. Area and bulk regulations.

(1) Minimum requirements.

TABLE 1

	Single-Family Detached	Semidetached
Lot size per dwelling unit	6,250 sq. ft.	5,000 sq. ft.
Building setback line	20 feet	20 feet
Lot width (each unit)	50 feet	40 feet
Lot frontage	50 feet**	50 feet**
Habitable floor area	840 sq. ft.	840 sq. ft.
Ground floor area	840 sq. ft.	840 sq. ft.
Rear yard	25 feet	25 feet
Each side yard	8 feet	8 feet* (detached side)

NOTES:

*Side yard requirement applies to each unit.

**For corner lots and lots fronting on a cul-de-sac, see definition of lot frontage.

TABLE 2

	Two-Family Detached	Attached Dwellings
Lot size	7,500 sq. ft.	12,500 sq. ft.
Minimum per dwelling		2,500 sq. ft.
Building setback line	20 feet	20 feet
Lot width	60 feet	100 feet
Lot frontage	60 feet	100 feet*
Habitable floor area per dwelling unit	500 sq. ft.	500 sq. ft.
Rear yard	25 feet	25 feet
Side yards:		
Total	12 feet	20 feet
Each side	4 feet	10 feet

*For corner lots and lots fronting on a cul-de-sac, see definition of lot frontage.

TABLE 3

Historic Structure Conversions

Lot size	7,500 sq. ft.
Minimum lot size per dwelling unit:	
Two or more bedrooms	2,500 sq. ft.
One bedroom	1,600 sq. ft.
Efficiency	1,200 sq. ft.
Building setback line	20 feet
Lot width	60 feet
Lot frontage	60 feet*
Habitable floor area per dwelling unit	500 square feet
Rear yard	25 feet
Side yards:	
Total	12 feet
Each side	4 feet

*For corner lots and lots fronting on a cul-de-sac, see definition of lot frontage.

TABLE 4

Multifamily Dwellings

Lot size	12,500 sq. ft.
Lot size per dwelling unit	2,500 sq. ft.
Building setback line	25 feet
Lot width	100 feet
Lot frontage	100 feet*
Habitable floor area per dwelling unit	500 sq. ft.
Rear yard	25 feet
Side yards:	
Total	40 feet
Each side	20 feet

*For corner lots and lots fronting on a cul-de-sac, see definition of lot frontage.

- (2) Maximum regulations:

TABLE 1

	Building Height	Lot Coverage
Single-family detached	35 feet	45%
Semidetached	35 feet	70%
Two-family detached	35 feet	70%
Attached dwellings	35 feet	75%
Historic structure conversions	35 feet	75%
Multifamily dwellings	35 feet	75%

- (3) Building heights are subject to § 525-59D.

C. Supplemental regulations. As required by Articles IX, X and XI, inclusive.

Status

The minimum lot size for a single family dwelling required by zoning is 6,250 square feet. The subject contains 5,949 square feet of site area. It does not meet the minimum lot size requirement for development. Zoning - Chapter 525-73. (B) addresses non-conforming lots and is copied below.

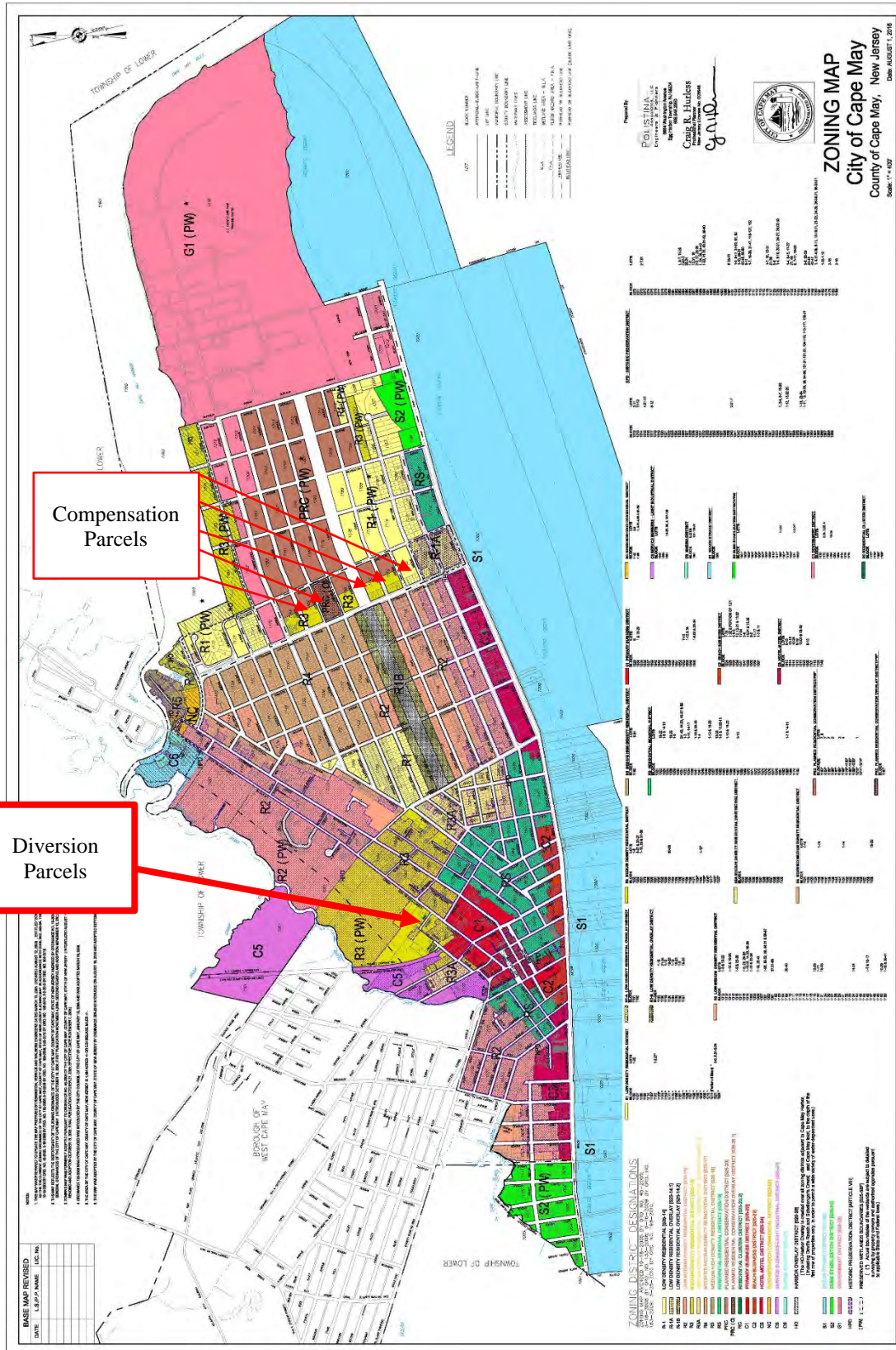
B. Nonconforming lots with conforming existing structures. Structural expansions and/or alterations or demolition of existing structures and new construction may be made to conforming existing structures situated on existing nonconforming lots without regard to lot size, lot width or lot frontage requirements; provided that the expansion or alteration or new construction meets all of the other area and bulk regulations of the zoning district.

Based on this, an undersized lot can be developed if it can meet the setback requirements. However, the subject has 50 feet of depth; the front and rear yard setbacks require a total of 45 feet; and so this leaves only five feet of depth for a dwelling. Variances would be required for development. **Deed notice relating the adjacent site remediation prohibits residential development on the subject land and surrounding parcels.**

C.A.F.R.A.

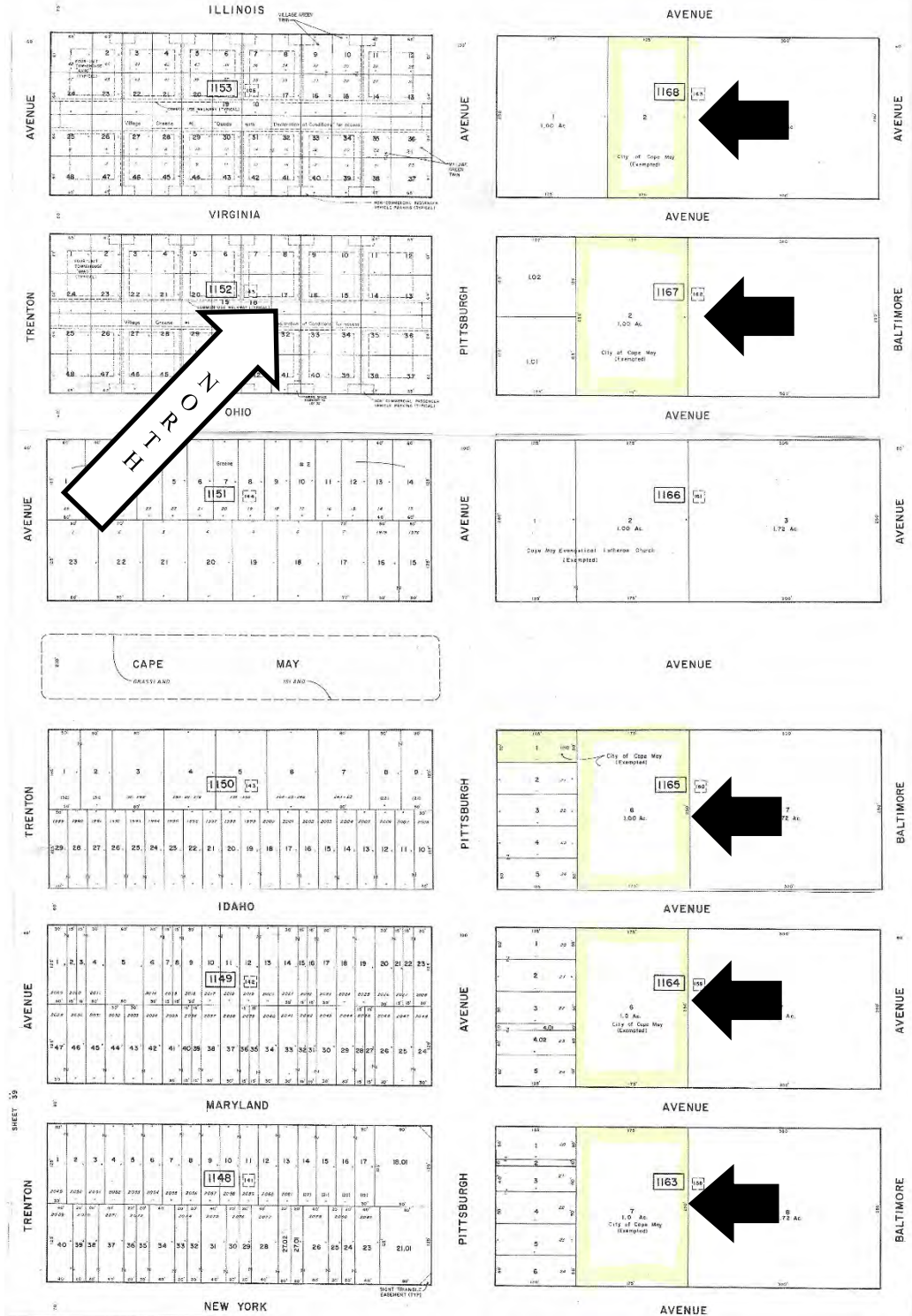
In addition to municipal zoning, the subject is under the jurisdiction of the New Jersey Coastal Area Facility Review Act (CAFRA – NJSA 13:19) and Coastal Zone Management Rules (NJAC 7:7E). The Division of Land Use Regulation of the New Jersey Department of Environmental Protection administers land use laws and regulations. Given the subject’s inland location and lack of wetlands, it would not require a CAFRA permit.

ZONING MAP



SITE DESCRIPTION – COMPENSATION LAND

The compensation land consists of six tax parcels depicted on the tax map below, which combines tax map pages 42, 43, and 44. Street vacations impacting the subject lots are not depicted on the tax maps. A metes & bounds description is in the addenda.



The six tax parcels are described below based on the survey. Soils, wetland, and sewer service area maps provided in the addenda provide the basis to evaluate the subject lots. Soils descriptions are also provided.

The tax maps do not show the street vacations and the survey does. The street vacation depicted on the survey were adopted by City of Cape May Ordinance 407-2020, a copy of which is part of the appraisal work file.

The combined area for the six tax parcels is 6.607 acres.

Block 1163, Lot 7 – 1421 New York Avenue

This parcel consists of a landlocked, rectangular site with dimensions 315 x 175 x 315 x 175 feet, containing 1.265 acres or 55,125 square feet, based on the survey.

Soils are classified as PstAt, which has a depth to water table of zero inches. The site is entirely freshwater wetlands on both the State and Federal wetland maps. The site is in the sewer service area.

Block 1164, Lot 6 – 1421 Maryland Avenue

This parcel consists of a landlocked, rectangular site with dimensions 310 x 175 x 310 x 175 feet, containing 1.245 acres or 54,250 square feet, based on the survey.

Soils are classified as PstAt, which has a depth to water table of zero inches; except for a small area classified as USPSAS, which has a depth to water table of 18 – 42 inches. The site is almost entirely freshwater wetlands on both the State and Federal wetland maps. It is not in the sewer service area. A tideland claim area (.14 acre or 6,300 square feet) is depicted on the survey.

Block 1165, Lots 1 & 6 – 409 Pittsburgh Avenue & 1421 Idaho Avenue

This parcel consists of a landlocked, “L” shaped site with dimensions 380 x 300 x 150 x 125 x 230 x 175 feet, containing 1.957 acres or 85,250 square feet, based on the survey.

For Lot 6 (rear – 1.814 acres), soils are classified as USPSAS, which has a depth to water table of 18 – 42 inches. A small portion of the lot is likely PstAt, which has a depth to water table of zero inches. The site is 100 percent freshwater wetlands on both the State and Federal wetland maps; and it is not in the sewer service area.

For Lot 1 (front .143 acres), soils are classified as USPSAS, which has a depth to water table of 18 – 42 inches. The site is partially freshwater wetlands on both the State and Federal wetland maps. Block 1165, Lot 1 is in the sewer service area and has frontage on Pittsburgh Avenue.

Block 1167, Lot 2 – 1421 Ohio Avenue

This parcel consists of a landlocked, rectangular site with dimensions 310 x 174.37 x 310 x 174.52 feet, containing 1.241 acres or 54,077 square feet, based on the survey.

Soils are classified as PstAt, which has a depth to water table of zero inches. The site is entirely freshwater wetlands on both the State and Federal wetland maps. It is in the sewer service area.

Block 1168, Lot 2 – 1421 Ohio Avenue

This parcel consists of a landlocked, rectangular site with dimensions 315 x 124.21 x 315 x 124.37 feet, containing .899 acres or 39,151 square feet, based on the survey.

Soils are classified as PstAt, which has a depth to water table of zero inches. There may be a small area of soil classified as USPSAS, which has a depth to water table of 18 – 42 inches. The site is entirely freshwater wetlands on Federal wetland map; it is about 70 percent wetlands on the State wetland map. It is not located in the sewer service area.

Topography

All parcels are level and covered with small trees and shrubbery, except for Block 1163, Lot 7, which is meadowlands.

Environmental constraints or hazards

There are no known environmental constraints or hazards.

Available utilities include

Public water by Cape May City
Public sewer by Cape May City
Electric by Atlantic City Electric Company
Gas by South Jersey Gas

Municipal services include police protection through a paid police department and fire protection through a paid and volunteer fire department.

Streets, Curbs, Sidewalks, and Off Site Improvements

There are concrete curbs and sidewalks along Pittsburgh Avenue which is paved with asphalt and has a 40 foot right of way. All other streets described with the subject parcels are unimproved.

FLOOD ZONE

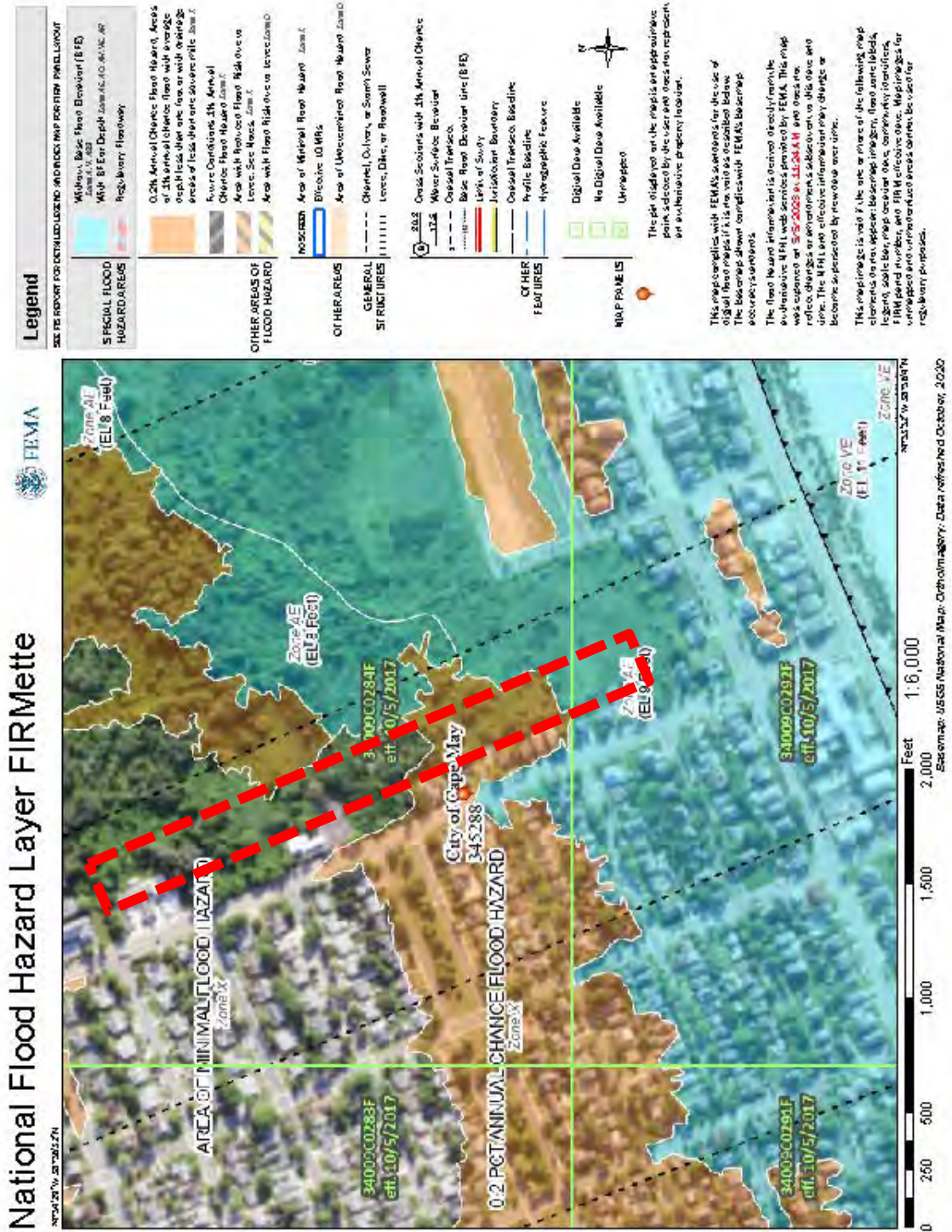
A copy of the Flood Map is on the next page.

According to the community panel 34009C0291F, effective 10/5/2017, the subject lots are classified as follows:

Block 1163, Lot 7 is in Zone AE, a special flood hazard area (Elevation 9 feet).
All the other parcels are in Zone X, an area of minimal flood hazard.

The general area of the subject lots is marked by a red dashed line.

FEMA map – compensation land



Interest being acquired

The interest being acquired in the entire fee.

ASSESSMENT – COMPENSATION LAND

Cape May City owns the subject property and it is tax exempt.

The real estate assessments, which are land only, are as follows:

Compensation land

Block 1163, Lot 7	\$1,058,800
Block 1164, Lot 6	\$881,900
Block 1165, Lot 1	\$495,000
Block 1165, Lot 6	\$634,400
Block 1167, Lot 2	\$164,100
Block 1168, Lot 2	\$262,500
Total of assessments	\$3,496,700

The 2023 tax rate is \$1.074 per \$100 of assessed valuation. The reported ratio of aggregate assessed to aggregate true value is 67.34 percent. The equalized value is \$5,192,604. This assessment is dated and reflects the land under City ownership over many years. The assessments bear no relationship to market value.

A revaluation is not in process or scheduled.

LAND USE REGULATION – COMPENSATION LANDZoning

The subject compensation parcels are in the R-3, Medium Density Residential district, except for Block 1163, Lot 7, which is in the R1 (PW), Low Density Residential district that recognizes Preserved Wetlands boundaries. Block 1167, Lot 2 is within the PRC – Planned residential conservation overlay district, which addresses developments of 95 acres or more. This does not apply to the subject parcel. It does apply to the large tract to the east known as the Sewell Tract that was acquired by the State from East Cape May Associates LP in 2019.

The R-3 zoning regulations were previously provided in the site description for the Diversion Land. The R1 (PW) is copied below. The compensation parcels are marked on the zoning map on page 34.

*City of Cape May, NJ
Friday, May 5, 2023*

Chapter 525. Zoning**Article IV. Residential Districts****§ 525-14. R-1 Low-Density Residential District.****A. Use regulations.**

- (1) **Uses by right.** In any R-1 District, land, buildings or premises may be used by right for the following purposes:
 - (a) Churches, synagogues or similar places of worship and related religious facilities subject to § 525-63.
 - (b) Municipal uses and facilities subject to § 525-61.
 - (c) Schools subject to § 525-64.
 - (d) Single-family detached dwellings.
- (2) **Accessory uses.** Only the following accessory uses may be permitted in any R-1 District:
 - (a) Off-street parking facilities.
 - (b) Private and semiprivate recreation facilities subject to § 525-62.
 - (c) Residential accessory uses subject to § 525-55.
- (3) **Conditional uses.** Historic structure conversions subject to § 525-44.

B. Area and bulk regulations.

(1) Minimum requirements.

TABLE 1 All Uses	
Lot size	9,375 square feet
Building setback line	25 feet
Lot width	75 feet
Lot frontage	74 feet*
Habitable ground floor area:	
One-story residence	1,200 square feet
More than one story	850 square feet
Rear yard	30 feet
Side yards:	
Total	20 feet
Each side	10 feet

TABLE 1 All Uses	
---------------------	--

*For corner lots and lots fronting on a cul-de-sac, see definition of lot frontage.

(2) Maximum regulations.

(a) All uses.

[1] Building height: 35 feet.

[2] Lot coverage: 30%.

(3) Building heights are subject to § 525-59D.

C. Supplemental regulations. As required by Articles IX, X and XI, inclusive.

Zoning Status

All the subject compensation parcels satisfy the bulk requirements for development under their respective zoning.

C.A.F.R.A.

In addition to municipal zoning, the subject is under the jurisdiction of the New Jersey Coastal Area Facility Review Act (CAFRA – NJSA 13:19) and Coastal Zone Management Rules (NJAC 7:7E). The Division of Land Use Regulation of the New Jersey Department of Environmental Protection administers land use laws and regulations. Given the presence of wetlands on all the compensation parcels, any effort to develop the subject compensation parcels would require a wetlands delineation and CAFRA permit.

HIGHEST AND BEST USE – DIVERSION AND COMPENSATION LAND

Highest and best use is the reasonably probable and legal use of vacant land or an improved property that is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity. Alternatively, the probable use of land or improved property – specific with respect to the user and timing of the use – that is adequately supported and results in the highest present value.¹²

Highest and best use is typically considered under two scenarios; once, assuming the site is vacant and ready for development to its highest and best use, and a second time, recognizing the site as improved.

In this case, there are no improvements.

Based on the definition cited above, four criteria are considered sequentially:

1. What is legally permissible?
2. What is physically possible?
3. Among legally and physically possible alternatives, what is financially feasible?
4. Among financially feasible alternatives, what is maximally productive?

Diversion land - Highest and best use

Legally permissible and Physically Possible

The subject is in the R-3 zone that is presented on page 30. This is a medium density residential zone. On page 33, the zoning analysis concludes that the subject lots do not satisfy the minimum lot size. Zoning allows development of non-conforming lots provided they can meet the minimum setback requirements. The subject diversion land is 50 feet deep; the front and rear yard setbacks require a total of 45 feet, leaving only five feet of depth for the building. Development is not legally possible without variances.

Site remediation discussed on page 26 is adjacent to the subject property and includes an extensive CEA that covers the diversion land. Monitoring wells are located on adjacent properties. A VMS (Vapor Monitoring System) would be required to develop the effected land as a precaution, not for remediation. Residential development is prohibited. The “environmental risk” associated with developing land adjacent to the JCP & L site remediation property, whether actual or perceived, is large. The deed notice described herein recognizes the uncertainty of the contamination and reality that JCP & L reserves the right to conduct further remediation if necessary. The resulting environmental stigma is enough to deter development.

¹² The Appraisal of Real Estate, 15th Edition, The Appraisal Institute, page 306

Counsel for JCP & L, Richard Conway, indicates that these diversion parcels are subject to restrictions under agreements between JCP & L and the City; specifically, residential and other uses are prohibited. These restrictions do not prohibit surface use and occupancy for permitted non-residential and park purposes.

Given the preceding, it is not legally possible to develop the diversion land. Recreation use is permitted.

Highest and best use – Diversion Land

The diversion land is not a developable property. However, it is adjacent to recreation land owned by the City of Cape May, including a dog park. It is a logical extension of the City's recreation land. Based on this, the highest and best use is recreation land.

Compensation land - Highest and best use

Legally permissible and Physically Possible

The zoning analysis concludes that all the compensation parcels satisfy bulk requirements for development. The R-3 zone applies to all the parcels except for Block 1163, Lot 7, which is in the R-1 zone. A variety of residential uses are permitted in the R-3 zone and only single family residential uses are permitted in the R-1 zone.

All the parcels are impacted by wetlands and poor soil to the extent that they are not developable, except for Block 1165, Lot 1, AKA 409 Pittsburgh Avenue.

Given the preceding, it is not legally possible to develop the subject compensation parcels, except for 409 Pittsburgh Avenue. The highest and best use of these parcels is recreation land consistent with the recreation acreage to the east.

409 Pittsburgh Avenue

According to State and Federal wetland overlays, this tax lot is partially or completely a wetland. These maps serve as a guide, but an actual wetland delineation is needed. Soils are classified as Urban Land, which extends an estimated 150 feet eastward of the 409 Pittsburgh Avenue lot. Urban Land soils are an indication of buildable land. The lot is in the mapped sewerable area that fronts Pittsburgh Avenue. The sewerable service area maps are based on an extensive study that includes consideration of uplands v. wetlands. The properties adjacent to 409 Pittsburgh Avenue are developed. 309 Pittsburgh Avenue is a very similar lot that received a variance for building setback and a transition waiver from the NJDEP. The Transition waiver is for hardship cases and allows the dwelling footprint to sit within the wetlands transition area (buffer). The amount of transition area reduction is the minimum needed to construct a single family dwelling. It is common in this location. A copy of the deed for the sale of 309 Pittsburgh Avenue is part of the appraisal work file and includes a copy of the site plan resolution granting the variance

and citing the transition waiver. 409 Pittsburgh Avenue will need a transition waiver and it is reasonably probable that one would be granted. The soft costs associated with applications to the State and City are estimated to be \$25,000. The application process is estimated to take less than one year.

The residential real estate market is strong and there is adequate demand to develop a single family lot. This is evident in the land valuation that follows. Residential development is financially feasible and maximally productive.

Despite the potential use of 409 Pittsburgh Avenue as single family residential development, it lacks the necessary permits. Such permits are not *by-right* and involve a degree of risk and uncertainty. Therefore, the highest and best use of 409 Pittsburgh Avenue in its as-is condition without special permits to develop is recreation land.

Highest and best use – Compensation land

The compensation parcels are not developable property.

Based on this, the highest and best use of the compensation parcels under existing conditions is recreation land.

INTENDED USE OF DIVERSION LAND

The intended use of the diversion land is to serve as part of the site of a proposed police station. The proposed police station site includes additional City owned lots to form a total of 15,600 square feet (50 x 318 feet). The proposed police station is about 5,660 square feet of gross building area and will sit at the corner of Lafayette and St. John Streets and adjacent to Lafayette Street Park. A copy of the conceptual plan is in the addenda.

The Green Acres appraisal assignment conditions include a jurisdictional exception:

The site is to be appraised subject to N.J.A.C. 7:36-19.4, "Valuation of parkland proposed for disposal or diversion and/or the proposed replacement land shall be determined in accordance with the following: For the purposes of this section, the market value of the parkland proposed to be disposed of or diverted shall be based on the highest and best use or the use intended for the land subsequent to its disposal or diversion, whichever would result in the higher market value."

Municipal uses like a police station are a permitted use in the zoning that governs the Diversion land. Area and bulk regulations of this zone apply to municipal uses. The diversion land is undersize and deemed non-buildable. However, assemblage with adjacent municipal owned land will provide adequate size, and satisfy area and bulk requirements. **So, the intended use is assemblage with other municipal owned land for a police station.**

The market value estimate of the diversion land is based on the preceding highest and

best use analysis and conclusion as recreation land (\$5,000).

The assignment condition cited above calls for the appraiser to consider the market value of the intended use, in this case the land value associated with the police station. This is problematic and discussed as follows.

“Market value opinions are based on the highest and best use of a property. In contrast, use value is the value that a specific property has for a specific use, which may or may not be the highest and best use of the property.”¹³

The police station is a special use property. A special use AKA special purpose property is defined as “an improved property with a unique physical design, special construction materials, or a layout that particularly adapts its utility to the use for which it was built and may be costly to modify to another use.”¹⁴

If the government wants to acquire land to build a special purpose property for municipal use, it must pay the market value of the property they acquire according to the highest and best use of that particular property. A private property owner cannot build a municipal police station.

Assuming the diversion property were privately owned, Cape May City would have to pay a price similar to the market value of the highest and best use – recreation land - \$5,000.

Assuming the City wanted to place the police station on another site, for example, a more valuable beach block site earmarked for residential development, then the City would have to pay a much higher price for the land.

There are no land sales with the highest and best use of police stations. Likewise, there are no land sales with the highest and best use of assemblage for police stations.

N.J.A.C. 7:36-19.4 indicates “...whichever would result in the higher market value”, as if there were two market values. In this case, there is a market value and a special purpose or use value, not two market values.

Given the preceding, the intended use for the land subsequent to its disposal or diversion does not change its market value.

¹³ The Appraisal of Real Estate, 15th Edition, The Appraisal Institute, page 52

¹⁴ The Dictionary of Real Estate Appraisal, 7th Edition, The Appraisal Institute, page 178

VALUATION PROCESS

The appraisal problem is ordinarily solved through the use of three generally accepted valuation techniques. These methods address the basic value concepts of cost, substitution, and income, each providing a value indication. These separate estimates set a range of value and, through correlation, provide the basis for a final value estimate.

1. The cost approach involves estimating the fair market value of the land independently of the improvements as though vacant and available for its most probable and profitable use. This involves utilization of the same process used in the sales comparison approach for land valuation. Next, the replacement cost is estimated as though the improvements were new on the effective date of the appraisal from which accrued depreciation from physical, functional and economic sources is deducted indicating a depreciated improvement value. This is added to the estimated land value for a total value estimate.
2. The sales comparison approach utilizes a process of comparing the most recent sales of similar properties with the subject. Such factors as location, construction, age and condition, utility, equipment, layout, and marketability are considered. Adjustments to the sales for differences indicate a range of value for the subject. This approach is the most reliable because it represents value based on the typical buyer's best substitute choice.
3. The income capitalization approach is concerned with the future benefits of ownership. Economic income, expenses, replacement reserves, management, and the capitalization rate for processing income are estimated. First, gross annual income which the property should produce under normal circumstances to attract investors is estimated. Second, expenses are deducted to obtain an estimate of net income. Expenses consist of taxes, insurance, operating and maintenance costs, and management. In some cases, there is a separate deduction for replacement of furniture, fixtures, and equipment. The final step is rate selection, which requires market scrutiny for a capitalization rate reflective of current conditions. An applicable capitalization technique is then asserted, and the net income estimate is processed by the proper rate for a value estimate of the property.

VALUATION RATIONALE

The highest and best use of the Diversion Land and Compensation Land is recreation land.

The sales comparison approach is the most appropriate method to value the subject properties. There are no improvements, so the cost approach and the income capitalization approach are not used.

The sales comparison approach – Units of comparison analysis on page 73 demonstrates that sale price is not a function of acreage. Therefore, valuation analysis is based on an overall price basis and price per acre is reported.

SALES COMPARISON APPROACH – DIVERSION LAND

The highest and best use of the Diversion Land is recreation land.

The sales comparison approach is explained in the previous section entitled Valuation Process.

A search for sales of similar non-developable recreation land dating back to 2018 throughout Cape May City, West Cape May, and Lower Township generated seven comparable sales. Search parameters included non-developable vacant land sales of less than ten acres. Understandably, there is a scarcity of such sales. Transactions eliminated include transfers between related parties, dollar deeds, and sales otherwise found to be non-usable.

The sales developed are dated between September 2018 and March 2022. The age of the sales does not disqualify them as indicators of value because the market for non-developable recreation land is so inactive that price trends are flat. Prices reflect token consideration for land thought to have minimal economic utility and limited to recreation.

Sales descriptions include a tax map, photograph, flood map, wetlands map, and soils information without a soils map.

Sales descriptions are followed by a sales summary and adjustment table, location map, and narrative correlation and value estimate.

All comparable sale pictures were taken on May 31, 2023, by J. Paul Bainbridge, MAI, SCGREA.

Comparable sale one

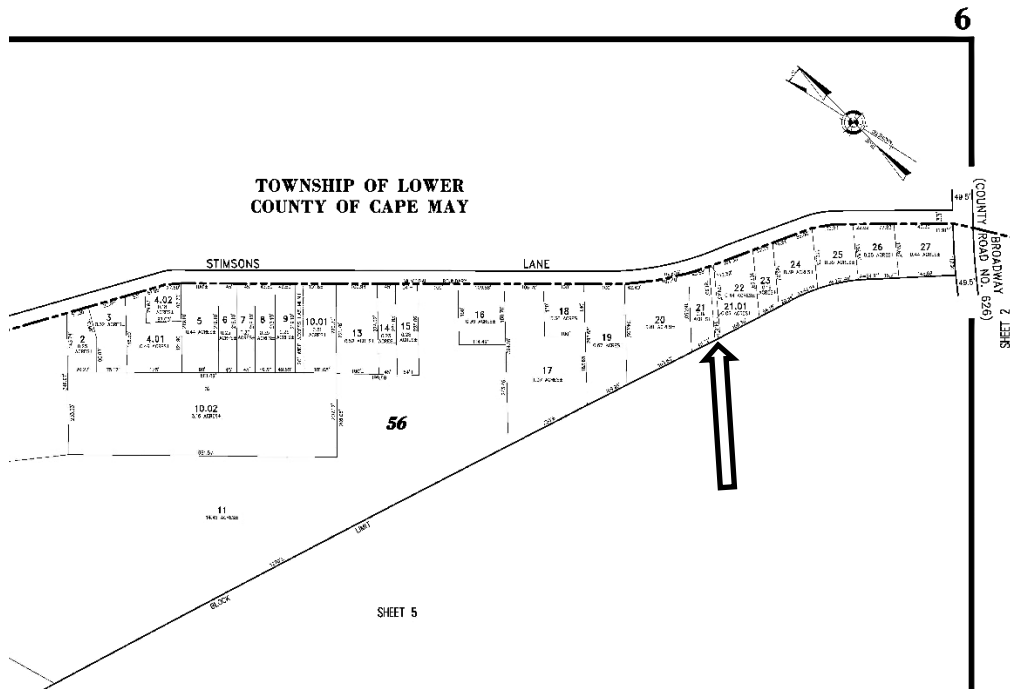
Location:	Stimpson's Lane West Cape May, NJ
Block/Lot:	56/21.01
Distance from subject:	3/4 miles
Sale price:	\$5,000
Deed date:	January 11, 2019
Deed book/page:	3836/11
Grantor:	Catherine Petz
Grantee:	Matthew Diedrich
Financing:	Cash
Property rights conveyed:	Fee simple
Confirmed with:	Buyer
Site:	Almost rectangular, 2,614 square feet
Topography:	Level, foliage
Wetlands:	None
Soils:	DoeAO, Downer
Utilities:	Public
Zoning:	R5, Residential
Improvements:	None
Highest & best use as of sale date:	Recreation land
Flood Zone:	Zone X, an area of minimal flood hazard Panel 34009C0283F (effective 10/5/2017)
Tax Map:	Page 6

Comments: This parcel has 12.32 feet on Stimpson's Lane, a depth between 179.43 and 181.6 feet, and 14.9 feet on the boundary of Pennsylvania-Reading Seashore Railroad (rear boundary). The deed indicates this parcel is not to be transferred to a separate grantee than the grantee of Block 55, Lot 1.12, West Cape May, NJ. The intent is that Block 56, Lot 21.01 will serve as a second ingress and egress for Block 55, Lot 1.12, known as 919 Farmdale Road. 919 Farmdale Road is a single family dwelling that was sold the same day as this property by separate deed for \$575,000 (DB 3836 P 6); same seller, same buyer. Stimpson's Lane and 919 Farmdale Road properties are separated by railroad property. SR1a indicates a usable sale. This is considered a good reflection of market value for recreation land.

The buyer indicates he purchased the house from a relative's estate to keep it in the family and the access parcel came with it; and that the price was directly negotiated.

Comparable sale one, continued

Tax Map



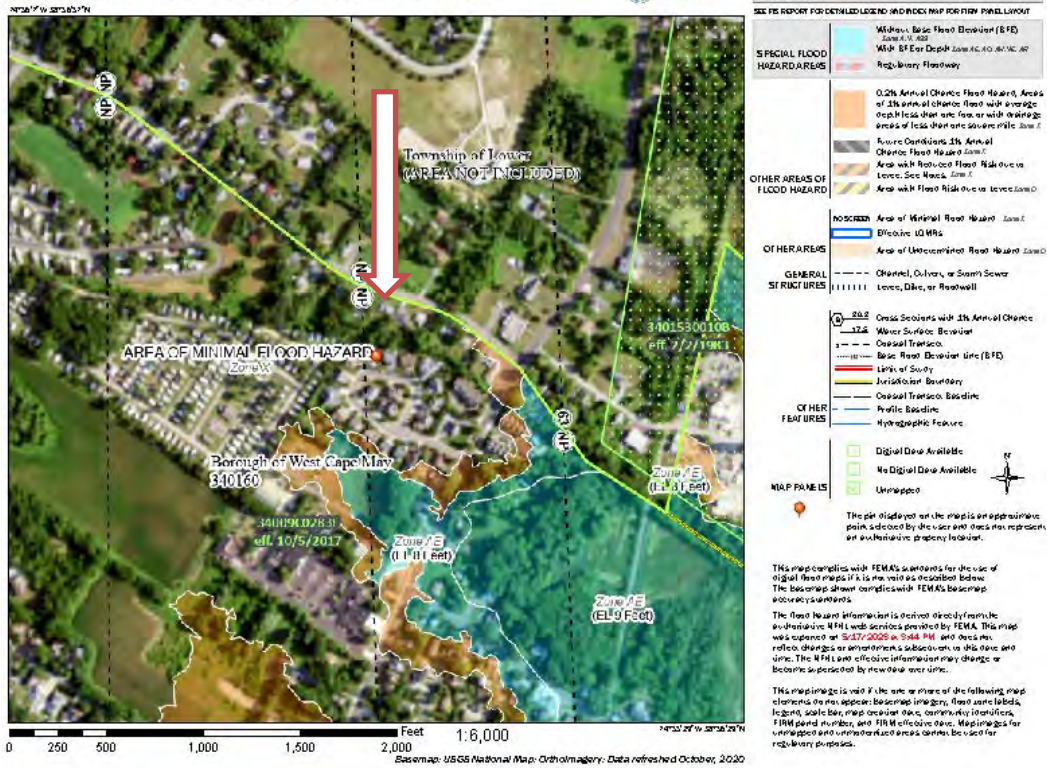
Comparable one picture
Stimpson's Lane. West Cape May, NJ looking northeast



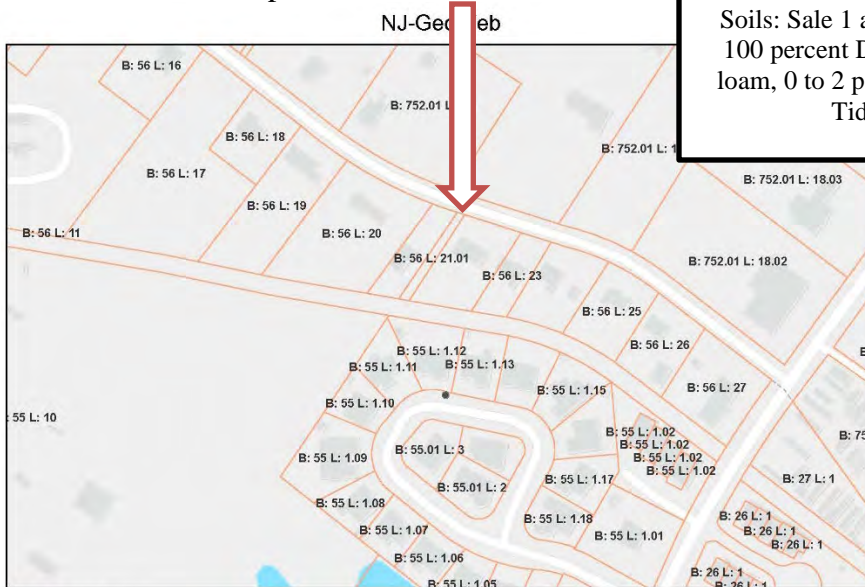
Comparable sale one, continued

FEMA Flood Map

National Flood Hazard Layer FIRMette



NJGeoWeb wetland map



Soils: Sale 1 and surrounding area is 100 percent DoeAO, Downer sandy loam, 0 to 2 percent slopes, Northern Tidewater Area

5/17/2023, 4:06:19 PM
 Wetlands (2012) Parcels Data (Block and Lot)
 County Boundaries
 0 0.01 0.03 0.06 mi
 0 0.02 0.04 0.08 km
 NJGeoWeb
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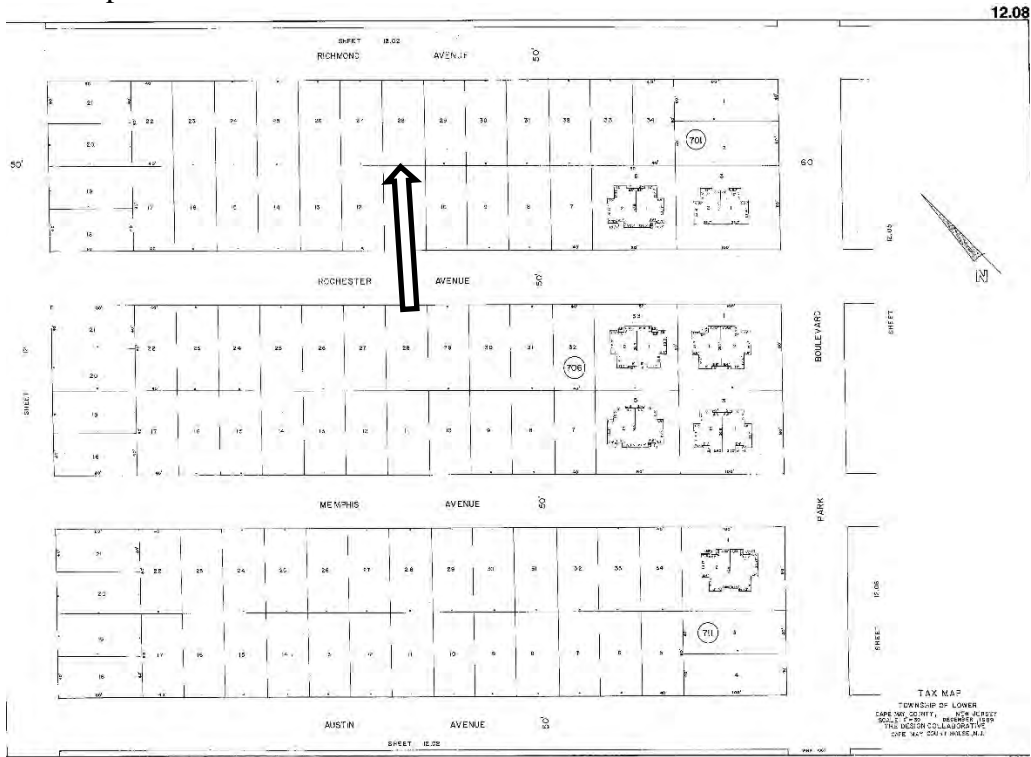
Comparable sale two

Location:	West Richmond Avenue Diamond Beach Lower Township, NJ
Block/Lot:	701/28
Distance from subject:	4 miles
Sale price:	\$6,000
Deed date:	January 6, 2021
Deed book/page:	3959/258
Grantor:	Prestige Real Estate LLC
Grantee:	120 West Richmond LLC
Financing:	Cash
Property rights conveyed:	Fee simple
Confirmed with:	Buyer
Site:	Rectangular, 3,200 square feet
Topography:	Marsh, level
Wetlands:	100 percent
Soils:	USPSAS, Urban Land
Utilities:	Public
Zoning:	R4, Residential
Improvements:	None
Highest & best use as of sale date:	Recreation land
Flood Zone:	Zone A7 (Elevation 10 feet) Panel 3401530008B (effective 2/2/1983)
Tax Map:	Page 12.08

Comments: This parcel has 40 feet fronting the street end of West Richmond Avenue, a depth of 80 feet. It is marsh. The buyer owns the adjacent lot at 120 West Richmond Avenue improved with a single family dwelling. SR1a indicates a non-usable sale since the buyer was the neighbor, however, this is typical for low utility or recreation land. This is considered a good reflection of market value for recreation land.

Comparable sale two, continued

Tax Map



Comparable two picture

West Richmond Avenue, Lower Township, NJ (Diamond Beach) looking westward

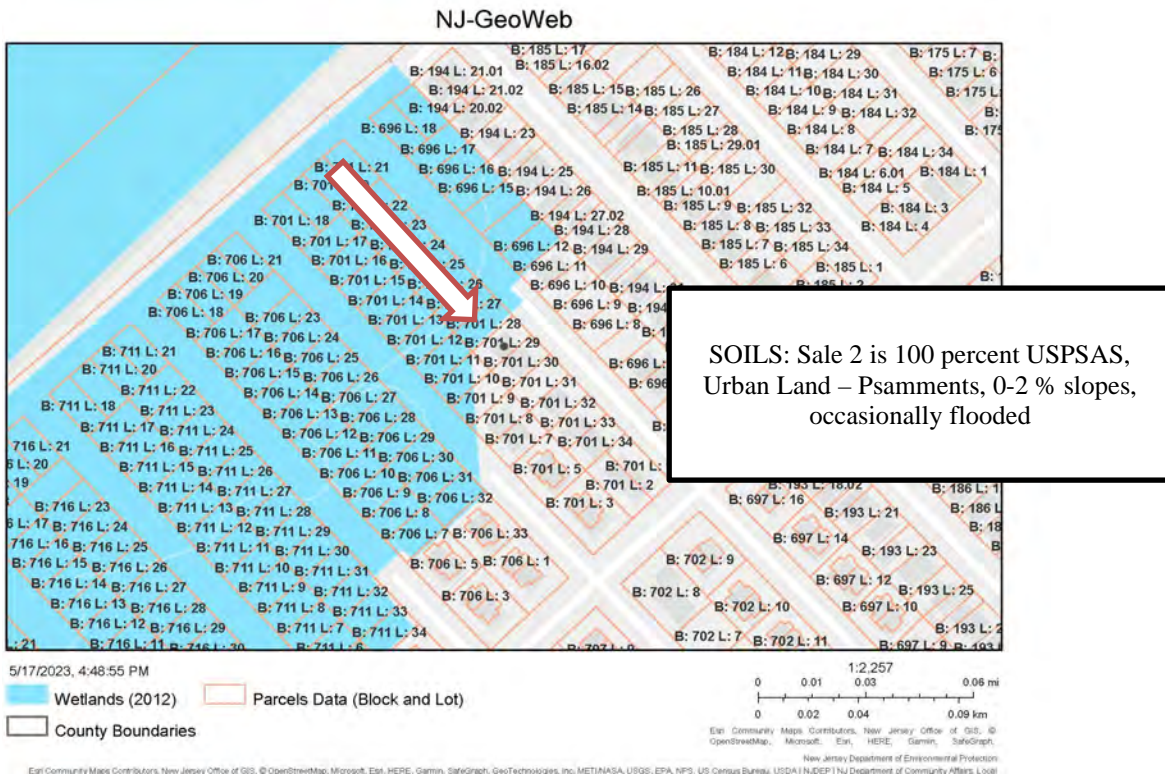


Comparable sale two, continued

FEMA Flood Map



NJ Geo Web Wetlands Map



Comparable sale three

Location:	502 Mallow Road Villas Lower Township, NJ
Block/Lot:	512.03/ 2876
Distance from subject:	4.7 miles
Sale price:	\$15,000
Deed date:	March 7, 2022
Deed book/page:	4044/781
Grantor:	Beverly A. Callahan
Grantee:	503 Mallow Road LLC (50%) & Jill M. Connell & Beate A. Pohlig, married couple (50%)
Financing:	Cash
Property rights conveyed:	Fee simple
Confirmed with:	Buyer
Site:	Rectangular, 5,000 square feet
Topography:	Dune, gentle slope
Wetlands:	100 percent
Soils:	HorDr, Hooksan sand
Utilities:	Public
Zoning:	R3, Residential
Improvements:	None
Highest & best use as of sale date:	Recreation land
Flood Zone:	Zone A5 and Zone B (Elevation 9 feet) Panel 3401530003B (effective 2/2/1983)
Tax Map:	Page 3.09

Comments: This parcel has 50 feet fronting Mallow Road, and a depth of 100 feet. It is a dune with foliage contiguous with similar dune parcels. The buyer owns a dwelling across the street at 503 Mallow Road. SR1a indicates a usable sale. This is considered a good reflection of market value for recreation land.

Comparable sale three, continued

Tax Map



Comp Picture
502 Mallow Road, Lower Township, NJ (Villas) looking southward

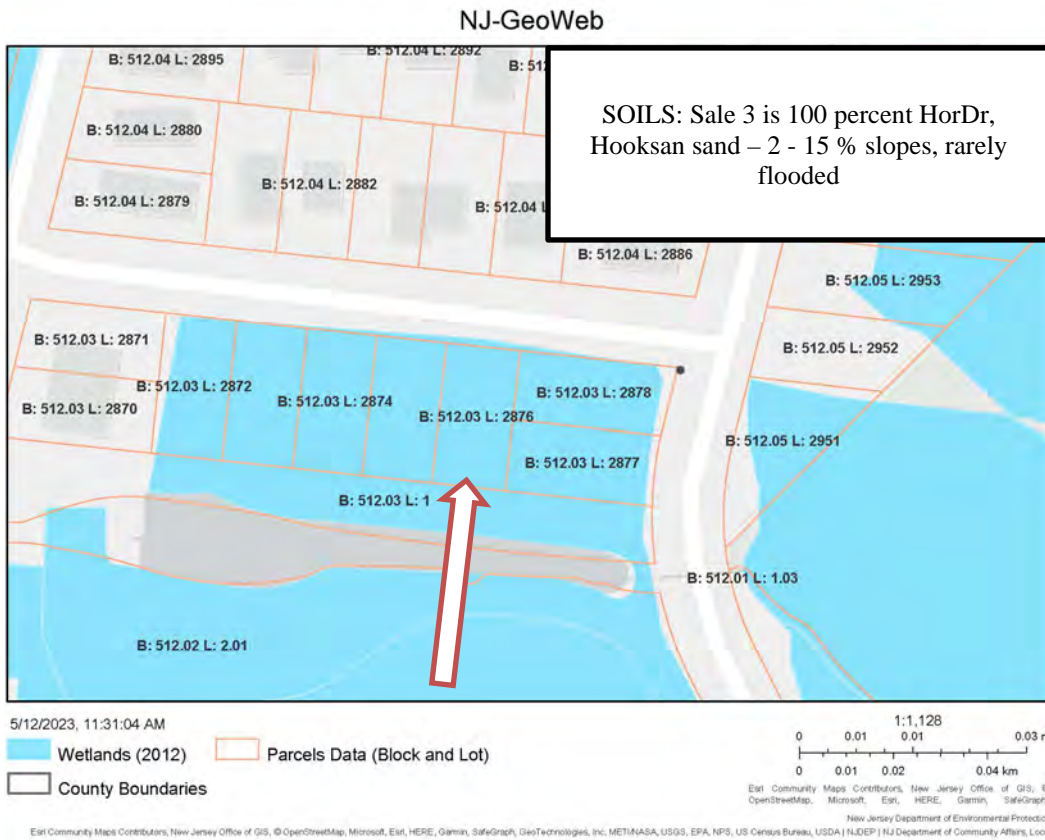


Comparable sale three, continued

FEMA Flood Map



NJ Geo Web Wetland Map



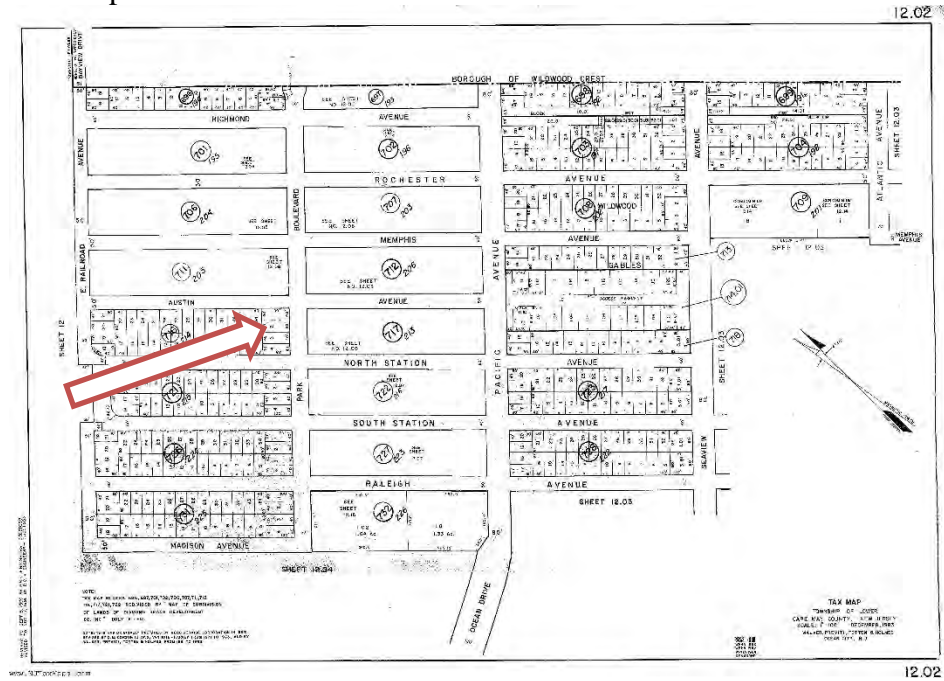
Comparable sale four

Location:	Near Park Boulevard & West Austin Avenue Diamond Beach Lower Township, NJ
Block/Lot:	716/ 2
Distance from subject:	4 miles
Sale price:	\$4,000
Deed date:	March 8, 2022
Deed book/page:	4045/299
Grantor:	Andrew B. Goldner
Grantee:	John F. Mita Trust for the Family of Eustace W. Mita
Financing:	Cash
Property rights conveyed:	Fee simple
Confirmed with:	Attorney for buyer
Site:	Rectangular, 4,000 square feet
Topography:	Marsh, level
Wetlands:	100 percent
Soils:	USPSAS, Urban Land
Utilities:	Public
Zoning:	R4, Residential
Improvements:	None
Highest & best use as of sale date:	Recreation land
Flood Zone:	Zone A7 (Elevation 10 feet) Panel 3401530008B (effective 2/2/1983)
Tax Map:	Page 12.02

Comments: This parcel has 40 feet fronting the unimproved southern end of Park Boulevard, and a depth of 100 feet. It is a marsh. The buyer owns hotels on the beachfront and is exploring the idea of using this lot for parking. SR1a indicates a usable sale, but incorrectly identifies Lot 1 instead of Lot 2. This is considered a good reflection of market value for recreation land.

Comparable sale four, continued

Tax Maps



Comparable sale four picture
Park Boulevard & West Austin Avenue, Lower Township, NJ (Diamond Beach)
Looking westward



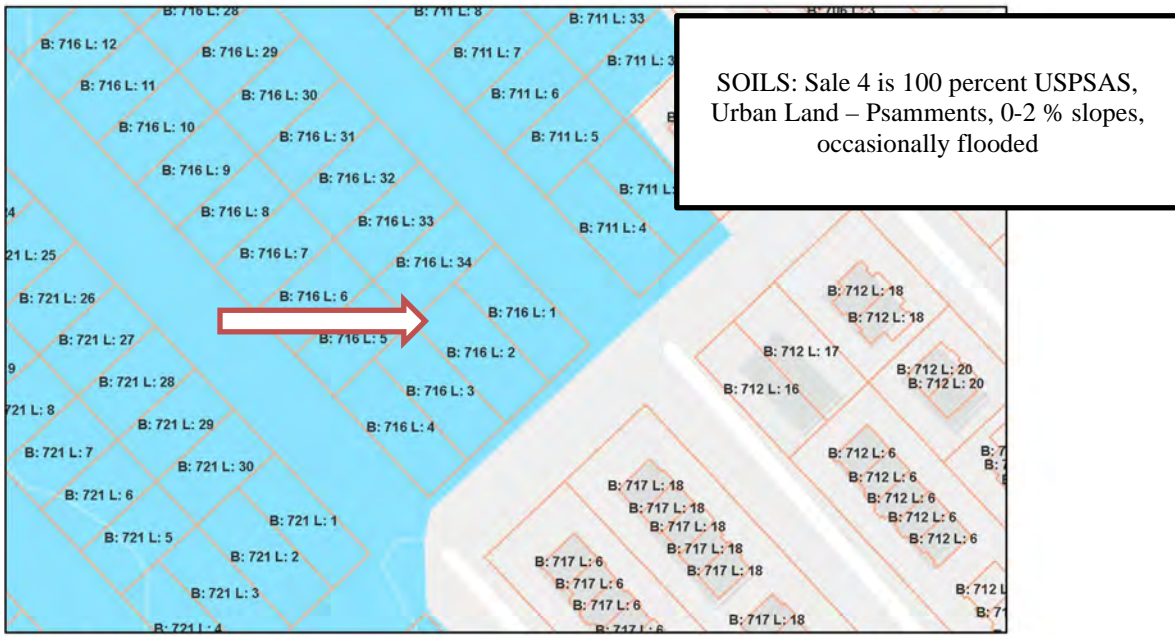
Comparable sale four, continued

FEMA Flood Map



NJ Geo Web Wetlands and Soils Map

NJ-GeoWeb



SOILS: Sale 4 is 100 percent USPSAS, Urban Land – Psamments, 0-2 % slopes, occasionally flooded

5/12/2023, 10:13:31 AM

Wetlands (2012) Parcels Data (Block and Lot)
County Boundaries

1:1,128
0 0.01 0.01 0.03 mi
0 0.01 0.02 0.04 km

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Comparable sale five

Location:	305 East Hudson Avenue Villas Lower Township, NJ
Block/Lot:	83/ 3-6
Distance from subject:	6 miles
Sale price:	\$5,000
Deed date:	July 27, 2022
Deed book/page:	3924/ 639
Grantor:	John M. Keepler
Grantee:	David Christy and Sara Christy, h/w
Financing:	Cash
Property rights conveyed:	Fee simple
Confirmed with:	Buyer
Site:	Rectangular, 12,000 square feet
Topography:	Forest, level
Wetlands:	27 percent
Soils:	50% Fort Mott sand, 0-5% slopes 50% HbmB, Hammonton, loamy sand, 0-5% slopes
Utilities:	Public
Zoning:	R4, Residential
Improvements:	None
Highest & best use as of sale date:	Recreation land
Flood Zone:	Zone B and Zone A5 (Elevation 9 feet) Panel 3401530001B (effective 2/2/1983)
Tax Map:	Page 2.03

Comments: This parcel has 120 feet fronting the unimproved eastern end of Hudson Avenue, and a depth of 100 feet. It was mostly forest. The upland is an estimated 73 percent of the site, and the soil is favorable for development. However, a 50 to 150 foot wetland buffer would prohibit development. The buyer owns the adjacent residential property and acquired the land for recreation purposes. SR1a indicates a non-usable private sale. However, the seller and buyer negotiated directly and were not related. This is considered a good reflection of market value for recreation land.

Comparable sale five, continued

Tax Map



Comparable no. five picture
305 E Hudson Avenue, Lower Township NJ (Villas)
Looking eastward



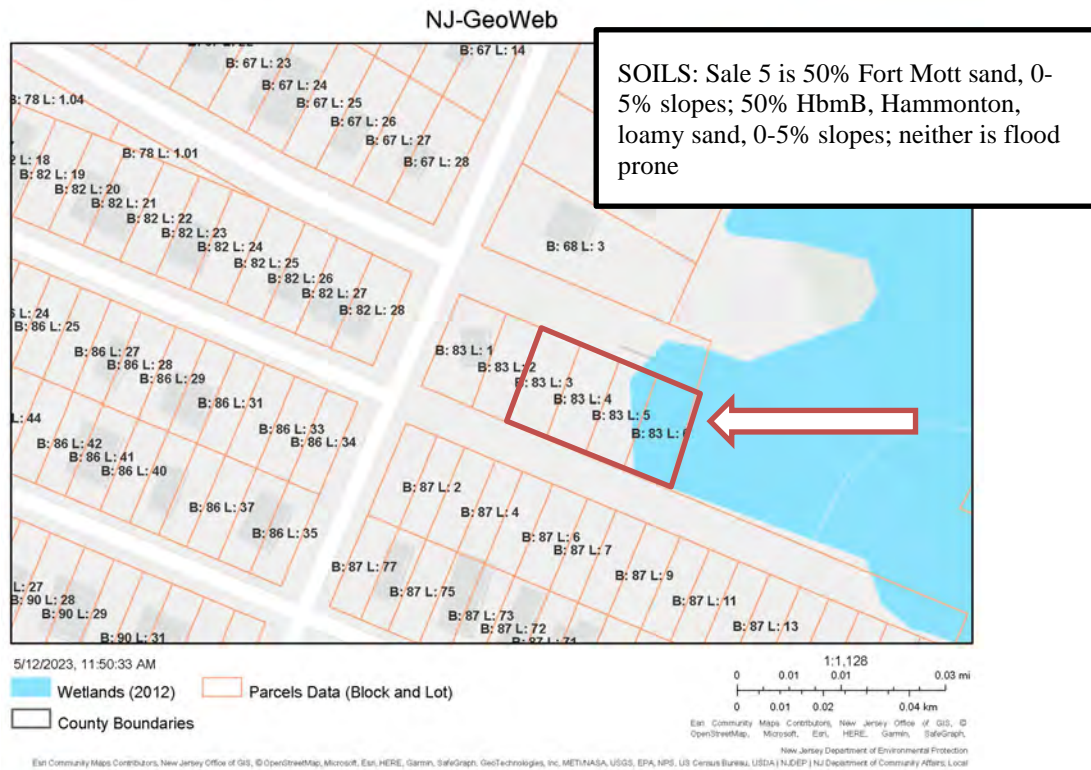
May 31, 2023

Comparable sale five, continued

FEMA Flood Map



NJ Geo Web Wetlands



Comparable sale six

Location:	941 Fay Street Erma Lower Township, NJ
Block/Lot:	462/ 8 - 10
Distance from subject:	5 miles
Sale price:	\$3,500
Deed date:	May 22, 2019
Deed book/page:	3872/ 586
Grantor:	Helen Sandra Hargis, Executrix, Est of Janet F. Blackmore
Grantee:	James D. Pena & Tina J. Pena, his wife
Financing:	Cash
Property rights conveyed:	Fee simple
Confirmed with:	Attorney for the Estate
Site:	Rectangular, 15,000 square feet
Topography:	Marsh
Wetlands:	36 percent
Soils:	75% Berryland & Mullica soils, 0-2 % slopes 25% HbmB, Hammonton loamy sand, 0-5% slopes
Utilities:	Public
Zoning:	R3, Residential
Improvements:	None
Highest & best use as of sale date:	Recreation land
Flood Zone:	Zone B Panel 3401530002B (effective 2/2/1983)
Tax Map:	Page 5.02

Comments: This parcel has 150 feet fronting Fay Street, and a depth of 100 feet. It was marsh and 1/3 wetland. A 50 to 150 foot wetland buffer would prohibit development. The buyer owns the nearby residential property and acquired the land for recreation purposes. SR1a indicates a non-usable sale. However, the seller and buyer negotiated directly and were not related. The sale price was reportedly based on the assessment of \$4,500 minus \$1,000. This is considered a good reflection of market value for recreation land.

Comparable sale six, continued

Tax Map



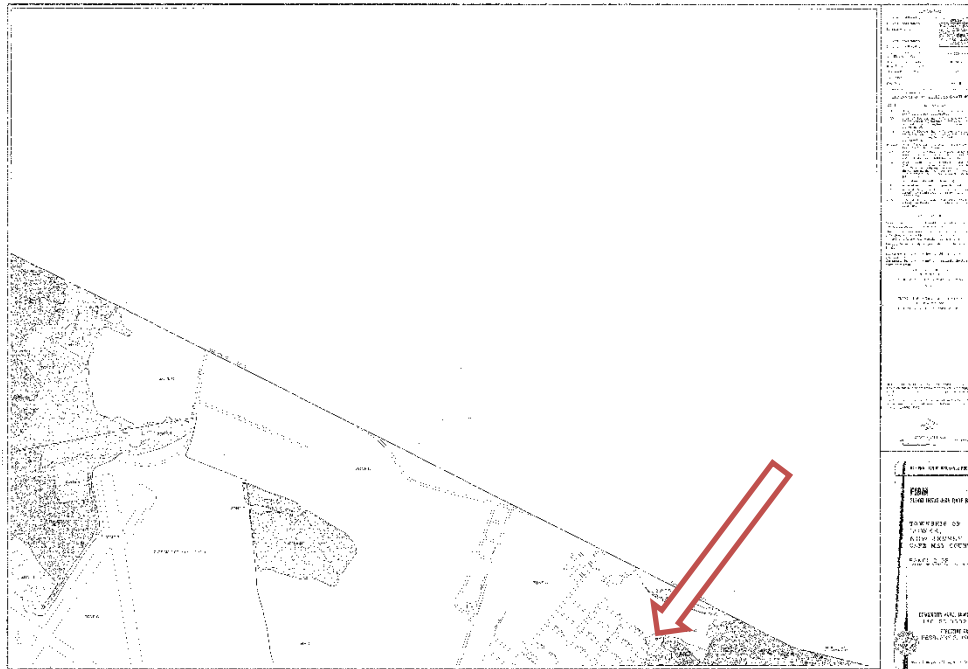
Comparable sale five picture

941 Fay Avenue, Lower Township, NJ (Erma) looking northeast



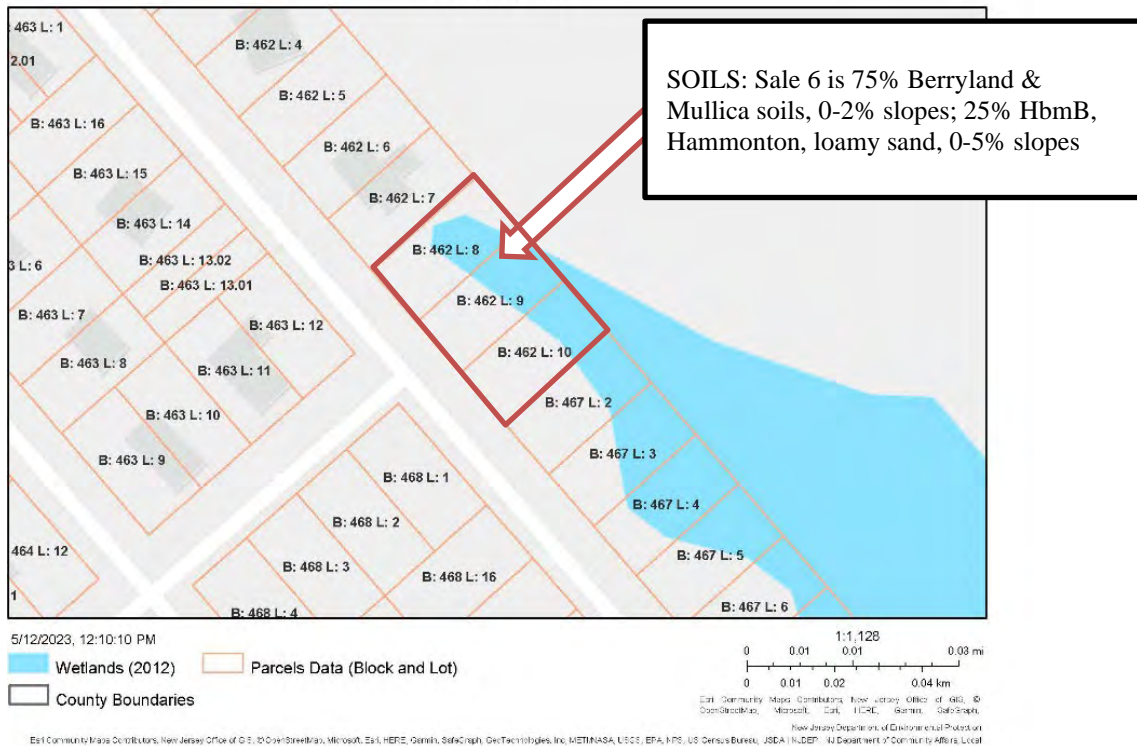
Comparable sale six, continued

FEMA Flood Map



NJ Geo Web Wetlands

NJ-GeoWeb



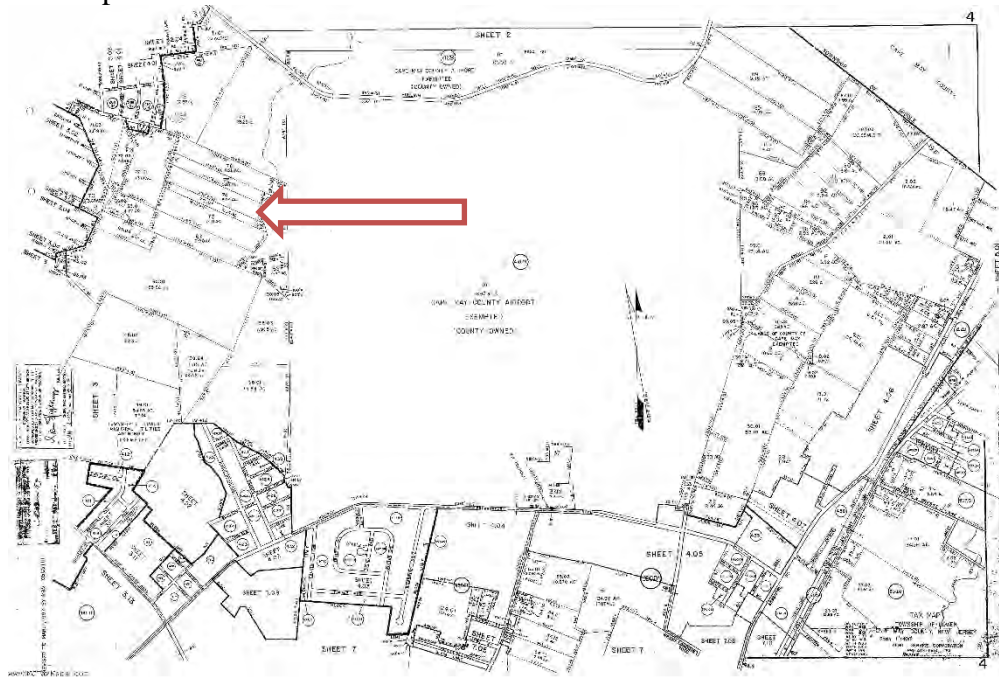
Comparable sale seven

Location:	Landlocked, west of Cape May County Airport Erma Lower Township, NJ
Block/Lot:	410.01/ 74
Distance from subject:	5 miles
Sale price:	\$14,000
Deed date:	September 13, 2018
Deed book/page:	3813/ 250
Grantor:	Vasyl Kavatsiuk and Maria Kavatsiuk
Grantee:	Bayshore Sportsman Club
Financing:	Cash
Property rights conveyed:	Fee simple
Confirmed with:	Buyer
Site:	Almost rectangular, 8.04 acres, 350,222 square feet
Topography:	Forest, assumed generally level like adjacent land
Wetlands:	100 percent
Soils:	Mostly BEXAS; some HbmB, Hammonton
Utilities:	None
Zoning:	I, Industrial
Improvements:	None
Highest & best use as of sale date:	Recreation land
Flood Zone:	Zone A5 (Elevation 9 feet) Panel 3401530001B (effective 2/2/1983)
Tax Map:	Page 4

Comments: Deed indicates 1,543.04 x 229 x 1,525.52 x 231.16 feet and 8.04 acres of woodlands. (The tax map indicates 8.44 acres) It is 100 percent wetlands. Soils are prone to occasional flooding. It is landlocked and cannot be developed. The buyer owns the adjacent land used for hunting and other recreation purposes. SR1a indicates a usable sale. The seller and buyer negotiated directly and were not related. This is considered a good reflection of market value for recreation land.

Comparable sale seven, continued

Tax Map



Comparable sale seven picture

Landlocked, west of Cape May County Airport and east of Tennessee Avenue street-end
Looking eastward

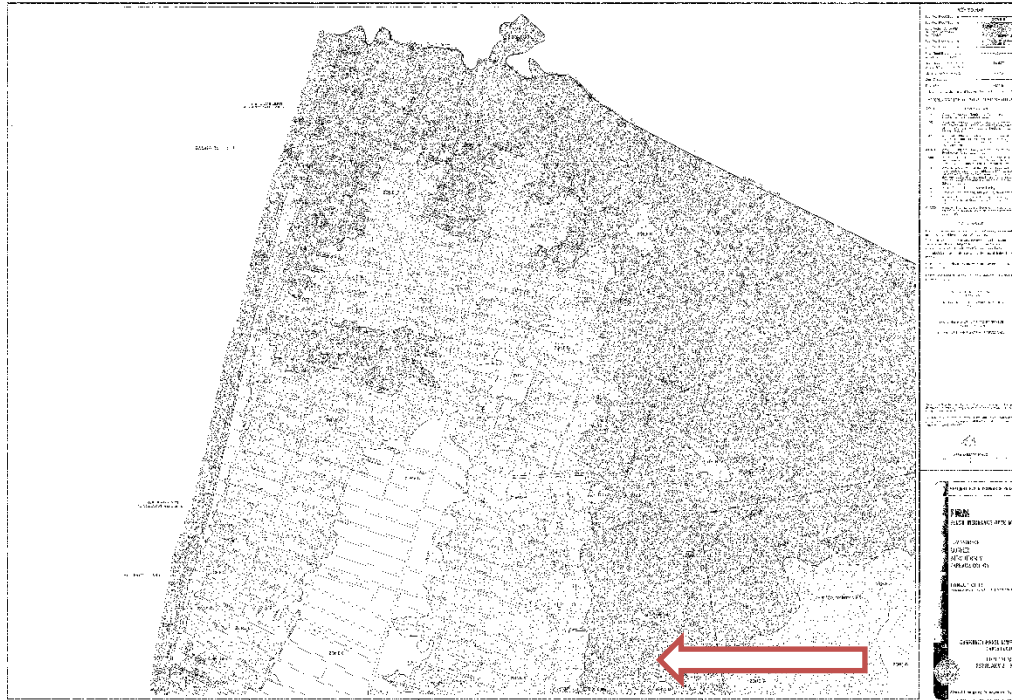


Sale property is over a 1,000 LF east of this street end

May 31, 2023

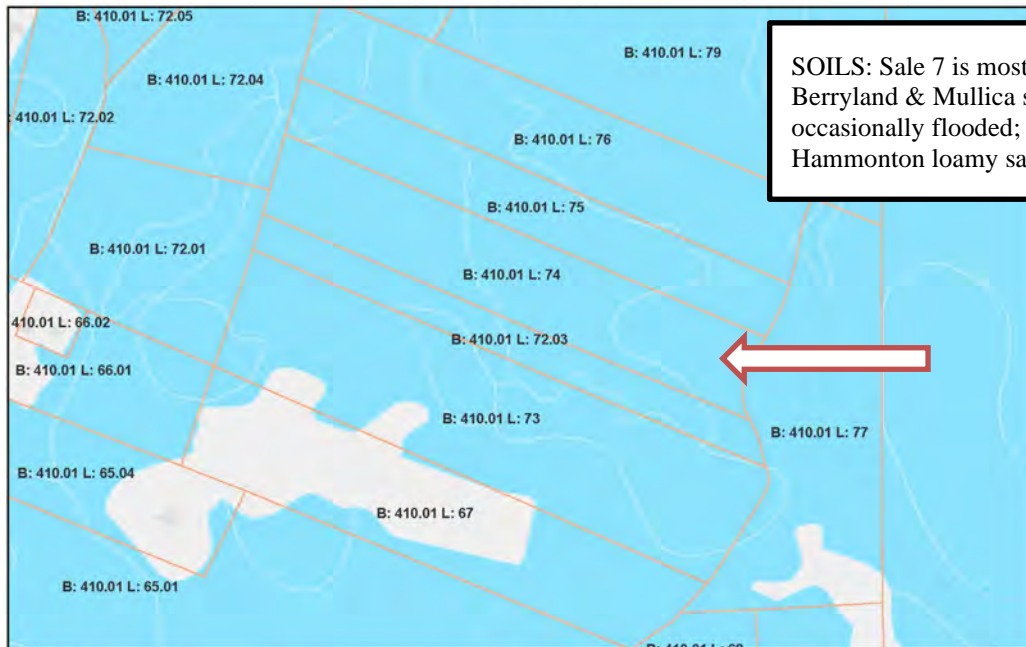
Comparable sale seven, continued

FEMA Flood Map



NJ Geo Web Wetlands

NJ-GeoWeb



SOILS: Sale 7 is mostly BEXAS, Berryland & Mullica soils, 0-2% slopes, occasionally flooded; some HbmB, Hammonton loamy sand, 0-5 slopes

5/12/2023, 11:16:15 AM

Wetlands (2012) Parcels Data (Block and Lot)
County Boundaries

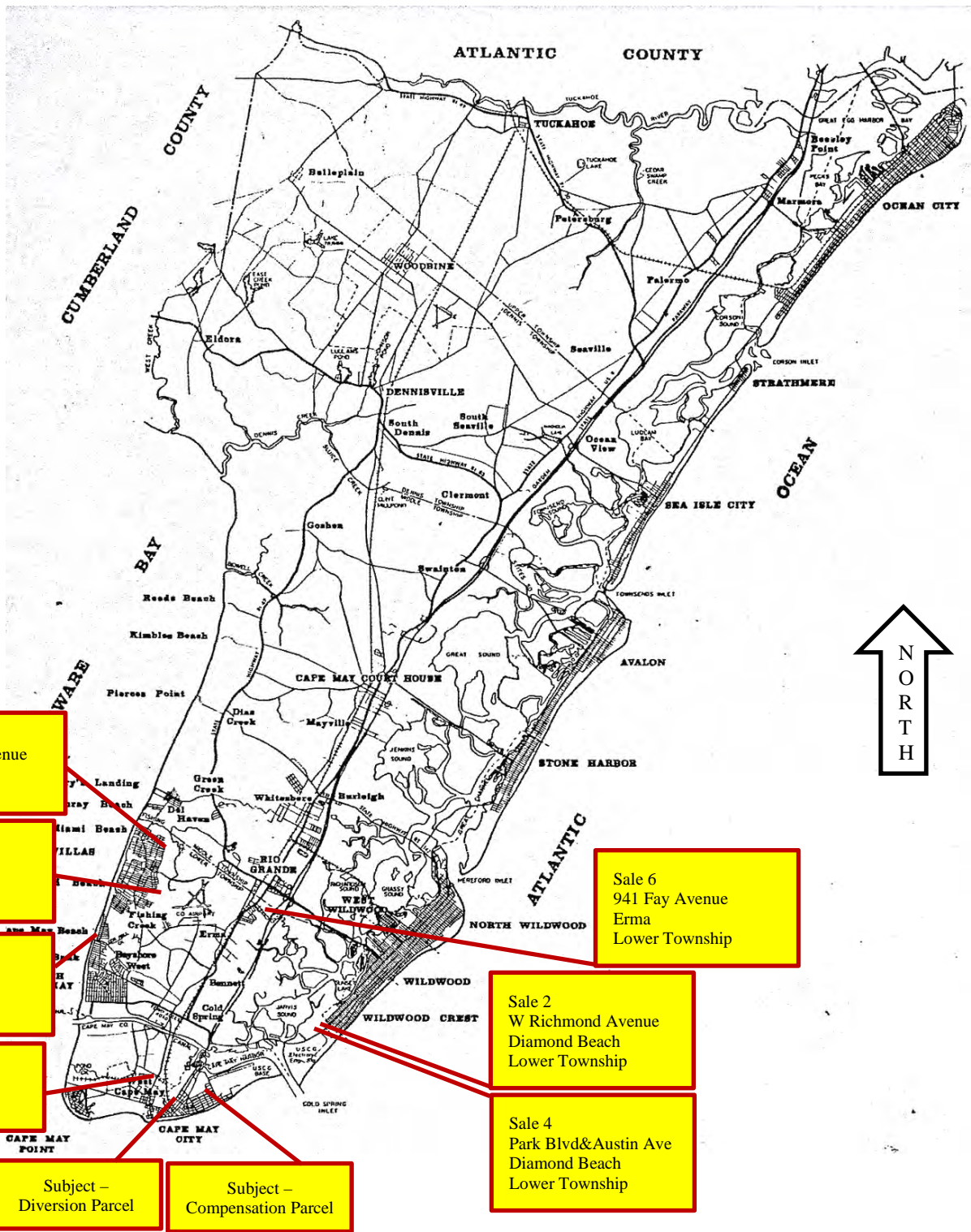
1:4,514
0 0.03 0.06 0.12 mi
0 0.05 0.1 0.19 km

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Sales comparison approach diversion land – summary table

	<u>SUBJECT 1</u>	<u>COMP 1</u>	<u>COMP 2</u>	<u>COMP 3</u>	<u>COMP 4</u>	<u>COMP 5</u>	<u>COMP 6</u>	<u>COMP 7</u>
Address		Stimpson Lane	W Richmond Ave (Diamond Beach)	502 Mallow Road (Villas)	Park Blvd & Austin Ave (Diamond Beach)	305 E Hudson Ave (Villas)	941 Fay Avenue (Erma)	Landlocked, West of CMC Airport
	Multiple properties Cape May	West Cape May	Lower Twp	Lower Twp	Lower Twp	Lower Twp	Lower Twp	Lower Twp
Block/Lot		56/21.01	701/28	512.03/2876	716/ 1 & 2	83/ 3-6	462/ 8,9,10	410.01/74
Distance to the subject	-	3/4 mile	4 miles	4.7 miles	4 miles	6 miles	5 miles	5 miles
Sale Price	-	\$5,000	\$6,000	\$15,000	\$4,000	\$5,000	\$3,500	\$14,000
Post sale adjustment	-	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Sale price adjusted	-	\$5,000	\$6,000	\$15,000	\$4,000	\$5,000	\$3,500	\$14,000
Deed date		Jan-19	Jan-21	Mar-22	Mar-22	Jul-20	May-19	Sep-18
Grantor	-	Catherine Petz	Prestige RE LLC	Beverly A Callahan	Andrew P Goldner	John Keepler	Est. J F. Blackmore	V & M Kavatsiuk
Grantee	-	Matthew Diedrich	120 W Richmond LLC	503 Mallow Rd LLC	John F Mita Trust	C & S Christy	Jas Pena & Tina Pena	Bayshore Sportsman
Deed Book/Page	-	3836/11	3959/258	4044/781	4045/299	3924/639	3872/586	3813/250
TRANSACTIONAL ADJUSTMENTS:								
Property Rights	Fee	Fee	Fee	Fee	Fee	Fee	Fee	Fee
Financing	-	Cash	Cash	Cash	Cash	Cash	Cash	Cash
Condition of Sale	-	Normal	Normal	Normal	Normal	Normal	Normal	Normal
Market Conditions	-	Level	Level	Level	Level	Level	Level	Level
Adjusted Sale Price	-	\$5,000	\$6,000	\$15,000	\$4,000	\$5,000	\$3,500	\$14,000
Adj. SP/ Per SF site area	-	\$1.91	\$1.88	\$3.00	\$1.00	\$0.42	\$0.23	\$0.04
Adj. SP/ Per acre site area	-	\$83,333	\$81,675	\$130,680	\$43,560	\$18,150	\$10,164	\$1,741
COMPARATIVE ADJUSTMENTS:								
Location	Residential	Residential	Residential	Residential	Residential	Residential	Residential	Forest
Corner	-	No	No	No	Yes	No	No	No
Frontage	-	12.32	40	50	80	120	150	None
Site size - SF	Multiple properties	2,614	3,200	5,000	4,000	12,000	15,000	350,222
Site size - acreage	Multiple properties	0.06	0.07	0.11	0.09	0.28	0.34	8.04
Adjustments:	-	0%	0%	0%	0%	0%	0%	0%
Topography	-	Level, clear	Marsh	Dune	Marsh	Forest	Marsh	Wooded wetland
Wetlands		0%	0%	100%	100%	27%	36%	100%
Zoning	Residential	R-5	R-4	R-3	R-4	R-3	R-3	Industrial
H and B Use	Recreation land	Recreation land	Recreation land	Recreation land	Recreation land	Recreation land	Recreation land	Recreation land
Net adjustments:	-	0%	0%	0%	0%	0%	0%	0%
Adjusted SP	-	\$5,000	\$6,000	\$15,000	\$4,000	\$5,000	\$3,500	\$14,000

Sales location map – Diversion Land



Correlation – Diversion Land

There is a scarcity of recreation land sales, such that it was necessary to expand the search to include sales going back to 2018 and throughout neighboring West Cape May and Lower Township. Seven sales of recreation land were developed.

The sales were previously described in detail. They share the same highest and best use because legally and or physically, they cannot be developed. Given such low economic utility, use is limited to, for example, access, curtilage, cultivation, hiking, or hunting AKA recreation use.

Post-sale adjustments

No post sale adjustments were made.

Units of comparison

The sales must be analyzed to determine which units of comparison indicate the least amount of variance when applied to the comparable sales.¹

<u>Sale no.</u>	<u>Size, SF</u>	<u>Price</u>	<u>Price/SF</u>	<u>Price/acre</u>
1	2,614	\$5,000	\$1.91	\$83,333
2	3,200	\$6,000	\$1.88	\$81,675
3	5,000	\$15,000	\$3	\$130,680
4	4,000	\$4,000	\$1	\$43,560
5	12,000	\$5,000	42 cents	\$18,150
6	15,000	\$3,500	23 cents	\$10,164
7	350,222	\$14,000	4 cents	\$1,741

Overall price reflects a range from \$3,500 to \$15,000 and a variance of 77 percent. Price per square foot of site area reflects \$.04 to \$3 and a variance of 99 percent. Price per acre also reflects a variance of 99 percent.

Verification of the comparable sales with parties to the transactions indicates that sellers and/or buyers view price as nominal consideration for land that has minimal utility.

Based on the preceding, the value is analyzed based on overall price.

Transactional adjustments

Property rights conveyed are comparable for all sales and the subject. *Condition of sale* for all the sales is considered typical of the local market. *Financing* is cash for all sales. The sales are dated 2018 through 2022 with no apparent price trends. *Market conditions* are considered flat as prices for recreation land are associated with low utility and an

¹ The Appraisal of Real Estate, 15th Edition, page 359-360

inactive niche in the market. Given the preceding, no transactional adjustments were required.

Analysis and conclusion

In a typical appraisal, comparative adjustments are considered for differences that effect economic utility attributable to location, size, frontage, topography, wetlands, etc. The subject and the sales represent very low utility properties, so these differences do not have a measurable impact on price.

Adjacent owners acquired all sales, except for sale four. A comparison of sale four with sales 1 – 3, 5-7 indicates price was not impacted by assemblage or plottage, which makes sense when utility is understood to be extremely limited.

Sale three is a dune across the street from the buyer's dwelling. The dune is protected and cannot be used, other that to look at or over, and the buyer was able to do that before buying the lot. The sale price was higher than the other sales for no identifiable reason.

Sale seven is landlocked, but the buyer's adjacent land is not. This sale is useful as it demonstrates how larger acreage does not impact price among low utility recreation land sales.

The subject diversion parcels combine for 5,949 square feet of recreation land that could be acquired to expand the adjacent park. This type of utility is best reflected in comparables sales one, five and six. These sales reflect prices of \$5,000, \$5,000, and \$3,500 for 2,614, 12,000, and 15,000 square foot sites, respectively.

Based on this, the estimated value of the subject diversion parcel (both Lots = 5,949 square feet) is \$5,000.

The estimated value of the diversion land is \$5,000, reflecting \$36,496 per acre.

SALES COMPARISON APPROACH – COMPENSATION LAND

The highest and best use of the Compensation Parcels is recreation land.

The sales comparison approach is explained in the previous section entitled Valuation Process.

The same sales of similar non-developable recreation land are used to value the recreation land of the compensation parcels. The entire analysis is incorporated by reference and the conclusions are as follows.

The Compensation Parcels valued as recreation land are between .143 and 1.819 acres. Recreation use consists of hiking and the observation of plants and wildlife.

The valuation analysis on the prior page for the Diversion Parcel recognizes that land size does not have a consistent and measurable impact on price. Price varies between \$3,500 and \$15,000.

Sale three is a dune with foliage and sale seven is part of a hunting ground. Sales one and five are marsh. Sales two, four, and six are wetland/marsh similar to the subject compensation parcels and they reflect between \$6,000, \$4,000, and \$3,500, respectively. Based on this, the subject compensation parcels are valued at \$5,000 each. The value estimates are summarized as follows.

Block 1163, Lot 7 – 1.265 acres - \$5,000

Block 1164, Lot 6 – 1.245 acres – 1.105 acres net of riparian claim - \$5,000

Block 1165, Lot 6 – 1.814 acres - \$5,000

Block 1165, Lot 1 - .143 acres - \$5,000

Block 1167, Lot 2 – 1.241 acres - \$5,000

Block 1168, Lot 2 – .899 acres - \$5,000

The sum of the compensation parcel market value estimates is \$30,000.

The combined size is 6.607 acres – 6.467 net of riparian claim. The compensation land value estimate of \$30,000 reflects \$4,639 per acre (net of riparian claim).

RECONCILIATION

Since only one approach was used, there is no need to reconcile multiple value indications.

The highest and best use of the diversion land is recreation use.

The highest and best use of the compensation land is recreation use.

The sales comparison approach is developed using recreation land sales. Recreation land has low economic utility and there is minimal demand. Rarely will such sales involve brokerage, the multiple listing service, or other marketing efforts. Sales typically are direct and the buyer is the owner of land adjacent to or within close proximity. Buyers have no reason to purchase other than for buffer or recreation. In most cases, they can enjoy the buffer or recreation use without purchasing. Consideration paid is not based on development potential and is nominal. There is no active market for this type of property. Demand is not great enough for appreciation. Given the preceding, adjustments for appreciation or physical differences are unsupported and illogical. In summary, comparable sales of small recreation land provide a technically adequate sales comparison approach. The results are summarized below.

Diversion land

Block 1061, Lots 44 & 47 - .137 acres – \$5,000, reflects \$36,496 per acre.

Compensation parcels – summary of value estimates

Block 1163, Lot 7 – one acre - \$5,000

Block 1164, Lot 6 – one acre - \$5,000

Block 1165, Lot 6 – one acre - \$5,000

Block 1165, Lot 1 - .143 acres - \$5,000

Block 1167, Lot 2 – one acre - \$5,000

Block 1168, Lot 2 – .72 acres - \$5,000

The sum of the compensation parcel values is \$30,000.

There is a combined 6.607 acres – 6.467 net of riparian claim acres. The compensation land value of \$30,000 reflects \$4,639 per acre (net of riparian claim).

For the subject property Diversion Land and Compensation Land, the appraisal assumes the subject properties are clean and free from environmental contamination and debris, and if this is not true, the assignment results may be affected. NOTE: Relating to the Diversion Land, there is a history of environmental contamination impacting land adjacent to the diversion parcels which is discussed in the appraisal report, but the diversion land itself is assumed clean and free of contamination.

Exposure time and marketing time

Reasonable exposure time is the estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

Reasonable marketing time is the amount of time it might take to sell a real interest at the concluded market value level during the period immediately after the effective date of the appraisal.

Sales of recreation land are typically direct without exposure to the market through a broker or the MLS. There is no exposure data to gauge exposure time. However, based on the relatively low prices paid for recreation land, once a seller decides to sell, a buyer is likely to be found within a short period of time. Often, sellers will reach out to land conservation programs if they want to sell expeditiously. Exposure time is estimated to be less than 12 months.

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J. P. BAINBRIDGE & ASSOCIATES, INC.

Real Estate Appraisers ♦ Consultants
6 Woodland Road, Cape May Court House, NJ 08210
(609) 465-9978 (Tel) • (609) 465-9969 (Fax)

January 23, 2023

City of Cape May
c/o Michael F. Floyd, Esquire
Archer & Greiner P.C.
One Centennial Square
Haddonfield, NJ 08033

Re: Sewel Tract (Compensation parcel)
Block 1163, Lot 7; Block 1164 Lot 6; Block 1165 Lot 1; Block 1165 Lot 6; and
Block 1167 Lot 2; and, Block 1168, Lot 2 (4.86 acres combined)
Cape May, New Jersey
Probable use: residential development

St. John Street (Diversion or disposal parcel)
Block 1061, Lots 44 and 47 (.14 acres)
Cape May, New Jersey
Probable use: residential development

Dear Mr. Floyd:

I will appraise the above-captioned properties for the purpose of estimating the market value of the real estate. The intended use is for a land diversion application. The client is the City of Cape May, NJ. The intended users are Michael F. Floyd, Esquire, Special Counsel, and the City of Cape May.

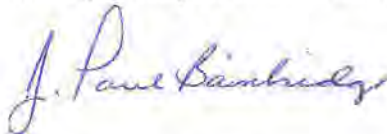
The Diversion/Disposal Parcel and the Compensation parcel will be appraised based on their respective highest and best use. All properties are zoned for residential use. A small portion of the disposal parcel encumbered by a Federal restriction will not be included. The appraisal reports will be prepared in accordance with *USPAP* and the *Green Acres Appraisal Standards*.

The appraisal fees for two separate reports are:

4.86 acres – Sewel Tract (Compensation parcel)	\$ 5,000
0.14 acres – St. John Street (Diversion parcel)	\$ 3,500

If you have further questions, please contact me.

Thank you for your consideration.



J. Paul Bainbridge, MAI
SCGREA 42RG00073500

jpbain@comcast.net

From: Floyd, Michael F. <mffloyd@archerlaw.com>
Sent: Wednesday, October 9, 2024 1:36 PM
To: jpbain@comcast.net
Cc: Sarubbi, Vincent P.; 'Christopher Gillin-Schwartz'
Subject: RE: [EXT MAIL] SHC0502001 - Diversion Compensation Land appraisal inspection

Paul,

Please allow this email to confirm that the City waives its right to receive a certified letter of notification.

Regards,

Mike

Michael F. Floyd, Esq.

Archer & Greiner P.C.
1025 Laurel Oak Road
Voorhees, NJ 08043
856-616-6140
mffloyd@archerlaw.com
www.archerlaw.com



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From: jpbain@comcast.net <jpbain@comcast.net>
Sent: Wednesday, October 9, 2024 1:31 PM
To: Floyd, Michael F. <mffloyd@archerlaw.com>
Cc: Sarubbi, Vincent P. <vsarubbi@archerlaw.com>
Subject: [EXT MAIL] SHC0502001 - Diversion Compensation Land appraisal inspection

Mike,

Per Green Acres Appraisal Guidelines, I am required to send a certified letter to the property owner giving them notice of the appraisal and the need to arrange an inspection, as well as the option to accompany me on the inspection. We covered this a long time ago at the start of this process.

In this case, the property owner is my client and the applicant. The Green Acres Review Appraiser has acknowledged this and indicated that this email with your email

response granting approval to waive the certified letter of notification is adequate. A copy of the email response must be part of the appraisal addenda.

Please provide your email response on behalf of Cape May City.

Thank-you,

Paul

J. Paul Bainbridge, MAI
State Certified General Real Estate Appraiser
J P Bainbridge & Associates, Inc.
*Appraiser * Consultant*
6 Woodland Road
Cape May Court House, NJ 08210
(609) 465-9978 * Fax (609) 465-9969

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION

GREEN ACRES PROGRAM



APPRAISAL REPORT CHECKLIST

REVIEW CHECKLIST FOR CONFORMANCE WITH GREEN ACRES APPRAISAL REQUIREMENTS ("GA-AR")

Offer or Owner # _____ Property ID: SHC-0502001

Property Owner: Cape May City Appraiser: J Paul Bainbridge, MAI, SCGREA

NOTIFICATION OF PARTIES -

Owners/Agent properly notified; Certified Letter & Proof in Addendum

USPAP/APPRaisal INSTRUCTIONS

Appraisal was prepared in full accordance with USPAP requirements, and in accordance with Appraisal Instructions and GA-AR

TITLE PAGE

1. Green Acres Project Name; Reference, Offer, OR Owner Number
2. Name of Property Owner
3. Identification by Address, Municipality, County, State, Zip Code, Block and Lot
4. Total Acres and/or Square Feet of the Subject Site and Improvements
5. Acreage and Interest Being Acquired
6. Date of Valuation
7. Report Date
8. Identification of the Appraiser (*Name, Address, Phone, Fax, and Email*)

LETTER OF TRANSMITTAL

1. Project reference, offer number, or owner number
2. Identification of the subject property; Strengths and Weaknesses of the subject property; report date (updated upon any changes to the report); effective date; the market value opinion; and appraiser's signature(s).

TABLE OF CONTENTS

1. References required sections to specifically identified pages.
2. Each consecutively numbered; all pages should be numbered including the Addenda

SUMMARY OF SALIENT FACTS AND CONCLUSIONS INCLUDED AND APPROPRIATE

1. Following this section should be a representative tax map and subject photo

SIGNED CERTIFICATION (per USPAP) INCLUDED

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS INCLUDED

Note: There cannot be any limitation to the appraiser's liability other than what is provided for by law. For example, the liability cannot be limited to the amount of the professional fee.

IDENTIFICATION OF THE INTENDED CLIENT AND ANY OTHER INTENDED USERS

IDENTIFICATION OF THE INTENDED USE OF THE REPORT AND CONCLUSIONS

IDENTIFICATION OF THE RIGHTS OR INTEREST BEING ACQUIRED

IDENTIFICATION OF THE TYPE AND DEFINITION OF VALUE

Note: Uses correct definition for Market Value

EXTRAORDINARY ASSUMPTIONS IDENTIFIED

Note: Extraordinary Assumptions **ARE NOT PERMITTED** without specific written instructions from the Green Acres Program.

HYPOTHETICAL CONDITIONS IDENTIFIED

NOTE: Hypothetical Conditions **ARE NOT PERMITTED** without specific written instructions from the Green Acres Program.

SCOPE OF WORK

The Scope of Work fully describes the work and research executed in the completion of the specific assignment in compliance with USPAP.

DATE OF INSPECTION AND PERSONS IN ATTENDANCE MUST BE INCLUDED

HISTORY OF THE PROPERTY

Previous five (5) years for Green Acres assignments;
Previous TEN (10) years for UASFLA assignments

REGIONAL/LOCAL/DEMOGRAPHIC/ECONOMIC/MARKET DATA¹

1. Regional Data
2. County Data
3. Municipal Data
4. Neighborhood Data – development trends/development
5. Subject Block / Lot

All information is current, relevant, analyzed, and sourced

SITE DESCRIPTION

Appropriate description of physical characteristics, as per the GA-AR

NOTE: For urban properties, soils maps/descriptions requirement may be waived.

¹ Regional, County, Municipal, and Neighborhood data is not to be solely cut and paste data from unverified sources such as Wikipedia, Zillow, Citi-Data.com, etc. unless supplemented by credible sources (Census Bureau and other federal, state, county, municipal agencies; realtors/MLS sources, etc.). It must be analyzed with respect to the specific appraisal assignment and subject property.

IMPROVEMENT DESCRIPTION

Appropriate description of the improvements, as per the GA-AR

INTEREST BEING ACQUIRED

Entire fee acquisition, partial acquisition, or easement (the full description of the property to be acquired and the remainder in detail). The "Before" and "After" method of valuation shall be used in partial acquisitions, except where the Green Acres Appraisal Section and the appraiser have agreed that it is obvious that there are not damages to the remainder, which must be confirmed in writing.

CURRENT ASSESSMENT AND TAXES/RATE & RATIO STATED AND APPLIED

ZONING

Note: In addition to municipal zoning, were Highlands, Pinelands, and other regulations considered, described, and applied where necessary and required

HIGHEST & BEST USE AS VACANT APPROPRIATELY RESEARCHED, SUPPORTED, EXPLAINED

Were the four tests of Highest and Best Use explored. To simply state, "any of the legally permissible uses" is not acceptable for financially feasible or maximally productive where there are multiple permitted uses.

HIGHEST & BEST USE AS IMPROVED

Were the four tests of Highest and Best use explored and supported?

Note: In cases of a *partial taking*, the appraiser must state the specific Highest and Best Use of the property before the acquisition, as well as the Highest and Best Use of the remainder.

ALL THREE APPROACHES TO VALUE WERE DEFINED – EXPLANATION FOR UNUSED APPROACHES

The appraisal shall define all three approaches to value and shall include all applicable approaches to value. If an approach is not considered applicable, did the appraiser provide appropriate explanation.

COST APPROACH

Did the appraiser provide specific source of cost data, and/or the actual cost data in the Addenda, and offer an explanation of each type of accrued depreciation?

SALES COMPARISON APPROACH

1. Were at least FIVE (5) comparable sales in the report? If not, *an explanation as to why must be provided in the report.*
2. Sales must be verified as per GA-AR.
3. Each comparable sale write-up includes appropriate information/detail as per GA-AR.
4. A grid containing comparable sales indicating categorical adjustments *must* be included.
 - a. The grid *must include* the subject property and its characteristics.
5. The grid *must include* the address of each sale.
6. Is there a narrative explanation for each item of adjustment? *Current* demographic, economic, population, etc. data presented earlier in the report should support many of these adjustments.

INCOME APPROACH

1. Were at least FIVE (5) comparable rentals presented in the report? If not, *an explanation as to why must be provided in the report.*
2. The rentals were presented and analyzed in conformance with the GA-AR.
3. A grid, including the subject property must be included along with a narrative explanation for each item of adjustment, in conformance with GA-AR.

PROJECT IMPACT ON EVALUATION

The appraiser must disregard any decrease/increase in market value of the subject property prior to the date of valuation caused by the public improvement or project for which the property is to be acquired.

EXHIBITS AND ADDENDUM HAVE BEEN INCLUDED IN CONFORMANCE WITH GA-AR

Subject property is clearly identified on maps by virtue of arrow or some other identifying object; typical items required by GA-AR:

1. Tax Map
2. Location Map
3. Comparable Sales/Rental Location Map(s)
4. Wetlands Map & Legend
5. Flood Map & Legend
6. Soils Map & Legend
7. Pertinent section of the zoning map/ordinance
8. Building sketch, if applicable
9. Subject Photographs taken by appraiser at time of assignment
10. Comparable Sales/Rental photographs taken by appraiser
11. Complete Letter of Engagement; written instructions
12. Certified Letter sent to property owners with proof of certification
13. Deed(s), if property transferred within the past 5 years
14. Subject lease, if applicable
15. Any exhibits that are too voluminous to include in the body of the report.
16. Supportive data and source data only as relevant to the subject property. Entire publications that include information not pertinent to the subject or assignment should NOT be included.

Appraiser J Paul Bainbridge

Date 10/10/2024



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF TRANSACTIONS AND PUBLIC LAND ADMINISTRATION
PUBLIC LAND COMPLIANCE SECTION

**Pre-Appraisal Fact Sheet for Diversion/Disposal of
Green Acres Encumbered Parkland**

In order to establish an accurate value for a parcel of land, it is important to have all pertinent information *before* it is appraised. The following questions will allow the Department's review appraiser and the appraisers to be hired by the applicant to have a better understanding of the property. Completion of this fact sheet will streamline the appraisal process, as well as the appraisal review.

This fact sheet must be submitted with the Project Reference Map and approved by the Department **before you hire the appraiser(s)**. The Department will not schedule a pre-bid appraisal meeting or authorize appraisals to begin until this completed Fact Sheet and the Project Reference Map have been submitted and approved by the Department's review appraiser. The Department will issue appraisal instructions after reviewing all submitted documentation.

Please complete a separate Fact Sheet for the diversion/disposal parcel and for the compensation parcel, if applicable. If the appraisal scenario changes from what is described below, corrected information must be submitted immediately to the Department. Please note – hired appraisers MUST be provided with written appraisal instructions, and all appraisals must be performed in accordance with the current Green Acres Appraisal Requirements as found on the Green Acres Program website: www.nj.gov/dep/greenacres/pdf/Green_Acres_Appraisal_Requirements_01-2019.pdf

Please note that properties to be disposed of/diverted must be appraised at their Highest and Best Use or intended use, whichever results in a higher value.

Much of the required information is available on the NJDEP's GeoWeb at www.nj.gov/dep/gis/geoweb splash.htm

GENERAL INFORMATION

Block(s)/Lot(s): 1163/7, 1164/6, 1165/1,6, 1167/2, 1168/2
Street address of property: Sewell Tract
Municipality/County: Cape May City Cape May County
Current Owner: City of Cape May
List any adjacent lots that are under the same ownership:
None

1. Will this be a fee acquisition or an easement ? If an easement, please describe below the type of easement as well as deed restrictions to be placed on the land; Proposed easement language **must** be attached with this Fact Sheet

If less than full public access to the property is proposed, you must show public access area(s) on the Project Reference Map.

2. Is this an entire taking or partial taking ? If a partial taking, please describe the taking and remainder areas in detail and show clearly on the Project Reference Map.
this is a land swap

DESCRIBE THE FOLLOWING PROPERTY DETAILS:

1. Physical characteristics of the property, details of legal road access, any special features. **If sole access to the property is via an easement or agreement with adjoining property owner, documentation must be provided.**
5 rectangular parcels - non-contiguous, frontage on paper streets, .72 to one acre each, wetlands - see below

2. Present use of the property: Recreation land

3. Property Acreage - Total: 6.607; Uplands: .10 Wetlands: 6.507

If freshwater/coastal wetlands are present, note the source used to determine the approximate location and acreage. Please also note any tidelands claims/grants: USFWS National Wetlands Inventory, NJ Geo Web State wetland maps, tideland claims per survey

Note: Location and area of freshwater/coastal wetlands are available from the Department at www.nj.gov/dep/gis or as determined by one of the following sources:

- a. A wetlands delineation verified by the NJDEP (e.g. NJDEP issued Letter of Interpretation (LOI) and Plan);
- b. Freshwater wetlands maps prepared by the NJDEP under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 et seq., if they exist; or
- c. If the documents listed under (a) and (b) above do not exist, U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) maps, in conjunction with County Soil Surveys published by the U.S. Department of Agriculture.

4. Name any **Category One** streams on the site? None

Note: Stream classifications are listed in the Surface Water Quality Standards (SWQS) at N.J.A.C. 7:9B-1.15 (found at www.state.nj.us/dep/rules/). The Department's interactive mapping tool (accessible through www.nj.gov/dep/gis/) is also helpful in identifying stream classifications. Directions on how to use the interactive mapping tool can be found at www.nj.gov/dep/wms/bwqsa/.

5. List any and all existing easements and/or rights-of-way on the property (e.g. utility, road/driveway, drainage, sewer, conservation, Pineland Development Credit Bank easement, etc.); Attach documentation, if available

Parcel: Block 1165/1 - 409 Pittsburgh Avenue - rectangular
6250 SF, 50 feet on Pittsburgh Avenue (improved), part wetland, soils are Urban hard, public sewer available.
Version 2022-1

(e.g. recorded documents, easements, and/or mapping)

6. Existing structures on site:

a. Present condition, current use: No structures on any parcels

b. Proposed future use of existing structures, if not demolished: _____

Note: Applicants must evaluate all structures for historic preservation purposes in accordance with the Green Acres rules. N.J.A.C. 7:36-4.4 (for local governments) and N.J.A.C. 7:36-15.4 (for nonprofits).

7. Utilities: (e.g. public water, sewer, septic, well): Block 1165 Lot 1 - public sewer & water
Block 1163 Lot 7 and 1167/2 are in the mapped sewer service area.

8. The terms of any and all leases or rentals on the property (e.g. agricultural, hunting, residence, etc.); Attach agreements/leases, if available. NA

9. Current zoning of property: R-3, Residential, except B1163 L7 in R1(PW)
List any recent or proposed zoning changes and effective dates: NA

10. Has the project site been identified by a municipality or otherwise designated for use in meeting municipal fair share low- and moderate-income housing obligations under the Fair Housing Act of 1985 (N.J.S.A. 52:27D-301)? Yes No

Note: Properties designated for low-and moderate-income housing may not be eligible as compensation land. If so designated, please contact the OTPLA Compliance Officer immediately.

INCLUDE THE FOLLOWING DOCUMENTS, IF AVAILABLE/APPLICABLE

- 1. Existing survey of the property;
- 2. Executed Contract of Sale or Option Agreement on this property with any party;
- 3. Signed approved subdivision/development plans; (MUST include signed resolution of approval by the Planning Board)

REGIONAL PLANNING AREAS:

Pinelands Region

- a. Is the property located within the Pinelands Preservation Area, Agricultural Production Area or Special Agricultural Production Area: No
- b. Are there Pineland Development Credits (PDCs) associated with the property? Yes ___ No ___
- c. Have the PDCs been severed from the property? Yes ___ No ___
- d. Is there a current LOI for these PDCs? Yes ___ No ___

Highlands Region

- a. Is the property within the Preservation Area No or Planning Area No?
- b. Has property been rezoned since January 1, 2004? _____ Note previous zoning: _____
- c. Has the property been sold or otherwise changed ownership since January 1, 2004? Yes ___ No ___

Certification Statement

I hereby certify on behalf of Cape May City (Local Government/ Nonprofit) that I have reviewed the Pre-Appraisal Requirements contained on pages 1-3 of this Fact Sheet and agree to the following:

- The Pre-Appraisal Requirements Fact Sheet, along with the relevant attachments as described herein, will be submitted with the Project Reference Map and approved by the Department **before appraisers are hired**; and
- Once approved by the Department, the completed Pre-Appraisal Requirements Fact Sheet and the following documents, as applicable, will be provided to the hired appraisers and included as part of the Addendum to the Appraisal report: (please check, if included)

- Documents related to legal access
- Existing easements and/or rights-of-way
- Leases, rental or use agreements
- NJDEP issued Letter of Interpretation (LOI) and plan
- Survey
- Contract of Sale/Option Agreement
- Subdivision/development approvals with resolution of approvals

- The Local Government/Nonprofit SHALL provide the hired appraisers with written appraisal instructions and these instructions **will** be included in the Addendum of the Appraisal report; and
- All appraisals must be performed in accordance with the current Green Acres Appraisal Requirements; and
- If the appraisal scenario changes from what is described herein, corrected information will be submitted immediately to the Department;

Date: 6/17/24 Name (Printed) Paul Dietrich

Title: City Manager Signature 

For NJDEP Use Only		
Proj. Number: _____	Proj. Name: _____	Sponsor: _____
Fact Sheet/Proj. Reference Map reviewed by _____ (Compliance Officer)		Date: _____
Fact Sheet/Proj. Reference Map reviewed by <u>A. Rusecky*</u> (Appraisal Reviewer)		Date: <u>9/13/2024</u>
Comments: <u>*This PAFS is accepted on the condition that the Applicant will provide contract appraisers with an updated survey for the Compensation parcels showing the vacated paper streets' acreage annexed to the existing lots-- prior to appraisal.</u>		

PROJECT REFERENCE MAP CHECKLIST

The "project reference map" is used by the appraiser(s) in the determination of the parcel's market value. The minimum size of this map should be 11" x 17" and include the information listed below. Clarity of presentation of data will dictate the actual paper size. One copy of a project reference map is required for all acquisition proposals, but additional copies will be required for the appraisers.

The project reference map can be generated mechanically using cartographic methods, or digitally using autocad or Geographic Information System (GIS) technology. Local units/nonprofits using GIS technology may acquire the required information from the NJDEP's GeoWeb. (www.nj.gov/dep/gis/geoweb splash.htm). It is recommended that you provide the map preparer with all available data and documents pertinent to the site (i.e., existing surveys, local unit master plan, etc.) in order to facilitate this mapping process.

This checklist should be returned with your map. If any items are not applicable, please indicate with "N/A" next to that item. The following are required elements of the project reference map:

- ___ (a) Project name and location
- ___ (b) Block and lot numbers and municipality (ies) in which the acquisition is located
- ___ (c) Current owner(s) of record (*also indicate adjacent lots under the same ownership*)
- ___ (d) Area given in acreage or square feet
- ___ (e) Dimensions of each lot marked on each perimeter boundary
- ___ (f) Improvements shown in approximate location on parcel
- ___ (g) Acquisition area - if only a portion of the parcel is proposed for acquisition, both the proposed portion and the remaining areas and sizes should be noted.
- ___ (h) North arrow and scale of map. The map scale should be proportional to the size of the site to allow an appraiser to prepare an accurate appraisal
- ___ (i) If located in the Highlands, indicate whether site is in the Planning Area or Preservation Area
- ___ (j) Indicate if purchase will be fee or easement. If easement, and less than full public access is proposed, show public access area. (Extent of public access will affect value and eligibility for Green Acres funding. Please discuss with Green Acres.)
- ___ (k) Location and area of all known existing easements, road rights of way, encroachments, dune and beach areas, and similar features, with the source of such information shown;
- ___ (l) Location and area of all streams, rivers, waterbodies, and associated buffers. Any waterbody classified as Category One pursuant to N.J.A.C. 7:9B, and the associated special water resource protection area established pursuant to N.J.A.C. 7:8, must be shown and labeled.
- ___ (m) Location and area of tidelands, available from the Department at www.nj.gov/dep/gis, as determined from New Jersey Tidelands claims maps, conveyance overlays, and atlas sheets;
- ___ (n) Location and area of floodplain, as shown on the New Jersey State Flood Hazard Area maps prepared under the Flood Hazard Area Control Act, N.J.S.A. 58:16A-50 et seq. and available from the Department at www.nj.gov/dep/gis, or as determined from other State or Federal mapping or from a site delineation;
- ___ (o) Location and area of coastal wetlands, as shown on maps prepared by the Department under the Wetlands Act of 1970, N.J.S.A. 13:9A-1 et seq. and available from the Department at www.nj.gov/dep/gis;
- ___ (p) Location and area of freshwater wetlands, available from the Department at www.nj.gov/dep/gis or as determined from:
 - (1) A wetlands delineation, if one exists, verified by the Department's Land Use Regulation Program or its successor;
 - (2) Freshwater wetlands maps prepared by the Department under the Freshwater Wetlands Protection Act, N.J.S.A. 13:9B-1 et seq., if they exist; or
 - (3) If the documents listed under (1) and (2) above do not exist, U.S. Fish and Wildlife Service National Wetlands Inventory (NWI) maps, in conjunction with County Soil Surveys published by the U.S. Department of Agriculture.

Prepared by:

MONZO CATANESE HILLEGASS, P.C.

Anthony P. Monzo
Anthony P. Monzo, Esquire

Bk D3639 Ps289 #208
COUNTY OF CAPE MAY
Consideration 300,000.00
Realty Transfer Fee .00
Date 08-21-2015 By CLERKCLB

DEED

This Deed is made on June 30, 2015,

BETWEEN: MARY JANE BARRETT,

whose address is 87 St. John Street, Cape May, New Jersey 08204,
referred to as the Grantor,

AND: THE CITY OF CAPE MAY, a municipal corporation of the State of New Jersey,

whose address is 643 Washington Street, Cape May, New Jersey 08204, 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 (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of THREE HUNDRED THOUSAND (\$300,000.00) DOLLARS. The Grantor acknowledges receipt of this money.

The Grantee's acquisition of the Property is also funded in part by a grant from the Green Acres Program and Blue Acres Program (collectively, "Green Acres") of the New Jersey Department of Environmental Protection which requires, among other things, that the Property contain a certain deed restriction pursuant to N.J.S.A. 13:8C-1, et seq. and N.J.A.C. 7:36. The Grantee desires to complete the process of obtaining the funding approved by Green Acres by creating the deed restrictions more fully set forth herein.

2. TAX MAP REFERENCE. (N.J.S.A. 46:15-2.1) Municipality of City of Cape May, Block 1061, Lot 44.

3. PROPERTY. The property consists of the land and all the buildings and structures on the land in the City of Cape May, County of Cape May and State of New Jersey. The legal description is:

~~SEE EXHIBIT "A" - LEGAL DESCRIPTION ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.~~

SEE EXHIBIT ^A - DESCRIPTION FOR GREEN ACRES PROGRAM LAND ACQUISITION LANDS N/F MARY JANE BARRETT ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

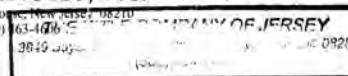
BEING the same lands and premises by Deed from The Estate of Hannah Major, deceased, by Joshua A. Lloyd, appointed as Signator by Order of the Superior Court of New Jersey, and Joshua A. Lloyd, as Executor of the Estate of Esther V. Lloyd, deceased, to Charles T. Kelly and Mary Jane Barrett, his wife, as tenants by the entirety, dated November 30, 1994, recorded December 1, 1994 in Deed Book 2535, page 267 and re-recorded June 26, 1995 in Deed Book 2599, page 238 in the Cape May County Clerk's Office. (Conveys a portion of premises in question, formerly known as Lots 44 and 45, Block 1061 on Cape May City tax map.)

{MC100093677.DOC v. 1}

Law Offices
MONZO CATANESE HILLEGASS, P.C.

211 Bayberry Drive, Suite 2A, Cape May Court House, New Jersey 08204
Phone: (609) 463-4601 Fax: (609) 463-4605

103431



080415207
07211590

RTF-1 (Rev. 7/14/10)
MUST SUBMIT IN DUPLICATE

STATE OF NEW JERSEY Bk D3639 Pg 290 #208

AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

SS. County Municipal Code
COUNTY Cape May 0502

FOR RECORDER'S USE ONLY
Consideration \$ 300,000
RTF paid by seller \$ E
Date 8-21-15 By CRB

MUNICIPALITY OF PROPERTY LOCATION Cape May *Use symbol 'C' to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (Instructions #3 and #4 on reverse side)

Deponent, Linda Boyle, being duly sworn according to law upon his/her oath, deposes and says that he/she is the Officer of Title Company in a deed dated June 30, 2015 transferring real property identified as Block number 1061 Lot number 44 located at 817 St. John Street, Cape May, NJ 08204

(2) CONSIDERATION \$ 300,000.00 (Instructions #1 and #5 on reverse side) no prior mortgage to which property is subject.

(3) Property transferred is Class: 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (Instructions #5A and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation

\$ + % = \$

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

(b) B101 is an agency of subdivision of USA, this state of any installment

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

- A SENIOR CITIZEN Grantor(s) 62 years of age or over.
B BLIND PERSON Grantor(s) legally blind or.
DISABLED PERSON Grantor(s) permanently and totally disabled receiving disability payments not gainfully employed
Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
Owned and occupied by grantor(s) at time of sale. Resident of State of New Jersey.
One or two-family residential premises. Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

- Affordable according to H.U.D. standards. Reserved for occupancy.
Meets income requirements of region. Subject to resale controls.

(6) NEW CONSTRUCTION (Instructions #2, #10, #12 on reverse side)

- Entirely new improvement. Not previously occupied.
Not previously used for any purpose. NEW CONSTRUCTION printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)

- No prior mortgage assumed or to which property is subject at time of sale.
No contributions to capital by either grantor or grantee legal entity.
No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 30 day of June 2015
Deanna L. Podgorisk
Notary Public of New Jersey
My Commission Expires Dec. 2, 2017

Mary Jane Barrett
Grantor Name
322 South 21st Street, Phila, Pa
Grantor Address at Time of Sale
Title Co. of Jersey/Linda Boyle
Name/Company of Settlement Officer

FOR OFFICIAL USE ONLY
Instrument Number
Deed Number Book Page
Deed Dated Date Recorded

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to:

STATE OF NEW JERSEY
PO BOX 251
TRENTON, NJ 08696-0251
ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division's website at: www.state.nj.us/treasury/taxation/jpt/localtax.shtml

Bk D3639 Ps291 #208



State of New Jersey
NONRESIDENT SELLER'S TAX DECLARATION
(C.55, P.L. 2004)

GTR/REP-1
(E-10)

(Please Print or Type)

SELLER(S) INFORMATION		
Name(s)		
Mary Jane Barrett		
Street Address:		
322 South 21st Street		
City, Town, Post Office	State	Zip Code
Philadelphia	Pennsylvania	19103
PROPERTY INFORMATION (Brief Property Description)		
Block(s)	Lot(s)	Qualifier
1061	44	
Street Address:		
817 St. John Street		
City, Town, Post Office	State	Zip Code
Cape May	New Jersey	08204
Seller's Percentage of Ownership	Consideration	Closing Date
100%	\$300,000.00	6/30/15
SELLER(S) DECLARATION		
<p>The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box <input type="checkbox"/> I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.</p>		
Date	Signature (Seller) Please indicate if Power of Attorney or Attorney-in-Fact	
6/30/15	<i>M. J. Barrett</i>	
Date	Signature (Seller) Please indicate if Power of Attorney or Attorney-in-Fact (Detach on dotted line)	

EXHIBIT "A"



Hatch Mott
MacDonald

Hatch Mott MacDonald
833 Rt 9 North
PO Box 373
Cape May Court House, NJ 08210
T 609.465.9377 www.hatchmott.com

DESCRIPTION FOR GREEN ACRES PROGRAM LAND ACQUISITION
LANDS N/F MARY JANE BARRETT

6-8-2015

Bk D3639 Pg292 #208

BLOCK 1061, LOT 44
CAPE MAY CITY #817 ST. JOHN STREET
CAPE MAY COUNTY

All that certain tract or parcel of land located at #817 St. John Street, Cape May City, Cape May County, New Jersey, bounded and described as follows:

BEGINNING at a point at the intersection of the Northerly line of St. John Street (as laid out 40 feet wide) with the common line to Lot 44 and Lot 47 and a Found Pin & Cap, having New Jersey State Plane grid coordinates (NAD 1983), of North 37,879.70 and East 372,346.74, said point being 157.50 feet Westerly from the intersection of the Westerly line of Lafayette Street (as laid out 48 feet wide) with the Northerly line of St. John Street along said Northerly line; thence

1. North 52 degrees 32 minutes 14 seconds West, 56.50 feet along the Northerly line of St. John Street to the common line to Lot 43 and Lot 44 and a Found Pin & Cap; thence
2. North 37 degrees 27 minutes 46 seconds East, 50.00 feet along the aforesaid common line to the common line to Lot 44 and Lot 51 of which a Found Pin & Cap is South 61 degrees 41 minutes 21 seconds West, 1.06 feet; thence
3. South 52 degrees 32 minutes 14 seconds East, 56.50 feet along the aforesaid line to the common line to Lot 44 and Lot 47 of which a Found Pin is North 85 degrees 01 minutes 09 seconds West, 0.22 feet; thence
4. South 37 degrees 27 minutes 46 seconds West, 50.00 feet along the aforesaid line to the Northerly line of St John Street, and the Point of Beginning.

CONTAINING within the above described bounds 2,825 square feet, 0.065 plus or minus acres.

The above descriptions were written pursuant to a survey of property designated as Block 1061 Lot 44, on the municipal tax map of Cape May City, County of Cape May, State of New Jersey. Said survey was prepared by Hatch Mott MacDonald, 833 Route 9 North, P.O. Box 373 Cape May Court House N.J. dated Jan 8, 2015, and marked as file No. 0502-10-016.

James K. Walz, PLS
NJ License No. 24GS03402400

Date 6/08/2015

P:\Cape May City\358131 - Barrett Survey\Drawings\mcdesc\lot 44.dwg

Bk D3639 Pg294 \$208

BY Quitclaim Deed from City of Cape May, a municipal corporation of the State of New Jersey, to Charles I. Kelly and Mary Jane Barrett, dated May 16, 2000 and recorded May 27, 2000 in Deed Book 2859, page 846 in the Cape May County Clerk's Office. (Conveys a portion of premises in question, formerly known as Lot 46, Block 1061, on the Cape May City tax map.)

BY Deed from Charles T. Kelly, (incorrectly identified in prior deeds as Charles I. Kelly), and Mary Jane Barrett, to Mary Jane Barrett, dated June 3, 2011 and recorded June 10, 2011 in Deed Book 3457, page 946 in the Cape May County Clerk's Office.

Property address is: 817 St. John Street, Cape May, New Jersey 08204.


The lands being conveyed herein are being purchased with Green Acres funding and are subject to Green Acres restrictions as provided at N.J.S.A. 13:8C-1, et seq. and N.J.A.C. 7:36, as may be amended and supplemented, and the Grantee herein agrees to accept these lands with the Green Acres restrictions, including restrictions against disposal or diversion to a use for other than recreation and conservation purposes.

UNDER AND SUBJECT TO all covenants, conditions, reservations and restrictions and easements of record.

4. **PREPARER'S NOTE.** The within Deed was prepared based on the title commitment prepared by The Title Company of New Jersey on behalf of WFG National Title Insurance Company, File No. 703431, dated effective April 2, 2015 and revised June 26, 2015, and those requirements set forth by the New Jersey Department of Environmental Protection Green Acres Program.

5. **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).

6. **SIGNATURES.** The Grantor signs this Deed as of the date at the top of the first page.

WITNESS:


GRANTOR:

_____ MARY JANE BARRETT

Pennsylvania
STATE OF NEW JERSEY :
Montgomery : ss.
COUNTY OF CAPE MAY :

Bk D3639 Pg295 #208
RECORDED COUNTY OF CAPE MAY
Rita Marie Fulsiniti, County Clerk
Recording Fee 100.00
Date 08-21-2015 @ 02:15p

I certify that on June 30, 2015, MARY JANE BARRETT personally came before me and stated to my satisfaction that she is the person who is the maker of this Deed and executed this Deed as her own act and made this deed for \$300,000.00 as the full and actual consideration paid or to be paid for the transfer of title. (N.J.S.A. 46:15-5)

Patricia D. Jackson
Notary Public

My commission expires:

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Patricia D. Jackson, Notary Public
West Conshohocken Boro, Montgomery County
My Commission Expires Oct. 14, 2016
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

Record and return to:
The Title Company of Jersey
3849 Bayshore Road
North Cape May, NJ 08204

Bk D3663 Pg375 #226
COUNTY OF CAPE MAY
Consideration 441,000.00
Realty Transfer Fee .00
Date 02-09-2016 By CLERKJMK

Frank L. Corrado
Prepared by:
FRANK L. CORRADO, ESQUIRE

DEED

THIS DEED is made on February 5, 2016,

BETWEEN BRENDA E. ROBINSON, Trustee of the Brenda E. Robinson Living Trust, dated November 10, 2006, of 206 Gum Branch Road, Charlotte, North Carolina 28214, referred to as the Grantor,

AND THE CITY OF CAPE MAY, a municipal corporation of the State of New Jersey, of 643 Washington Street, Cape May, New Jersey 08204, referred to as the Grantee.

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

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of FOUR HUNDRED AND FORTY-ONE THOUSAND (\$441,000.00) DOLLARS. The Grantor acknowledges receipt of this money.

Tax Map Reference. Municipality: City of Cape May, County of Cape May; Block No. 1061, Lot 47.

Property. The property consists of the real property situate, lying and being in the City of Cape May County of Cape May, and State of New Jersey, described as follows:

8
ES
JMK

SEE EXHIBIT A - DESCRIPTION FOR GREEN ACRES PROGRAM LAND ACQUISITION LANDS N/F BRENDA E. ROBINSON, SOLE TRUSTEE ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SEE EXHIBIT B - SURVEY OF THE PROPERTY ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

The attached is described in accordance with a Survey of Block 1061, Lot 47, City of Cape May, Cape May County, New Jersey, dated February 2, 2016, prepared by Hatch Mott MacDonald.

Commonly known as: 811 St. John Street, Cape May, NJ 08204, Block 1061 Lot 47

And

UNDER AND SUBJECT to valid covenants, conditions, restrictions and reservations of record, including but not limited to those described in WFG National Title Insurance Company, File No. 705003.

(MCH00101823.DOC v. 1)

THE TITLE COMPANY OF JERSEY
3849 Bayshore Road, North Cape May, NJ 08204-0828
(609) 884-0500

705003

Bk D3663 Pg376 #226

RTF-1 (Rev. 7/14/10) MUST SUBMIT IN DUPLICATE

STATE OF NEW JERSEY

AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

SS. County Municipal Code CAPE MAY 0602

FOR RECORDER'S USE ONLY
Consideration \$ 441,000.00
RTF paid by seller \$ E
Date 2-9-16 By [Signature]

MUNICIPALITY OF PROPERTY LOCATION CAPE MAY *Use symbol "C" to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (Instructions #3 and #4 on reverse side)

Deponent, Brenda F. Robinson, Trustee being duly sworn according to law upon his/her oath, deposes and says that he/she is the Grantor in a deed dated FEBRUARY 5, 2016 transferring real property identified as Block number 1061 Lot number 47 located at 811 ST. JOHN STREET, CAPE MAY, NJ 08204

(2) CONSIDERATION \$ 441,000.00 (Instructions #1 and #5 on reverse side) [] No prior mortgage to which property is subject.

(3) Property transferred to Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (Instructions #5A and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation

\$ + % = \$

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

(b) By or to the United States of America, this State, or any instrumentally, agency or subdivision.

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) [] 62 years of age or over.
B. BLIND PERSON Grantor(s) [] legally blind or,
DISABLED PERSON Grantor(s) [] permanently and totally disabled [] receiving disability payments [] not gainfully employed*
Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
[] Owned and occupied by grantor(s) at time of sale. [] Resident of State of New Jersey.
[] One or two-family residential premises. [] Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

- [] Affordable according to H.U.D. standards. [] Reserved for occupancy.
[] Meets income requirements of region. [] Subject to resale controls.

(6) NEW CONSTRUCTION (Instructions #2, #10, #12 on reverse side)

- [] Entirely new improvement. [] Not previously occupied.
[] Not previously used for any purpose. [] "NEW CONSTRUCTION" printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)

- [] No prior mortgage assumed or to which property is subject at time of sale.
[] No contributions to capital by either grantor or grantee legal entity.
[] No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 5 day of Feb, 2016

[Signature] Linda M. Boyle

Notary Public of New Jersey My Commission Expires April 27, 2016

[Signature] Brenda E. Robinson Living Trust
206 Gum Branch Rd, Charlotte, NC
Linda Boyle Title Co. of Jersey

FOR OFFICIAL USE ONLY
Instrument Number _____ County _____
Deed Number _____ Book _____ Page _____
Deed Dated _____ Date Recorded _____

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to: STATE OF NEW JERSEY

PO BOX 251 TRENTON, NJ 08695-0251 ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division's website at: www.state.nj.us/treasury/taxation/rtf/localtax.shtml.



State of New Jersey
NONRESIDENT SELLER'S TAX DECLARATION
(C.55, P.L. 2004)

GIT/REP-1
(6-10)

(Please Print or Type)

Bk D3663 Ps377 4226

SELLER(S) INFORMATION

Name(s)

Brenda E. Robinson, Trustee of Brenda E. Robinson Living Trust

Street Address:

206 Gum Branch Road

City, Town, Post Office

Charlotte

State

North Carolina

Zip Code

28214

PROPERTY INFORMATION (Brief Property Description)

Block(s) Lot(s) Qualifier

1061 47

Street Address:

811 St. John Street

City, Town, Post Office

Cape May

State

New Jersey

Zip Code

08204

Seller's Percentage of Ownership

100

Consideration

\$441,000.00

Closing Date

February 05, 2016

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

02/05/2016
Date

Brenda E. Robinson
Signature (Seller) Please indicate if Power of Attorney or Attorney-in-Fact

Date

Signature (Seller) Please indicate if Power of Attorney or Attorney-in-Fact
(Detach on dotted line)

Bk D3663 Pg378 #226

Title in and to the premises in questions became vested in Emma L. Harvey, widow by deed from Elise Williams, widow dated September 10, 1956, and recorded September 11, 1956, in Deed Book 912 Page 322 in the Cape May County Clerk's Office.

Subsequently, Emma L. Harvey departed this life on November 18, 1995, leaving a Last Will and Testament recorded in the Cape May County Surrogate's Office on Reel 199 wherein she specifically devised the premises in question to Brenda E. Sliker and Clara Williams, as tenants in common.

Elinor C. Barton was appointed and duly qualified as Executrix and Letters Testamentary were granted on Octobers 23, 1996.

Thereafter, Elinor C. Barton, Executrix of the Estate of Emma L. Harvey, deceased, conveyed premises in question to Brenda E. Sliker as to an undivided 50% interest and Clara Williams as to the remaining undivided 50% interest as tenants in common, by deed dated February 9, 1998, and recorded February 18, 1998, in Deed Book 2744, page 413 in the Cape May County Clerk's Office.

Clara Williams subsequently conveyed her interest in and to the premises in question to Brenda E. Sliker by deed dated December 7, 2000, and recorded December 13, 2000, in Deed Book 2889, page 300 in the Cape May County Clerk's Office.

Thereafter, Gerald A. Sliker conveyed his interest in and to the premises in question to Brenda E. Sliker by Quitclaim Deed dated July 18, 2001, and recorded September 21, 2001, in Deed Book 2930, page 711 in the Cape May County Clerk's Office.

Brenda E. Robinson, formerly known as Brenda E. Sliker, conveyed the premises to Brenda E. Robinson, Sole Trustee under the Brenda E. Robinson Living Trust, dated November 10, 2006, by deed dated January 18, 2007, and recorded March 9, 2007, in Deed Book 3278, page 232 in the Cape May County Clerk's Office.

The lands being conveyed herein are being purchased with Green Acres funding and are subject to Green Acres restrictions as provided at N.J.S.A. 13:8C-1, et seq. and N.J.A.C. 7:36, as may be amended and supplemented, and the Grantee herein agrees to accept these lands with the Green Acres restrictions, including restrictions against disposal or diversion to a use for other than recreation and conservation purposes.

ALSO UNDER AND SUBJECT to easements, zoning requirements and other restrictions of record, if any.

PREPARER'S NOTE. The within Deed was prepared based on the

Bk D3663 Pg380 #226

DESCRIPTION FOR GREEN ACRES PROGRAM LAND ACQUISITION
LANDS N/F BRENDA E. ROBINSON, SOLE TRUSTEE

2-02-2016
BLOCK 1061, LOT 47
CAPE MAY CITY #811 ST. JOHN STREET
CAPE MAY COUNTY

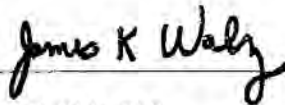
All that certain tract or parcel of land located at #811 St. John Street, Cape May City, Cape May County, New Jersey, bounded and described as follows:

BEGINNING at a point at the intersection of the Northerly line of St. John Street (as laid out 40 feet wide) with the common line to Lot 47 and Lot 48 and a found pin, having New Jersey State Plane grid coordinates (NAD 1983), of North 37,841.68 and East 372,396.34, said point being 95.00 feet Westerly from the intersection of the Westerly line of Lafayette Street (as laid out 48 feet wide) with the Northerly line of St. John Street along said Northerly line; thence

1. North 52 degrees 32 minutes 14 seconds West, 62.50 feet along the Northerly line of St. John Street to the common line to Lot 44 and Lot 47 and a found pin & cap; thence
2. North 37 degrees 27 minutes 46 seconds East, 50.00 feet along the aforesaid common line to the common line to Lot 47 and Lot 51 of which a found pin is North 85 degrees 01 minute 09 seconds West, 0.22 feet; thence
3. South 52 degrees 32 minutes 14 seconds East, 62.50 feet along the aforesaid line and along the common line between Lot 47 and Lot 50 to the common line to Lot 47 and Lot 48 and a found pin & cap; thence
4. South 37 degrees 27 minutes 46 seconds West, 50.00 feet along the aforesaid line to the Northerly line of St. John Street, and the Point of Beginning.

CONTAINING within the above described bounds 3,125.00 square feet, 0.072 plus or minus acres.

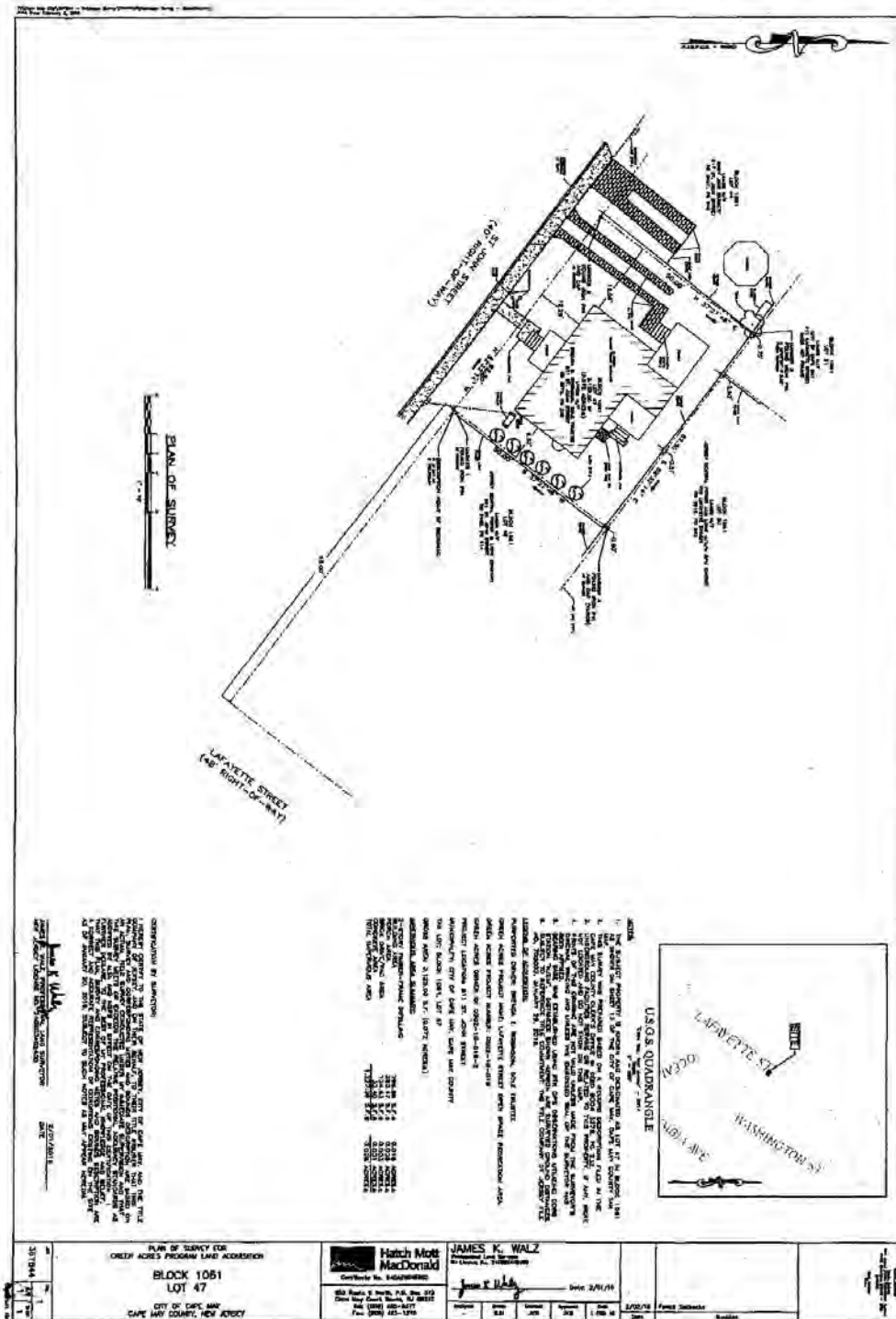
The above descriptions were written pursuant to a survey of property designated as Block 1061 Lot 47, on the municipal tax map of Cape May City, County of Cape May, State of New Jersey. Said survey was prepared by Hatch Mott MacDonald, 833 Route 9 North, P.O. Box 373 Cape May Court House, N.J. dated February 1, 2016 and revised February 2, 2016, and marked as file No. 0502-10-016.



James K. Walz, PLS Date 2/02/2016
NJ License No. 24GS03402400

P:\Cape May City\367844 - Robinson Survey\Description\desc lot 47.doc

Bk D3663 Pg381 #226



COMPILED BY SURVEYOR
 JAMES K. WALZ
 1000 WEST 10TH AVENUE
 DENVER, COLORADO 80202
 303/733-1111

NOTES:
 1. THE SURVEY WAS MADE IN ACCORDANCE WITH THE
 2. THE SURVEY WAS MADE IN ACCORDANCE WITH THE
 3. THE SURVEY WAS MADE IN ACCORDANCE WITH THE
 4. THE SURVEY WAS MADE IN ACCORDANCE WITH THE
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 10. THE SURVEY WAS MADE IN ACCORDANCE WITH THE



PLAN OF SURVEY FOR
 ONE-AND-A-HALF ACRES PROGRAM LAND ACQUISITION
 BLOCK 1061
 LOT 47
 CITY OF DENVER
 DENVER COUNTY, COLORADO

Hatch Mott MacDonald
 Contract No. 144200000000
 555 River Street, P.O. Box 252
 Denver, Colorado 80202
 Tel: (303) 440-4477
 Fax: (303) 440-1500

JAMES K. WALZ
 Surveyor
 License No. 100000000000
 Date: 2/14/11

DATE	BY	REVISION
2/14/11	JKW	FINAL

DEED

Dated: February , 2016

BRENDA E. ROBINSON, TRUSTEE
OF THE BRENDA E. ROBINSON
LIVING TRUST,

GRANTOR,

TO

THE CITY OF CAPE MAY, a
Municipal corporation of
The State of New Jersey.

GRANTEE.

Bk D3663 Pg382 #226
RECORDED COUNTY OF CAPE MAY
Rita Marie Fulsiniti, County Clerk
Recording Fee 110.00
Date 02-09-2016 @ 02:55p



Soil Map—Cape May County, New Jersey
(Sewell Point compensation parcels)

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot

- Spot Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cape May County, New Jersey
 Survey Area Date: Version 18, Aug 29, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger

Date(s) aerial images were photographed: Date not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Web Soil Survey
National Cooperative Soil Survey

5/4/2023
Page 2 of 3

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
PstAI	Psammaquents, sulfidic substratum, 0 to 2 percent slopes, frequently flooded	21.3	59.5%
USPSAS	Urban land-Psamments, sulfidic substratum complex, 0 to 2 percent slopes, occasionally flooded	9.9	27.8%
USPSBR	Urban land-Psamments, wet substratum complex, 0 to 2 percent slopes, rarely flooded	4.6	12.8%
Totals for Area of Interest		35.8	100.0%

Map Unit Description: Psammaquents, sulfidic substratum, 0 to 2 percent slopes, frequently flooded--Cape May County, New Jersey

Sewell Point compensation parcels

Cape May County, New Jersey

PstAt—Psammaquents, sulfidic substratum, 0 to 2 percent slopes, frequently flooded

Map Unit Setting

National map unit symbol: 2xhp8
 Elevation: 0 to 30 feet
 Mean annual precipitation: 41 to 50 inches
 Mean annual air temperature: 46 to 58 degrees F
 Frost-free period: 190 to 260 days
 Farmland classification: Not prime farmland

Map Unit Composition

Psammaquents, sulfidic substratum, frequently flooded, and similar soils: 85 percent
 Minor components: 15 percent
 Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Psammaquents, Sulfidic Substratum, Frequently Flooded

Setting

Landform: Flats
 Landform position (two-dimensional): Footslope
 Landform position (three-dimensional): Talf
 Down-slope shape: Linear
 Across-slope shape: Linear
 Parent material: Sandy lateral spread deposits over organic material

Typical profile

^A - 0 to 12 inches: coarse sand
 ^C - 12 to 36 inches: gravelly sand
 2Oese1 - 36 to 43 inches: mucky peat
 2Oese2 - 43 to 80 inches: mucky peat

Properties and qualities

Slope: 0 to 2 percent
 Depth to restrictive feature: More than 80 inches
 Drainage class: Very poorly drained
 Runoff class: Negligible
 Capacity of the most limiting layer to transmit water
 (Ksat): Moderately high to very high (0.60 to 20.00 in/hr)
 Depth to water table: About 0 inches
 Frequency of flooding: Frequent
 Frequency of ponding: None
 Maximum salinity: Very slightly saline to strongly saline (2.0 to 16.0 mmhos/cm)
 Available water supply, 0 to 60 inches: Very low (about 2.5 inches)

Map Unit Description: Psammaquents, sulfidic substratum, 0 to 2 percent slopes, frequently flooded--Cape May County, New Jersey

Sewell Point compensation parcels

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 8w

Hydrologic Soil Group: A/D

Hydric soil rating: Yes

Minor Components

Transquaking, very frequently flooded

Percent of map unit: 5 percent

Landform: Tidal marshes

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

Pawcatuck, very frequently flooded

Percent of map unit: 5 percent

Landform: Tidal marshes on barrier islands

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

Appoquinimink, very frequently flooded

Percent of map unit: 5 percent

Landform: Tidal marshes

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Cape May County, New Jersey

Survey Area Data: Version 18, Aug 29, 2022

Map Unit Description: Urban land-Psamments, sulfidic substratum complex, 0 to 2 percent slopes, occasionally flooded--Cape May County, New Jersey

Sewell Point compensation parcels

Cape May County, New Jersey

USPSAS—Urban land-Psamments, sulfidic substratum complex, 0 to 2 percent slopes, occasionally flooded

Map Unit Setting

National map unit symbol: 2xhpb
 Elevation: 0 to 30 feet
 Mean annual precipitation: 41 to 50 inches
 Mean annual air temperature: 46 to 58 degrees F
 Frost-free period: 190 to 260 days
 Farmland classification: Not prime farmland

Map Unit Composition

Urban land, sulfidic substratum, occas. flooded: 60 percent
 Psamments, sulfidic substratum, occas. flooded, and similar soils: 30 percent
 Minor components: 10 percent
 Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Urban Land, Sulfidic Substratum, Occas. Flooded

Properties and qualities

Slope: 0 to 2 percent
 Runoff class: Very high
 Frequency of flooding: Occasional

Interpretive groups

Land capability classification (irrigated): None specified
 Land capability classification (nonirrigated): 8s
 Hydric soil rating: No

Description of Psamments, Sulfidic Substratum, Occas. Flooded

Setting

Landform: Flats
 Landform position (two-dimensional): Footslope
 Landform position (three-dimensional): Talf
 Down-slope shape: Linear
 Across-slope shape: Linear
 Parent material: Sandy human-transported material

Typical profile

^A - 0 to 12 inches: coarse sand
 ^C - 12 to 36 inches: gravelly coarse sand
 ^Cse - 36 to 80 inches: sand

Properties and qualities

Slope: 0 to 2 percent
 Depth to restrictive feature: More than 80 inches
 Drainage class: Moderately well drained
 Runoff class: Very high

Map Unit Description: Urban land-Psamments, sulfidic substratum complex, 0 to 2 percent slopes, occasionally flooded--Cape May County, New Jersey

Sewell Point compensation parcels

Capacity of the most limiting layer to transmit water (Ksat): High to very high (6.00 to 20.00 in/hr)

Depth to water table: About 18 to 42 inches

Frequency of flooding: Occasional

Frequency of ponding: None

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7s

Hydrologic Soil Group: A

Hydric soil rating: No

Minor Components

Transquaking, very frequently flooded

Percent of map unit: 5 percent

Landform: Tidal marshes

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

Appoquinimink, very frequently flooded

Percent of map unit: 5 percent

Landform: Tidal marshes

Landform position (two-dimensional): Toeslope

Landform position (three-dimensional): Talf

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

Data Source Information

Soil Survey Area: Cape May County, New Jersey

Survey Area Data: Version 18, Aug 29, 2022



Sewel Point federal wetlands map



May 4, 2023

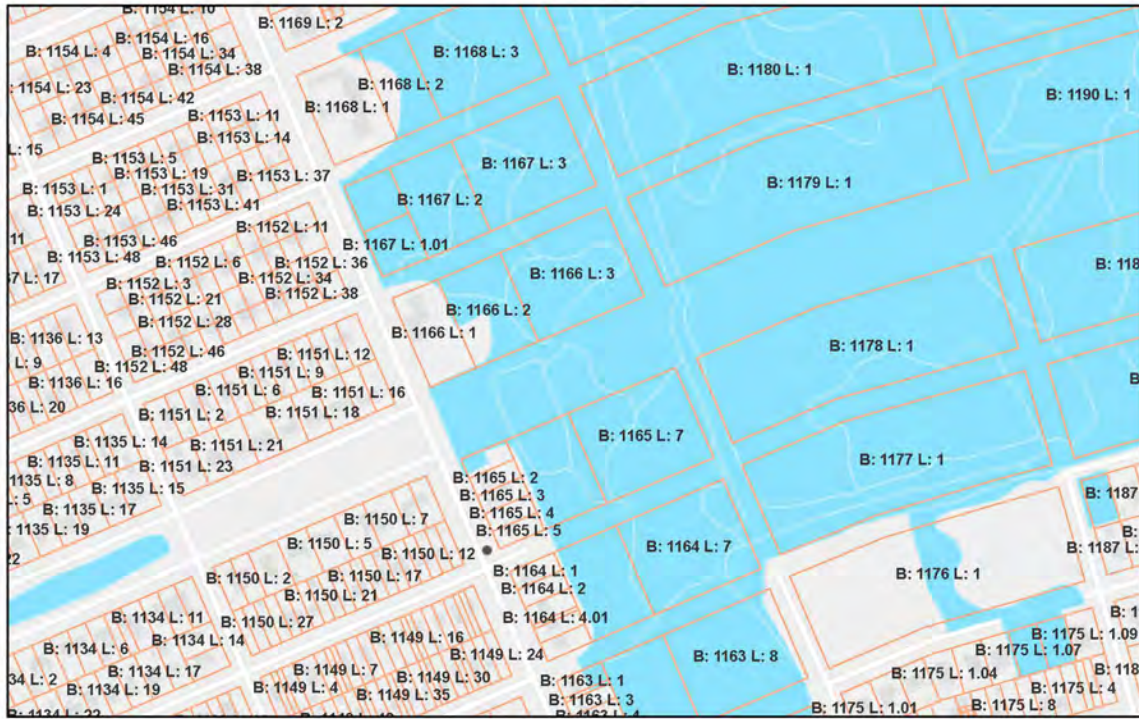
Wetlands

- | | | | | | |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

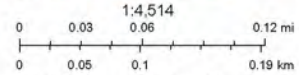
National Wetlands Inventory (NWI)
This page was produced by the NW Mapper

NJ-GeoWeb



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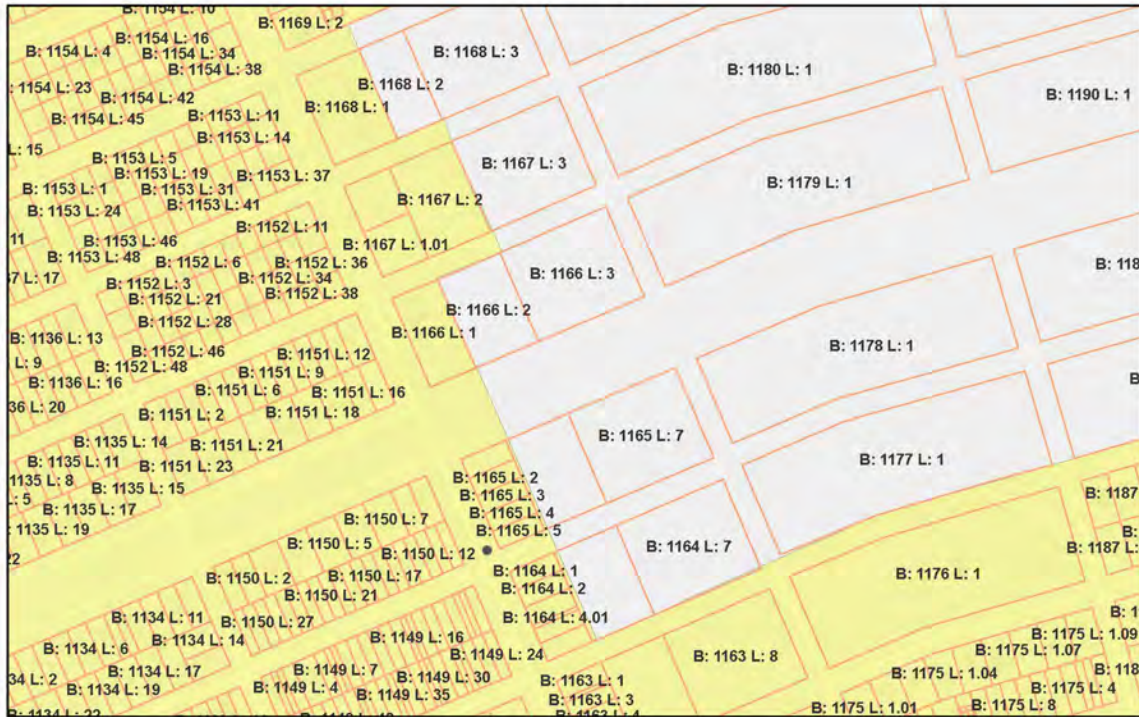
- Wetlands (2012)
- Parcels Data (Block and Lot)
- County Boundaries



Esri Community Maps Contributors, New Jersey Office of GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, New Jersey Department of Environmental Protection

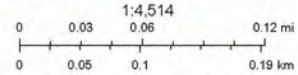
Esri Community Maps Contributors, New Jersey Office of GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METANASA, USGS, EPA, NPS, US Census Bureau, USDA | NJDEP | NJ Department of Community Affairs, Local

NJ-GeoWeb



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- County Boundaries
- Sewer Service Areas
- Parcels Data (Block and Lot)



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Esri Community Maps Contributors, New Jersey Office of GIS, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METANASA, USGS, EPA, NPS, US Census Bureau, USDA | NJDEP | NJ Department of Community Affairs, Local

PHOTOGRAPHS

Taken by J. Paul Bainbridge, MAI, SCGREA on October 8, 2024



Diversion Parcel looking northward from St. John Street, Cape May, NJ



Diversion Parcel – St. John Street, Cape May, NJ looking southward

PHOTOGRAPHS

Taken by J. Paul Bainbridge, MAI, SCGREA on October 8, 2024



Diversion Parcel – St. John Street, Cape May, NJ looking northward



Compensation Parcel – Maryland Avenue looking east, Block 1163 & 1164 are beyond

PHOTOGRAPHS

Taken by J. Paul Bainbridge, MAI, SCGREA on October 8, 2024



Compensation Parcel – Ohio Avenue looking east, Block 1167 is beyond

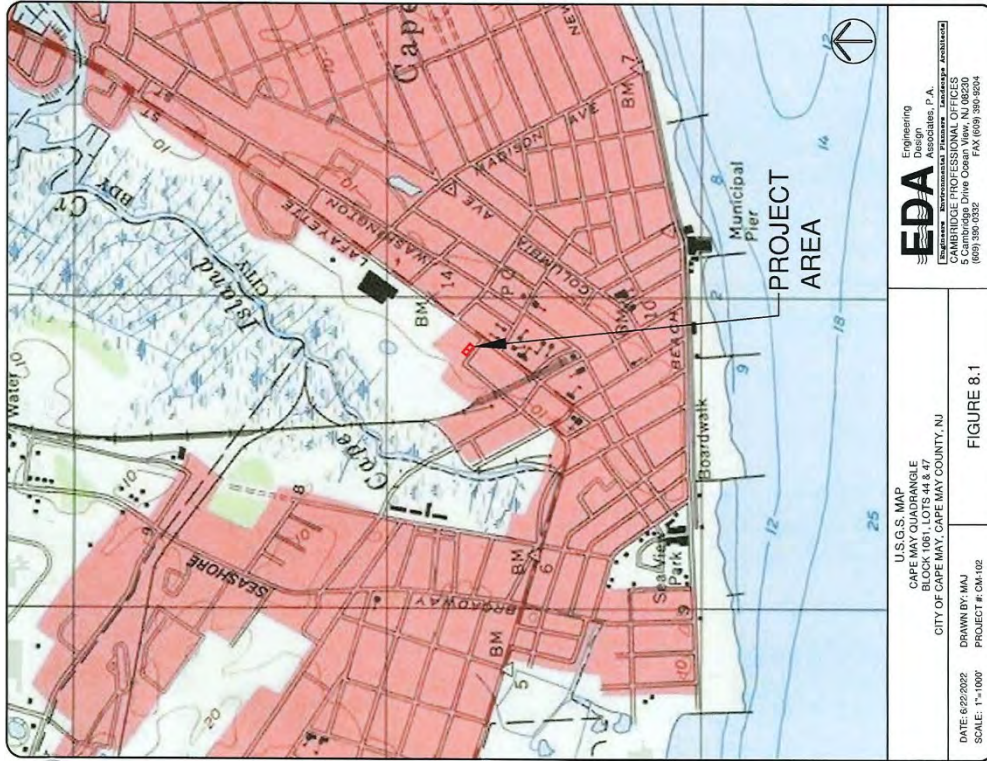


Compensation Parcel – Virginia Avenue looking east, Block 1167 & 1168 are beyond













CAPE LAND SURVEYING LLC

Professional Land Surveying
Spiegel Professional Plaza, 1217 S. Shore Road, Suite 106
Ocean View, NJ 08230

Phone (609)390-9618
e-mail: office@capeurvey.com

*DESCRIPTION OF PARCELS BEING DISPOSED, BLOCK 1061, LOTS 44 and 47
SHC 0502001*

Being all that certain lot, tract or parcel of land situate at 811 and 817 St. John Street, in the City of Cape May, County of Cape May and State of New Jersey bound and described as follows:

BEGINNING at a pin set in the Northeast line of Saint John Street (40 feet wide), where the same is intersected by the division line between Lot 47 and Lot 48, in Block 1061 (tax map) said point also being North 52 degrees 32 minutes 14 seconds West, a distance of 95.0 feet from intersection of the same with the Northwest line of Lafayette Street (48 feet wide) Said point of beginning has a NJSPC NAD 83 Value of North: 37841.68, East: 372396.35; and extending thence

1. North 52 degrees 32 minutes 14 seconds West, along the said line of St. John Street, a distance of 119.00 feet to a pin set in the same; thence
2. North 37 degrees 27 minutes 46 seconds East, along the division line between Lot 44 and Lot 43, in said Block, a distance of 50.00 feet to a pin set; thence
3. South 52 degrees 32 minutes 14 seconds East, along the division line between Lot 44 and Lot 51, Lot 44 and Lot 47 and Lot 51 and continuing along the division line between Lot 47 and Lot 50, in said Block, a distance of 119.00 feet to a pin set; thence
4. South 37 degrees 27 minutes 46 seconds West, along the aforementioned division line between Lot 47 and Lot 48, in said Block, a distance of 50.00 feet to the POINT OF BEGINNING.

Containing 5,949 Square Feet more or less or 0.137 Acres more or less.

BEING Lots 44 and 47 in Block 1061 on the Tax Map of the City of Cape May.

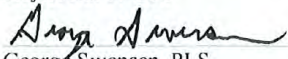
BEING SUBJECT TO Rights Granted to Jersey Central Power and Light Company and Atlantic City Electric Company in Deed Book 3962, Page 286

ALSO BEING SUBJECT TO any easements or restrictions of record.

The Above Description was written Pursuant to a Survey of Property Designated as Block 1061, Lots 44 and 47, on the Municipal Tax Map of City of Cape May, County of Cape May, State of New Jersey, Said survey was Prepared by Cape Land Surveying, LLC, Located at 1217 S. Shore Road, Suite 106, Ocean View, NJ 08230, Dated 03-05-24, last Revised on 09-20-24 and is Marked as File No. 17455B, A reduced Copy of said plan is Attached hereto and made part of.

Description prepared September 20, 2024

Project No. 17455B


George Swensen, PLS
NJ License No. GS43415
S:JOBS/17455B/descriptions/17455B(def)

“An Equal Opportunity Employer”

CAPE LAND SURVEYING LLC

Professional Land Surveying
Spiegel Professional Plaza, 1217 S. Shore Road, Suite 106
Ocean View, NJ 08230

Phone (609)390-9618
e-mail: office@capelandsurvey.com

DESCRIPTION OF REPLACEMENT PARCELS SHC 0502001
TRACT 1

Being all that certain lot, tract or parcel of land situate, in the City of Cape May, County of Cape May and State of New Jersey bound and described as follows:

BEGINNING at a concrete monument set in the Former Centerline of Virginia Avenue (60 feet wide, now Vacated as shown in Ordinance No. 407-2020), where the same is intersected by the division line between Lot 2 and Lot 1 in Block 1168 (tax map) said point also being North 66 degrees 53 minutes 59 seconds East, a distance of 175 feet from intersection of the same with the Northeast line of Pittsburgh Avenue (County Route 622) (100 feet wide) Said point of beginning having a NJSPC NAD 83 Value of North: 39531.62, East: 377288.35; and extending thence

1. North 23 degrees 04 minutes 20 seconds West, along the said division line between Lot 2 and Lot 1, in said Block, a distance of 315.00 feet to a concrete monument set; thence
2. North 66 degrees 53 minutes 59 seconds East, along former Centerline of Illinois Avenue (70 feet wide, now vacated as in said ordinance), a distance of 124.21 feet to a pin set; thence
3. South 23 degrees 06 minutes 01 seconds East, along the rear line of Lots Fronting on Baltimore Avenue and continuing along the Southwest Terminus of Virginia Avenue and Ohio Avenue, a total distance of 625.00 feet to a pin set; thence
4. South 66 degrees 53 minutes 59 seconds West, along former centerline of Ohio Avenue (60 feet wide, now vacated as in said ordinance), a distance of 174.52 feet to a pin set; thence
5. North 23 degrees 04 minutes 20 seconds West, along the rear line of Lots Fronting on Pittsburgh Avenue, a total distance of 310.00 feet to a concrete monument set; thence
6. North 66 degrees 53 minutes 59 seconds East, along the aforementioned centerline of Virginia Avenue, a distance of 50.00 feet to the POINT OF BEGINNING.

Containing: 93,228 Square Feet more or less or 2.140 Acres more or less.

BEING Lot 2 in Block 1168, and Lot 2 in Block 1167, together with: the vacated Southeast half of Illinois Avenue and the vacated Northwest half of Virginia Avenue that abuts said Lot 2 in Block 1168 and also the vacated Southeast half of Virginia Avenue and the vacated Northwest half of Ohio Avenue that abuts said Lot 2 in Block 1167, as shown on the Tax Map of the City of Cape May.

BEING SUBJECT TO Terms, Conditions, and Reservations Imposed in Vacation Ordinance No. 407-2020 as shown in Vacation Book S7, Page 909

ALSO BEING SUBJECT TO Terms and Conditions of Riparian Grant from the State of NJ to the Cape May Real Estate Co., as shown in Deed Book 216, Page 459

ALSO BEING SUBJECT TO any other easements or restrictions of record.

“An Equal Opportunity Employer”

TRACT 2

Being all that certain lot, tract or parcel of land situate in the City of Cape May, County of Cape May and State of New Jersey bound and described as follows:

BEGINNING at a concrete monument set in the Former Centerline of Cape May Avenue (200 feet wide, now Vacated as shown in Ordinance No. 407-2020), where the same is intersected by the Northeast line of Pittsburgh Avenue (County Route 622) (100 feet wide) Said point of beginning having a NJSPC NAD 83 Value of North: 38828.04, East: 377397.52; and extending thence

1. North 66 degrees 53 minutes 59 seconds East, along the said former Centerline of Cape May Avenue (200 feet wide, now vacated as in said ordinance), a distance of 300.00 feet to a concrete monument set; thence
2. South 23 degrees 06 minutes 01 seconds East, along the rear line of Lots Fronting on Baltimore Avenue and the Southwest Terminus of Cape May Avenue and Idaho Avenue a total distance of 1005.00 feet to a pin set; thence
3. South 66 degrees 53 minutes 59 seconds West, along the former Centerline of New York Avenue (70 feet wide, now vacated as in said ordinance), a distance of 175.00 feet to a concrete monument set; thence
4. North 23 degrees 06 minutes 01 seconds West, along the rear line of Lots Fronting on Pittsburgh Avenue and the Northeast Terminus of Idaho Avenue, a total distance of 855.00 feet to a disturbed pin found; thence
5. South 66 degrees 53 minutes 59 seconds West, along the division line between Lot 1 and Lot 2, in Block 1165, a distance of 125.00 feet to a pin found; thence
6. North 23 degrees 06 minutes 01 seconds West, along the aforementioned line of Pittsburgh Avenue, a distance of 150.00 feet to the POINT OF BEGINNING.

Containing: 194,625 Square Feet more or less or 4.468 Acres more or less.

BEING Lots 1 and 6 in Block 1165, Lot 6 in Block 1164, and Lot 7 in Block 1163, together with: the vacated Southeast half of Cape May Avenue that abuts said Lots 1 and 6 in Block 1165, the vacated Northwest half of Idaho Avenue that abuts said Lot 6 in Block 1165, the vacated Southeast half of Idaho Avenue and the vacated Northwest half of Maryland Avenue that abuts said Lot 6 in Block 1164 and also the vacated Southeast half of Maryland Avenue and the vacated Northwest half of New York Avenue that abuts said Lot 7 in Block 1163, as shown on the Tax Map of the City of Cape May.

BEING SUBJECT TO Terms, Conditions, and Reservations Imposed in Vacation Ordinance No. 407-2020 as shown in Vacation Book S7, Page 909

ALSO BEING SUBJECT TO Terms and Conditions of Riparian Grant from the State of NJ to the Cape May Real Estate Co., as shown in Deed Book 216, Page 459

ALSO BEING SUBJECT TO any other easements or restrictions of record.

The Above Description was written Pursuant to a Survey of Property Designated as Block 1168, Lot 2, Block 1167, Lot 2, Block 1165, Lots 1 and 6, Block 1164, Lot 6 and Block 1163, Lot 7, on the Municipal Tax Map of City of Cape May (When Next revised), County of Cape May, State of New Jersey, Said survey was Prepared by Cape Land Surveying, LLC, Located at 1217 S. Shore Road, Suite 106, Ocean View, NJ 08230, Dated 3/08/24 Revised Thru 9-20-24 and is Marked as File No. 17455A, A reduced Copy of said plan is Attached hereto and made part of.

Description prepared September 20, 2024

Project No. 17455A



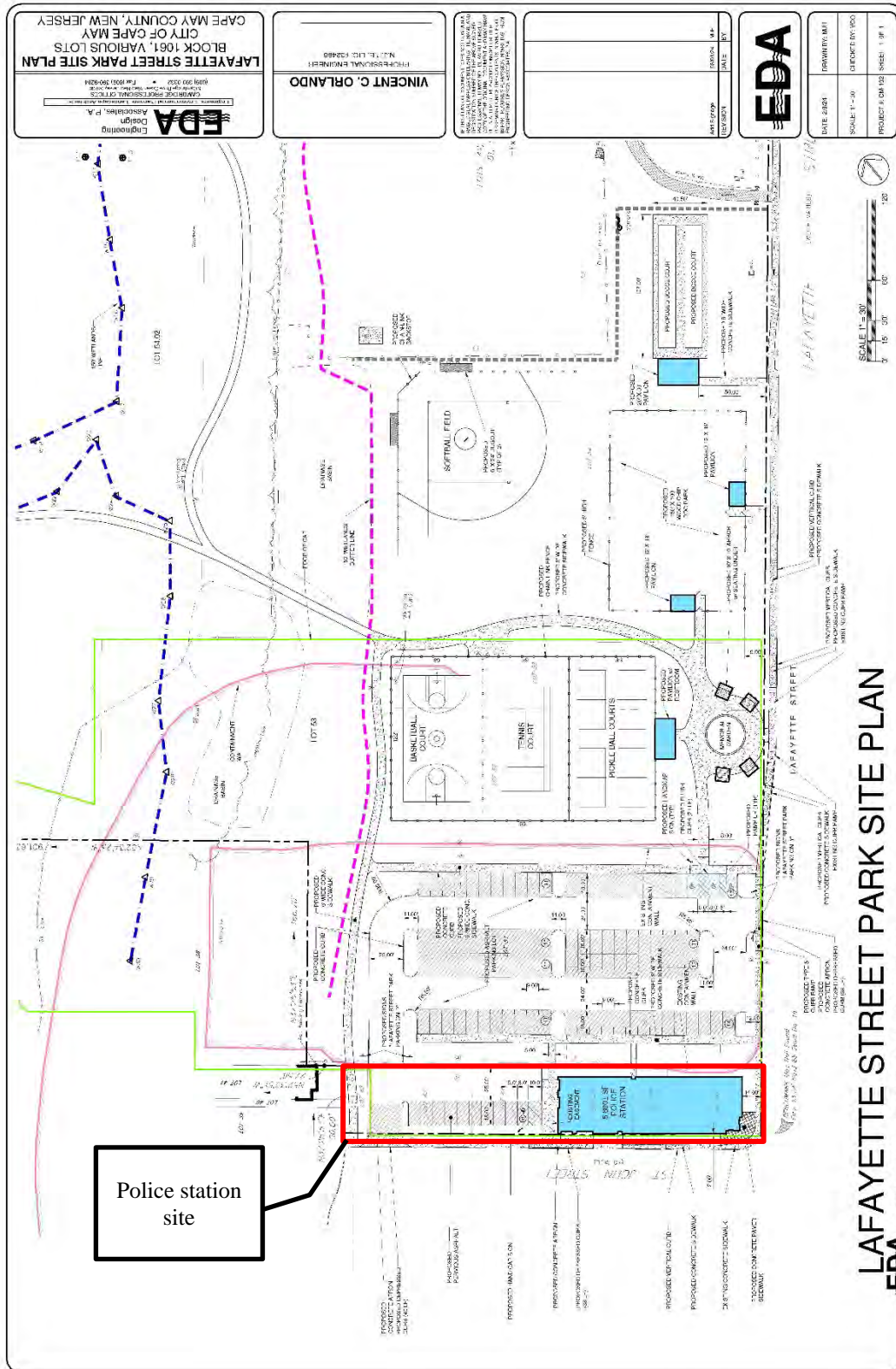
George Swensen, PLS

NJ License No. GS43415

S:JOBS/17455A/descriptions/17455A(dcf)

“An Equal Opportunity Employer”

INTENDED USE - POLICE STATION SITE – CONCEPTUAL PLAN



J. PAUL BAINBRIDGE

APPRAISER QUALIFICATIONS

39 YEARS OF VALUATION EXPERIENCE

Designations

MAI, The Appraisal Institute (No. 11889)

New Jersey Certified General Real Estate Appraiser License No. 42RG00073500

New Jersey Real Estate License - SP8430243

Professional affiliations

President - Southern New Jersey Chapter of the Appraisal Institute (2006)

Vice President – Southern New Jersey Chapter of the Appraisal Institute (2005)

Treasurer - Southern New Jersey Chapter of the Appraisal Institute (2004)

National Association of Realtors - Greater Cape May

County Board of Realtors/Atlantic County Board of Realtors

Education

Montclair State University, Upper Montclair, NJ

B.S. - Business finance 1983

Seton Hall Preparatory High School, West Orange, NJ 1978

Professional education

The Appraisal Institute

Completed education and experience requirements for the MAI designation 2002

Satisfied all continuing education requirements for The Appraisal Institute & The State of New Jersey

USFLA (Yellow Book) certified 2006 & 2018

Qualified as an Expert Witness

United States Bankruptcy Court

New Jersey Tax Court

Condemnation Commissions

Cape May County Tax Board

Superior Court of New Jersey

Atlantic County Tax Board

J. PAUL BAINBRIDGE

APPRAISER QUALIFICATIONS

Appraisal experience

Property type

Boardwalk property
Campgrounds
Condominiums
Farmland
Golf Courses
Hotels & motels
Industrial property
Land
Marinas
Multi-family dwellings
Restaurants
Retail and office buildings
Service stations
Shopping centers
Single-family dwellings
Special purpose properties
Subdivisions

Intended use

Asset evaluation
Easements
Fee simple estates
Leased fee estates
Leasehold estates
Financing
Foreclosure
Estate planning
Tax appeal
Condemnation
Riparian claim
Partial interests
Partition action

Work History

1997 to present

J. P. Bainbridge & Associates, Inc.

1992-1996

J. Paul Bainbridge, Sole Proprietor

1991-1992

Dennis A. Scardilli, MAI

1990

Joseph Ravitz, IFA, CTA

William Sharp, MAI

Don Springer, IFAS

1988-1990

William J. Shea, MAI

1985-1988

Richard Marashlian, MAI

J. PAUL BAINBRIDGE

APPRAISER QUALIFICATIONS

Sampling of Active Clients

Crest Savings Bank
Farm Credit East
PNC Bank
Sturdy Savings Bank
WSFS Bank
Tioga Franklin Savings Bank

Archer & Greiner PC
Barry, Corrado, Grassi, PC
Biel, Zlotnick & Feinberg, PC
Carlin, Ward, Ash & Heiart LLC
Cooper Levenson, PA
Faia Law Firm
Fox Rothschild, LLP
Friedman, LLP (now Marcum LLP)
Gadsen Schneider & Woodward, LLP
Gemmell, Todd & Merenich, PA
Gruccio Pepper DeSanto & Ruth, PA
Hankin Sandman Palladino Weintrob & Bell, PA
Hurvitz & Waldman LLC
Hyland Levin Shapiro, LLP
Ford, Flower, & Hasbrouck, PC
Monzo Catanese Hillegass PC
Mylod & Fitzgerald, Attorneys at Law
Nehmad Davis & Goldstein, P.C.
Zipp & Tannenbaum, LLC

Atlantic County
Dennis Township
Lower Township MUA
Millville City
North Wildwood City
Somers Point
Stone Harbor Borough
Ventnor City

Cape May County
Downe Township
Middle Township
Longport
Ocean City
State of New Jersey
Upper Township
Wildwood City

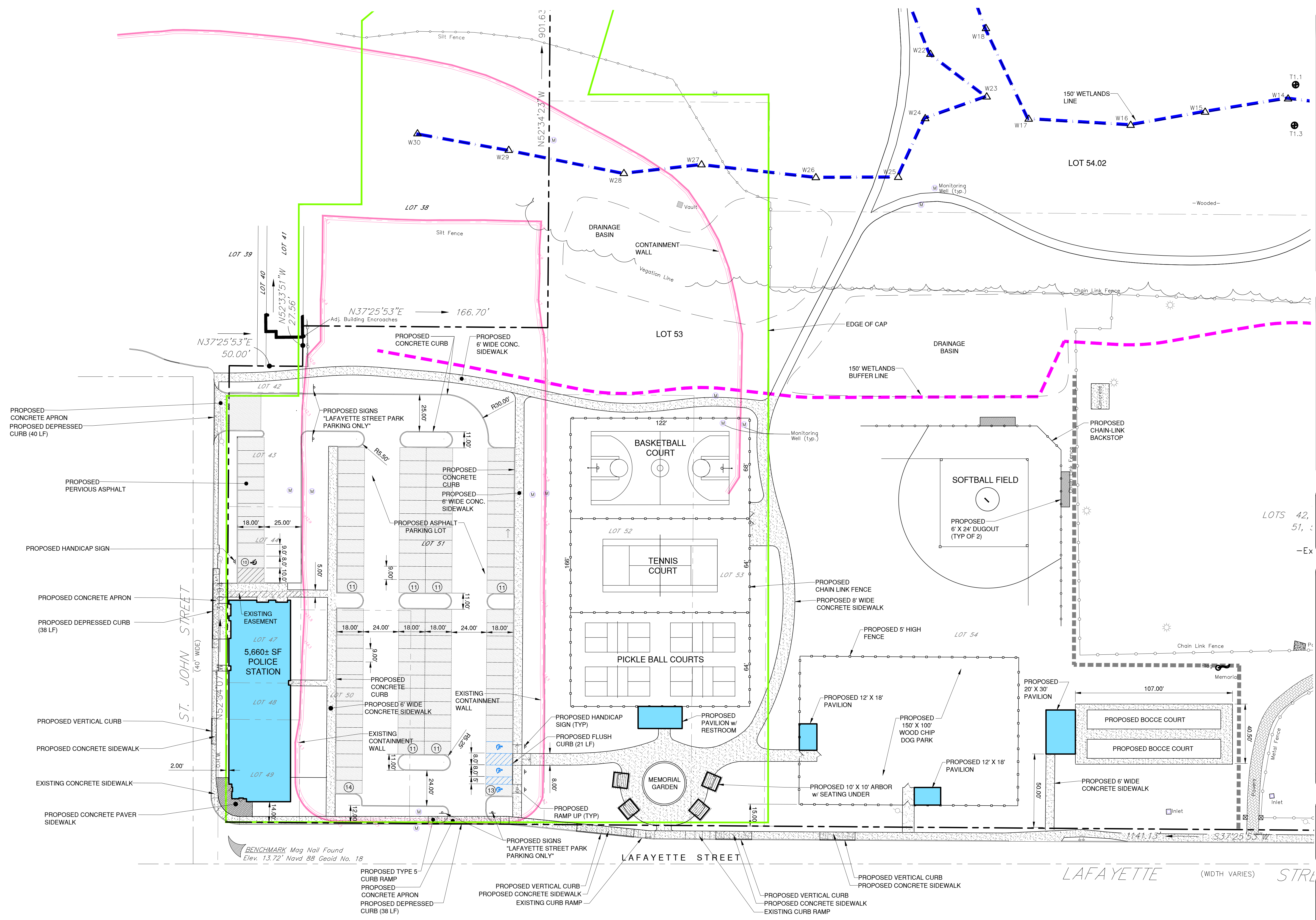
VINCENT C. ORLANDO
 PROFESSIONAL ENGINEER
 N.J.P.E. LIC. #32498

IF THIS PLAN OR DOCUMENT DOES NOT CONTAIN A RAISED SEAL IMPRESSION BEARING THE NAME AND REGISTRATION NUMBER OF THE ABOVE SIGNED PROFESSIONAL, IT MAY NOT BE AN AUTHORIZED COPY OF THE ORIGINAL DOCUMENT AND MAY HAVE BEEN ALTERED. REPRODUCTION OR FURTHER DISSEMINATION OF THE CONTENTS IN WHOLE OR IN PART REQUIRES PERMISSION IN WRITING FROM ENGINEERING DESIGN ASSOCIATES, P.A.

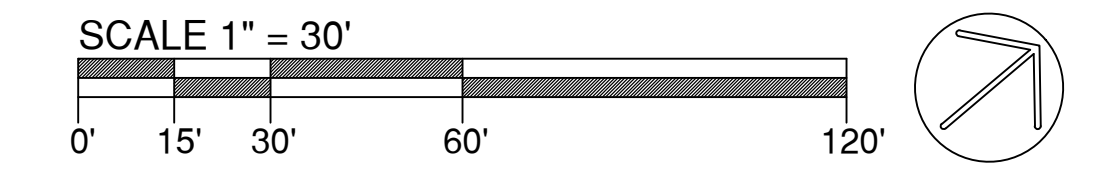
Add Signage	08/01/24	MJH
REVISION	DATE	BY



DATE: 2/8/24	DRAWN BY: MJH
SCALE: 1" = 30'	CHECKED BY: VCO
PROJECT #: CM-102	SHEET: 1 OF 1



LAFAYETTE STREET PARK SITE PLAN
 EDA Engineers - Landscape Architects - Planners

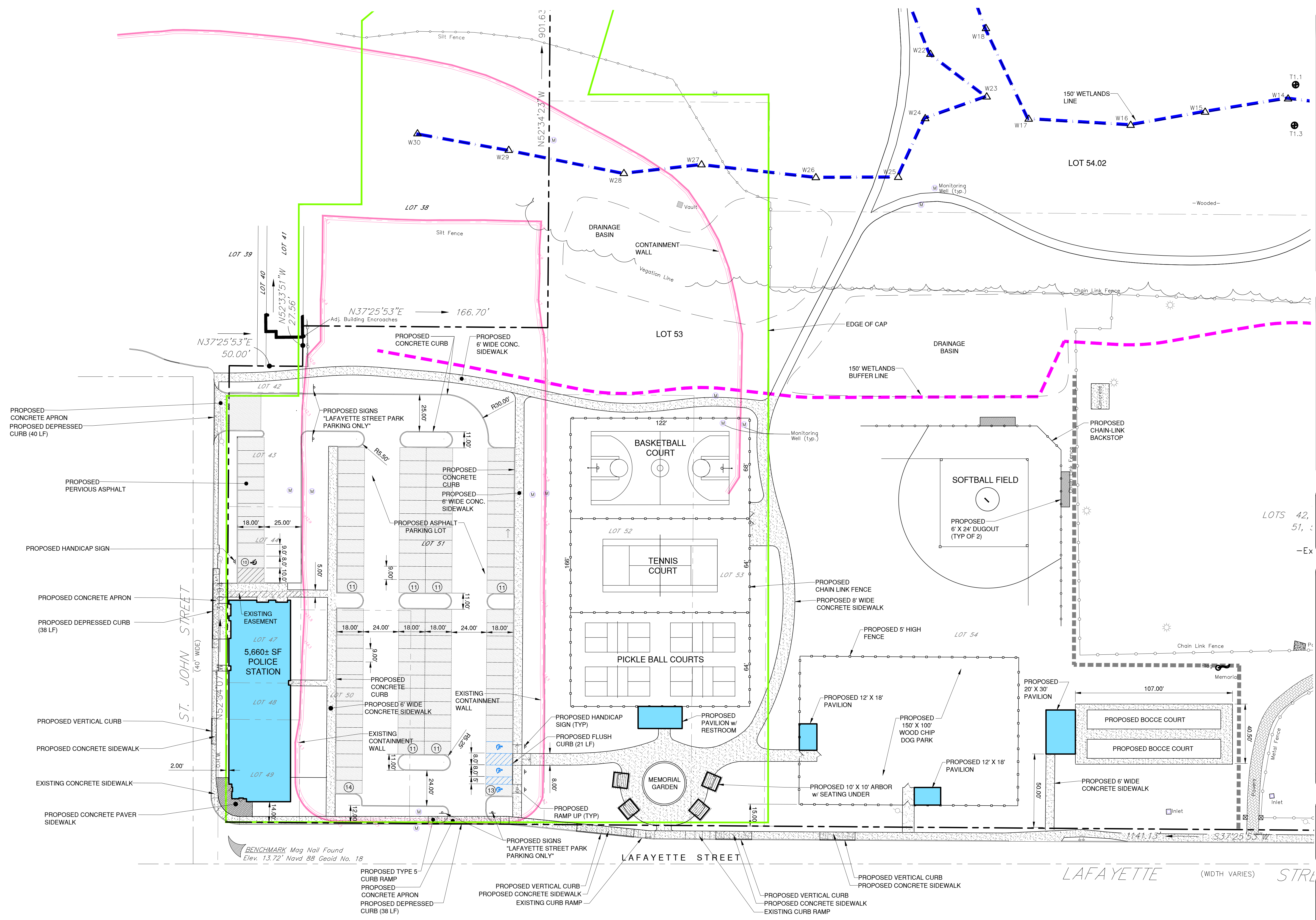


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SCALE: 1" = 30'	CHECKED BY: VCO
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LAFAYETTE STREET PARK SITE PLAN

