

Sample Deed of Access Easement

Prepared by: _____
ESQUIRE

DEED OF ACCESS EASEMENT

THIS DEED OF ACCESS EASEMENT is made this ____ day of ____ by ____.
Whose Post Office address is _____
New Jersey, County of Monmouth, State of New Jersey (hereinafter referred to as the
'Grantee');

WHEREAS, Grantor is the owner of a parcel located within the Township of Ocean,
County of Monmouth, State of New Jersey, located on _____ New
Jersey, known as Block ____ Lot ____ on the Tax Map of the Township of Ocean; and,

WHEREAS, the project site has legal access to _____ Road; and,

WHEREAS, the Resolution of approval requires the Grantor to provide an access
easement to lots ____ and ____ to allow, permit, and authorize the owners and/or
occupants of lots ____ and ____ a right-of-way access and egress over a portion of
lot ____ to _____; and

WHEREAS, the Resolution of approval required the Grantor, by this Easement, to
grant, give, authorize, and/or provide the Township of Ocean with the right, if
necessary, to enter into and/or upon the access easement and perform any services
necessary to ensure the welfare and/or safety of owners and/or residents of lots ____
and ____, and to assess the cost of said services to the single lot owner having
maintenance responsibility for the common driveway and/or access easement
improvements; and,

WHEREAS, Grantor is desirous of complying with the conditions of said Resolution.

NOW, THEREFORE, for good and valuable consideration, Grantor hereby gives,
grants, and conveys onto the Grantee, its successors and assigns, in perpetuity, a
non-exclusive access agreement over the property described by the Metes and Bounds
Description on Schedule A, annexed hereto, which is located in the Township of
Ocean, County of Monmouth, State of New Jersey, and which description is hereby
made a part of this Easement.

Within the Easement, the Grantor, its successors and/or assigns shall be responsible
for the maintenance, repair, and upkeep of the property described in Schedule A.

The Grantor also conveys to the Grantee, its successors and/or assigns, the right to
enter into and upon the easement area and whatever other portion of the premises as
necessary in order to gain access to the easement with men, material and machinery,
and both vehicular and pedestrian traffic at any and all times when reasonable to do
so, given the reason therefore and in a prudent and reasonable manner. The Grantor
conveys to the Grantee, its successors and/or assigns the perpetual right and/or
authority to transgress, cross, use, access, and exit over the easement described in
Schedule A, for access and egress from lots ____ and ____ to _____ Road.

It shall be the affirmative obligation of the Grantor, its successors and/or assigns, to
maintain the easement as set forth on the minor subdivision plan approved by the

Ocean Township Planning Board (or Board of Adjustment). The Grantor, by this Easement agreement, agrees that it will be the party responsible for snow plowing services, and all other services necessary to keep the access easement property clear and free of obstructions. The responsibility for maintenance of all improvements within the access easement area shall be the responsibility of the owners of lot ____.

Additionally, pursuant to this Easement Agreement, the Grantor provides the Township of Ocean with the right , if necessary, to enter upon the access easement property, and perform any services necessary to ensure the welfare and/or safety of the owners and/or residents of lots ____ and ____ and to assess the cost of said services to the single lot owner having maintenance responsibility for the common easement access improvement. In the event that the Grantor, its successors and/or assigns fails to maintain the easement as set forth herein, and the Township of Ocean is required to take remedial action, the Township of Ocean may serve written notice upon the Grantor, its successors or the owners of lots ____ and/or ____ setting forth the manner in which the Grantor, its successors, assigns, and/or the owners of lots and/or ____ have failed to maintain the easement herein, and said notice shall contain a demand that such deficiencies of maintenance be cured within 35 days thereof. The cost of the maintenance assessed against the Grantor, its successors or the owners of lots ____ and ____ shall be a lien and tax on said properties, and be added to and be a part of the taxes to be levied and assessed thereon, and enforced and collected with interest in the same manner as other taxes.

This easement shall be perpetual. The easement runs with the land and shall be binding upon the successors in interest and assigns of the grantor.

If any clause, paragraph, sentence, or portion of the terms, covenants and conditions of this easement become illegal, null or void for any reason whatsoever, or are held by any Court of competent jurisdiction to be so, the remaining portions of this easement shall remain in full force and affect.

IN WITNESS WHEREOF, the said Grantor has caused these presents to be signed.

Witness:

STATE OF NEW JERSEY, COUNTY OF MONMOUTH ss:

I CERTIFY that on _____, 200____ and _____
Personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this document; and
- (b) signed, sealed, and delivered this document as his or her act and deed.

NOTARY PUBLIC

Date _____

Description of Access Easement to proposed lots _____ and _____, block _____, situate proposed lot _____, block _____, Township of Ocean, Monmouth County, New Jersey.

Beginning at a point, said point being in the westerly line of _____ Road (#' ROW) a distance of _____ feet from its intersection with the northerly line of _____ Road (#' ROW), said point being the southeasterly corner of proposed lot _____ thence proceeding:

1. Along a line, South _____ degrees _____ minutes _____ seconds West, a distance of _____ feet to appoint; thence,
2. Along a line, North _____ degrees _____ minutes _____ seconds West, a distance of _____ feet to a point; thence,
3. Along a line, North _____ degrees _____ minutes _____ seconds East, a distance of _____ feet to a point in the westerly line of _____ Road; thence,
4. Southerly along the westerly line of _____ Road along (a curve bearing right), having a radius of _____ feet, an arc distance of _____ feet to the point of beginning.

Containing _____ square feet. The above description has been drawn in accordance with a map entitled 'Minor Subdivision: Lot _____, Block _____, Township of Ocean, Monmouth County, New Jersey', prepared by _____ dated _____, revised through _____ and approved by the Planning Board (or Board of Adjustment) of the Township of Ocean on _____.