

STATE AGRICULTURE DEVELOPMENT COMMITTEE

POLICY

**PROPERTY SURVEYS
SUPPLEMENTAL INFORMATION**

I. Purpose

To identify in the property survey areas including public rights of way for roadways, other rights of way, easements, permanent bodies of water, rivers and streams which the State Agriculture Development Committee will not provide funds for the purchase of development easements.

II. Authority

N.J.S.A. 4:1C-11 et seq., P.L. 1983, C.32 as amended N.J.A.C. 2:76.6.13

III. Supercedes

Policy - Property Surveys Supplemental Information P-3-A Supplement
date 9/21/89

IV. Policy

Rights of Way: Roads

All surveys must reflect the total area of the premises with the area of the existing or proposed right of way subtracted from the total, resulting in the net acres for which the Committee will provide funds for the purchase of the development easement. (Refer to Attachment A for an example.)

Rivers, Streams and other Permanent Bodies of Water such as Ponds
and Lakes

Date: 1/25/96
P-3-B Supp.

The acreage contained in permanent bodies of water such as ponds, lakes, perennial rivers and streams, which service as a property boundary within the premises must be calculated and reflected in the survey. The licensed surveyors best estimate of the water area contained within the premises can be determined by taking the average width and length of the stream or river. This policy does not mandate that a legal metes and bounds description be established solely for the purpose of establishing the area of the water body, stream or river in question.

This calculation is not required on that portion of the permanent body of water, river or stream affected by the following conditions:

1. If the surveyor has certified that the average width of the stream or river is so insignificant that it becomes impractical to calculate the area.
2. If the property line is situated so that the premises does not include the permanent body of water, the stream or the river.
3. If the permanent body of water, stream or river is bounded on both sides by lands contained within the premises (Refer to Attachment B for an example.)

Other Rights of Way and Easements

If appropriate, further adjustments affecting other rights of way or easements will be considered by the State Agriculture Development Committee on a case by case basis. If these areas are identified during the review process, the surveyor will be directed to determine the acreage of these areas.

Adjustments of the Purchase Price

Upon review of the supplemental information provided with the survey, the State Agriculture Development Committee will adjust the purchase price of the development easement based on the acreage calculated for existing or proposed rights of way, permanent bodies of water, rivers and streams which are affected by this policy.

It should be noted that the adjustment may not affect the total acres enrolled in the program but only the purchase price of the development easement due to the Committee's inability to provide funds on these areas. (Revised reference to a professional engineer@ adopted at the SADC meeting of 1/25/96)

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