

# *'The 'Township of Moorestown*

111 West Second St• Moorestown• New Jersey 08057-4223

(856)235-0912 • FAX (856)914-3081



## **Fence in Easement/Deed Restriction**

THE FOLLOWING INSTRUCTIONS **MUST** BE COMPLETED AS PART OF THE FENCE IN EASEMENT/DEED RESTRICTION AGREEMENT:

1. Complete the top section of covenant form; then have the zoning officer sign the form for the Township (make sure he/she includes their title).
2. Get covenant form notarized and make copy as receipt.
3. Go to the Burlington County Clerk's Office and record deed; get copy of receipt.
4. Apply to Township of Moorestown for fence permit with all the above noted paperwork.
5. All paperwork must be completed for permit to be processed.

Peter D. Clifford  
Zoning Officer

PDC/dm

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## COVENANT AND AGREEMENT WITH RESPECT TO FENCE IN EASEMENT AREA

This Covenant is between \_\_\_\_\_ ("Property Owner") and THE TOWNSHIP OF MOORESTOWN, in the County of Burlington, State of New Jersey ("Township").

Property Owner is the owner of real property in the Township known as

.....also identified as

Block \_\_\_\_\_ , Lot \_\_\_\_\_ ("the Property").

There exists on the Property an \_\_\_\_\_ easement which runs to the Township as shown

on \_\_\_\_\_, recorded in the office of the Burlington County

Clerk on .....

Chapter 70-2 Prohibits encroachments in a township easement.

Section 180-99.2 Paragraph C Restricts a fence impede the natural flow of water in any stream, creek, drainage swale or ditch.

Property owner hereby agrees that a stockade or solid fence is not permitted in the easement area and any fence installed will not prevent the flow of storm water. Property owner agrees to maintain the easement area for the free flow of water and remove any and all blockages.

Property Owner hereby agrees that as a condition of the issuance of a permit for said fence, to remove the fence at his or her expense at such time as the Township, in its sole discretion, should need access to the easement area.

Township agrees that it will provide reasonable notice to Property Owner when the need arises to access the easement area. Township also agrees that upon completion of the work within the easement area, Property Owner may, at his or her own expense, re-erect the fence within the easement area.

This Covenant shall run with the land. This Covenant constitutes the entire agreement between the parties with respect to the subject matter hereof. No amendment or modification of the Covenant shall be binding unless in writing and signed by both parties. This Covenant shall be governed by and construed in accordance with the laws of the State of New Jersey, and shall be filed with the Burlington County Clerk's Office.

IN WITNESS WHEREOF, the parties have executed the Covenant as of this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Property Owner(s) (Signature)

\_\_\_\_\_  
Township Employee Signature

\_\_\_\_\_  
Printed Name Owner (s)

\_\_\_\_\_  
For the Township of Moorestown/Title

Grantor's Name (print): \_\_\_\_\_ Is/Are the person(s) named in and who executed the within instrument, and thereupon acknowledged that he/she/they signed and delivered the same as his/her/their act and deed for the purposes therein expressed.

State of \_\_\_\_\_ County of \_\_\_\_\_

Grantor's Signature Sworn to and subscribed to before me this \_\_\_ day of \_\_\_\_\_ 20

\_\_\_\_\_

Notary Public

Special conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_