

# Instructions for Tidelands Lease Applications

A Tidelands lease is a long term rental agreement from the State of New Jersey for the use of its tidelands specifically for houses that have been constructed over currently flowed tidelands. As defined by N.J.S.A. 12:3-10 and N.J.S.A. 13:1B-13, tidelands are all lands currently and formerly flowed by the mean high tide of a natural waterway. These lands are the property of the state.

The State of New Jersey will rent and/or sell formerly flowed tidelands. However, at this time, currently flowed tidelands that have not been previously sold by the state may only be rented. The only exception may be man-made waterways such as lagoons.

Leases must be obtained for all proposed construction as well as any past construction regardless of whether or not the current property owner is responsible for that construction. The state does not grandfather homes over water with respect to Tidelands conveyances. All structures that are currently occupying state-owned tidelands without the benefit of a Tidelands lease are considered illegal, and the State of New Jersey would be within its rights to file a lien against the upland.

A lease typically takes approximately one year to obtain.

The State of New Jersey is under no obligation to issue a Tidelands lease. Leases are not valid until delivered and may be revoked by the state at any time.

## **Lease Application Requirements:**

**The materials listed in Section A are required for all lease applications. Some applications will have further requirements as described in Sections B and C. Please note that an application may have requirements from multiple sections.**

A. All applications must include the following:

1. **Lease Application Form** – completed and signed by all persons listed as the current owner on the most recent recorded deed. This form must include owner and agent (if applicable) email addresses.
2. **Affidavit of Title** – completed, signed by all persons listed on the current recorded deed, and notarized
3. **Recorded Deed** – a copy of the current deed as recorded in the County Clerk's office

4. **Waterfront Development Permit** – a valid waterfront development permit for all proposed or existing structures that are to be leased; the State of New Jersey will not issue a lease until a permit copy is received; please contact the Technical Support Center at (609) 777-0454 and press 2 for permit information
5. **Property Survey** – four (4) copies of a survey; each copy must meet all of the following requirements:
- Signed and sealed by a New Jersey Licensed Land Surveyor; photocopies of plans and/or plans that do not bear the signature and seal of a New Jersey Licensed Land Surveyor will not be accepted.
  - Provide a signed survey metes and bounds description that matches the submitted survey, defining the perimeter of the parcel/structures being covered by the long term lease. It must be revised when any survey revisions are made and it must be on the letterhead of the survey company as it will become an attachment to the lease document.
  - Depicts the existing and proposed conditions of the property
  - Provides the date of the original drawing and of any revisions; the date of either the original drawing or of the most recent revision must be current.
  - Provides the owner's name, tax lot and block, municipality and county for the subject property.
  - Drawn to scale in either a 1"=10', 1"=20', 1"=30', 1"=40', 1"=50' or 1"=60' scale; other scales will not be accepted.
  - Provides the standard engineering scale used.
  - Includes a graphic scale.
  - Includes a north arrow.
  - Depicts the complete upland of the subject property and provides a point of beginning (POB) on the property line that is defined with an X-Y Coordinate using the NJ Plane Coordinate System (NJPCS), 1983 North American Datum (NAD) in feet; from this POB all appropriate bearings and distances around the entire proposed lease & parcel perimeter must be defined and record title must be clearly marked
  - Provides all bearings in degrees, minutes, seconds as whole numbers (no decimals: e.g. N 14 degrees, 56 minutes, 36.5 seconds E would not be accepted). All arcs must contain Radius, Arc Length, Chord Bearing & Length.
  - Provides all distances to two decimals with positional tolerance of +/- .07 feet.

- Provides the total square footage of the parcel being leased, rounded up the whole foot.
- Provides the total square footage of the actual area/structures being leased.
- Clearly indicates the claim area that is to be leased and provides bearings and distances around all structures that are to be leased; these normally include the home/building and any associated decking.
- Depicts the location of the mean high water line. If the MHWL defines the outer perimeter of the parcel, then it must have proper bearings and distances defining it.
- Depicts the location of the Tidelands Claim Line and notes the source of the line
- Depicts all abutting lots/blocks, streets, waterways, etc.
- Depicts all existing and proposed fixed structures that are within the leased area.
- Provides a tie line between the area that is to be leased and the property sideline or nearest bulkhead/MHWL, as appropriate
- Provides the location of any existing tidelands conveyances (grants, licenses, Statements of No Interest, etc.) on the subject property if applicable
- DOES NOT SHOW extraneous survey details such as (but not limited to) soundings, elevations, and additional upland features (e.g. buildings, landscaping, walkways) which are not part of the leased area. A Tidelands Survey should be clear of all such items though they may be appropriate for a typical permit plan.
- Ensures all lines that run to an existing, retaining wall, rip-rap, or other such structure, are measured to the waterside face of the bulkhead or structure rather than to a point in the middle of the bulkhead or structure.

6. **Real Estate Appraisal** – an original plus two (2) copies of a current appraisal report will be required. Due to the time-sensitive nature of this report, the appraisal should not be submitted with the initial application. An appraisal request along with a list of appraisal requirements will be sent once the application is deemed complete. Please be advised that submitting the appraisal with the initial application may result in the need for a second appraisal.

- B. Applicants not applying as either private citizens or as Condominium Associations (i.e. companies, corporate entities, government agencies, counties, municipalities, etc.) must also submit the following:
1. **Organization Data Form** – only a person(s) listed on this form may sign the other forms that are associated with the application (i.e. Lease Application Form, Affidavit of Title)

- C. When applicants are applying as a Condominium Association, the following additional requirements apply:

1. The application must include a copy of the **first two pages of the Master Deed** in addition to the recorded deeds of all individual unit owners.
2. All required forms must be completed in the name of the Condominium Association.

**Submit all applications to:**

State of New Jersey  
Department of Environmental Protection  
Bureau of Tidelands Management  
P.O. Box 420 Code 501-02B  
Trenton, NJ 08625-0420

**Do Not Send by Certified Mail**

If you have any questions regarding this application, please contact the Technical Support Center at (609) 777-0454.



State of New Jersey  
 Department of Environmental Protection  
 Bureau of Tidelands Management  
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# TIDELANDS LEASE APPLICATION FORM

PLEASE INCLUDE THE NAMES AND SIGNATURES OF ALL PERSONS LISTED ON THE CURRENT RECORDED DEED  
 ATTACH A SIGNATURE ADDENDUM PAGE IF MORE THAN TWO SIGNATURES ARE REQUIRED

Title Holder(s)				
Name(s):				
Mailing Address:		City:		State:
Zip Code:	Daytime Telephone Number:		Email Address:	
Site Location				
Address:		Municipality:		County:
Block:	Lot:	Waterway:	Purchase Date:	Sale Date (if applicable):
N.A.D. 1983 State Plane Coordinates (feet) 6 digits only (if known):			E (x):	N (y):
Agent Information (optional)				
Agent Name:				
Mailing Address:		City:		State:
Zip Code:	Telephone Number:		Email Address:	
Signatures				
<p><i>I, the undersigned, hereby request a Tidelands Lease from the State of New Jersey. I understand that construction may not be performed until said Lease is delivered. I also understand that the State has the right to revoke any Lease as set forth in N.J.S.A 12:3-10. Furthermore, I agree to abide by the terms and conditions contained in the Lease Document.</i></p> <p><input type="checkbox"/> <i>I agree to act as my own representative in all matters pertaining to my Tidelands Lease.</i></p> <p><input type="checkbox"/> <i>I authorize the person named above to act as my agent in all matters pertaining to my Tidelands Lease. I understand that the Bureau of Tidelands Management will correspond only with this agent. Furthermore, I understand that I should direct future questions or concerns regarding my conveyance to my agent. This agreement will remain in effect unless I submit written notification to the Bureau of Tidelands Management.</i></p>				
Signature of Title Holder:				Date:
Print Name:				
Signature of Title Holder:				Date:
Print Name:				



State of New Jersey  
 Department of Environmental Protection  
 Bureau of Tidelands Management  
 P.O. Box 420 Code 501-02B  
 Trenton, NJ 08625-0420



## AFFIDAVIT OF TITLE

PLEASE INCLUDE THE NAMES AND SIGNATURES OF ALL PERSONS LISTED ON THE CURRENT RECORDED DEED  
 ATTACH A SIGNATURE ADDENDUM PAGE IF MORE THAN TWO SIGNATURES ARE REQUIRED

***I, the undersigned, being of lawful age, hereby attest to the following:***

**1. I am the current owner of the following property:**

Address \_\_\_\_\_

Municipality \_\_\_\_\_

County \_\_\_\_\_

Block \_\_\_\_\_

Lot \_\_\_\_\_

**2. I am the owner of this property by virtue of the following deed:**

Date of Deed \_\_\_\_\_

Recorded in County of \_\_\_\_\_

Deed Book \_\_\_\_\_

Page Number \_\_\_\_\_

**3. I have not sold or in any other way relinquished my ownership interest in this property.**

\_\_\_\_\_  
 Signature of Title Holder

\_\_\_\_\_  
 Signature of Title Holder

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Signature of Notary Public

\_\_\_\_\_  
 Date

Affix Seal:



# ORGANIZATION DATA FORM \*\*\*

ATTACH AN ADDITIONAL PAGE IF SPACE FOR MORE THAN FOUR NAMES IS NEEDED

Organization Information	
Name of Organization:	
Address of Principal Office:	
Authorized Persons	
Please list the persons authorized to act on behalf of the above organization:	
Name:	Title:
Address:	
Name:	Title:
Address:	
Name:	Title:
Address:	
Name:	Title:
Address:	
Name:	Title:
Address:	
Organization Data	
Is this organization based in New Jersey? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, is this organization authorized to do business in New Jersey? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Is the organization currently in good standing? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If No, please explain.	
When was the First Annual Report filed with the Secretary of State in Trenton?	
Are there any Franchise Taxes currently due to the Corporation Tax Bureau? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes, in what year were the last taxes paid?	

\*\*\*Complete this form only if the applicant is not a private citizen



State of New Jersey  
Department of Environmental Protection  
Bureau of Tidelands Management  
P.O. Box 420 Code 501-02B  
Trenton, NJ 08625-0420



## SIGNATURE ADDENDUM PAGE

Addendum to:	
Signatures	
Signature:	Date:
Print Name:	
Signature:	Date:
Print Name:	
Signature:	Date:
Print Name:	
Signature:	Date:
Print Name:	
Signature:	Date:
Print Name:	

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