Index

ABANDONMENT Mine abandonment, lien, 24:85 Title acquisition by, 8:10 ABSTRACTS AND ABSTRACTING OF TITLE Generally, 35:1 et seq. Abstractors liability, 35:5 licensing requirements, 35:3 responsibility, 35:4 Acknowledgment certificate, examining, 35:2 Acknowledgments, examination of, 35:28 Administrators' deeds, examination of, 35:32 Adverse work to the abstract another method of doing, 35:21 examination of, 35:49 form, 35:20 Affidavit of survey, form, 35:64 Affidavit of title corporation, form, 35:54 examination and form of, 35:52 limited liability company, form, 35:55 mortgage of property by individual, form, 35:57	ABSTRACTS AND ABSTRACTING OF TITLE—Cont'd Certificate of incorporation—Cont'd examination of, 35:33 how to abstract, 35:18 Certificate of regularity, court order deeds, examination of, 35:31 Certificate of survey, form, 35:65 Chain of title generally, 35:15 certificate of incorporation as part of, 35:17 how to find, 35:16 Commencement of suit or action, title examination prior to, 35:22 Construction liens and building contracts, examination of, 35:43 Contracts, examination of building contracts, 35:38 Corporations affidavit of title, form, 35:54 incorporation certificate. Certificate of incorporation, above Court order deeds, examination of, 35:31 Court searches, examination of, 35:50
35:55 mortgage of property by individ-	35:31 Court searches, examination of,
partnership, form, 35:53 sale of property by individual, form, 35:56 Arrangement of the abstract, 35:23 Assignments, examination of, 35:46 Bond refunding and release, form,	Covenants, 35:11 Curative statutes, nature of, 35:72 Deed, abstract of administrators' deeds, examination of, 35:32 certificate of acknowledgment,
35:37 Building restrictions, 35:67 Certificate attached to abstract of title, 35:59 Certificate of acknowledgment, examining, 35:2 Certificate of incorporation as part of chain of title, 35:17	examining, 35:2 court order deeds, examination of, 35:31 covenants, 35:11 description, abstracting, 35:9 directions in abstracting deed, 35:7 executors' deeds, examination of, 35:32

ABSTRACTS AND ABSTRACTING ABSTRACTS AND ABSTRACTING OF TITLE—Cont'd OF TITLE—Cont'd Deed, abstract of-Cont'd Investigation of matter not disclosed by record title, 35:58 foreclosure deeds, examination of, 35:30 Judgment liens, examination of, 35:41 form. 35:6 Leases, examination of, 35:47 granting part of deed, abstracting, 35:8 Liens, examination of officials' deeds, examination of, construction liens, 35:43 35:29 judgment liens, 35:41 power of attorney, examination of miscellaneous liens, 35:42 deeds under, 35:27 Limited liability company affidavit of private deeds, examination of, title, form, 35:55 35.26 Lis pendens, examination of, 35:45 recitals, restrictions, etc., abstract-Miscellaneous encumbrances, examiing, 35:10 nation of, 35:48 tax deeds, examining, 35:34 Mortgages, examination of trustees' deeds, examination oft, generally, 35:39 35:32 cancellation or discharge by vacation deed, form, 35:71 surviving tenant by the Descent proceedings, examining, entirety, **35:40** 35:36 individual mortgage, affidavit of Description, abstracting, 35:9 title, form, 35:57 Encroachments, 35:66 Nature of curative statutes, 35:72 Examining abstracts, 35:23 et seq. Numbering the instruments, 35:24 Executors' deeds, examination of, Officials' deeds, examination of, 35:32 35:29 Foreclosure deeds, examination of, Original proprietors 35:30 title from, 35:14 **Forms** adverse work, 35:20 title of, 35:13 affidavit of survey, form, 35:64 Planning, building, and zoning affidavit of title, 35:53-35:57 restrictions certificate of survey, form, 35:65 generally, 35:67 deed abstract, 35:6 deed of vacation, form, 35:71 deed of vacation, form, 35:71 vacation of street ordinance, form, refunding bond and release, 35:37 35:69 survey affidavit, form, 35:64 vacation of streets, highways, and survey certificate, form, 35:65 public places, 35:68 survey, corner waiver, form, 35:61 vacation ordinance abstract—Form ordinance of vacation, 35:70 title abstract, 35:19 vacation of street ordinance, form, Postponements, examination of, 35:46 35.69 Power of attorney, examination of vacation ordinance abstract—Form deeds under, 35:27 ordinance of vacation, 35:70 Private deeds, examination of, 35:26 Incorporation certificate. Certificate of incorporation, above Reading the instruments, 35:25 Recitals, restrictions, etc., abstract-Individual mortgage of property, affidavit of title, form, 35:57 ing, 35:10

ABSTRACTS AND ABSTRACTING	ACKNOWLEDGMENTS TO
OF TITLE—Cont'd	CONVEYANCES—Cont'd
Recognizances, examination of,	Armed forces—Cont'd
35:44	who may take in, 14:8
Refunding bond and release, form,	Attorney-in-fact's, 14:14
35:37	Certificates
Releases	apostille, of, 14:24
bond refunding and release, form,	translation certificate, 14:23
35:37	Conclusiveness, 14:11
examination of, 35:46	Corporations
Sale contracts examination of, 35:38	acknowledgment of deed, form,
individual affidavit of title, form,	14:17
35:56	acknowledgment of instrument by
Street ordinance, vacation of, 35:69 ,	limited partnership, officer of
35:70	corporate general partner,
Subordinations, examination of,	14:19
35:46	acknowledgment of instrument, form, 14:18
Survey	subscribing witness of instrument,
generally, 35:60	proof by
affidavit, form, 35:64	deed of corporation or other
certificate, form, 35:65	entity, with signature,
corner waiver, form, 35:61	14:20
price, 35:62	instrument of corporation or
print, 35:63	other entity, with signature,
Tax deeds, examining, 35:34	14:21
Tax searches, examination of, 35:51	Curing defect, 14:12
Title abstract, generally, 35:2	Defective acknowledgments
Trustees' deeds, examination of,	curing defect, 14:12
35:32 Vacation matters	instruments of record for 6 years,
deed of vacation, form, 35:71	over judgment creditors,
ordinance abstract—Form	23:15
ordinance of vacation, 35:70	Forms
street ordinance vacation, form,	generally, 14:13-14:24
35:69	apostille, certificate of, 14:24
streets, highways, and public	armed forces member's
places, 35:68	acknowledgment of instrument, 14:15
Wills, examining, 35:35	attorney-in-fact's acknowledgment
Zoning restrictions. Planning, build-	of instrument, 14:14
ing, and zoning restrictions,	certificates
above	apostille, of, 14:24
ACKNOWLEDGMENTS TO	translation certificate, 14:23
CONVEYANCES	corporation's acknowledgment of
Generally, 14:1-14:24	deed, 14:17
Apostille certificate, form, 14:24	•
Armed forces	instrument, 14:18
member, form, 14:15	individual's acknowledgment of instrument, 14:13
member, 101111, 14:15	1118ti tilli (14:13

ACKNOWLEDGMENTS TO CONVEYANCES—Cont'd

Forms—Cont'd

limited liability company, subscribing witness of instrument, proof by, with signature, 14:22

limited partnership, officer of corporate general partner acknowledgment of instrument by, 14:19

partners of deed, by, 14:16

subscribing witness of instrument, proof by

deed of corporation or other entity, with signature, 14:20

instrument of corporation or other entity, with signature, 14:21

instrument of limited liability company or other entity, with signature, 14:22

translation certificate, 14:23

Individual's acknowledgment of instrument, form, **14:13**

Limited liability company, subscribing witness of instrument, proof by, with signature. form, 14:22

Limited partnership, officer of corporate general partner acknowledgment of instrument, form, 14:19

Mortgages, 20:31

Nature of, **14:1**

Partners of deed, form, 14:16

Place of taking, 14:10

Requisites, 14:2

Subscribing witness of instrument, form, 14:20-14:22

Translation certificate, form, 14:23

Who may make

generally, 14:3

married woman, 14:4

Who may not take, 14:9

Who may take

armed forces, in, 14:8

foreign countries, in, 14:7

other states, in, 14:6

ACKNOWLEDGMENTS TO CONVEYANCES—Cont'd

Who may take—Cont'd state of NJ, in, 14:5

ACQUISITION OF TITLE

Title Acquisition, this index

ADJOINING LANDOWNERS

Easements, this index

Fence, 19:29, 19:30

Footings, **19:31**

Party Walls, this index

ADMINISTRATORS' DEED

Abstracting of title, examination of, **35:32**

Form, **17:32**

Recitals, 11:19

ADVERSE POSSESSION

Title acquisition by, 8:13

ADVERSE WORK TO ABSTRACTING TITLE

Another method of doing, **35:21** Examination of, **35:49** Form, **35:20**

ADVERTISING

Condominiums, 5:34

Mortgages and insured loans, 20:67

AIR AND LIGHT EASEMENT

Easements, this index

AIR SPACE, ESTATE IN LAND

Generally, 1:2

Deed for airspace, form, 1:3

Obstruction prohibited, form, 1:4

Relative hardship doctrine

(adjudicated), form, 1:5

AIRPORT SAFETY AND ZONING ACT OF 1983

Generally, 26:26

ALCOHOL BEVERAGE

Sale of property, ABC board approval, form, **26:54**

Tax judgment, 23:25

Tax lien, 24:58

ALIENATION

Deed restrictions, **18:4** Title acquisition by, **8:7**

ALIENS

Capacity of mortgagor, 20:13
Capacity to acquire title, 7:11, 7:25, 9:14

Capacity to convey property, 10:32

ALTERATION OF DEEDS

Defined. 15:1

Distinction between executed and executory instruments, **15:4**Forgery, defined, **15:1**Time of alteration, effect of, **15:3**

Who makes the alteration, effect of, 15:2

AMENDMENT OR MODIFICATION

Alteration of Deeds, this index Condominium, amendment to master deed, form, 17:23

Construction liens, amended lien claim form, 22:9

Cooperatives, amendments, 5:57

Easements, 19:12

Mortgages, this index

Sale transactions, writing required as to modifications, **26:113**

Uniform Commercial Code financing statement, 24:52, 24:53

AMOUNT

Construction lien claim, 22:7, 22:14
Foreclosure default, affidavit of amount due, form, 41:28

Municipal tax foreclosures, amount due to plaintiff, 40:15-40:18

Price, this index

Tax sales amount

payment of amount due, 39:4 redemption amount, 39:14

ANSWER

Foreclosure, this index
Municipal tax foreclosures actions,
40:11, 40:27

ANTENNA INSTALLATION

Condominiums, **5:38**, **5:39**

ANTENUPTIAL

AGREEMENTS/DEEDS

Premarital or Prenuptial Agreements/ Deeds, this index

APARTMENTS

Commercial tenancy form, **31:26** window guard requirements and notification, form, **31:27** Landlord and tenant, form, **30:43**

APOSTILLE CERTIFICATE

generally, 14:24

ARCHITECTS

Use variance, outline of testimony in support of, **45:26**

ARMED FORCES OR MILITARY

Acknowledgments to conveyances member, form, 14:15
who may take in, 14:8
Affidavit of non-military service, form
foreclosure default proceedings,
41:30

municipal tax foreclosures default proceedings, **40:14**Veterans, this index

veterans, this index

ARTIFICIAL MONUMENTS

Boundaries and descriptions, 12:21

ASBESTOS

Commercial transactions considerations, 31:9

ASSIGNMENT FOR BENEFIT OF CREDITORS, 43:9

Generally, 43:1 et seq.

Appeal time, 43:9

Complaint in action for sale of real property, form, **43:11**

Contents, 43:2

Corporations, assignments by, 43:6

Death of assignee, 43:5

Deed, assignee's, form, 43:17

Duties of assignee, 43:3

ASSIGNMENT FOR BENEFIT OF ASSIGNMENTS—Cont'd CREDITORS, 43:9—Cont'd Abstracts of title, examination of assignments, 35:46 Form of, generally, 43:2 Benefit of creditors. Assignment for Forms Benefit of Creditors, this index assignee's deed, 43:17 Certificate of tax sales, assignment by complaint in action for sale of real municipality, 39:9, 39:10 property, 43:11 Contract liens, recording of contract deed, assignee's, 43:17 and assignment, 24:61 general assignment, 43:10 Cooperative unit deed judgment authorizing sale of real assignment of cooperative property, **43:13** stock?form, 5:70 notice of public sale of real propassignment of proprietary erty, 43:14 lease?form, 5:71 order confirming sale of real prop-Corporation assignments, capacity to erty, 43:16 convey property, 10:23 order to show cause for sale of real property, 43:12 Judgment liens, assignment of judgment, 23:31 report of sale of real property, 43:15 Landlord and tenant, assignment of General assignment, form, 43:10 security deposits, form, 30:44 Judgment authorizing sale of real Mortgages, this index property, form, 43:13 Sale transactions Notice of public sale of real property, form, 26:50 form, 43:14 new home owner's warranty assignment, form, 26:144 confirming sale of real property, Tax sales, assignment of certificate form, **43:16** by municipality, 39:9, 39:10 show cause for sale of real prop-UCC lien, assignment by secured erty, form, 43:12 party, 24:45 Partners, assignments by, 43:7 ASSUMPTION OF MORTGAGE Powers of assignee, 43:3 Foreclosure, parties assuming or Reconveyance by assignor guaranteeing the mortgage debt, compensation with creditors, 41:8 43:8 Sale contingencies, mortgage Removal of assignee, 43:5 assumption, form, 26:62 Report of sale of real property, form, Transfer of property mortgaged, 43:15 20:44 Resignation of assignee, 43:5 Sale of real property by assignee AT WILL ESTATES generally, 43:4 Generally, 6:2 complaint, form, 43:11 ATTACHMENTS judgment authorizing, form, 43:13 Generally, 24:11 notice of public sale, form, 43:14 Bond, discharge of attachment by, order confirming sale, form, 43:16 order to show cause, form, 43:12 Custody of attached real property, report of sale, form, 43:15 24:21 ASSIGNMENTS Discharge of attachment by bond, Generally, 26:50 24:23

this index

ATTACHMENTS—Cont'd **ATTORNEYS** Dismissal of attachment, order for, Commercial Transactions, this index 24:25 Judgments, lien on, 23:40 Distributive share of estate, of, 24:18 Power of Attorney, this index Duration of lien. 24:20 Sale transactions. Sale and Transfer, Estates of decedents, legacy or disthis index tributive shares, 24:18 **ATTORNEYS' FEES** Forms Mortgage review fee, 20:60 order directing issuance of writ on Municipal tax foreclosures, 40:31 three-days notice, 24:15 Retaining lien writ of attachment (no summons judgments, on, 23:40 and complaint annexed), 24:16 sale of real property, on, 24:4 writ of attachment (with summons BANKRUPTCY and complaint annexed), Capacity to convey property, 24:17 corporate bankruptcies, 10:23 Grounds for issuance of, 24:12 Foreclosure and bankruptcy, 41:55 Issuance of Judgment liens grounds for, 24:12 comments under bankruptcy code, order directing issuance of writ on 23:45 three-days notice, form, 24:15 effect on title, 23:42 Joint debtors property, against, 24:14 **BANKS** Legacy or distributive share, of, 24:18 Capacity to acquire title, 9:15 Lien on real estate, as BARGAIN AND SALE DEED generally, 24:19 Form, 17:12 duration, 24:20 **BEACH** Order directing issuance of writ on three-Easements, 19:14 days notice, form, 24:15 BILL OF SALE dismissal of attachment, 24:25 Uniform Commercial Code lien, vacating attachment writ, 24:24 24:54 Procedure to obtain writ of, 24:13 **BILLBOARDS** Title under sale of attached real property, 24:22 Tax exemption under RESPA, Vacation of attachment writ by court highway billboards, 29:24 order. 24:24 BINDER Writ of attachment Title insurance, 44:1 no summons and complaint annexed, form, 24:16 BINDING order directing issuance on three-Condominiums, nonbinding reservadays notice, form, 24:15 tions, 5:41 procedure to obtain writ, 24:13 Judgment liens, time for binding of vacation by court order, 24:24 real estate, 23:2 with summons and complaint **BLIGHTED AREA** annexed, form, 24:17 Tax exemption under RESPA, 29:19 ATTESTATION CLAUSE **BOARDING HOUSE** Contents of Conveyance Instruments, Eviction, 30:14

BONDS	BOUNDARIES AND
Abstracting of title, refunding bond	DESCRIPTIONS—Cont'd
and release, form, 35:37	Monuments—Cont'd
Attachments discharge, 24:23	map—Cont'd
Filiation proceedings, 24:28, 24:29	municipal tax map, recorded
Liens on property, 24:26-24:29	deed description to face of
Sheriff's bonds, 24:26, 24:27	cliff and, 12:12
BOUNDARIES AND	natural monument boundary
DESCRIPTIONS	order of conflicting calls, 12:20
Generally, 12:1-12:32	recorded deed description to
Abstracting deed description, 35:9	face of cliff and municipal
Artificial monuments, 12:21	tax map, 12:12 river in recorded deed descrip-
Condemnation descriptions, 12:7	tion and survey?Form,
Condominium descriptions	12:18
generally, 12:26	order of conflicting calls?natural
deed description?Form, 12:27	monuments, 12:20
Cooperative (co-op) descriptions,	recorded deed description to face
12:28	of cliff and municipal tax
Courses and distances, 12:22	map, 12:12
Curtilage, 12:9	stakes in surveys, and, 12:13
Deed descriptions, 12:5	Natural monument boundary. Monu-
Defined, 12:4	ments, above
Drafting requirements, 12:1	Order of conflicting calls?Natural
Forgery of deed descriptions, 12:2	monuments, 12:20
Forms	Ownership of streets, 12:14
boundary complaint, 12:32	Particular over general descriptions, 12:24
boundary line agreement, 12:31	Quantity, 12:23
complaint for possession, 12:30	Statute of Frauds, 12:3
condominium deed description,	Streets, ownership of, 12:14
12:27	Tax map descriptions?Statutory
natural monument boundary of	mandates, 12:25
river in recorded deed	Water
description and survey, 12:18	above tidewater riparian owner
Intention of the parties, 12:8	boundary, 12:16
Litigation and determinations, bound-	high water mark, 12:17
ary generally, 12:29	natural monument boundary of
boundary complaint?Form, 12:32	river in recorded deed
boundary line agreement?Form,	description and survey?Form,
12:31	12:18
complaint for possession?Form,	navigable stream boundary, 12:19
12:30	ponds and lakes boundaries, 12:15
Monuments	Will descriptions, 12:6
generally, 12:10	BROKERS
artificial monuments, 12:21	Mortgage broker, 20:71
map	Sale transactions. Sale and Transfer,
filing law, under, 12:11	this index

BROKERS—Cont'd	CAPACITY TO CONVEY
Use variance, outline of broker	PROPERTY
testimony in support of, 45:25	Generally, 10:1
CANCELLATION	Aliens, 10:32
	Confirmation of, 10:14
Child support arrears judgment liens, 23:30	Congregations, 10:26
Flood zone real property sale—right	Corporate
to cancel—waiver, form, 26:69	generally, 10:16
Lease options, 25:13	assignments, 10:23
Mortgages, this index	bankruptcies, 10:23
Tax sales, court order, 39:15	certificate of good standing—Fax service, 10:17
CAPACITY TO ACQUIRE TITLE	charter voiding and reinstatement,
generally, 9:1-9:20	10:19
Aliens, 9:14	dissolution, 10:20
Banks, 9:15	foreign corporation, 10:27
Children, 9:3	franchise taxes and liens, 10:18
Corporate	liens, 10:18
generally, 9:9	merged corporation, 10:21
educational corporation, 9:13	nonprofit, 10:25
foreign corporation, 9:12	public utilities, 10:24
	receiverships, 10:23
non-profit corporation, 9:11 professional corporation, 9:10	resolution of conveyance, form,
Counties, 9:19	10:22
· · · · · · · · · · · · · · · · · · ·	County deed, form, 10:30
Fiduciaries, 9:5	Divorces, 10:34
Form, resolution of religious societ-	Drunkards, 10:12
ies, congregations, and Ys to purchase, 9:18	Duress, 10:33 Executors with power of sale. deed
Infants, 9:3	by, form, 10:13
Limited partnership, 9:8	Fiduciaries, 10:9
Mentally imcompetent persons, 9:6	Forms
Municipalities, 9:19	confirmation of conveyance under
Partnership	power of attorney, 10:14
generally, 9:7	corporate resolution of convey-
limited partnership, 9:8	ance, 10:22
Religious societies, congregations,	deed by executors with power of
and Ys	sale, 10:13
generally, 9:17	deed of county, 10:30
resolution to purchase, form, 9:18	deed of State, 10:29
Repurchase from state, 9:2, 42:18	municipality, 10:31
Savings and loan associations, 9:16	Fraud, 10:33
_	Married women, 10:11
Single and married women, 9:4	Mentally incapacitated persons' land
State capacity, 9:20	complaint for sale of land, 10:5
State, repurchase from, 9:2, 42:18	mental, 10:8
Title Acquisition, this index	order directing and confirming,
Women, single and married, 9:4	10:7

CAPACITY TO CONVEY PROPERTY—Cont'd

Mentally incapacitated persons' land —Cont'd

order to show cause re sale of, 10:6

requirements of rule 4.94 on sale or mortgage of lands, **10:4**

Minors' land

generally, 10:2

conformation deed, 10:3

requirements of rule 4.94 on sale or mortgage of lands, **10:4**

Moratoriums, 10:35

Municipality, form, 10:31

Older people, 10:10

Order, mentally incapacitated persons' land, 10:6, 10:7

Partnerships, 10:15

Power of attorney, confirmation of conveyance under, form, 10:14

Religious societies and congregations, **10:26**

State

generally, 10:28

deed of state, form, 10:29

Undue influence, 10:33

CERTIFICATES AND CERTIFICATION

Abstracts and Abstracting of Title, this index

Acknowledgments to conveyances apostille, of, **14:24**

translation certificate, 14:23

Business name certificates, trade name, 31:30, 31:31

Child support arrears, form, 23:30

Cooperatives stock certificate?form, **5:68**

Corporate certificate

franchise tax lien search, certificate of liens for unpaid taxes, **24:70**

good standing, capacity to convey property—Fax service, 10:17

Estoppel certificate, mortgage covenant to furnish, **20:20**

CERTIFICATES AND CERTIFICATION—Cont'd

Foreclosure, certificate of regularity, 41:54

Landlord and Tenant, this index Municipal corporations and other

political subdivisions

registration of rental premises certificate, municipal filing, form, **30:28**

tax sales, assignment of certificate by municipality, **39:9**, **39:10**

Municipal tax foreclosures complaint, lost certificate count, form, **40:4**

Occupancy certificate

sale and transfer of property, generally, **26:60**

temporary, 26:61

Planning and Zoning, this index Tax sales, this index

CHAIN OF TITLE

Generally, 35:15

Certificate of incorporation as part of, **35:17**

How to find, 35:16

CHECKLISTS

Contract of sale? Multitenanted building. Commercial Transactions, this index

Life estate

antenuptial agreements, **4:18**, **4:19** preparation of life estate, **4:3**

Options, real and commercial transactions, 25:2

Planning and zoning applications

Applicant's attorney, **45:31** Objector's attorney, **45:32**

Sale and real property

generally. Sale and Transfer, this index

contract of sale?multitenanted building. Commercial Transactions, this index

CHILD SUPPORT JUDGMENTS

Generally, 23:28

Certification of arrears, 23:30

CHILD SUPPORT JUDGMENTS	COMMERCIAL TRANSACTIONS
—Cont'd	—Cont'd
Satisfaction, 23:29	Attorney
CHILDREN	checklists. Contract of sale, below
Acquisition of title	Attorneys opinions, 31:11
capacity to acquire title, 9:3	professional responsibility advice,
descent, by	31:12
adopted child, 7:8	Business name certificates, trade
child born out of wedlock, 7:9	name
disinheritance of adult child,	certificate, form, 31:30
7:17	dissolution, form, 31:31
omitted children, 7:16 Inheritance tax liens, 37:6	Contingencies, 31:8
Support judgment liens, 23:28-23:30	Contract for building (construction or repair)?Form, 31:23
CHURCH PEW PRIVILEGES	Contract for sale—Business?Form,
Deed, 19:15	31:24
Resolution of revocation	Contract of sale? Multitenanted build-
(adjudicated), 19:16	ing
, ,	checklists
CLOSINGS	generally, 31:14
Cooperatives, 5:74-5:75	closing
Mortgages, closing statement, 28:7	purchaser's attorney at, 31:17
Sale and Transfer, this index	seller's attorney at, 31:18
CO-OWNERSHIP ESTATES IN	post-closing
LAND	purchaser's attorney, 31:19
Classification of estates, 5:1	seller's attorney, 31:20
Condominiums, 5:25-5:54	preparation for closing
Cooperative estates, 5:55-5:77	purchaser's attorney, 31:16
Domestic partner, tenancy by	seller's attorney, 31:15
entirety, 5:18 , 5:19	purchaser's attorney
Entirety, estates by, 5:13-5:22	at closing, 31:17
Joint tenancies, 5:2-5:5 Partition, 5:23 , 5:24	post-closing, 31:19
Partnership, tenancies in, 5:11, 5:12	preparation for closing, 31:16 seller's attorney
Surviving spouse, 5:18 , 5:19 , 5:20	at closing, 31:18
Tenancies in common, 5:5-5:10	post-closing, 31:10
Title created by instrument to	preparation for closing, 31:15
husband and wife, 5:21	form, 31:13
Traditional estates, generally, 5:1-	Contract of sale?vacant land
5:24	no approval contingency and no
COLLAPSE	purchase money mortgage
	clause?Form, 31:22
Mine collapse, insurance protection for, 1:7	with approval contingency and
,	purchase money mortgage
COMMERCIAL TRANSACTIONS	clause, form, 31:21
Generally, 31:1 et seq.	Descriptions, 31:2
A shestos considerations 31.9	Escrow of deposit 31.7

no notice of settlement, judgment

creditor over unrecorded

deed, 23:12

COMMERCIAL TRANSACTIONS COMPENSATION—Cont'd -Cont'd Reconveyance by assignor compensation with creditors, Leases apartment lease form, 31:26 Spill Compensation and Control Act, super lien under, 24:82 window guard requirements and Unemployment Compensation, this notification, 31:27 index business?form, 31:28 Workers' compensation judgments, commercial tenancy actions, 31:25 23:26, 24:59 house?form, 31:29 Loan documents, 31:10 **COMPLAINT** Mortgages Assignment for benefit of creditors, modification exculpation complaint in action for sale of technique, 31:6 real property, form, 43:11 wraparound mortgages, 31:5 Boundaries, litigation Opinions of counsel, 31:11 boundary complaint? Form, 12:32 Options. Options, real and comcomplaint for possession? Form, mercial transactions, this index 12:30 Price allocation, 31:3 Condemnation, 42:2 Professional responsibility advice, Foreclosure, 41:12, 41:13 31:12 Landlord and tenant, complaint for Seller financing and prepayments, possession 31:4 nonpayment or holdover, form, UCC lien. Uniform Commercial 30:33 Code lien, this index tenant's notice, form, 30:34 Wraparound mortgages, 31:5 Mentally incapacitated persons' land, COMMISSIONS complaint for sale of land, 10:5 Attorney's right to commission, Mortgages cancellation complaint, 26:42 20:52 Basic contract form and clause, 26:51 Municipal Tax Foreclosures, this Landlord liability on unwritten comindex mission agreement, 26:22 Partition of co-ownership estates in Purchaser liability for commission, land, form, 5:24 26:21, 26:136, 26:137 Party walls deed restrictions com-Representation and warranty in sales plaint, form, 18:11 transaction, commission by Recognizances, capias ad purchaser and seller, form, 26:137 respondendum (with summons and complaint attached), form, purchaser, form, 26:136 24:3 Seller liability for commission, 26:21, 26:137 Writ of attachment, annexing complaint to, 24:16, 24:17 Statute of Frauds and commission agreements, 26:20 **COMPROMISE** Title insurance, 44:10 Inheritance or estate tax liens, 37:12 COMPENSATION Judgment liens

Commissions, this index

Condemnation, 42:13

Fees, this index

COMPROMISE—Cont'd	CONDITIONAL AND LIMITED
Judgment liens—Cont'd	ESTATES IN LAND
notice of settlement over judgment,	Estates on condition
grantee or mortgagee under,	generally, 3:1
23:16	perfecting, 3:2
partner by separate compromise, judgment against, 23:10	Estates on limitation
Landlord and tenant, certification,	generally, 3:3
breach of settlement, form,	conditional limitation, on, 3:4
30:30	CONDITIONAL USES
Lis pendens, 21:11, 21:12	Planning and zoning, 45:12
Party walls, creating and settling dif-	<i>c c</i> ,
ferences, 19:42	CONDOMINIUMS
CONCLUSIVENESS	Generally, 5:25-5:54
Acknowledgments to conveyances,	Advertising and contracts, form, 5:34 Antenna installation, 5:38 , 5:39
14:11	Approval of sale of real property,
	condominium approval, form,
CONDEMNATION	26:55
Generally, 42:2 et seq.	Assessments (liens, and termination)
Abandonment of, 42:19	generally, 5:28
Allocation disputes, 42:9	claim for unpaid assessments, 5:29
Appeal from award of commissioners, 42:10	discharge of claim for unpaid
Commissioners' hearings	assessments, form, 5:30
generally, 42:7	forms
award of commissioners, appeal	discharge of claim for unpaid
from, 42:10	assessments, 5:30
Compensation, 42:13	search request, assessment, 5:31
Declaration of taking and transfer of	search request form, assessment, 5:31
title, 42:6	Budgets, 5:40
Deposit of funds where ownership in	Community association, 5:36
dispute, 42:15	Condominium Act, 5:27
Discovery rules, 42:8	Condominium association
Entry permit litigated, form, 42:12	antenna installation, 5:38, 5:39
Expenses of condemnee, 42:14	budgets, 5:40
Form, entry permit litigated, 42:12	Open Board Meeting Act, 5:37
Inverse condemnation, 42:17	Continuing Care Retirement Com-
Jurisdiction, 42:2	munity Regulation and Financial
Lis pendens, 42:4	Disclosure Act, 5:53
Parties, 42:3	Conversions, 5:32
Pleadings, 42:2	Disabled persons, protected tenancy,
Preliminary entry	5:44
generally, 42:11	Distress, projects in, 5:43
entry permit litigated, form, 42:12	Environmental liens, 24:87
Repurchase of condemned property,	Forms
42:18	advertising and contracts, 5:34
Service of process, 42:5 Uneconomic remnants, 42:16	Homeowner's no notice lien, 24:88,
coneconomic remains 47 in	/.4:11

CONSERVATION CONDOMINIUMS—Cont'd Homeowners associations, generally, Easement, form, 19:17 5:25 **CONSTRUCTION AND** Horizontal Property Act, 5:26 CONSTRUCTION Hotels and multiple dwellings, 5:49 CONTRACTS Improvements to real property—stat-Demolition, environmental lien, ute of limitations, 5:52 24:84 Liens Liens. Construction Liens, this index generally, 24:87 Mortgages, this index assessments (liens and termination), above **CONSTRUCTION AND** homeowner's no notice lien, **CONSTRUCTION CONTRCTS** 24:88, 29:33 New Residential Construction Off-Miscellanea, 5:54 Site Conditions Disclosure Act Multiple dwellings and hotels, 5:49 generally, 26:24 New Home Warranty and Builders' notice, form, 26:25 Registration Act, 5:48 **CONSTRUCTION LIENS** Nonbinding reservations, 5:41 Abstract of title, examination of, Planned Real Estate Development 35:43 Full Disclosure Act, 5:33 Amended lien claim form, 22:9 Private residential leasehold com-Amount of lien claim, 22:7, 22:14 munities, 5:47 Arbitration Projects in distress, 5:43 residential construction contract, Real Estate Sales Full Disclosure 22:26 Act, 5:46 Claim, lien Reservations, nonbinding, 5:41 amendment—Form, 22:9 Sale of real property, condominium amount, 22:7, 22:14 approval, form, 26:55 county clerk's duties, 22:11 Senior citizens, protected tenancy, death of party in interest, 22:15, 5:44 22:16 Statute of limitations? Real property discharge, 22:18, 22:19 improvements, 5:52 enforcement, 22:12, 22:13 Tenant Protection Act of 1992, 5:45 forfeiture of enforcement rights, Transfers by unit owners, 5:42 claimant's, 22:13 Uniform Construction Code Act, form, 22:6 5:51 lis pendens, 22:21 Uniform Fire Safety Act, 5:50 names of subcontractors and sup-Warranties pliers, 22:20 generally, 5:35 owner's rights and duties, 22:10 New Home Warranty and Buildpriority, 22:8 ers' Registration Act, 5:48 subordination, form, 22:16 **CONFIRMATION** time for filing lien and service of Capacity to conveyance property, lien claim, 22:5 form, 10:14 Claimant defined—Licenses, 22:2 Deed, confirmation County clerk generally, 17:5 discharge of lien claim, requireloss of originals, on, 16:3 ments, 22:18 Foreclosure sale, 41:44 duties as to lien claim, 22:11

CONSTRUCTION LIENS—Cont'd	CONSTRUCTION LIENS—Cont'd
Death of party in interest	Notice—Cont'd
generally, 22:15	unpaid balance and right to file lien
subordination, form, 22:16	discharge—Form, 22:24
Definitions	form, 22:22
claimant defined—Licenses, 22:2	procedure, 22:23
residential construction contract,	Owner's rights and duties, 22:10
22:25	Priorities and preferences
Demolition lien, 24:84	generally, 22:8
Discharge of lien claim	residential construction contract,
generally, 22:17	22:27
county clerk's requirements, 22:18	UCC security interests in construc-
form, 22:19	tion mortgages, 24:44
residential construction contract—	Procedure, 22:23
Form, 22:24	Release, residential construction
Enforcement of lien	contract, 22:28 Relocated structures, 22:3
generally, 22:12	Residential construction contract
forfeiture of enforcement rights, claimant's, 22:13	calculation of proportionate share,
Entitlement, right to file lien	22:14
discharge—Form, 22:24	definitions, 22:25
form, 22:22	notice and arbitration, 22:26
procedure, 22:23	notice of unpaid balance and right
Excavated and landscaped property,	to file lien
22:3	discharge—Form, 22:24
Exceptions to lien law, 22:4	form, 22:22
Forfeiture of enforcement rights,	procedure, 22:23
claimant's, 22:13	priority, 22:27
Forms	release, 22:28
amended lien claim form, 22:9	Service of lien claim, 22:5
claim, lien, 22:6	Subcontractors' names, lien claim,
discharge of lien claim	22:20
basic form, 22:19	Subordination of lien claim, form,
residential construction	22:16 Subordination form 22:16
contract—Form, 22:24	Subordination, form, 22:16 Suppliers' names, lien claim, 22:20
notice of unpaid balance and right	Time for filing lien, 22:5
to file lien	Waterfront property, 22:3
basic form, 22:22	
discharge—Form, 22:24	CONTENTS OF CONVEYANCE
subordination of lien claim, 22:16	INSTRUMENTS
Landscaped and excavated property,	Generally, 11:1-11:45
22:3	?Party of the first part,? 11:11
Lis pendens, 22:21	Appurtenances, 11:22
Names of subcontractors and suppli-	Attestation clause
ers, 22:20	generally, 11:25
Notice	agent's attestation?Form, 11:30
residential construction contract, 22:26	blind person signature?Form, 11:27

CONTENTS OF CONVEYANCE	CONTENTS OF CONVEYANCE
INSTRUMENTS—Cont'd	INSTRUMENTS—Cont'd
Attestation clause—Cont'd	Forms—Cont'd
erasures or interlineations,	substituted signature, court order
signature made	for, 11:33
after?Form, 11:28	tax lot and block reference, 11:13
mark, signature made by?Form,	Granting clause, 11:16
11:26	Habendum clause?Form, 11:23
short form?Form, 11:29	Introduction, 11:8
Consideration in deed of fiduciary	Name and address of
and sheriff, 11:15	grantee, 11:12
Consideration?Statutory	grantor, 11:10
requirements?Form, 11:14	Order for substituted signature,
Covenants	forms, 11:33
meaning of, 11:5	Parts of a deed, 11:7 et seq.
statutory short form deed with covenants?Form, 11:6	Plain Language Act, 11:2
without covenants?Form, 11:4	Power of attorney
Date, 11:9	affidavit of attorney-in-fact? Form
Executors' and administrators' deeds	11:40
recitals, 11:19	execute deed, to, 11:39
Fiduciary deed, consideration in,	married woman, 11:42
11:15	revocation
Forms	generally, 11:43
attestation clause	form, 11:44
agent's, 11:30	sell and convey land?Form, 11:41
blind person signature, 11:27	Preparation of deeds by person not
erasures or interlineations,	licensed, 11:1
signature made after, 11:28	Recitals
mark, signature made by, 11:26	generally, 11:17
short form, 11:29	back title, as to?Form, 11:18
consideration?statutory require-	executors' and administrators'
ments, 11:14	deeds, 11:19
habendum clause, 11:23	sheriff's deed, 11:20
order for substituted signature,	Revocation of power of attorney
11:33	generally, 11:43
power of attorney revocation, 11:44	form, 11:44
	Seal, 11:45
power of attorney to sell and convey land, 11:41	Sheriff's deed
power of attorney—affidavit of	consideration in, 11:15
attorney-in-fact, 11:40	recitals, 11:20
recitals as to back title, 11:18	with tax map reference?Form,
sheriff's deed with tax map refer-	11:21
ence, 11:21	Signature
statutory short form deed with cov-	generally, 11:31
enants, 11:6	altered instrument, to, 11:34
statutory short form deed without	attestation. Attestation clause,
covenants, 11:4	above

CONTENTS OF CONVEYANCE	COOPERATIVES—Cont'd
INSTRUMENTS—Cont'd	Approval of cooperative purchasers,
Signature—Cont'd	5:58
attorney-in-fact, grantee naming	Approval of cooperative, sale of real
grantor its, 11:37	property, form, 26:56
corporation, 11:35	Assessments, search request form, 5:31
court order for substituted	Assignment
signature?Form, 11:33	_
electronic, 11:32	cooperative stock?form, 5:70 proprietary lease?form, 5:71
grantor and grantee, by, 11:37	1 1
subdivision deed, 11:36	Boundaries and descriptions, 12:28
Statute of Frauds, 11:3	Closings, cooperative
Statutory short form deed	generally, 5:74
with covenants?Form, 11:6	lost affidavit?form, 5:76
without covenants?Form, 11:4	transfer requirements?form, 5:75
Sunday deeds and contracts, 11:38	Contract for resale of cooperative unit?form, 5:67
Tax lot and block reference, form,	Conversion statutes, 5:64
11:13	Cooperative unit deed
Warranties, 11:24	generally, 5:69
CONTINUING CARE	assignment of cooperative
RETIREMENT COMMUNITY	stock?form, 5:70
REGULATION AND	assignment of proprietary
FINANCIAL DISCLOSURE	lease?form, 5:71
ACT	Declaration of effectiveness
Generally, 5:53	notice?Form, 5:66
CONVERSIONS	Deeds
Condominiums, 5:32	generally, 17:26
,	form, deed to cooperative corpora-
CONVEYANCES	tion, 5:60
Acknowledgments, 14:1-14:24	revocation, of, 17:27
Alteration of deeds, 15:1-15:4	Forms
Boundaries and descriptions, 12:1-	assignment of cooperative stock,
12:32	5:70
Capacity to convey property, 10:1-	assignment of proprietary lease, 5:71
Contents of instruments, 11:1-11:45	contract for resale of cooperative
Easements, reservations, and licen-	unit, 5:67
ses, 19:1-19:86	cooperative closings transfer
Exceptions and reservations, 13:1-	requirements, 5:75
13:7	declaration of effectiveness notice,
Lost deeds, 16:1-16:4	5:66
Particular deeds, 17:1-17:35	deed to cooperative corporation,
Restrictions, 18:1-18:16	5:60
	lost affidavit, 5:76
COOPERATIVES	notice of declaration of effective-
Generally, 5:55-5:77	ness, 5:66
Amendments, 5:57	stock certificate, 5:68

COOPERATIVES—Cont'd Lender's lien on co-op unit,

Lender's lien on co-op unit, securing, 5:61

License to enter in cooperative transfer document, **19:84**

Lost affidavit?form, 5:76

Master declaration, cooperative, 5:56

Notice of declaration of effectiveness?Form, **5:66**

Personalty, treatment as realty and, 5:77

Recognition agreement, cooperative, 5:73

Recording of transfer document generally, **5:59**

access to public records, 33:3

deed to cooperative corporation, form, **5:60**

Resale of cooperative unit contract? Form, **5:67**

Revocation of deed, 17:27

Sale of real property, cooperative approval, form, **26:56**

Search request regarding assessments, **5:31**

Securing lender's lien on co-op unit, **5:61**

Stock

assignment of cooperative stock?form, **5:70**

certificate?form, 5:68

Subscription agreement

generally, 5:65

notice of declaration of effectiveness?Form, **5:66**

resale of cooperative unit contract? Form, **5:67**

stock certificate?form, 5:68

Taxes, real estate, 5:31, 5:62

Termination of cooperative, 5:63

Transfer document

access to public records, 33:3 license to enter in, 19:84

recording of, 5:59, 5:60

Treatment as realty and personalty, **5:77**

U.C.C.-1 re co-op shares, **5:72**

COPARCENARY ESTATE

Generally, 6:4

CORPORATIONS

Acknowledgments to Conveyances, this index

Assignments

benefit of creditors, for, 43:6 capacity to convey property, 10:23

Capacity to acquire title, 9:9-9:13

Capacity to Convey Property, this index

Cooperative corporation, recording deed to, form, **5:60**

Franchise tax lien, 24:67-24:71

Liens on Property, this index

Municipal Corporations And Other Political Subdivisions, this index

Planning and zoning applicants, 45:5

Resolution trust corporation, mortgages discharge or release, 20:56

Signature of corporation, contents of conveyance instruments, 11:35

Tax Liens, this index

Title abstracts. Abstracts and Abstracting of Title, this index

CORRECTIVE DEED

Generally, 17:6

Form, deed correcting mistake, 17:7

COUNTY

Freeholders' liens, **24:37** Institutional liens, **24:31**

COVENANTS

Abstracting of title, 35:11

Against grantor's acts, deed with covenant, form, 17:13

Conveyance instruments contents, 11:4-11:6

Estoppel certificate, furnish, 20:20

Light and air easements, covenant not to build, 19:39

Mortgages, this index

CROPS

UCC lien, priority of security interests in crops, 24:44

CURTESY	DEEDS—Cont'd
Deeds, releasing curtesy, form,	Condominium deed
17:29-17:31	generally, 17:21
Life estate	amendment to master deed, form,
abolition, 4:20	17:23
characteristics, 4:16	form, 17:22
defined, 4:15	revocation deed, form, 17:25
release or extinguishment, 4:17	unit deed, form, 17:24
Release or extinguishment	Confirmation, deed of, 16:3, 17:5
deeds, form, 17:29-17:31	Cooperative deed
life estate, 4:17	generally, 17:26
sales transaction, form, 26:88	form, 5:60
Sales transaction, release of curtesy,	revocation, of, 17:27
form, 26:88	Corrective deed
CUSTODY	generally, 17:6
Attached real property, 24:21	form, deed correcting mistake, 17:7
DAM	Court order deeds, examination of
Reservations and exceptions to	abstract, 35:31
conveyances, repair dam and remove manure—Litigated—	Covenant against grantor's acts, deed with, form, 17:13
Form, 13:5	Creating two tenancies by entirety in
DEATH	common with unequal percent-
Assignment for benefit of creditors,	ages, deed, form, 17:18
death of assignee, 43:5	Dedication, deed of
Construction liens, death of party in	generally, 17:8
interest, 22:15, 22:16	permanent and temporary ease- ments with access reserved,
Intentional killing of decedent, title	form, 17:9
acquisition and, 7:26-7:29	sewage treatment lot, qualified
Rent liability on tenant's death, 30:16	deed of dedication with
Title acquisition by descent. Title	reverter, form, 17:10
Acquisition, this index	Defined, 17:1
DEDICATION	Executor affidavit of title, form, 17:33
Deed	Executor or administrator deed, form,
generally, 17:8	17:32
permanent and temporary ease-	In lieu of foreclosure, agreement
ments with access reserved, form, 17:9	between lender and borrower, deed, form, 17:35
sewage treatment lot, qualified	Indenture, deed of, 17:3
deed of dedication with	Life estate, deeds creating, 17:20
reverter, form, 17:10 Title acquisition, 8:14	Persons in their official capacity, deeds from, 17:4
DEEDS	Poll, deed, 17:2
Generally, 17:1-17:35	Quitclaim deed, form, 17:14
Abstracts and Abstracting of Title, this index	Recital from an incorrectly named grantor, form, 17:19
Bargain and sale deed, form, 17:12	Release deed, form, 17:11

DEEDS—Cont'd

Releasing curtesy, deed, form, 17:29-17:31

Releasing dower, deed, form, 17:28
Releasing estate of curtesy and right
of joint possession, deed, form,
17:31

Restrictions. Restrictions, deed, this index

Short form deed, form, **11:4**, **11:6**, **17:16**

Subdivision approval, deed perfecting minor, form, 17:17 Warranty deed, form, 17:15 Wild deed, 17:34

DEFINITIONS

Land. Land Defined, this index

DEMOLITION LIEN

Generally, 24:84

DENTIST LIEN

Generally, 24:55

DEPOSIT

Sale and Transfer, this index, 26:101

DESCENT

Title Acquisition, this index

DESTROYED DOCUMENTS

See Lost or Destroyed Instruments, this index

DEVELOPER DEED

With restrictions, form, 18:16

DISABLED PERSONS

Condominiums, protected tenancy, 5:44

Eviction, 30:4, 30:16

Sale or transfer of real property, tax deduction under RESPA, 29:25

DISCRIMINATION

Deed restrictions, 18:3 Mortgages, discriminatory lending practices, 20:65

DISINHERITANCE

Title acquisition by descent, disinheritance of adult child, 7:17

DISMISSAL

Attachment, order for dismissal of, 24:25

Recognizances, order of dismissal, form, **24:9**

DISSOLUTION

Business name certificates, trade name—dissolution, form, 31:31 Corporate capacity to convey property, 10:20

DISTRAINTS

Landlord and tenant law, 30:26

DISTRESS

Condominiums, projects in distress, 5:43

DOCKS, PIERS AND WHARVES

Reservation privileges, wharf, 13:6

DOMESTIC PARTNER

Tenancy by entirety
homestead rebate for, 5:18
property tax deduction for, 5:19
Title acquisition by descent
elective share, spouse of person
dying domiciled in New
Jersey, 7:18
entitlement; premarital will, 7:14
intestate share other than surviving
spouse or domestic partner
heirs, 7:4

DOWER

Deeds, release of dower, form, 17:28 Life estate

abolition, **4:20**

characteristics, 4:16

defined, 4:15

release or extinguishment, 4:17

Release or extinguishment

deeds, 17:28

life estate, 4:17

sales transaction, form, 26:108

Sales transaction, release of dower, form, **26:108**

DRAINS

Easements, this index

DRIVEWAY	EASEMENTS—Cont'd
Easements, 19:56-19:58	Drains—Cont'd
DURATION	right to lay, 19:24
Easements, 19:10, 19:11	right to lay (adjudicated), 19:25
Judgment liens, 23:3, 24:9	right to maintain (adjudicated, 19:26
DURATION	sewer to be built, 19:27
Attachments, 24:20	Driveway
Recognizance lien, 24:6	agreement, 19:57
Tax liens	aross reserved tract (adjudicated),
corporate franchise tax lien, 24:68	19:56
federal tax liens, 36:3	not abandoned (adjudicated),
inheritance tax liens, 37:8, 37:9	19:58
Uniform Commercial Code financing	Duration
statement, 24:47	generally, 19:10
DURESS	permanent and temporary, 19:11
Capacity to convey property, 10:33	Entry permit (adjudicated), 19:28
Mortgages, 20:36	Footings, right to lay in adjoining landowner's land, 19:31
EASEMENTS	Lakes and ponds
Generally, 19:1-19:81	access (adjudicated), 19:32
Access, of, 19:13	reservation of easement to lake for
Air and light. Light and air, below Beach (adjudicated), 19:14	benefit of upland—
Church pew privileges	Litigated—Form, 13:7
deed, 19:15	right to fill (adjudicated), 19:33
resolution of revocation	right to traverse (adjudicated), 19:34
(adjudicated), 19:16	
Conservation—general form, 19:17	Landfill subletting, easement in gross (adjudicated), 19:35
Creation	Lateral support, grant of for a build-
generally, 19:2	ing, 19:36
general grant, by, 19:3	Light and air
implied grant, by, 19:4	aviation easement, 19:37
implied reservation, by, 19:5	covenant not to build, 19:39
limited reservation to grantor, by,	grant in minor subdivision deed,
19:6	19:38
reservation to third party (adjudicated), by, 19:7	grant of light easement, 19:40
sale of platted land, by, 19:8	Location, 19:41
signature of grantor, by, 19:9	Modification, 19:12
Crib wall to municipality, 19:18	Party walls
Drains	creating party walls and settling
generally, 19:19	differences, 19:42
reservation of right of way, 19:20	subject to clause, 19:43
right to connect, 19:21	to be built by either party, 19:44
right to construct and maintain,	Pier (adjudicated), 19:45
19:22	Pipeline (adjudicated), 19:46
right to continue installation, 19:23	Purposes, 19:13-19:80

EASEMENTS—Cont'd	EASEMEN IS—Cont'd
Railroad grants	Stream encroachment line—Permit,
right to build (adjudicated)	19:70
generally, 19:49	Streets and roads. Right of way,
easement, 19:50	above
trolley system, 19:51	Telephone line (adjudicated), 19:71 Termination of easements—quitclaim
to another company, 19:47	deed, 19:81
to interurban railroad, 19:48	Water
Reservation of easement	drains. Drains, above
drains, right of way, 19:20	lakes and ponds, 19:32-19:34
implied reservation as creating	pier (adjudicated), 19:45
easement, 19:5	stream encroachment line—permit,
lake for benefit of upland—	19:70
Litigated—Form, 13:7	wells. Water and wells, below
limited reservation to grantor, 19:6	wharf privileges—reservation
third party (adjudicated), 19:7	(adjudicated), 19:80
well, right to use, 19:78	Water and wells
Reservation of easements	agreement for temporary water
wharf privileges—reservation	line, 19:72
(adjudicated), 19:80	deed of water course, 19:73
Right of way	grant of flowage right, 19:74
generally, 19:52	grant of use of tank or well, 19:75
access denied (adjudicated), 19:53	grant of water from flowing wells, 19:76
appurtenant (adjudicated), 19:54	grant of well easement, 19:77
consent of tenant, 19:55	reservation of right to use of well,
drains, reservation of right of way, 19:20	19:78
driveway across reserved tract	right to lay aqueduct—granting
(adjudicated), 19:56	clause, 19:79
driveway agreement, 19:57	Wharf privileges—Reservation (adjudicated), 19:80
driveway not abandoned	· • //
(adjudicated), 19:58	EDUCATIONAL CORPORATION
electric line (adjudicated), 19:59	Capacity to acquire title, 9:13
exception in title policy, 19:60	ELDERLY PERSONS
grant over private road, 19:61	Senior Citizens, this index
grant to fix road line, 19:62	
grant to mortgagee, 19:64	ELECTRIC LINE
no limitations or use or persons (adjudicated), 19:65	Easements (adjudicated), 19:59
release, 19:66	ELECTRONIC FILING
repairs and maintenance	Uniform Commercial Code lien, 24:41
(adjudicated), 19:67	
right to park included	EMINENT DOMAIN
(adjudicated), 19:68	Condemnation, this index
road widening (with reverter),	Definition, 41:1
19:63	Source of power, 41:1
Solar easements, 19:69	Title acquisition, 8:11

ENGINEER'S RECORDS

Access to records, index books, 33:8

ENTIRETY, OWNERSHIP OR TENANCY BY

Tenancies by Entirety, this index

ENVIRONMENTAL LIENS

Generally, **24:78 et seq.** Abandoned mine lien, **24:85**

Coastal wetlands, 24:85

Demolition lien, 24:84 Freshwater wetlands, 24:82

Hackensack Meadowlands lien, 24:80

Industrial Site Recovery Act (ISRA) lien, 24:78

Pinelands lien, 24:79

Spill Compensation and Control Act, super lien under, **24:82**

ESCROW

Commercial transactions deposit, 31:7

Mortgages accounts, 20:70

Real Estate Settlement Protection Act (RESPA)

limitations, escrow account, **29:8** prohibitions, fees for settlement, **29:9**

Sale transactions. Sale and Transfer, this index

ESTATE TAXES

Generally, 26:16
Tax liens, 36:9, 37:12

ESTATES

Sale transactions, 26:17

ESTATES IN LAND

At will estates, 6:2

Conditional and limited estates, 3:1-3:4

Condominiums and cooperatives, 5:1-5:77

Coparcenary, estate of, **6:4**Fee simple and tail, **2:1-2:10**Homestead estates, **6:6**Homestead rebates, **6:7**, **6:8**

Land defined, 1:1-1:8

ESTATES IN LAND—Cont'd

Life estates, **4:1-4:28**Month-to-month tenancy generally, **6:5**

termination, notice from tenant to landlord, form, 30:39

Sufferance, estates by, **6:3** Years, estates for, **6:1**

ESTOPPEL

Title acquisition, 8:12

ESTOPPEL CERTIFICATE

Mortgage covenant to furnish, 20:20

EVICTION

Landlord and Tenant, this index

EXCEPTIONS TO CONVEYANCES

Construction and operation of, 13:2 Defined, 13:1 Distinguished from reservations, 13:4 Form, exception in deed, 13:3 Repair dam and remove manure—

EXECUTED INSTRUMENTS

Litigated—Form, 13:5

Alteration of deeds, distinction between executed and executory instruments, 15:4

EXECUTORS' DEEDS

Abstract of title, examination of, **35:32**

Affidavit of title by executor, form, 17:33

Capacity of executors to convey property, **10:13**

Forms, **10:13**, **17:32** Recitals, **11:19**

EXECUTORY INSTRUMENTS

Alteration of deeds, distinction between executed and executory instruments, **15:4**

EXTENSION

Inheritance tax liens, 37:9
Leases extension, form, 30:41
Mortgages, this index
Options, extend or renew, 25:14,
25:15

FACTORY RENT

Lien of landlord, 30:25

FARMLAND

Assessments, rollback taxes, 29:28 Deed restrictions, 18:7

FAX SERVICE

Corporate certificate of good standing, **10:17**

FEDERAL MATTERS

Lis pendens notice, federal litigation, 21:4

Real Estate Settlement Protection Act (RESPA), federal instructions, 29:14

Tax Liens, this index

FEE SIMPLE AND TAIL

Allodial system, 2:3

Decline of the feudal system, 2:2

Determinable, fee simple, 2:10

Estates in fee simple

generally, 2:6

creation at common law, 2:7

creation today, 2:8

Estates tail, 2:9

Freehold estates and estates less than freehold, 2:5

Origin of the feudal system, 2:1 What is an estate in land, 2:4

FEES

Attorneys' Fees, this index

Foreclosure default proceedings, affidavit of search fees, form, 41:29

Mortgages, this index

Real Estate Settlement Protection Act (RESPA), this index

FENCE

Adjudicated easements, 19:29

Agreement between adjoining landowners, 19:30

FEUDAL SYSTEM

Decline of, 2:2

Origin of, 2:1

FIDUCIARIES

Capacity of mortgagor, 20:10

FIDUCIARIES—Cont'd

Capacity to acquire title, 9:5
Capacity to convey property, 10:9
Contents of fiduciary deed, 11:15
Judgment liens against, 23:21

FILIATION BONDS

Generally, **24:28** Duration, **24:29**

FINANCING STATEMENT

Uniform Commercial Code Lien, this index

FIRES

Condominiums — Uniform Fire Safety Act, **5:50**

Sale transaction, new home owner's warranty, fire resistant treated plywood, form, 26:143

FIRPTA

Foreign Investors Real Property Tax Act (FIRPTA), this index

FIXTURES

Land defined, 1:1

Uniform Commercial Code lien, **24:43**

FLOOD AREA

Sale transactions. Sale and Transfer, this index

FOOTINGS

Right to lay in adjoining landowner's land, **19:31**

FORCIBLE ENTRY AND DETAINER

Generally, 30:10

FORECLOSURE

Generally, 41:1 et seq.

Answer

generally, **41:21**

order striking answer and entering default judgment, form, 41:24

subsequent encumbrancer not disputing order and priority of liens, form, **41:22**

Assuming or guaranteeing the mortgage debt, parties, **41:8**

FORECLOSURE—Cont'd	FORECLOSURE—Cont'd
Bankruptcy, and, 41:55	Lis pendens—Cont'd
Certificate of regularity, 41:54	discharge of, form, 41:17
Clerical mistakes. Correction of cleri-	notice of, form, 41:15
cal mistakes, below	Mailing service of process, proof of,
Complaint	form, 41:25
generally, 41:12	Mortgages
form, 41:13	parties assuming or guaranteeing
Condominium liens, uncontested	the mortgage debt, 41:8
foreclosures of, 41:5	right to reinstate mortgage, 41:41
Confirmation of foreclosure sale,	uncontested foreclosures of, 41:5
41:44	Motion for appointment of rent
Correction of clerical mistakes	receiver, notice of, form, 41:46
generally, 41:51	Motion for summary judgment,
order, form, 41:52	notice of, form, 41:23
Default proceedings	Municipal Tax Foreclosures, this
generally, 41:26	index
affidavit of amount due, form, 41:28	Notice of intention to foreclose, 41:11
affidavit of nonmilitary service,	Notice of lis pendens, form, 41:15
form, 41:30	Notice of motion for appointment of
affidavit of search fees, form,	rent receiver, form, 41:46
41:29	Notice of motion for summary judg-
request to enter default, form,	ment, form, 41:23
41:27	Notice of service by publication, form, 41:20
Deficiency action	Office of foreclosure, 41:1
statutory exceptions, 41:38	Order
statutory requirements, 41:37	correction of clerical mistakes,
Environmental concerns, 41:4	form, 41:52
Forms, generally, 41:56	rent receiver appointment, form,
Incompetents and infants, against,	41:47
41:9	striking answer and entering
Intention to foreclose, notice of,	default judgment, form, 41:24
41:11	Partial foreclosures, 41:50
Judgment	Parties
generally, 41:39	generally, 41:7
form, 41:40	assuming or guaranteeing the
notice of motion for summary	mortgage debt, 41:8
judgment, form, 41:23	incompetents and infants, against,
sale before foreclosure judgment,	41:9
form, 41:34	Personal property and real property,
writ of execution, form, 41:35	41:6
Judgment for foreclosure, form	Possession as bar to equity of
default proceedings, 41:34	redemption, 41:45
sheriff's sale, 41:40	Receivers
Jurisdiction, 41:2	generally, 41:48
Lis pendens	procedure for appointment, 41:49
generally, 21:7, 41:14	rent. Rent receiver, below

FORECLOSURE—Cont'd	FORECLOSURE—Cont'd
Redemption	Writ of execution, form, 41:35
generally, 41:42	FOREIGN CORPORATION
confirmation of foreclosure sale,	Capacity to acquire title, 9:12
41:44	Capacity to convey property, 10:27
equity of redemption—Bar by	
foreclosure sale, 41:43	FOREIGN COUNTRIES
equity of redemption—Bar by possession, 41:45	Acknowledgments to conveyances, who may take, 14:7
municipal tax foreclosures, 40:17-	FOREIGN INVESTORS REAL
40:19	PROPERTY TAX ACT
Rent receiver	(FIRPTA)
notice of motion for appointment of rent receiver, form, 41:46	Generally, 29:29
order appointing rent receiver,	Form, 29:30
form, 41:47	EODCEDY
Report of title	FORGERY
continuation of, form, 41:16	Alteration of deeds, forgery defined, 15:1
form, 41:10	1011
Rules and statutes, 41:3	Deed descriptions, 12:2
Sale	FRAUD
confirmation of foreclosure sale,	Capacity to convey property, 10:33
redemption, 41:44	Consumer Fraud Act, 26:31
sheriff's. Sheriff's sale, below	Judgment liens, fraudulent, 23:7
tax. Tax Sales, this index	Mortgages, validity of, 20:34
Service of process	Statute of Frauds, this index
generally, 41:18	FREEHOLDERS' LIENS
notice of service by publication,	Generally, 24:37
form, 41:20	• .
proof of mailing, form, 41:25	GARAGE KEEPER'S LIEN ACT
summons on defendants, form,	Generally, 24:89
41:19	GENDER
Sheriff's sale	Sale contract clause, form, 26:116
generally, 41:31	GOOD FAITH ESTIMATE
before foreclosure judgment, 41:33	Real Estate Settlement Protection Act
foreclosure without sale, 41:32	(RESPA), 29:12
judgment for foreclosure, form, 41:40	, , , , , , , , , , , , , , , , , , , ,
Statutes and rules, 41:3	HACKENSACK MEADOWLANDS
Strict foreclosures, 41:53	Environmental lien, 24:80
Summary judgment, notice of motion	HARDSHIP
for, form, 41:23	Estate in land defined as air space,
Summons on defendants, form, 41:19	relative hardship doctrine
Surplus foreclosure monies, 41:36	(adjudicated), form, 1:5
Tax Sales, this index	HIGHWAY BILLBOARDS
Uncontested foreclosures of mort-	Tax exemption under RESPA, 29:24
gages and condominium liens,	1 ax exemption under KESI A, 29:24
41:5	HISTORIC SITES
Venue, 41:2	Tax exemption under RESPA, 29:23

HOMEOWNER'S NO NOTICE LIEN

Generally, 24:88, 29:33

HOMESTEAD ESTATES

Generally, 6:6

HOMESTEAD REBATE

Generally, 6:7

N.J. SAVER appeals, 6:8

Real Estate Settlement Protection Act (RESPA), under, **29:17**

Tenancies by entirety, rebate for surviving spouse and domestic partner, 5:18

HORIZONTAL PROPERTY ACT

Generally, 5:26

HOSPITAL LIEN

Generally, 24:55

Warrant to enter satisfaction of lien claim of state hospital, form, 24:36

HOTELS

Condominiums, 5:49
Judgment liens under hotel law, 23:32

IMPROVEMENTS

Condominiums improvements—statute of limitations, **5:52**Sale of real property, statute of limi-

tations, **26:29**

INCINERATOR LIENS

Generally, 24:38

INDENTURE DEED

Generally, 17:3

INDUSTRIAL SITE RECOVERY ACT (ISRA)

Lien, generally, 24:78

INHERITANCE TAX

Liens. Tax Liens, this index Options, methods of setting price,

will clause at price specified on inheritance tax report, **25:7**

INSPECTION OF REAL PROPERTY SALES

Sale and Transfer, this index

INSTITUTIONAL LIENS

Generally, 24:31-24:36

County, generally, 24:31

Discharge of, 24:34

Division of Youth and Family Services, of, 24:35

Effect of. 24:33

Relatives charged for support, 24:32 Satisfaction of lien claim of state

hospital, warrant to enter, form, **24:36**

State hospital, warrant to enter satisfaction of lien claim of, **24:36**

State, generally

generally, 24:31

Division of Youth and Family Services, of, **24:35**

Warrant to enter satisfaction of lien claim of state hospital, form, 24:36

INSULATION

Urea Formaldehyde Foam Insulation, this index

INSURANCE

Mine collapse protection, 1:7

Mortgages

covenant, insurance, 20:23

title insurance, 20:61, 44:2

Title Insurance, this index

INTENT

Boundaries and descriptions, intention of the parties, 12:8

Foreclosure, notice of intention to foreclose, **41:11**

Tenants notice of intent to vacate from tenant, 30:8, 30:35

Title acquisition by descent, intentional killing of decedent, 7:26-7:29

INTEREST ON MONEY

Mortgages, interest rate, **20:28**Sale of real property, sale and
Transfer, this index

INVERSE CONDEMNATION

Generally, 42:17

ISOLATED LOTS

Planning and zoning, 45:23

ISRA

Industrial Site Recovery Act (ISRA), this index

JOINT DEBTORS PROPERTY

Attachments against, 24:14

JOINT OWNERS

Real estate, 5:1 et seq.

JOINT POSSESSION

Joint Tenancies, this index Life estate generally, **4:22** mortgage lien, **4:23** Tenancies by Entirety, this index

JOINT TENANCIES

Generally, **5:2**Deed, estate for joint tenancy, **5:3**Form, estate for joint tenancy deed, **5:3**Sale of property, payment of price to joint tenants, form, **26:126**

Severance, 5:4
Statutory incidences of, 5:5

JOINTURE

Life estate generally, **4:26** agreement, **4:27**

JUDGMENT CREDITORS

Instruments of record for 6 years with defective acknowledgments over, 23:15

Nonsuing recorded contract purchaser, 23:13

Subsequent judgment creditor, recorded instrument over, 23:14

Unrecorded deed, over (no notice of settlement), 23:12

Unrecorded quitclaim grantees, over, 23:11

JUDGMENT LIENS

Generally, 23:1 et seq.

JUDGMENT LIENS—Cont'd

Abandon property, judgment to, 23:44

Abstract examination, **35:41**After-acquired property, **23:20**Alcoholic beverage tax judgments, **23:25**

Assignment of judgments, form, 23:31

Attorney's lien on judgment, 23:40 Bankruptcy

adjudication, effect on title, 23:42 comments under bankruptcy code, 23:44

Binding of real estate, time for, 23:2 Certification of child support arrears, form, 23:30

Child support judgment generally, 23:28 certification of arrears, form, 23:30 satisfaction, 23:29

Contract purchaser nonsuing, judgment creditor over recorded, 23:13

Conveyance of real estate, judgment for, 23:8

Corporations, judgment search against, 23:23

Defective acknowledgments on instruments of record for 6 years, over judgment creditors, 23:15

Discharge by warrant of satisfaction basic form, 23:36 partial warrant, form, 23:37

Discharge on posting of security, 23:9

Disclaiming judgments, form, 23:34 Duration, 23:3, 24:9

Entered against similar name, judgment, 23:22

Entry of judgment

name, against similar, 23:22 record in Superior Court, 23:4 similar name, against, 23:22

Execution of judgment sale and title under, 23:41 satisfaction by return of execution satisfied, 23:38

JUDGMENT LIENS—Cont'd	JUDGMENT LIENS—Cont'd
Fiduciaries, judgment against, 23:21	Mortgages—Cont'd
Filiation proceedings, judgments, and bonds	unrecorded quitclaim grantees, mortgagees over, 23:11
generally, 24:28	Multiple dwelling law, judgment
duration of lien of judgment and	under, 23:32
bond, 24:29	Nature of, 23:1
Firms, judgment search against, 23:23	Nonsuing recorded contract purchaser, judgment creditor
Forms	over, 23:13
assignment of judgments, 23:31	Notice of settlement
child support arrears cancellation, 23:30	grantee or mortgagee under notice of settlement over judgment,
discharge by warrant of satisfac-	23:16
tion	no notice of settlement, judgment creditor over unrecorded
basic form, 23:36	deed, 23:12
partial warrant, form, 23:37	Partner by separate compromise,
disclaiming judgments, 23:34	judgment against, 23:10
handling and disclaiming judg- ments, 23:34	Posting of security, discharge on, 23:9
postponement of judgment, 23:6	Postponement of judgment
release from lien of judgment,	form, 23:6
23:33	recording and filing, 23:5
Fraudulent judgment, 23:7	Priority between judgment liens—
Handling and disclaiming judgments, form, 23:34	Derived under judgment sale, 23:19
Hotel law, judgment under, 23:32	Purchase money mortgage over judg-
Judgment creditor, over	ment, 23:17
defective acknowledgments on instruments of record for 6	Purchase money mortgage over judgments, 20:64
years, 23:15	Purchasers
nonsuing recorded contract purchaser, 23:13	interests derived under judgment, 23:18
subsequent judgment creditor, recorded instrument over, 23:14	unrecorded quitclaim grantees, over, 23:11
unrecorded deed—no notice of settlement, 23:12	Receiver's appointment, effect on title, 23:43
unrecorded quitclaim grantees, 23:11	Release, form, 23:33 Sale
	execution of judgment, sale and
Mortgages	title under, 23:41
interests of mortgagees derived under judgment, 23:18	priority between judgment liens—
notice of settlement over judgment,	Derived under judgment sale,
grantee or mortgagee under,	23:19
23:16	Satisfaction of judgments
purchase money mortgage priority	generally, 23:35
over judgments, 20:64, 23:17	child support judgment, 23:29

JUDGMENT LIENS—Cont'd

Satisfaction of judgments—Cont'd legal representative, guardian, or attorney, by, 23:39

return of execution satisfied, by, 23:38

warrant of satisfaction, discharge by, 23:36, 23:37

Security posting, discharge on, 23:9 Settlement

no notice of settlement, judgment creditor over unrecorded deed, 23:12

notice of settlement over judgment, grantee or mortgagee under, 23:16

partner by separate compromise, judgment against, 23:10

unrecorded deed, no notice of settlement, judgment creditor over, 23:12

Similar name, judgment entered against, 23:22

State tax uniform procedure laws, judgment under, 23:24

Subsequent judgment creditor, recorded instrument over, 23:14

Title and ownership

abstract examination, 35:41 acquisition by judgment, 8:9

receiver's appointment, effect on title, 23:43

sale and title under judgment execution, 23:41

Unemployment compensation judgments, 23:27

Unrecorded deed, no notice of settlement, judgment creditor over, 23:12

Unrecorded quitclaim grantees, judgment creditors, purchasers, and mortgagees over, 23:11

Workers' compensation, 23:26, 24:59

JUDGMENTS

Possession, landlord and tenant discontinuance on payment of rent or costs, 30:22 entry by clerk, 30:20

JUDGMENTS—Cont'd

Possession, landlord and tenant
—Cont'd
vacating, 30:21

JURISDICTION

Condemnation, 42:2 Foreclosure, 41:2 Landlord and tenant, 30:2

KICKBACKS

Real Estate Settlement Protection Act (RESPA) prohibition, **29:5**, **29:6**

LAKES AND PONDS

Boundaries and descriptions, 12:15 Easements, this index Reservation of easement for benefit of upland, 13:7

LAND DEFINED

Above the land (air space)
generally, 1:2
deed for airspace, form, 1:3
obstruction prohibited, form, 1:4
relative hardship doctrine
(adjudicated), form, 1:5

Below the land

generally, 1:6

insurance protection for mine collapse, 1:7

Below the water, 1:8

Fixtures, 1:1

LANDFILL

Subletting, easement in gross (adjudicated), **19:35**

LANDLORD AND TENANT

Generally, 30:1 et seq.

Abandonment of tenant's personal property, **30:23**

Accident of tenant, liability for rent, 30:16

Assignment of security deposits, form, **30:44**

Boarding house, eviction, 30:14

Buy-out of residential tenancy, form, 30:27

Certification

breach of settlement, form, 30:30

LANDLORD AND TENANT	LANDLORD AND TENANT
Cont'd	—Cont'd
Certification—Cont'd	Eviction—Cont'd
landlord's attorney, form, 30:32	rooming house, 30:14
landlord, form, 30:31	senior citizens, 30:4
municipal filing of certificate of	tenant's notice of intent to vacate,
registration, form, 30:28	30:8, 30:35
registration of rental premises	terminally ill tenant's option to
generally, 30:3	stay eviction, 25:19-25:21
municipal filing, form, 30:28	Factory rent, lien of landlord, 30:25
state filing, form, 30:29	Fair Housing Act, right to rent and
rental premises, 30:28, 30:29	buy, 30:6
state filing of certificate of registra-	Forcible entry and detainer, 30:10
tion, form, 30:29	Forms, 30:27-20:48
Complaint for possession	Judgment for possession
nonpayment or holdover, form,	consent to enter judgment (tenant
30:33	required to vacate), form, 30:48
tenant's notice, form, 30:34	discontinuance on payment of rent
Consent to enter judgment (tenant	or costs, 30:22
required to vacate), form, 30:48	entry by clerk, 30:20
Conversions, eviction of disabled persons and senior citizens in,	vacating, 30:21
30:4	Jurisdiction, 30:2
Death of tenant, liability for rent,	Leases
30:16	apartment, form, 30:43
Deposits	extension, form, 30:41
assignment of security deposits,	house, form, 30:42
form, 30:44	short form, 30:40
releasing money deposited with the	termination notice, 30:38, 30:39
court, order, form, 30:47	Liability
rent security deposit law, 30:13	death, disabling illness or accident
Disabled persons in conversions,	of tenant, 30:16
eviction, 30:4	landlord, 30:17
Disabling illness of tenant, liability	rent increases, 30:19
for rent, 30:16	tenant, 30:16, 30:18
Distraints, 30:26	Lien of landlord for rent
Eviction	generally, 30:24
boarding house, 30:14	mill, factory, or loft, 30:25
conversions, disabled and senior	Loft rent, lien of landlord, 30:25
citizens in, 30:4	Mill rent, lien of landlord, 30:25
disabled persons, 30:4	Notices
Fair Eviction Notice Act, 30:5	cease, form, 30:37
Fair Housing Act, 30:6	
forcible entry and detainer, 30:10	eviction requirements, 30:9
grounds, 30:7-30:11	intent to vacate by tenant
notice of intent to vacate from tenant, 30:8, 30:35	generally, 30:8
	order to show cause based on,
notice requirements, 30:9	form, 30:35
reprisal protections, 30:11	lease termination, form, 30:38

LANDLORD AND TENANT	LANDLORD AND TENANT
—Cont'd	—Cont'd
Notices—Cont'd	Senior citizens in conversions, evic-
month-to-month tenancy termina-	tion, 30:4
tion, from tenant to landlord,	Summons, form, 30:45
form, 30:39	Termination
tenant's intent to vacate, 30:8, 30:35	lease termination notice, form, 30:38
Orders	month-to-month tenancy termina-
possession, form, 30:36	tion, notice from tenant to
releasing money deposited with the	landlord, form, 30:39
court, form, 30:47	Truth in Renting Act, 30:12
show cause based on tenant's	Warrant for removal, request, 30:46
notice to vacate, form, 30:35	LANGUAGE
Personal property of tenant, abandonment of, 30:23	Plain Language Act, this index
Possession	
complaint for	LATERAL SUPPORT
nonpayment or holdover, form,	Easements, grant of for a building, 19:36
30:33	19:30
tenant's notice, form, 30:34	LEAD-BASED PAINT
judgment for possession, above	Contingency?Form, 26:76
order for, 30:36	Sale of real property contingency,
Property Tax Rebate Act, Tenant's,	form, 26:76
30:15	LEASES
Rebates	Apartment
Tenants' Property Tax Rebate Act,	commercial tenancy
30:15	form, 31:26
Registration or rental premises, cer-	window guard requirements and
tificate of	notification, form, 31:27
generally, 30:3	landlord and tenant, form, 30:43
municipal filing, form, 30:28	Business, form, 31:28
state filing, form, 30:29	Commercial tenancy
Releasing money deposited with the court, order, form, 30:47	generally, 31:25
Removal request, warrant for, 30:46	apartment
Rent	form, 31:26
increases, 30:18	window guard requirements and
lien of landlord for rent, 30:24,	notification, form, 31:27
30:25	business, form, 31:28
right to rent and buy, 30:6	house, form, 31:29
security deposit law, 30:13	House
Truth in Renting Act, 30:12	commercial tenancy, form, 31:29
Right to rent and buy under Fair	landlord and tenant, form, 30:42
Housing Act, 30:6	Landlord and tenant
Rooming house, eviction, 30:14	apartment, form, 30:43
Security deposits	extension of, form, 30:41
assignment, form, 30:44	house, form, 30:42
law regarding, 30:13	short form, 30:40

LEASES—Cont'd	LIENS ON PROPERTY—Cont'd
Landlord and tenant—Cont'd	Corporate and financial liens
termination notice, form, 30:38,	—Cont'd
30:39	corporate franchise tax lien, 24:67-24:71
LENDER	financial business tax lien, 24:72-
Choice of, 26:114	24:75
LICENSES	New Jersey Gross Income Tax Act Lien, 24:75
Generally, 19:82	Dentist, 24:55
Agreements, 19:83	Environmental Liens, this index
Condominium deed, to enter in, 19:84	Filiation proceedings, judgments, and
Construction liens claimant	bonds
defined—Licenses, 22:2	generally, 24:28
Cooperative transfer document, to	duration of lien of judgment and
enter in, 19:84	bond, 24:29
Preparation of deeds by person not	Financial business tax lien
licensed, 11:1	generally, 24:72
Release by quitclaim deed, 19:86	annual report, 24:74
LIENS ON PROPERTY	law regarding, 24:73
Alcoholic beverage tax, 23:25, 24:58	New Jersey Gross Income Tax Act
Attachments, this index	Lien, 24:75
Condominium liens, 24:87	Freeholders' liens, 24:37
Construction Liens, this index	Garage Keeper's Lien Act, 24:89
Contract liens	Homeowner's no notice
assignment, recording of real estate	generally, 24:88
contract and, 24:61	Real Estate Settlement Protection
building contract filing, 24:60	Act, 29:33
discharge	Homeowner's no notice lien, 24:88, 29:33
deed of release, by, 24:64	Hospital, 24:55
merger, by, 24:62	Incinerator liens, 24:38
time lapse, by, 24:63	Institutional Liens, this index
filing building contract, 24:60	Judgment Liens, this index
forms	Lis Pendens, this index
discharge by deed of release,	Mechanic's, 26:112
24:64	Mortgages, this index
release of contract by	Nursing home, 24:55
indemnification, 24:65	Physician, 24:55
indemnification, release by, 24:65	Radon as lien in residential buildings,
merger, discharge by, 24:62	24:86
recording of contract and assignment, 24:61	Recognizances, this index
release by indemnification, 24:65	Reimbursement agreements, 24:30
time lapse, discharge by, 24:63	Release
vendee's lien, 24:66	contract liens, 24:64 , 24:65
Corporate and financial liens	Release from lien
annual report lien, 24:74	corporate franchise tax lien, 24:71
	torporate manufacture was more, #11/1

LIENS ON PROPERTY—Cont'd	LIFE ESTATE—Cont'd
Residential buildings	Deed—Cont'd
condominium liens, 24:87	prenuptial deed releasing right of
Garage Keeper's Lien Act, 24:89	possession
homeowner's no notice lien,	form, recital, 4:28
24:88, 29:33	outline, 4:19
radon as lien in, 24:86	Dower
Sales and use tax, 24:76	abolition, 4:20
Sheriff's bonds	characteristics, 4:16
generally, 24:26	defined, 4:15
discharge of, 24:27	release or extinguishment, 4:17
Tax Liens, this index	Elective share
Unemployment compensation	surviving spouse, 4:24
generally, 24:56	waiver of right to, 4:25
warrant for satisfaction, form,	Forms
24:57	deed to grantee for life of grantee,
Uniform Commercial Code Liens, this index	remainder to grantor, 4:4
Utility liens, 24:38	deed to grantor for life of grantor,
Vendee's, 24:66	remainder to grantee, 4:5
Workers' compensation liens, 23:26,	deed to X for life of X, remainder
24:59	to grantee, 4:6
LIENCON DE LI DDODEDEN	prenuptial deed releasing right of
LIENS ON REAL PROPERTY	possession, recital, 4:28
Public defender lien, 24:77	Joint possession
LIFE ESTATE	Generally, 4:22
Generally, 4:1-4:28	mortgage lien, 4:23
Antenuptial or prenuptial agreements	Jointure
checklist, 4:18	Generally, 4:26
releasing right of possession	agreement, 4:27
form, deed recital, 4:28	Married Women's Act, 4:12
outline, deed, 4:19	Mortgage lien, joint possession, 4:23
Checklist	Nature of, 4:1
antenuptial agreements, 4:18, 4:19	Preparation of life estate, checklist,
preparation of life estate, 4:3	4:3
Conventional, 4:2	Quarantine, 4:21
Curtesy	Surviving spouse elective share.
abolition, 4:20	Elective share, above
characteristics, 4:11	Termination
defined, 4:9	generally, 4:7
discovery of outstanding interests, 4:13	relation of life tenant to remainder man, 4:8
extinguishment, 4:14	LIGHT AND AIR
release, 4:14	Easements, this index
requisites, 4:10	Lasements, this index
Deed	LIMITED ESTATES IN LAND
creating life estate deeds, 17:20 forms, below	Conditional And Limited Estates In Land, this index

LIMITED LIABILITY COMPANY	LIS PENDENS—Cont'd
Acknowledgments to conveyances,	Notice
form, 14:22	generally, 21:3
Affidavit of title	bona fide purchaser rights before,
abstract examination, 35:55	21:6
sale or mortgage, form, 20:83	federal litigation, 21:4
LIMITED PARTNERSHIPS	lienors rights before, 21:6 mortgagee rights before, 21:6
Acknowledgments to conveyances, form, 14:19	persons claiming an interest in affected real estate, effect on,
Capacity to acquire title, 9:8	21:5
LIS PENDENS	Persons claiming an interest in affected real estate, 21:5
Generally, 21:1-21:16	Posting security for discharge, 21:10
Abstract, examination of, 35:45	Recording
Condemnation, 42:4	generally, 21:14
Construction lien, 22:21	examination of abstract, 35:45
Defined, 21:1	· ·
Discharge	LOFT RENT
failure to prosecute, 21:8	Lien of landlord, 30:25
final judgment—Clerk's notation, 21:9	LOST OR DESTROYED INSTRUMENTS
payment, satisfaction, perfor-	Action to establish lost deed or
mance, settlement or	mortgage, 16:4
abandonment, 21:11, 21:12	Confirmatory deeds on loss of
security, posting, 21:10	originals, 16:3
Filing	Lost, destroyed, or stolen instru-
generally, 21:14	ments, 16:2 Proof of, 16:1
necessity for, 21:2	·
Foreclosure	MANUFACTURED HOMES
generally, 21:7, 41:14	Uniform Commercial Code lien,
discharge of, form, 41:17	24:46
notice of, form, 41:15	MANURE
tax. Municipal tax foreclosures,	Reservations and exceptions to
below	conveyances, repair dam and
Forms	remove manure—Litigated—
discharge of lis pendens (payment,	Form, 13:5
satisfaction, performance,	MARKETABLE TITLE
settlement or abandonment), 21:12	Distinguished from valid title of rec-
notice of lis pendens, 21:3	ord, 44:8
Life of, 21:13	Lis pendens, effects of, 21:16
Marketable title, effects on, 21:16	•
Municipal lien stay, 21:15	MARRIED WOMEN
Municipal tax foreclosures	Acknowledgments to conveyances,
generally, 40:7	who may make, 14:4
notice of, 40:8	Capacity
	acquire title, 9:4
service by publication, 40:9	convey property, 10:11

MARRIED WOMEN—Cont'd

Capacity—Cont'd mortgagor, as, **20:9**Mortgagor, capacity of, **20:9**Power of attorney, conveyance instruments, **11:42**

MARRIED WOMEN'S ACT

Life estate, 4:12

MEADOWLANDS

Hackensack Meadowlands environmental lien, **24:80**

MEGAN'S LAW

Generally, 26:27

MENTAL CAPACITY

Acquire title, **9:6**Convey property, **10:4-10:8**Mortgage property, **20:12**

MILITARY

Armed Forces or Military, this index

MILL RENT

Lien of landlord, 30:25

MINES AND MINING

Abandoned mine, environmental lien, 24:85

Collapse, insurance protection for, 1:7

Sale transaction contingency, 26:77

MISTAKE

Corrective deed, 17:6, 17:7
Foreclosure clerical mistakes, correction of, 41:51, 41:52
Mortgage, validity of, 20:35

MODIFICATION

Amendment or Modification, this index

MONTH-TO-MONTH TENANCY

Generally, 6:5

Termination, notice from tenant to landlord, form, 30:39

MONUMENTS

Boundaries and Descriptions, this index

MORATORIUMS

Capacity to convey property, 10:35

MORTGAGE BANKER

Generally, 20:71

MORTGAGES

Abstract examination. Abstracts and Abstracting of Title, this index

Acknowledgments, 20:31

Address of mortgagee, post office, **20:17**

Adjustable rate

note, form, 20:76

rider, form, 20:77

Advertising, 20:67

Affidavits

construction mortgage affidavit, **20:87**

discharge or release, affidavit of payment, **20:54**

title, of

Limited liability company, by, 20:83

Mortgagor, by, 20:82

Assignment

generally, 20:39

form, 20:40

recording of, 20:41

rent covenant, 20:27

Assumption of debt

generally, 20:44

foreclosure, parties assuming or guaranteeing the mortgage debt, 41:8

sale contingencies, mortgage assumption, form, 26:62

Attorney

cancellation by, 20:59

power of attorney, mortgagor capacity under, 20:14

review fee, mortgagor's own attorney, **20:60**

Broker, 20:71

Cancellation

generally, 20:50

attorney, by, 20:59

complaint, 20:52

fee, 29:35

MORTGAGES—Cont'd	MORTGAGES—Cont'd
Cancellation—Cont'd	Covenants—Cont'd
noncompliance notice, 20:51	estoppel certificate, 20:20
personal representative of deceased	insurance, 20:23
mortgagee—Signature, 20:58	rent
surviving tenant by entirety, 35:40	generally, 20:26
Capacity of mortgagor	assignment of, 20:27
generally, 20:7	statutory, 20:19
aliens, 20:13	tax, 20:24
fiduciaries, 20:10	time of payment, 20:22
married women, 20:9	Debt
mentally incapacitated persons,	assumption of, 20:44
20:12	conveyance subject to, 20:45
minor spouse, 20:8	Definitions, 20:1
minors, 20:11	Description, 20:29
power of attorney, 20:14	Disaster loans, 20:66
premarital agreement, 20:15	
single women, 20:9	Discharge or release
Closing statement, 28:7	generally, 20:41 , 20:53
Commercial transactions	affidavit of payment, 20:54
modification exculpation	agreement not to encumber, 20:57
technique, 31:6	form, basic, 20:55
wrap-around mortgage, 31:5	part of premises, 20:88
Commitment	personal representative of deceased
generally, 20:4	mortgagee—Signature, 20:58
F.H.A., 26:64	resolution trust corporation, 20:56
form, 26:63	subdivided lot release from lien of
lock-in agreement, 20:5, 20:6	mortgaged premises?Form,
satisfaction, 26:66	45:36
seller, sale contingency, 26:67	Discriminatory lending practices, 20:65
V.A., 26:65	
waiver, 26:68	Duress, 20:36
Consideration, 20:16	Escrow accounts
Consolidation, extension, and	generally, 20:70
modification agreement, 20:81	Estoppel certificate, covenant to
Construction mortgage	furnish, 20:20
affidavit, form, 20:87	Execution 20.21
basic form, 20:84	acknowledgments, 20:31
loan agreement, form, 20:86	signing, 20:30
note, form, 20:85	Extensions
sales transaction, payment of price	basic form, 20:43
under mortgage, 26:124	consolidation, extension, and
UCC priority of security interests	modification agreement—
in, 24:44	Fannie Mae; Freddie Mac—
Conveyance subject to debt, 20:45	Single family, form, 20:81
Covenants	recording of, 20:41
generally, 20:21	Fannie Mae/Freddie Mac
acceleration, 20:25	Generally, 20:81

MORTGAGES—Cont'd	MORTGAGES—Cont'd
Fees	Forms—Cont'd
attorney review fee, mortgagor's	discharge of mortgage—Cont'd
own attorney, 20:60	personal representative of
cancellation fee, 29:35	deceased mortgagee—
twelve day notice of fees and	Signature, 20:58
points, 20:62, 20:63	resolution trust company (RTC),
waiver of twelve day notice of fees	20:56
and points, 20:63	extension
Financial institutions	consolidation, extension, and
mortgage broker, 20:71	modification agreement—
Forms	Fannie Mae; Freddie Mac—
adjustable rate note, 20:76	Single family, 20:81
adjustable rate rider, 20:77	transfer of debt, extension of
affidavit	mortgage, 20:43
construction mortgage, 20:87	guaranty, 20:89
title. Affidavit title, below in this	limited liability company affidavit
subgroup	of title—sale or mortgage,
affidavit of title	20:83
limited liability company—sale	lock-in agreement, 20:6
or mortgage, 20:83	modification agreement, 20:47,
mortgagor, by, 20:82	20:48, 20:81
assignment of mortgage, 20:40	mortgage and note, 20:32
assignment of rents	multistate second home rider,
one-four family rider—multi-	20:90
state form—assignment of	multistate single family, FNMA/
rents, 20:80	FHLMC
cancellation of mortgage	condominium rider, 20:78
complaint, 20:52	fixed rate note, 20:75
notice of noncompliance, 20:51	planned unit development rider, 20:79
personal representative of	note, 20:32
deceased mortgagee—	one-four family rider—multistate
Signature, 20:58	form—assignment of rents,
consolidation, extension, and	20:80
modification agreement— Fannie Mae;Freddie Mac—	planned unit development rider,
Single family, 20:81	multistate single family,
construction mortgage, 20:84-	FNMA/FHLMC, 20:79
20:87	postponement of mortgage, 20:42
covenants	release of part of mortgaged
assignment of rent, 20:27	premises, 20:88
estoppel certificate, furnish,	rider
20:20	adjustable rate, 20:77
discharge of mortgage	condominium, multistate single
affidavit of payment, 20:54	family, FNMA/FHLMC,
agreement not to encumber,	20:78
20:57	multistate second home rider,
basic form, 20:55	20:90

MORTGAGES—Cont'd	MORTGAGES—Cont'd
Forms—Cont'd	Modification—Cont'd
rider—Cont'd	agreement, form—Cont'd
one-four family rider—multi-	original parties, 20:47
state form—assignment of rents, 20:80	exculpation technique, commercial transactions, 31:6
planned unit development rider,	legislation, mortgage relief, 20:49
multistate single family,	priority, 20:46
FNMA/FHLMC, 20:79	Mortgage broker, 20:71
second home rider, multistate, 20:90	Mortgagee's post office address, 20:17
single family, FNMA/FHLMC	Mortgagor
condominium rider, multi-state, 20:78	affidavit of title, 20:82
multistate fixed rate note, 20:75	attorney, review fee, 20:60
state of New Jersey, 20:74	capacity. Capacity of mortgagor,
statutory short form, 20:18	above
transfer of debt	Multistate matters
assignment of mortgage, 20:40	one-four family rider—multistate
extension of mortgage, 20:43	form—assignment of rents, 20:80
postponement of mortgage,	second home rider, 20:90
20:42	single family, FNMA/FHLMC
waiver of twelve day notice of fees	condominium rider, 20:78
and points, 20:63	fixed rate note, 20:75
Fraud, valifidty of mortgages, 20:34	planned unit development rider,
Guaranty and guarantor	20:79
generally, 20:89	Necessity of writing, 20:3
Illegality	Note
generally, 20:37	adjustable rate, form, 20:76
Insurance	construction mortgage note, form,
covenants, mortgage, 20:23	20:85
title insurance, 20:61, 44:2	forms, basic, 20:32
Insured loans, advertising of, 20:67	multistate single family, FNMA/
Interest rate, 20:28	FHLMC, fixed rate note,
Law, governing, 20:2	20:75
Life estate	Notice
mortgage lien, joint possession, 4:23	cancellation of mortgage, notice of noncompliance, 20:51
Loan services, 29:10	twelve day notice of fees and
Lock-in agreement	points, 20:62, 20:63
generally, 20:5	Planned unit development rider,
form, 20:6	20:79
Misrepresentation, 20:34	Post office address of mortgagee,
Mistake, validity of mortgage, 20:35	20:17
Modification	Postponements, 20:41, 20:42
agreement, form	Prepay option, 25:16
changes in parties and terms,	Real estate appraisers
20:48	Real Estate Appraisers Act, 20:69

Foreclosures, this index

liens. Municipal Tax Liens, this

index

MORTGAGES—Cont'd MUNICIPAL CORPORATIONS Records and recordation AND OTHER POLITICAL SUBDIVISIONS—Cont'd generally, 20:38 Cerificate of registration of rental Release. Discharge or release, above premises, municipal filing, form, Riders 30:28 1-4 family, **20:80** Certificates condominium, 20:78 registration of rental premises cerplanned unit development, 20:79 tificate, municipal filing, second home, 20:90 form, 30:28 Sale transactions. Sale and Transfer, tax sales, assignment of certificate this index by municipality, 39:9, 39:10 Satisfactions Crib wall to municipality, easements, commitment, 26:66 19:18 recording of, 20:41 Deed restrictions, 18:6 Second home rider, 20:90 Liens Secondary, 20:33 stay of municipal lien, court order Signing, 20:30 and lis pendens requirements, Single family, 20:74 Statutory short form, 20:18 tax liens. Municipal Tax Liens, this Subdivided lot lien release, form, index 45:36 Lis pendens Title insurance municipal tax foreclosures, 40:7guarantee prohibition, 44:2 40:9 owner's insurance—notice stay of municipal lien, court order required, 20:61 and lis pendens requirements, Transfer of property mortgaged 21:15 assumption of debt, 20:44 Order, stay of municipal lien, 21:15 conveyance subject to debt, 20:45 Records and recording, index books Truth in Lending Act, 20:72 agencies' records, 33:7 Twelve day notice of fees and points clerk's records, 33:9 generally, 20:62 engineer's records, 33:8 waiver of, **20:63** tax assessor's records, 33:10 Unethical application, 20:68 tax collector's records, 33:11 Waiver Registration of rental premises certifcommitment, 26:68 icate, municipal filing, form, twelve day notice of fees and 30:28 points, 20:63 Tax Wrap-around, 31:5 apportionment under Real Estate Settlement Protection Act MULTI-FAMILY DWELLING AND (RESPA), 29:16 **CONVERSION** assessor's records index book, Tax exemption under RESPA, 29:20 33:10 MUNICIPAL CORPORATIONS collector's records index book. AND OTHER POLITICAL 33:11 **SUBDIVISIONS** foreclosures. Municipal Tax

10:31

Capacity to acquire property, 9:19

Capacity to convey property, form,

MUNICIPAL CORPORATIONS AND OTHER POLITICAL SUBDIVISIONS—Cont'd Tax—Cont'd	MUNICIPAL TAX FORECLOSURES—Cont'd Default, procedure upon—Cont'd request to enter, form, 40:13
map, natural monument boundary in recorded deed description to face of cliff, 12:12	Final judgment foreclosure action effect of, 40:21
sales. Tax sales, below search, tax and assessment, 38:5-38:7	form, 40:20 in rem foreclosure of tax title perfection, form, 40:28
Tax sales assignment of certificate by municipality, 39:9, 39:10 bidding by municipal officers, 39:5	Lis pendens generally, 40:7 notice of, 40:8
MUNICIPAL LIEN Stay of—Court order and lis pendens requirements, 21:15	service by publication, 40:9 Notice of in rem foreclosure of tax lien title, form, 40:25 Notice of lis pendens, 40:7
Tax lien. Tax Liens, this index MUNICIPAL TAX	Notice to state of New Jersey generally, 40:5
FORECLOSURES Generally, 40:1 et seq. Affidavits amount due to plaintiff	form, 40:6 Order setting amount, time and place of redemption form, 40:17
form, 40:15 tax collector affidavit, form, 40:16	proof of mailing of order, form, 40:18
Non-military service, 40:14 Non-redemption affidavit of tax collector, 40:19	Process, 40:5 et seq. Redemption order setting amount, time and place of
Answer action for foreclosure, 40:11 tax title perfection, in rem proceed-	form, 40:17 proof of mailing of order, form, 40:18
ing, 40:27 Attorney's fees, 40:31 Complaint, action for foreclosure	tax collector's affidavit of nonredemption, form, 40:19
generally, 40:2 answer, 40:11 in personam, form, 40:3	Reopening of, 40:30 Service by publication, 40:9 Summons
lost certificate count, form, 40:4 Default, procedure upon generally, 40:12	generally, 40:5 form, 40:10 Tax collector affidavit of
affidavit of non-military service, form, 40:14	non-redemption, 40:19 proof by amount due, 40:16 Tax sale complaint
affidavit of proof amount due plaintiff, form, 40:15 affidavit of proof by tax collector	in personam, 40:3 lost certificate count in, 40:4
of amount due plaintiff, form, 40:16	Tax title perfection by foreclosure action, 40:1

MUNICIPAL TAX FORECLOSURES—Cont'd Tax title perfection—Cont'd in rem proceeding generally, 40:22 answer, 40:27 final judgment, form, 40:28 notice, form, 40:25 notice, generally, 40:26 resolution by governing body, 40:24 time to institute, 40:23 NAMES Business name certificates, trade

name
certificate, form, 31:30
dissolution, form, 31:31
Construction liens, names of
subcontractors and suppliers,
22:20
Contents of conveyance instruments,
name and address of
grantee, 11:12
grantor, 11:10
Deeds, recital from an incorrectly
named grantor, form, 17:19
Judgment entered against similar

NEIGHBORHOOD

Deed restrictions, conformance with neighborhood scheme, **18:5**

NEW HOME WARRANTY AND BUILDERS REGISTRATION ACT

name, lien, 23:22

Generally, 26:28

NEW RESIDENTIAL CONSTRUCTION OFF-SITE CONDITIONS DISCLOSURE ACT

Generally, 26:24 Notice, form, 26:25

NON-PROFIT CORPORATION

Title acquisition, 9:11

NONPROFIT CORPORATIONS

Capacity to acquire property, 9:11

NONPROFIT ORGANIZATIONS

Tax exemption under RESPA, 29:21

NOTARY PUBLIC

Sales document, notarizing, 26:13

NOTICE OR KNOWLEDGE

Construction Liens, this index
Cooperatives, notice of declaration of
effectiveness?Form, **5:66**Deed restrictions, notice of, **18:8**Lis Pendens, this index

NUMBERS

Abstracting of title, numbering the instruments, **35:24**Sale contract, number and gender clause, form, **26:116**

NURSING HOME LIEN

Generally, 24:55

NURSING HOMES

Lien, generally, 24:55

OCCUPANCY, USE, AND ENJOYMENT

Title acquisition by, 8:3

OIL TANK

Sale of real property contingency, **26:78**

OPINIONS

Commercial transactions, attorney opinions, **31:11**

OPTIONS, REAL AND COMMERCIAL TRANSACTIONS

Generally, 25:1
Cancel lease, 25:13
Checklist, 25:2
Condemnation, 25:12
Encumbrances, as, 25:8
Eviction of terminally ill tenant, staying, 25:19
Exercising of option
generally, 25:20
time, 25:21
Extend or renew
generally, 25:14
form, 25:15

OPTIONS, REAL AND	PARTNERS AND PARTNERSHIPS
COMMERCIAL	—Cont'd
TRANSACTIONS—Cont'd	Tenancies in partnership
First refusal. Right of first refusal,	generally, 5:11
below	transfer of partnership property,
Perpetuities, rule against, 25:11	5:12
Prepay mortgage, 25:16	PARTY WALLS
Price setting	
generally, 25:3	Deed restrictions
at named price, form, 25:6	generally, 18:10
methods of, 25:4-25:7	complaint, form, 18:11
right of first refusal, form, 25:5	Easements, 19:42-19:44
will clause at price specified on	PERMITS
inheritance tax report, 25:7	Condemnation preliminary entry
Purchase, exercise by tenant, form, 25:17	permit, 42:12
Return after temporary retirement of	Stream encroachment line easement
premises, 25:18	permit, 19:70
Right of first refusal	•
generally, 25:9	PERSONAL PROPERTY
form, 25:10	Sale of real property
method of setting price, form, 25:5	condition contingency, form, 26:72
Rule against perpetuities, 25:11	exclusion, 26:117
Stay	inclusion, 26:118
exercising of, 25:20, 25:21	removal, 26:119
terminally ill tenant eviction, 25:19	representation and warranty, form,
· · · · · · · · · · · · · · · · · · ·	26:132
Tenant exercise of purchase option, form, 25:17	PHYSICIAN LIEN
Terminally ill tenant eviction, stay-	
ing, 25:19	Generally, 24:55
Time, exercising of option, 25:21	PIER
	Easements (adjudicated), 19:45
PARKING	zasements (aujuareateu), 1301e
Garage Keeper's Lien Act, 24:89	PINELANDS ENVIRONMENTAL
Right of way easement, 19:68	LIENS
PARTITION OF CO-OWNERSHIP	Generally, 24:79
ESTATES IN LAND	DIDEL INE
	PIPELINE
Generally, 5:23	Easement (adjudicated), 19:46
Complaint, form, 5:24	PLAIN LANGUAGE ACT
PARTNERS AND PARTNERSHIPS	
Capacity to acquire title	Contents of conveyance instruments,
generally, 9:7	Sale transactions, 26:32
limited partnership, 9:8	Sale transactions, 20:32
Limited partnership	PLANNED REAL ESTATE
acknowledgment to conveyance,	DEVELOPMENT FULL
form, 14:19	DISCLOSURE ACT
capacity to acquire title, 9:8	Generally, 5:33
1 7 1	3 /

PLANNING AND ZONING	PLANNING AND ZONING—Cont'd
Abstracts and Abstracting of Title,	Hearing—Cont'd
this index	public notice of on application for
Adjustment, zoning board of	subdivision and variance,
hearings, 45:3	form, 45:8
powers of, 45:22	Informal review, 45:2
Appeal and review	Isolated lots, 45:23
Governing body, 45:28	Major subdivision
Prerogative writs, 45:29	generally, 45:16
Superior Court, 45:29	final approval; expiration of approval, 45:18
Time limitations, 45:29	**
Applicants, corporate and other entity, 45:5	preliminary approval, effect of, 45:17
Application for approval of minor	Map filing law, 45:19
subdivision, form, 45:14	Minor subdivision
Application for use variance, form, 45:24	Generally, 45:13
Application notice, revised?Form, 45:10	Application for approval, form, 45:14
Attorney checklists	Mortgaged subdivided lot, lien
•	release?Form, 45:36
Applicant, 45:31	Municipal land use law, generally,
Objector, 45:32 Boards	45:1
hearings, 45:3	Nonconforming structures and uses, 45:21
powers of board of adjustment,	
45:22	Notice for publication of approval of subdivision and variance? Form, 45:30
powers of planning board, 45:11	
Building inspector denial certificate, form, 45:4	Notice of hearing on application for subdivision and variance, public form, 45:8
Certificate of denial of building	
inspector, form, 45:4	Notice of revised application? Form, 45:10
Certificate of subdivision	Notice requirements, 45:7
application for, 45:34	Notice to be served on owners of
approval, 45:20 form, 45:35	property affected? Form, 45:7
Conditional uses, 45:12	Powers of board of adjustment, 45:22
Corporate applicants, 45:5	Powers of planning board, 45:11
Deed	Public notice of hearing on applica-
	tion for subdivision and vari-
easement for road purposes to establish right of way	ance, form, 45:8
line?Form, 45:33	Release of subdivided lot from lien of
perfecting subdivision and impos-	mortgaged premises?Form,
ing conditions, form, 45:15	45:36
Easement for road purposes to estab-	Resolution, 45:6
lish right of way line,	Revised application notice?Form,
deed?form, 45:33	45:10
Hearing	Right of way easement for road
generally, 45:3	purposes, deed?form, 45:33

PLANNING AND ZONING—Cont'd Site plans final approval; expiration of approval, 45:18	POSTPONEMENTS—Cont'd Judgment liens, 23:5, 23:6 Mortgages, 20:41, 20:42
Subdivision	POWER OF ATTORNEY
certificate of application for, 45:34 form, 45:35 certificate of approval, 45:20 notice for publication of approval, form, 45:30	Abstracting of deed, examination under power of attorney, 35:27 Conveyance instruments affidavit of attorney-in-fact? Form, 11:40 confirmation of conveyance under
release of subdivided lot from lien of mortgaged premises?Form, 45:36	power of attorney, form, 10:14
Use variance	execute deed, to, 11:39
application, form, 45:24	married woman, 11:42
architect's testimony in support, outline, 45:26	revocation of power of attorney generally, 11:43 form, 11:44
broker testimony in support, outline, 45:25 notice for publication of approval	sell and convey land? Form, 11:41 Deed abstract examination, 35:27
of subdivision and	Mortgagor capacity under, 20:14
variance?Form, 45:30 planner's testimony in support, outline, 45:27	PREMARITAL OR PRENUPTIAL AGREEMENTS/DEEDS
,	Life estate deed
POLL DEED	checklist, 4:18 form, deed recital releasing right of
Generally, 17:2	possession, 4:28
PONDS Lakes and Ponds, this index	outline, deed releasing right of possession, 4:19
POSSESSION AND CONTROL	releasing right of possession
Adverse possession, title acquisition, 8:13	form, deed recital, 4:28 outline, deed, 4:19
Boundaries litigation and determinations, complaint for posses-	Mortgagor capacity under agreement, 20:15
sion?Form, 12:30 Landlord and Tenant, this index Life estate deed	PREROGATIVE WRITS Appeal and review, 45:29
joint possession	PRESCRIPTION
generally, 4:22	Title acquisition by, 8:4
mortgage lien, 4:23	PRICE
releasing right of possession form, deed recital, 4:28	Abstracts of title examination, survey—price, 35:62
outline, deed, 4:19 Sale transactions. Sale and Transfer, this index	Commercial transactions, price allocation, 31:3
	Inheritance tax report, price setting
POSTPONEMENTS	will clause at price specified on,
Abstracts of title, examination of, 35:46	25:7 Options, price setting, 25:3-25:7

PRICE—Cont'd

Sale of real property, payment of price, 26:123-26:129

PRIVATE DEEDS

Abstract of title, examination of, 35:26

PRIVATE RESIDENTIAL LEASEHOLD COMMUNITIES

Generally, 5:47

PRIVATE TAX SALES

Resolution authorizing private sale of certificate of tax sale, form, 39:8

PROFESSIONAL CORPORATION

Title acquisition, 9:10

PROFITS A PENDRE

Generally, 19:85 Release by quitclaim deed, 19:86

PROPERTY TAX REBATE ACT, **TENANTS'**

Generally, 30:15

PUBLIC DEFENDER

Lien, generally, 24:77

QUARANTINE

Life estate, 4:21

QUITCLAIM DEED

Easements, termination of, 19:81 Form, 17:14 Licenses release, 19:86 Profits a pendre release, 19:86 Unrecorded quitclaim grantees, effect on judgment liens, 23:11

RADON

Lien in residential buildings, 24:86 Sale transaction contingency for presence of, 26:80

RAILROAD GRANTS

Easements, this index

REAL ESTATE APPRAISERS ACT Generally, 20:69

REAL ESTATE SALES FULL **DISCLOSURE ACT**

Condominiums, 5:46

REAL ESTATE SETTLEMENT PROTECTION ACT (RESPA)

Generally, 29:1 et seq.

Adjustment

condominium liens, 29:32

homeowner's no notice lien, 29:33

Blast or radiation fallout shelter, 29:18

Blighted area, 29:19

Condominium liens, adjustment, 29:32

Congressional findings and purpose, 29:1

Coverage, generally, 29:3

Deposit interest, 29:31

Disability, tax deduction, 29:25

Escrow account limitations, 29:8

Exempt transactions, 29:4

Farmland assessments, 29:28

Federal instructions, 29:14

Fees

kickbacks and unearned fees prohibition, 29:5, 29:6

mortgage cancellation, 29:35

transfer. Realty transfer fee, below

Foreign Investors Real Property Tax Act (FIRPTA)

generally, 29:29

form, 29:30

generally, 29:13

completed, 29:40

Good faith estimate, 29:12

Highway billboards, 29:24

Historic sites, 29:23

Homeowner's no notice lien, adjustment, 29:33

Homestead rebate, 29:17

I.R.S. information returns, 29:41

Information booklet, special, 29:11

Information returns, i.R.S., 29:41

Instructions, federal, 29:14

Kickbacks and unearned fees prohibi-

generally, 29:5

disclosure, form, 29:6

Mortgage cancellation fee, 29:35

Mortgage loan servicers, 29:10

REAL ESTATE SETTLEMENT PROTECTION ACT (RESPA) —Cont'd	REAL ESTATE SETTLEMENT PROTECTION ACT (RESPA) —Cont'd
Multi-family dwelling and conver-	Tax deduction—Cont'd
sion, 29:20	senior citizen, 29:26
Municipality, tax apportionment,	veteran, 29:27
29:16	Tax exemption
New RESPA rules, 29:2	blast or radiation fallout shelter,
Nonprofit organizations, tax exemption, 29:21	29:18 blighted area, 29:19
Nonresident transfers, tax withhold-	highway billboards, 29:24
ing on	historic sites, 29:23
Foreign Investors Real Property	multi-family dwelling and conver-
Tax Act (FIRPTA), 29:29	sion, 29:20
form, 29:30	nonprofit organizations, 29:21
Payment form, 29:34	veteran, 29:22
Prohibitions	Tax return, I.R.S. information
fees for settlement, escrow account	returns, 29:41
and truth in lending statement,	Tax rollback, farmland assessments,
29:9	29:28
kickbacks and unearned fees prohibition, 29:5 , 29:6	Tax withholding on nonresident
title company, 29:7	transfers
Purpose, 29:1	Foreign Investors Real Property
Realty transfer fee	Tax Act (FIRPTA), 29:29
generally, 29:36	form, 29:30
affidavit of consideration for	Title company prohibitions, 29:7
unequal interests, 29:38	Transfer fee. Realty transfer fee,
exemption on part of tract	above
occupied, 29:37	Veterans
two family sale with resident and	tax deduction, 29:27
non-resident senior citizen	tax exemption, 29:22
owners and tenant, 29:39	tax exemption, 27.22
Rollback taxes, farmland assess-	REALTY TRANSFER FEE
ments, 29:28	Real Estate Settlement Protection Act
Senior citizen	(RESPA), this index
realty transfer fee, two family sale	DED / EEC
with resident and non-resident	REBATES
senior citizen owners and ten- ant, rider to affidavit of	Homestead Rebate, this index
consideration, 29:39	Tenants' Property Tax Rebate Act,
tax deduction, 29:26	30:15
Special information booklet, 29:11	Title insurance, 44:10
Tax apportionment	RECEIVERS AND RECEIVERSHIP
homestead rebate, 29:17	
municipality, 29:16	Capacity to convey property, corporate receiverships, 10:23
statutory, 29:15	*
Tax deduction	Foreclosure, this index
disability, 29:25	Foreclosures, rent receivers, 41:46- 41:49

RECEIVERS AND RECEIVERSHIP	RECORDS AND RECORDING
—Cont'd	Abstracts of title. Abstracts and
Judgment liens, appointment of	Abstracting of Title, this index
receiver and effect on title,	Access to public records
23:43	generally, 33:1
RECITALS	clients' files, retention of, 33:14
Generally, 11:17	consolidation of registers of deeds
Abstracting, 35:10	and mortgages with county
Administrators' deeds, 11:19	clerks, 33:13 cooperative transfer documents,
Back title, 11:18	33:3
Executor's deeds, 11:19	county regulations of real estate,
Prenuptial life estate deed releasing	33:6
right of possession ,recital form,	destruction of public records, 33:12
Sheriff's deeds, 11:20	duty to record, 33:4
DEGO CAME LA CES	form of documents and maps, 33:2
RECOGNIZANCES	judgments, 33:5
Generally, 24:1 et seq.	municipal agencies' records, 33:7
Abstract examination, 35:44	municipal clerk's records, 33:9
Capias ad respondendum (with sum-	municipal engineer's records, 33:8
mons and complaint attached), form, 24:3	municipal tax assessor's records, 33:10
Civil, 24:2	municipal tax collector's records,
Criminal, 24:2	33:11
Discharge	Clients' files, retention of, 33:14
generally, 24:8	Cooperative transfer documents, 33:3
order of dismissal, form, 24:9	County clerk
record of, form, 24:10	consolidation of registers of deeds
Duration of recognizance lien, 24:6	and mortgages with county clerks, 33:13
Enforcement, 24:7	recording and filing with, 32:3
Examination of abstract of, 35:44	statutory office provisions, 32:2
Forms	County regulations of real estate,
capias ad respondendum (with	33:6
summons and complaint	Defined (file, record, register, and
attached), form, 24:3	lodge), 32:12
order of dismissal, form, 24:9	Destruction of public records, 33:12
record of discharge, form, 24:10	Duty to record, 33:4
Lien	Effect of recording, 32:9
generally, 24:4	Form of documents and maps, 33:2
duration, 24:6	Index books
Liens, this index	generally, 34:1 et seq.
Nature of, 24:1	caution as to use of, 34:9
Order of dismissal, form, 24:9	computerization of, 34:10
Record of	cooperative transfer documents, 33:3
generally, 24:5	county regulations of real estate,
discharge record, form, 24:10	33:6

RECORDS AND RECORDING —Cont'd	RECORDS AND RECORDING —Cont'd
Index books—Cont'd	Recording and filing with
entries; indexes, 34:12	clerk of superior court, 32:5
getting started—index systems, 34:1	clerk of United States District Court for District of NJ, 32:6
indexes; entries, 34:12	county clerk, 32:3
judgments, 33:5 Key System, 34:5	Mortgage Electronic Registration Systems, Inc. (MERS), 32:8
labeling of index books, 34:2	secretary of State, 32:7
Lusk System, 34:4	surrogate, the, 32:4
municipal agencies' records, 33:7 municipal clerk's records, 33:9	Register of deed, statutory office provisions, 32:2
municipal engineer's records, 33:8	Register of deeds and mortgages
municipal tax assessor's records, 33:10	consolidation of with county clerks, 33:13
municipal tax collector's records, 33:11	liability for improper indexing and recording, 34:11
pages in the index book, 34:7	Mortgage Electronic Registration
register of deeds and mortgages—	Systems, Inc. (MERS),
Liability for improper index-	recording and filing with, 32:8
ing and recording, 34:11	Secretary of State, recording and fil-
Soundex System, 34:6	ing with, 32:7
use, caution as to, 34:9	Superior court clerk, recording and
use—Illustration, 34:8	filing with, 32:5
words ending in "or" or "ee," 34:3	Surrogate, recording and filing with, 32:4
Instruments recordable, 32:1 et seq.	United States District Court for
Judgments, 33:5	District of NJ, recording and
Lis Pendens, this index	filing with clerk of, 32:6
Maps, form of, 33:2	REDEMPTION
Mortgage Electronic Registration Systems, Inc. (MERS), record-	Foreclosures, generally, 41:42-41:45
ing and filing with, 32:8	Municipal tax foreclosures, 40:17-
Municipal agencies' records, 33:7	40:19
Municipal clerk's records, 33:9	Tax sales, 39:13, 39:14
Municipal engineer's records, 33:8	REFUNDS
Municipal tax	
assessor's records, 33:10 collector's records, 33:11	Abstracting of title, refunding bond and release, form, 35:37
Notice of settlement	REIMBURSEMENT
effect of filing, 32:10	Liens on property, reimbursement
form, 32:11	agreements, 24:30
On time filing, 32:13	RELATIVE HARDSHIP
Prerequisites to recording, 32:1	DOCTRINE
Public Records and Reports, this index	Estate in land defined as air space(adjudicated), form, 1:5

RELEASE

Curtesy

life estate, 4:17

sales transaction, form, 26:88

Dower

life estate. 4:17

sales transaction, form, 26:108

Easements, right of way, 19:66

Federal tax liens, **36:6-36:8**

Judgment lien release, form, 23:33

Licenses, release by quitclaim deed, 19:86

Life estate, release of curtesy and dower, **4:17**

Mortgages, this index

Profits a pendre, release by quitclaim deed, 19:86

RELIGION AND RELIGIOUS ORGANIZATIONS

Capacity to acquire property generally, **9:17**

resolution to purchase, form, 9:18

Church pew privileges

deed, 19:15

resolution of revocation (adjudicated), **19:16**

REMOVAL

Assignment for benefit of creditors, removal of assignee, **43:5**

Landlord and tenant, request for warrant for removal, **30:46**

Sale of real property, removal of personal property, form, 26:119

RENT

Landlord and Tenant, this index

REOPENING

Municipal tax foreclosures, 40:30

REPAIR AND MAINTENANCE

Contract for commercial building (construction or repair)?Form, 31:23

Easement right of way (adjudicated), 19:67

Reservations and exceptions to conveyances, repair dam and

REPAIR AND MAINTENANCE

-Cont'd

remove manure—Litigated—Form, 13:5

Sale transactions, repairs issues

after closing—Escrow agreement—Form, **28:5**

maintenance of property, form, **26:130**

purchasers personal property only before closing? Repairs?Form, 28:2

REPORTS AND REPORTING

Assignment for benefit of creditors, report of sale of real property, form, **43:15**

Corporate and financial liens, annual report lien, **24:74**

Foreclosure, report of title continuation of, form, **41:16** form, **41:10**

Inheritance tax report, price setting will clause at price specified on, **25:7**

REPURCHASE

Capacity to acquire title from state, 9:2, 42:18

Condemned property, 42:18

RESERVATIONS

Condominiums, nonbinding reservations, **5:41**

Conveyances, to

Distinguished from exceptions, 13:4

Easement to lake for benefit of upland—Litigated—Form, 13:7

Repair dam and remove manure— Litigated— Form, 13:5

Wharf privilege—Litigated—Form, 13:6

Easements, this index

RESIGNATION

Assignee for benefit of creditors, 43:5

RESOLUTION TRUST CORPORATION

Mortgages discharge or release, **20:56**

RESPA Real Estate Settlement Protection Act	ROOMING HOUSE Eviction, 30:14
(RESPA), this index	
RESTRICTIONS, DEED	RUNNING WITH THE LAND Deed restrictions, 18:9
Generally, 18:2	Deed restrictions, 18.9
Alienation, restraining, 18:4	SALE AND TRANSFER
Conditions, 18:1	"As is" condition, representation
Conformance with neighborhood	and warranty, form, 26:133
scheme, 18:5	Generally, 26:1 et seq.
Counties, 18:6	Air conditioner—winter clause, form,
Court interpretation	26:131
enforcement (upholding restric-	Airport Safety and Zoning Act of
tions), form, 18:12	1983, 26:26
nonenforcement on restrictions,	Alcohol Beverage Board approval, form, 26:54
form, 18:13	Appliances' condition contingency,
Developer deed with restrictions,	form, 26:72
form, 18:16	Apportionments, forms
Discriminate, 18:3	generally, 26:49
Farmland, 18:7	assessments, 26:46
Municipalities, 18:6	dues and charges, 26:47
Notice, 18:8	fuel, 26:48
Party walls	Approval
generally, 18:10	ABC. board approval, form, 26:54
complaint, form, 18:11	attorney approval, form, 26:53
Running with the land, 18:9 Termination	condominium association
	approval, form, 26:55
generally, 18:14	cooperative approval, form, 26:56
majority vote, by, form, 18:15	court approval, form, 26:57
RETAINER	government agency approval,
Attorney lien, 26:4	26:58
Estate representation, 26:6	Assignment for Benefit of Creditors,
Owner financing representation, 26:8	this index
Purchaser representation, 26:7	Assignment of new home owner's
Seller representation, 26:5	warranty, form, 26:144
REVOCATION	Assignment, form, 26:50
	Attorney
Power of attorney, 11:43, 11:44	approval by attorney contingency,
RIDERS	form, 26:53
Mortgages, this index	lien, 26:4
Sales transaction	retainer. Retainer of attorney,
contract rider—Introduction, form,	below
26:154	right to commission, 26:42
realty transfer fee, two family sale	Bargain and sale deed, form, 17:12
with resident and non-resident	Basic contract forms and clauses, 26:35-26:160
senior citizen owners and ten-	20:35-20:100 Brokers
ant, rider to affidavit of	Generally 26:35

SALE AND TRANSFER—Cont'd	SALE AND TRANSFER—Cont'd
Brokers—Cont'd	Buyer or purchaser—Cont'd
attorney's right to commission on	time of essence
sale, 26:42	letter to seller, 26:158
business relationship disclosures, 26:40	notice to purchaser, seller's, 26:167
consumer information statement, form, 26:41	notice to seller, purchaser's, 26:166
contract for sale of broker's version, 26:45	use and occupancy agreement before closing, form, 28:1
contracts and leases, right to draw, 26:37	personal property only before closing? Repairs?Form,
disclosure of business relation- ships, 26:40	28:2 Cancellation
exclusive right to sell, exclusive	flood zone—right to cancel—
agency and non-exclusive	waiver, form, 26:69
agency distinguished, 26:36	mortgage cancellation fee, 29:35
notice to buyer and seller, form,	Certificate of occupancy
26:39	right to cure defects, form, 26:60
notice to owner under statute of	temporary (adjudicated), form,
frauds, form, 26:23	26:61
representation and warranty, none,	Checklists
26:134	contingencies, 26:33
right to draw contracts and leases, 26:37	representing purchaser
	after closing, 27:7
right to practice law, 26:38	after contract and before clos-
Buyer or purchaser	ing—1-2 family sale, 27:4
broker's required notice to buyer and seller, form, 26:39	at contract (schedule 1/2 hour before fee closing), 27:5
checklists, representing purchaser	at fee closing, 27:6
after closing, 27:7	representing seller
after contract and before closing—1-2 family sale, 27:4	after closing—1-2 family sale, 27:3
at contract (schedule 1/2 hour before fee closing), 27:5	after contract and before closing 27:1
at fee closing, 27:6	at closing—1-2 family sale, 27:
inspection, pro purchaser	Closings
contingency, form, 26:73	arrangements, date of closing,
interest on deposit	form, 26:90
paid to purchaser, form, 26:100	checklists for representing buyer/
shared equally by seller and	seller. Checklists, above
purchaser, form, 26:102	deposit in trust until closing
representation and warranty, com-	with broker, form, 26:95
mission by	with seller's attorney, form,
purchaser and seller, form,	26:97
26:137	inspection before closing, form,
purchaser, form, 26:136	26:109
retainer of attorney, purchaser representation, form, 26:7	mortgage closing statement, form, 28:8

SALE AND TRANSFER—Cont'd	SALE AND TRANSFER—Cont'd
Closings—Cont'd	Contingencies—Cont'd
possession at closing, three resi-	appliances' condition, form, 26:72
dential units or less, form,	attorney approval, form, 26:53
26:120	certificate of occupancy
Real Estate Settlement Protection Act (RESPA), this index	right to cure defects, form, 26:60
statements	temporary (adjudicated), form,
mortgage closing statement,	26:61
form, 28:8	checklist, 26:33
title closing statement, form, 28:7	commencement of, form, 26:91 condominium association
title closing statement, form, 28:7	approval, form, 26:55
use and occupancy after. Use and	contents, form, 26:34
occupancy agreement, below	cooperative approval, form, 26:56
Commencement of contingencies,	court approval, form, 26:57
date of, form, 26:91 Commissions	date of commencement of, form, 26:91
attorney's right to, 26:42	
basic contract form and caluse,	flood zone—right to cancel— waiver, form, 26:69
form, 26:51 landlord liability on unwritten	government agency approval, 26:58
agreement, 26:22	governmental official with time
purchaser liability for, 26:21, 26:136, 26:137	limit, 26:59
representation and warranty, forms	inspection, generally
commission by	major defect, form, 26:75
purchaser and seller, form,	pro purchaser, form, 26:73
26:137	seller's option to correct, form, 26:74
purchaser, form, 26:136 seller liability for, 26:21, 26:137	lead paint contingency, form,
unwrittem agreements and Statute	26:76
of Frauds, 26:20	mine—waiver—form, 26:77
Communication with clients, 26:12	mortgage assumption, form, 26:62
Condominium	mortgage commitment
adjustment of condominium liens,	basic form, 26:63
29:32	FHA, form, 26:64
association approval contingency,	satisfaction, form, 26:66
form, 26:55	seller, to, form, 26:67
recognition agreement, form,	VA, form, 26:65
26:52	waiver—prohibition—form,
Conflicts of interest, 26:9	26:68
Construction and interpretation rules, 26:2	negative declaration, nonapplicability, form, 26:71
Consumer Fraud Act, 26:31	nonapplicability
Consumer information statement,	form, 26:70
broker's, form, 26:41	negative declaration, form,
Contingencies	26:71
ABC. board approval, form, 26:54	oil tank, form, 26:78
÷ ÷ · · · · · · · · · · · · · · · · · ·	

SALE AND TRANSFER—Cont'd	SALE AND TRANSFER—Cont'd
Contingencies—Cont'd	Deposit—Cont'd
personal property condition, form,	interest on money—Cont'd
26:72	shared equally by seller and
radon presence—waiver—Form,	purchaser, form, 26:102
26:80	to follow principal, form, 26:99
right to cure defects, certificate of	liquidated damages, form, 26:93
occupancy, form, 26:60	to seller
sale of house, form, 26:81	deposit, form, 26:103
septic tank, form, 26:79	interest paid to, form, 26:101
swimming pool—Summer clause—Form, 26:82	Description
termites, etc.—Automatic	general exception, form, 26:104
waiver—Form, 26:83	lease exception, form, 26:105
urea formaldehyde foam insula-	street exception, form, 26:106
tion, form, 26:84	survey exception, form, 26:107
use restriction—Option to void—	Dower, release of, form, 26:108
Form, 26:87	Elder law pitfalls, 26:30
well water, form, 26:85	Escrow
wetlands, form, 26:86	account imitations under RESPA,
Contract for sale	29:8
broker's version, 26:45	agreement?repairs after
long form, 26:44	closing?Form, 28:5
short form, 26:43	deposit letter?Form, 28:6
Contract, date of, form, 26:92	use and occupancy agreement
Cooperative approval contingency, form, 26:56	sellers after closing?with escrowee?Form, 28:3
Court approval contingency, form, 26:57	sellers' personal property only after closing?
Curtesy, release of, 26:88	Escrowee?Form, 28:4
Damages, limitation on, 26:89 Date	Fair Housing Act, right to rent and buy, 30:6
closing arrangements, form, 26:90	Fees
contingencies commencement,	generally, 26:3
form, 26:91	kickback and unearned fees prohi-
contract, date of, form, 26:92	bition, 29:5 , 29:6
Deposit	mortgage cancellation fee, 29:35
claims, form, 26:94	transfer fees, 29:36-29:39
in trust with broker until	Fire resistant treated plywood, new
closing, form, 26:95	home owner's warranty, form, 26:143
contingencies met, form, 26:96	Flood area
in trust with seller's attorney until	contingency—Right to cancel—
closing, form, 26:97	Waiver, form, 26:69
contingencies met, form, 26:98	representation and warranty, forms
interest on money	In flood area—Pro seller, form,
paid to purchaser, form, 26:100	26:139
paid to seller, form, 26:101	outside flood area, seller's repre-
RESPA, 29:31	sentation, form, 26:140

SALE AND TRANSFER—Cont'd	SALE AND TRANSFER—Cont'd
Gender and number clause, form,	Mortgages—Cont'd
26:116	points from seller, form, 26:115
Government agency approval	Negligence cases, generally, 26:11
contingency, 26:58	New Home Warranty and Builders'
Homeowner's no notice lien, adjust-	Registration Act, 26:28
ment, 29:33	New Residential Construction Off-
Improvement of real property, statute	site Conditions Disclosure Act
of limitations, 26:29	generally, 26:24
Inspection	notice, form, 26:25
before closing, form, 26:109	Notarizing of documents, 26:13
major defect contingency, form, 26:75	Number and gender clause, form, 26:116
pro purchaser contingency, form,	Oil tank contingency, form, 26:78
26:73	Option to void—Use restriction—
seller's option to correct	Form, 26:87
contingency, form, 26:74	Payment of price. Price, payment of,
turn on of systems, form, 26:110	below
Insulation, urea formaldehyde foam	Personal property
contingency, form, 26:84	condition contingency, form, 26:72
representation and warranty, forms, 26:150	exclusion, form, 26:117
Interest on money. Deposit, above	inclusion, form, 26:118
Interview guide, 26:1	removal, form, 26:119
Lead paint contingency, form, 26:76	representation and warranty, form, 26:132
Lender, choice of, form, 26:114	Plain Language Act, 26:32
Liens	Pools. Swimming pools, below
attorney's lien, 26:4	Possession
homeowner's no notice lien, adjustment, 29:33	at closing, three residential units or less, form, 26:120
mechanic's, form, 26:112	form, 26:121
seller's right to pay, form, 26:111	right of under statute, form, 26:122
Maintenance of property, form,	Price, payment of
26:130	construction mortgage, under,
Megan's law, 26:27	form, 26:124
Mine (contingency)—Waiver—	deposit, above
Form, 26:77	form, 26:123
Misappropriation of clients' funds,	joint tenants, to, form, 26:126
26:10	purchase money mortgage, of,
Modifications, writing required, form,	form, 26:125
26:113 Montagogo	set by appraisal, form, 26:129
Mortgages	tenants by the entireties, to, form,
assumption contingency, form, 26:62	26:128
	tenants in common, to, form,
cancellation fee, 29:35	26:127
choice of lender, form, 26:114	Purchaser. Buyer or purchaser,
closing statement, form, 27:8	above
commitment contingency, forms, 26:63-26:68	Radon presence, contingency, form, 26:80

SALE AND TRANSFER—Cont'd	SALE AND TRANSFER—Cont'd
Real Estate Settlement Protection Act	RESPA. Real Estate Settlement
(RESPA), this index	Protection Act (RESPA), this
Repairs	index
after closing—Escrow agree- ment—Form, 28:5	Retainer of attorney estate representation, form, 26:6
maintenance of property, form,	lien of attorney, 26:4
26:130	owner refinancing representation,
purchasers personal property only	form, 26:8
before closing?	purchaser representation, form,
Repairs?Form, 28:2	26:7
Representation and warranty, forms	seller representation, form, 26:5
air conditioner—winter clause,	Riders
form, 26:131	contract rider—Introduction, form
appliances and personal property condition, form, 26:132	26:154
as is condition, form, 26:133	realty transfer fee, two family sale with resident and non-residen
broker none, form, 26:134	senior citizen owners and ten-
building, form, 26:135	ant, rider to affidavit of
commission by	consideration, 29:39
purchaser and seller, form,	Risk of loss, form, 26:155
26:137	Seller
purchaser, form, 26:136	broker's required notice to buyer
contents, form, 26:138	and seller, form, 26:39 checklists, representing seller
flood area	after closing—1-2 family sale,
in flood area—Pro seller, form,	27:3
26:139	after contract and before closing
outside flood area, seller's representation, form, 26:140	27:1
land, form, 26:141	at closing—1-2 family sale, 27 :
new home owner's warranty, form	commission liability, 26:21 ,
generally, 26:142	26:137
assignment, form, 26:144	deposit In trust with seller's attorney until
fire resistant treated plywood,	closing, form, 26:97
form, 26:143	contingencies met, form, 26:98
personal property condition, form,	deposit interest
26:132	paid to seller, form, 26:101
septic system, form, 26:146	shared equally by seller and
survival, form, 26:147	purchaser, form, 26:102
swimming pool—Winter clause, form, 26:145	deposit to seller, form, 26:103
systems, form, 26:148	flood area representation and war-
title, form, 26:149	ranty, forms, 26:139 , 26:140
urea formaldehyde foam insula-	inspection defects contingency,
tion, form, 26:150	seller's option to correct, form, 26:74
use, form, 26:151	liens, right to pay, form, 26:111
violation, form, 26:152	mortgage points from seller, form,
well water, form, 26:153	26:115

SALE AND TRANSFER—Cont'd	SALE AND TRANSFER—Cont'd
Seller—Cont'd	Time of essence—Cont'd
representation and warranty, com-	form, 26:157
mission by, form, 26:137	in contract, form, 26:165
time of essence	letter to seller, purchaser's, form,
letter to seller, 26:158	26:158
notice to purchaser, seller's, 26:167	notice to purchaser, seller's, form, 26:167
notice to seller, purchaser's, 26:166	notice to seller, purchaser's, form, 26:166
use and occupancy agreement after closing? With	purchaser's letter to seller, form, 26:158
escrowee?Form, 28:3 personal property only after	purchaser's notice to seller, form, 26:166
closing? Escrowee?Form,	reasonable notice, 26:163
28:4	seller's notice to purchaser, form,
Septic tank/system	26:167
contingency, form, 26:79	waiver, 26:164
representation and warranty, form,	Title closing statement?Form, 28:7
26:146 Smoke alarm clause, form, 26:156	Title companies, right to practice law. 26:38
Statute of frauds	Title, quality of
Generally, 26:19	form, 26:159
broker's or agent's notice to owner, form, 26:23	subject to restrictions of record, 26:160
unwritten commission agreements and, 26:20	Urea formaldehyde foam insulation contingency, form, 26:84
Statute of limitations, real property improvement, 26:29	representation and warranty, forms, 26:150
Survival, representation and war-	Use and occupancy agreement
ranty, form, 26:147	closing statement?Form
Swimming pools	mortgage, 28:8
contingency—summer clause—	title, 28:7
form, 26:82	escrow
representation and warranty— winter clause—Form, 26:145	agreement?repairs after closing?form, 28:5
Taxes	deposit letter?Form, 28:6
advice regarding, 26:14 estates, 26:17	sellers after closing?With escrowee?Form, 28:3
purchase of home, 26:16	sellers' personal property only
Real Estate Settlement Protection Act (RESPA), this index	after closing? Escrowee?Form, 28:4
sale of home, 26:15	mortgage closing statement?Form,
trade of like kind property, 26:18	28:8
Termites, etc. (contingency)—	purchasers
Automatic waiver—Form, 26:83	before closing, form, 28:1
Time of essence	personal property only before
generally, 26:162	closing? Repairs?Form,
defined 26:161	28.2

SALE AND TRANSFER—Cont'd SATISFACTION OF LIENS ON **PROPERTY** Use and occupancy agreement —Cont'd Judgment Liens, this index repairs Mortgages after closing-Escrow agreecommitment, 26:66 ment-Form, 28:5 recording of, 20:41 purchasers personal property State hospital lien claim, warrant to only before closing? enter satisfaction of, form, 24:36 Repairs?Form, 28:2 Unemployment compensation liens. sellers 24:57 after closing?With escrowee?Form, 28:3 SAVINGS AND LOAN ACCOUNTS personal property only after OR ASSOCIATIONS closing? Escrowee?Form, Capacity to acquire property, 9:16 28:4 **SECURITY** title closing statement? Form, 28:7 Judgment liens discharge on posting Use restriction (contingency)—Opof security, 23:9 tion to void—Form, 26:87 Landlord and tenant security deposits Use, representation and warranty, assignment, form, 30:44 form, 26:151 Vendee's lien, 24:66 law regarding, 30:13 Veterans Lis pendens discharge, posting security for, 21:10 tax deduction, 29:27 Rental deposits, 30:13 tax exemption, 29:22 Uniform Commercial Code lien Violation, representation and warranty, forms, 26:152 priority of security interests in crops and construction mort-Waiver gages, 24:44 flood zone-right to cancelsecurity agreement, geenrally, waiver, form, 26:69 24:49 mine—waiver—form, 26:77 mortgage commitment waiver-**SENIOR CITIZENS** prohibition—form, 26:68 Condominiums, protected tenancy, radon presence—waiver—Form, 5:44 26:80 Landlord eviction in conversions, termites, etc.—Automatic 30.4 waiver-Form, 26:83 Real Estate Settlement Protection Act time of essence, 26:164 (RESPA) Warranties. Representation and warrealty transfer fee, two family sale ranty, above with resident and non-resident Well water senior citizen owners and tencontingency, form, 26:85 ant, rider to affidavit of representation and warranty, form, consideration, 29:39 26:153 tax deduction, 29:26 Wetlands contingency, form, 26:86 Sale transactions, elder law pitfalls, Writing required as to modifications, 26:30 26:113 SEPTIC SYSTEMS, SALE SALES AND USE TAXES TRANSACTIONS

Contingency, form, 26:79

Lien, generally, 24:76

SEPTIC SYSTEMS, SALE

TRANSACTIONS—Cont'd

Representation and warranty, form, 26:146

SERVICE OF PROCESS

Condemnation, 42:5 Construction liens claims, 22:5

Corporate certificate of good standing—Fax service, **10:17**

Foreclosure, this index

Municipal tax foreclosures, service by publication, **40:9**

SEWAGE DRAINS

Easements, this index

SHERIFF'S BONDS

Generally, 24:26 Discharge of, 24:27

SHORT FORM

Attestation clause, form, 11:29 Contract for sale, 26:43 Deed, form, 11:4, 11:6, 17:16 Landlord and tenant lease, 30:40 Mortgage, form, 20:18

SHOW CAUSE

Assignment for benefit of creditors, order to show cause for sale of real property, form, **43:12**

Mentally incapacitated persons' land, order to show cause re sale of, 10:6

Tenant's notice to vacate, order to show cause based, form, **30:35**

SIGNATURE

Acknowledgments to conveyances, proof by subscribing witness, 14:20-14:22

Contents of Conveyance Instruments, this index

Easement creation by signature of grantor, **19:9**

Mortgage cancellation or discharge by personal representative of deceased mortgagee, form, 20:58

SMOKE ALARM

Sale of property clause, form, 26:156

SOLAR EASEMENTS

generally, 19:69

SPILL COMPENSATION AND CONTROL ACT,

Environmental lien under. 24:82

STAMPS

Federal tax liens, federal revenue stamps, **36:11**

STATE

Institutional Liens, this index
Title acquisition capacity
repurchase from state, 9:2, 42:18
state's capacity, generally, 9:20

STATUTE OF FRAUDS

Generally, 26:19

Conveyance instruments contents, 11:3

Sales transactions

generally, 26:19

broker's or agent's notice to owner, **26:23**

commission agreement, 26:20

STATUTE OF LIMITATIONS

Condominiums ?real property improvements, **5:52**

Sale of property, real property improvements, **26:29**

STAVS

Eviction of terminally ill tenant generally, 25:19 exercising of, generally, 25:20 time when exercising option, 25:21

STOLEN PROPERTY

Conveyance instruments, **16:2** Title acquisition by theft, **8:16**

STREAM ENCROACHMENT LINE Permit, 19:70

STREETS AND ROADS

Abstract of title, **35:68-35:70** Easements, this index

STREETS AND ROADS—Cont'd

Ownership of streets, boundaries and descriptions, 12:14
Sale of property, description, street exception, form, 26:106

SUBDIVISIONS AND SITE PLANS

Certificate of
Application for, **45:34**Approval, **45:20**Form, **45:35**

Major

Generally, **45:16**Final approval of, **45:18**Preliminary approval for, **45:17**Site plans, **45:18**Minor

Generally, 45:13

Application for approval, **45:14**Notice for publication of approval of, **45:30**

Release of subdivided lot from lien of mortgaged premises-Form, 45:36

SUBLETTING

Landfill, easement in gross (adjudicated), 19:35

SUBORDINATIONS

Abstracting of title, examination of subordination, **35:46**

Construction liens, subordination of lien, form, 22:16

SUBSTITUTED SIGNATURE

Conveyance instruments, 11:33

SUFFERANCE, ESTATES BY

Generally, 6:3

SUMMONS

Foreclosure, summons on defendants, form, **41:19**Landlord and tenant, form, **30:45**

Municipal tax foreclosures, 40:5, 40:10

Recognizances, capias ad respondendum (with summons and complaint attached), form, 24:3

SUMMONS-Cont'd

Writ of attachment
no summons and complaint
annexed, form, 24:16
with summons and complaint
annexed, form, 24:17

SUNDAY DEEDS AND CONTRACTS

Generally, 11:38

SURVEY AND SURVEYORS

Monuments

natural monument boundary of river in recorded deed description and survey?Form, 12:18

stakes in surveys, and, 12:13
Title examination. Abstracts and
Abstracting of Title, this index

SWIMMING POOLS

Sale of real property contingency, form, 26:82 representation and warranty, form, 26:145

TAX DEED

Abstract, examining, 35:34

TAX LIENS

Alcoholic beverage tax, 24:58
Corporate franchise tax lien
generally, 24:67
certificate for tax lien search,
application for, form, 24:69
certificate of liens for unpaid taxes,
24:70
duration of tax lien, 24:68

release from lien, 24:71
tax lien search
application for certificate for,
form, 24:69

certificate of liens for unpaid taxes, 24:70

Duration

corporate franchise tax lien, 24:68 federal tax liens, 36:3 inheritance tax liens, 37:8, 37:9 Estate taxes, 36:9, 37:12

TAX LIENS—Cont'd	TAX LIENS—Cont'd
Federal tax liens	Inheritance tax liens—Cont'd
Generally, 36:1 et seq.	mutually acknowledged relation-
abstract of certificate of release,	ship of parent and child;
36:7	stepchildren, 37:6
abstract of notice, form, 36:10	nature of, 37:2
action to quiet title, 36:5	priority over municipal and other
certificate of release	tax liens, 37:10
abstract of, 36:7	rates, transfer tax, 37:5
form, 36:8	relationship of parent and child;
duration, 36:3	stepchildren, 37:6
enforcement, 36:4	tax court appeals, 37:3
estate taxes, 36:9	tax due date, 37:7
federal revenue stamps, 36:11	transfer tax rates, 37:5
form	transferees classes defined, 37:4
abstract of notice, 36:10	waiver, form, 37:11
certificate of release, 36:8	Municipal tax liens
gift tax, 36:9	generally, 38:1
priority, 36:2	appeals, tax
quiet title, action to, 36:5	generally, 38:8
release and discharge	county tax board, 38:9
generally, 36:6	tax court, generally, 38:10
certificate of release	assessment searches
abstract of, 36:7	generally, 38:5
form, 36:8	application, form, 38:7
stamps, federal revenue, 36:11	county tax board, 38:9
Financial business tax lien	foreclosures. Municipal Tax
generally, 24:72	Foreclosures, this index
annual report, 24:74	inheritance tax liens priority over,
law regarding, 24:73	37:10
New Jersey Gross Income Tax Act	priority
Lien, 24:75	generally, 38:4
Inheritance tax liens	inheritance tax liens priority,
generally, 37:1 et se.	37:10
action to compel payment, 37:9	realty tax as affecting persons, 38:3
appeals to tax court, 37:3	searches, tax and assessment
classes of transferees, defined, 37:4	generally, 38:5
compel payment, action to, 37:9	assessment search application,
compromises, 37:12	form, 38:7
defined, classes of transferees, 37:4	tax search application, form,
due date, tax, 37:7	38:6
duration of lien	tax court, generally, 38:10
generally, 37:8	taxes, generally, 38:2
extension of lien, 37:9	tanes, generally, 30.2
estate tax compromises, 37:12	TAX SALES
extension of, 37:9	Generally, 39:1 et seq.
history of, 37:1	Adjournments, 39:3
· · ·	<i>y</i>

TAX SALES—Cont'd	TAX SALES—Cont'd
Amount	Redemption—Cont'd
payment of amount due, 39:4,	amount of, 39:14
39:14	Resolution authorizing private sale of
redemption amount, 39:14	certificate of tax sale, form, 39:8
Assignment of certificate by	Time lapse, 39:12
municipality	Title to property
generally, 39:9 form, 39:10	muniments of title, effect of record of, 39:19
Bidding by municipal officers, 39:5	perfecting of
Cancellation by court order, 39:15	methods, 39:17
Certificate	possession, by, 39:18
assignment of certificate by	quality of, 39:16
municipality, 39:9, 39:10	Validity, 39:11
cancellation by court order, 39:15 form, 39:7	TAX SEARCH
resolution authorizing private sale of certificate of tax sale, 39:8	Cooperatives assessments request form, 5:31
Foreclosure, this index	Corporate franchise tax lien search
Form assignment of certificate by	application for certificate for, form, 24:69
municipality, 39:10 certificate, 39:7	certificate of liens for unpaid taxes, 24:70
resolution authorizing private sale	Examination, 35:51
of certificate of tax sale, 39:8	Municipal tax and assessment search
Municipality	generally, 38:5
assignment of certificate by municipality, 39:9, 39:10	assessment search application, form, 38:7
bidding by municipal officers, 39:5	tax search application, form, 38:6
Muniments of title, effect of record of, 39:19	TAXES AND TAXATION
Payment of amount due, 39:4, 39:14	Alcoholic beverage tax
Perfecting tax titles	judgment, 23:25
effect of record of muniments of	lien, 24:58
title, 39:19	Arrears-related sales. Tax Sales, this
foreclosure. Foreclosure, this index	index
methods, generally, 39:17	Blighted area, tax exemption under
possession, by, 39:18	RESPA, 29:19
Preliminary considerations, 39:1	Farmland assessments, rollback taxes, 29:28
Private sale of certificate of tax sale, resolution authorizing, form,	Foreign investors, tax withholding under RESPA, 29:29
39:8	Liens and claims. Tax Liens, this
Procedure	index
at sale, 39:6	Nonresident transfers (foreign inves-
prior to sale, 39:2	tors), tax withholding under
Record of muniments of title, 39:19	RESPA, 29:29, 29:30
Redemption generally, 39:13	Real Estate Settlement Protection Act (RESPA), this index

TAXES AND TAXATION—Cont'd TENANCIES BY ENTIRETY Sale of property —Cont'd Miscellaneous statues affecting propadvice regarding taxes, 26:14 erty held as, 5:22 estates, 26:17 foreign investors, tax withholding, Property tax deduction for surviving spouse and domestic partner, 29:29 5:19 home purchase, 26:16 Severance of, 5:17 home sale, 26:15 Surviving spouse tax delinquency. Tax Sales, this elective share of, 5:20 index trade of like kind property, 26:18 homestead rebate for, 5:18 Search, Tax Search, this index property tax deduction for, 5:19 Tenancies by entirety, surviving Termination of, 5:17 spouse and domestic partner Title created by instrument to homestead rebate for, 5:18 husband and wife, 5:21 property tax deduction for, 5:19 **TENANCIES IN COMMON** TELEPHONE LINE Generally, 5:6 Cotenants' mutual rights, duties, and Easements, 19:71 liabilities, 5:9 TENANCIES BY ENTIRETY Creation, 5:7 Generally, 5:13 Deed, form (cotenants' mutual rights, Creation duties, and liabilities), 5:8 generally, 5:14 Form, deed. two strangers and margranting and habendum clauses, ried couple in varying percentforms, 5:15, 5:16 ages, 5:8 instrument to husband and wife, Mutual rights, duties, and liabilities title created by, 5:21 of cotenants, 5:9 Domestic partner Sale transaction, payment of price, homestead rebate for, 5:18 form, 26:127 property tax deduction for, 5:19 Statutory incidences, 5:5 Elective share of surviving spouse, Termination, 5:10 5:20 Two strangers and married couple in Forms varying percentages, deed form, 5:8 tenancies by entirety to be held in common in unequal percent-TENANCIES IN PARTNERSHIP ages, granting and habendum Generally, 5:11 clauses, 5:15 Transfer of partnership property, 5:12 tenancy by entirety, granting and habendum clauses, 5:16 TENANT PROTECTION ACT OF Granting and habendum clauses, 1992 forms Condominiums, 5:45 tenancies by entirety to be held in common in unequal percent-TERMINALLY ILL TENANT, ages, 5:15 **EVICTION OF** tenancy by entirety, 5:16 Generally, 25:19 Homestead rebate for surviving Exercising of, generally, 25:20 spouse and domestic partner, 5:18 Time when exercising option, 25:21

TERMINATION	TITLE ACQUISITION—Cont'd
Condominium assessments.	Court order, form, 8:17
Condominiums, this index	Dedication, 8:14
Cooperatives, 5:63	Descent, by
Deed restrictions, 18:14 , 18:15	generally, 7:1
Lease, 30:38, 30:39	adopted child, 7:8
Life estate	advancement to heir, 7:12
generally, 4:7	afterborn heirs, 7:7
relation of life tenant to remainder-	aliens not disqualified, 7:11, 7:25
man, 4:8	antilapse; deceased devisee; class
Month-to-month tenancy, notice from	gifts, 7:30
tenant to landlord, form, 30:39	child born out of wedlock, 7:9
Tenancies by entirety, 5:17	class gifts; antilapse; deceased
Tenancies in common, 5:10	devisee, 7:30
Uniform Commercial Code lien,	competency, 7:22
termination statement, 24:48	contractual arrangements related to
TERMITES	death, 7:21
Sale transaction contingency, 26:83	debt owed by heir to decedent, 7:10
THEFT	determining representation, 7:5
Stolen Porperty, this index	devolution of property upon death, 7:20
TIME OF ESSENCE (SALE	disinheritance of adult child, 7:17
TRANSACTIONS)	domestic partner
Generally, 26:162	elective share, spouse of person
In contract, 26:165 Defined, 26:161	dying domiciled in New
	Jersey, 7:18
Form, 26:157 Purchaser's letter to seller, 26:158	entitlement; premarital will,
Purchaser's notice to seller, 26:166	7:14
Reasonable notice, 26:163	intestate share other than surviv-
Seller's notice to purchaser, 26:167	ing spouse or domestic
Waiver, 26:164	partner heirs, 7:4
	half blood relatives, 7:6
TITLE ACQUISITION	illegitimate child born out of
Generally, 7:1-9:20	wedlock, 7:9
Abandonment, 8:10	individuals related to decedent through two lines, 7:11
Adverse possession, 8:13	intentional killing of decedent
Alienation, 8:7	e
Aliens, 7:11 , 7:25 , 9:14	efffect on intestate succession, wills, trusts, joint assets,
Banks, 9:15	life insurance, and benefi-
Capacity to acquire, 9:1-9:20	ciary designations, 7:26
Corporate	final judgment of conviction,
generally, 9:9	effect of, 7:28
educational corporation, 9:13	other acquisitions of property by
foreign corporation, 9:12	decedent's killer, 7:27
non-profit corporation, 9:11	rights of purchasers; protection
professional corporation, 9:10	of payors and other third
Counties, 9:19	parties, 7:29

TITLE ACQUISITION—Cont'd	TITLE ACQUISITION—Cont'd
Descent, by—Cont'd	Judgment, 8:9
intestate share	Limited partnership, 9:8
loss of right to shares of parents	Mentally imcompetent persons, 9:6
of minor decedents, 7:15	Municipalities, 9:19
other than surviving spouse or	Occupancy, 8:3
domestic partner heirs, 7:4	Order of court, form, 8:17
Surviving spouse, 7:3	Partnership
marriage settlements, 7:13	generally, 9:7
omitted children, 7:16	limited partnership, 9:8
out of wedlock, child born, 7:9	Prescription, 8:4
relatives of half blood, 7:6	Purchase, 8:1
rights of purchasers; protection of payors and other third parties,	Religious societies, congregations, and Ys
7:29	generally, 9:17
surviving spouse	resolution to purchase, form, 9:18
elective share, spouse of person	Repurchase from state, 9:2, 42:18
dying domiciled in New	Savings and loan associations, 9:16
Jersey, 7:18	Single and married women, 9:4
entitlement; premarital will,	State capacity, 9:20
7:14	State, repurchase from, 9:2, 42:18
intestate share, 7:3	Theft, 8:16
tenancy in common, 7:13	Vacation, 8:15
title by descent, 7:2	Will. Descent, by, above
will	Women, single and married, 9:4
antilapse; deceased devisee; class gifts, 7:30	TITLE AND OWNERSHIP
decedents dying on or after	
September 1, 1978, 7:19	Abstracts and Abstracting of Title, this index
intentional killing of decedent, efffect of, 7:26	Acquisition. Title Acquisition, this index
noncompliant execution; holo-	Conveyances, this index
graphic, 7:24	Insurance. Title Insurance, this index
requirements for will; formal	Marketable title
execution, 7:23	distinguished from valid title of
Disclaimer accretion, 8:8	record, 44:8
Disclaimer—Form, 8:6	lis pendens, effects of, 21:16
Eminent domain, 8:11	Sale and Transfer, this index
Escheat, 8:2	TITLE INSURANCE
Estoppel, 8:12	
Fiduciaries, 9:5	Generally, 44:1 et seq.
Forfeiture, 8:5	Binder, defined, 44:1
Forms	Commissions, 44:10
court order, 8:17	Commitment, 44:4
disclaimer, 8:6	Completion of building prohibition,
Religious societies, congregations,	44:2
and Ys resolution to purchase,	Definition, binder and policy, 44:1
9:18	Distinguishing marketable title and
Infants, 9:3	valid title of record, 44:8

TITLE INSURANCE—Cont'd	UNIFORM COMMERCIAL CODE
Insurer liability under contract and	LIEN
tort, 44:7	Generally, 24:39
Liability of insurer, contract and tort, 44:7	Assignment by secured party, 24:45
Marketable title and valid title of rec-	Bill of sale, 24:54
ord, distinguished, 44:8	Construction mortgages, priority of security interests in, 24:44
Mortgage	Crops, priority of security interests
guarantee prohibition, 44:2	in, 24:44
owner's policy—notice required, 20:61	Default and notification, disposition
Policy	of collateral after, 24:42 Filing
generally, 44:5	electronic, 24:41
defined, 44:1	place of, 24:40
mortgage—owner's policy—notice	Financing statement
required, 20:61	addendum, 24:51, 24:53
Practice of law prohibition, 44:2	amendment, 24:52, 24:53
Prohibitions, 44:2	duration, 24:47
Rates, 44:9	form, basic, 24:50
Rebates, 44:10	Fixtures, 24:43
Spousal transfer endorsement, 44:6	Forms
Statutory controls, 44:3	
Valid title of record and marketable	financing statement, 24:50 financing statement addendum,
title, distinguished, 44:8	24:51
TRADEMARKS AND TRADE	financing statement amendment,
NAMES	24:52
Certificate, form, 31:30	financing statement amendment
Dissolution, form, 31:31	addendum, 24:53
TRANSLATION CERTIFICATE	security agreement, 24:49
Acknowledgments to conveyances,	Manufactured homes, 24:46
form, 14:23	Mortgages
TRUSTEES' DEEDS	generally, 24:43
Abstracts, examination of, 35:32	priority of security interests in, 24:44
TRUTH IN LENDING ACT	Priority of security interests in crops
Generally, 20:72	and construction mortgages, 24:44
UNDUE INFLUENCE	Security
Capacity to convey property, 10:33	agreement, generally, 24:49
UNEMPLOYMENT	priority of security interests in
COMPENSATION	crops and construction mort-
Judgment, 23:27	gages, 24:44
Liens	Termination statement, 24:48
generally, 24:56	UNIFORM CONSTRUCTION
warrant for satisfaction, form,	CODE ACT
24:57	Condominiums, 5:51

UNIFORM FIRE SAFETY ACT

Condominiums, 5:50

UREA FORMALDEHYDE FOAM INSULATION

Contingency for sale of real property, **26:84**

Representation and warranty in sale of real property, **26:150**

USE VARIANCE

Planning and Zoning, this index

UTILITIES

Corporate capacity to convey public utilities, **10:24**

Liens, 24:38

Telephone line easement (adjudicated), **19:71**

VACATING OR SETTING ASIDE

Abstracts and Abstracting of Title, this index

Acquisition of title, **8:15** Writ of attachment, **24:24**

VENDEE'S LIEN

Contract liens, 24:66

VENUE

Foreclosure, 41:2

VETERANS

Sale of real property transactions tax deduction, 29:27 tax exemption, 29:22

WAIVER

Abstract of title, survey corner waiver, form, **35:61**

Inheritance tax liens waiver, form, **37:11**

Life estate, right to elective share, 4:25

Mortgages

commitment, 26:68

twelve day notice of fees and points, **20:63**

Sale transactions. sale and Transfer, this index

Surviving spouse right to elective share, life estate, **4:25**

WARRANTIES

Condominiums

generally, 5:35

New Home Warranty and Builders' Registration Act, **5:48**

Contents of conveyance instruments, 11:24

Sale transactions. Sale and Transfer, this index

WARRANTS

Landlord and tenant, request for warrant for removal, 30:46

State hospital lien claim, warrant to enter satisfaction of, form, 24:36

Unemployment compensation, warrant for satisfaction, form, 24:57

WARRANTY DEEDS

Form. 17:15

WATER

Boundaries and Descriptions, this index

Easements, this index

Freshwater wetlands protection, environmental lien, 24:82

Lakes and Ponds, this index

Land defined as below the water, 1:8

Waterfront property, construction liens, 22:3

Wells. Easements, this index Wharf Privileges, this index

WELL WATER

Easements, this index

Sale transaction

contingency, 26:85

representation and warranty, **26:153**

WETLANDS PROTECTION

Environmental lien, freshwater wetlands, **24:82**

Sale transaction contingency, 26:86

WHARF PRIVILEGES

Easement—Reservation (adjudicated), **19:80**

Reservation, 13:6, 19:80

REAL ESTATE LAW AND PRACTICE

WIDOWS AND WIDOWERS

Life estate, elective share right to, **4:24** waiver of right to, **4:25**

WILD DEED

Generally, 17:34

WILLS

Abstract, examination of, **35:35**Acquisition of title to real estate.
Title Acquisition, this index

WINDOWS

Apartment lease, commercial tenancy, window guard requirements and notification, form, 31:27

WOMEN

Acknowledgments to conveyances, who may make, **14:4**Capacity of mortgagor, **20:9**

WOMEN—Cont'd

Capacity to acquire title, **9:4**Capacity to convey property, **10:11**Life estate, Married Women's Act, **4:12**

Power of attorney, conveyance instruments, **11:42**

WORKERS' COMPENSATION JUDGMENTS

Generally, 23:26, 24:59

WRITING

Mortgages, necessity of writing, **20:3** Statute of Frauds, this index

WRITS

Attachments, this index
Execution on foreclosure judgment,
form, 41:35
Prerogative writs, appeal of, 45:29

YEARS, ESTATES FOR

Generally, 6:1

Index

ACCIDENTAL POLLUTION

Sudden and Accidental Pollution, this index

ALLOCATION OF LIABILITY

Insurance Coverage for Environmental Claims, this index

Spill Compensation and Control Act, private party actions, **46:159**

ANNUAL REVIEWS

Private Well Testing Act, 46:277

APPEAL AND REVIEW

Meadowlands Commission, standard of review and appeal, **46:73**

APPROVAL OR CONSENT

Meadowlands Commission approval and permit process, **46:72** approval application as to subdivision, form, **46:82**

Private party actions, hazardous substance discharge, written approval, **46:162**

ASBESTOS

Generally, 46:258
Contingency-Form, 46:262
Duty, 46:261
Litigation, 46:259-46:261
Proximate cause standard, 46:260

AUDITS

Site Remediation and Reform Act (SRRA), **46:127**

BANKING

Environmental banking concerns, **46:345**

BROWNFIELD AND
CONTAMINATED SITE
REMEDIATION ACT
(BCSRA), 46:297 et seq.
Generally, 46:297 et seq.

BROWNFIELD AND
CONTAMINATED SITE
REMEDIATION ACT
(BCSRA), 46:297 et seq.
—Cont'd

Acquiring property after effective date of BCSRA, 46:318

governmental entities. Acquisition by governmental entities, below

prior to September 14, 1993, 46:315, 46:316

with knowledge of contamination, 46:317

Acquisition by governmental entities generally, **46:320** settlements with the state, **46:321** statute of limitations, **46:322**

Alternative soil remediation standards, **46:303**

Challenges to remediation standards, 46:306

Change in remediation standards, 46:305

Cleanup standards based on useengineering and institutional controls, **46:302**

Condemnation of contaminated property, **46:308**

Contacts, 46:324

Covenants not to sue generally, **46:313**

defense when acquiring property prior to September 14, 1993, 46:316

no further action letters, response action outcomes and covenants not to sue, **46:309**

no release for persons liable under Spill Act- Defense when acquiring property after September 14, 1993, **46:315**

BROWNFIELD AND **CONTAMINATED SITE** REMEDIATION ACT (BCSRA), 46:297 et seq. -Cont'd Covenants not to sue-Cont'd release of liability, 46:314 release of liability-Acquiring property with knowledge of contamination, 46:317 Engineering and institutional controls, 46:302 Financial and tax incentives, 46:323 Investigation standards-flexible approach and variance procedure, 46:299 Liability protections acquiring property after effective date of BCSRA, 46:318 acquiring property after September 14, 1993, persons who knew or should have known of contamination, 46:319 acquisition by governmental entities generally, **46:320** settlements with the state. 46:321 statute of limitations, 46:322 no further action letters, response action outcomes and covenants not to sue, 46:309 Minimum standards investigation standards-flexible approach and variance procedure, 46:299 remediation standards, 46:300-46:303 No further action letters, 46:309, 46:310 Office of Brownfield Reuse, 46:307 Release of liability generally, 46:314 acquiring property with knowledge of contamination, 46:317

no release for persons liable under

Spill Act- Defense when acquiring property after

September 14, 1993, **46:315**

BROWNFIELD AND CONTAMINATED SITE REMEDIATION ACT (BCSRA), 46:297 et seq. —Cont'd Remediation standards generally, 46:301 alternative soil remediation standards, 46:303 challenges to remediation standards, 46:306 change in remediation standards, 46:305 cleanup standards based on use-Engineering and institutional controls, **46:302** minimum standards, generally, 46:300 Response action outcomes (RAOs), 46:311 generally, **46:311** no further action letters, response action outcomes and covenants not to sue. 46:309 when can a response action outcome be issued, 46:312 Settlements with the state, 46:321 Statute of limitations, 46:322 Use-based cleanup standardsengineering and institutional controls, 46:302 What are brownfields, 46:298 When can a response action outcome

BUFFER, STORMWATER

be issued, 46:312

When remediation is not required,

Exception, 150 feet, **46:103** Requirement, 300 feet, **46:102**

BURDEN OF PROOF

46:304

Damages to natural resources, 46:115

CAFRA

Coastal Area Facility Review Act (CAFRA), this index

CERTIFICATION OF REMEDIAL ACTIVITY COMPLIANCE

Contacts, remediation certifications, 46:191

CERTIFICATION OF REMEDIAL ACTIVITY COMPLIANCE

—Cont'd

Limited conveyance certificate, 46:209

Occupancy certificate, Meadowlands Commission, zoning/occupancy certificate application, form, 46:78

Remediation certifications, 46:190, 46:191

Timeframes for completion of certification, 46:205

CHANGE

Ownership change

third party damage and owned property exclusion, allocation of liability, **46:342**

transactions that trigger ISRA compliance, **46:186**

Remediation standards, 46:305

CHECKLISTS

Forms, figures and tables contained in this book, **46:2**

Private well testing required parameters, **46:275**

Tank applications checklist, Meadowlands Commission, form, **46:85**

CLOSURE

Underground storage tanks (UST), 46:228

COAH

Meadowlands Commission, 46:76

COASTAL AREA FACILITY REVIEW ACT (CAFRA)

Generally, 46:49

COASTAL REGULATIONS

Generally, 46:50-46:66

Amendments

2005-2006, 46:57

2008, 46:64

2009, 46:65

2013, 46:66

Centers, cores, and nodes, 46:62

COASTAL REGULATIONS

-Cont'd

DEP permit decision and appeal, 46:54

Geotechnical borings and excavation for determining contamination, 46:60

Habitat creation, permit, 46:61

History of significant changes to permit program, **46:56**

Impervious cover limits and vegetative cover, **46:63**

Jurisdictional determinations, 46:58

Management rules, 46:55

Permit application requirements, **46:53**

Permit program rules, 46:51

Pre-application review, 46:52

Structures, repair, replacement, and renovation, **46:59**

COASTAL WETLANDS ACT OF 1970

Generally, 46:47

CONDEMNATION

Development of contaminated property, **46:308**

Regulatory Takings, this index Valuation of contaminated property, **46:69**

CONFIDENTIALITY OF PRIVATE WELL TESTING DATA

Generally, 46:286

Limitation on release of results to others, **46:284**

CONSENT

Approval or Consent, this index

CONTACTS

Brownfield and Contaminated Site Remediation Act (BCSRA), 46:324

Certifications, remediation, 46:191

Department of Environmental Protection, **46:9**

Industrial Site Recovery Act (ISRA) remediation certifications, **46:191**

CONTACTS—Cont'd

Industrial Site Recovery Act (ISRA)
—Cont'd

Remediation Funding Source (RFS), **46:202**

Radon information, 46:243

Remediation certifications, 46:191

Remediation Funding Source (RFS), 46:202

CONTAMINATED PROPERTY DEVELOPMENT/ REDEVELOPMENT

Generally, 46:296

Brownfield and Contaminated Site Remediation Act (BCSRA), this index

Environmental Opportunity Zone Act, **46:325**

CONTRACTUAL OBLIGATIONS

Generally, **46:326**

Agreement, environmental indemnity, form, **46:346**

Banking concerns, environmental, 46:345

Covenants, this index

Environmental indemnity agreement, form, **46:346**

Fixed cost

environmental release and settlement agreement, form, **46:349**

remediation proposal, form, 46:348

Indemnity obligations

environmental indemnity agreement, form, **46:346**

Industrial Site Recovery Act (ISRA), indemnity and release of liability-Form, **46:221**

Industrial Site Recovery Act (ISRA), indemnity and release of liability-Form, **46:221**

Insurance Coverage for Environmental Claims, this index

Lead-based paint disclosure lease-Form, **46:255** sales contract-Form, **46:254**

CONTRACTUAL OBLIGATIONS

-Cont'd

Radon contract disputes, 46:242

Release of liability

fixed cost environmental release and settlement agreement, form, 46:349

Industrial Site Recovery Act (ISRA), indemnity and release of liability-Form, **46:221**

Remediation proposal

fixed cost, form, 46:348

request for proposal for cleanup, form, **46:347**

Request for proposal for cleanup, form, **46:347**

COVENANTS

Not to sue. Brownfield and Contaminated Site Remediation Act (BCSRA), this index

Seller's representations and covenants under ISRA, form, **46:218**

CRIMINAL LIABILITY

Generally, 46:357

DAMAGES

Generally, 46:112

Burden of proof, 46:115

Defenses to liability, natural resources, **46:113**, **46:169**

Insurance coverage

first party damage claims, 46:333, 46:334

third party damage claims, 46:336-46:342

Loss of use damages, 46:114

Mitigation, freshwater wetlands damages, **46:44**

Natural resource, 46:112-46:115, 46:169

Private party actions

generally, 46:158

treble damages, 46:161

State actions, 46:153

Treble damages, 46:161

DE MINIMIS QUANTITY EXEMPTION

Remedial activity under ISRA, 46:208

DEFENSES TO HAZARDOUS SUBSTANCE DISCHARGE LIABILITY

Generally, 46:164

Damages, national resource, 46:169

Exemption for Superfund sites, 46:172

Immunities, 46:168

Innocent owner defense, 46:165-46:167

Offsite contamination, 46:170

Settlements, 46:171

Statute of limitations, **46:173**

Statute of repose, 46:174

Superfund site exemption, 46:172

DEPARTMENT OF **ENVIRONMENTAL** PROTECTION (DEP)

Generally, 46:3

Bring civil actions, 46:7

Contacts, 46:9

Enter upon lands, 46:6

Freshwater wetlands protection, scope of DEP authority, 46:26

Industrial Site Recovery Act (ISRA), DEP administration, 46:179

Organization, 46:9

Other divisions and councils, powers over, 46:5

Oversee remediation, 46:8

Powers, generally, 46:4-46:8

Private well testing

DEP website, 46:276

Submission of test results to DEP, 46:283

Programs, 46:9

Site Remediation and Reform Act (SRRA)

direct oversight by DEP, 46:131 end of phase in, 46:136

guidance of DEP, 46:135

Website, 46:276

DESIGN GUIDELINES

Meadowlands Commission plan, 46:87

DEVELOPMENT/REDEVELOPMENT OF CONTAMINATED **PROPERTY**

Generally, 46:296

Brownfield and Contaminated Site Remediation Act (BCSRA), this index

Environmental Opportunity Zone Act, 46:325

DIRECT ACTIONS BY STATE AGAINST INSURERS

Spill Compensation and Control Act, 46:152

DIRECT OVERSIGHT BY DEPARTMENT OF **ENVIRONMENTAL PROTECTION**

Site Remediation and Reform Act (SRRA), 46:131

DIRECTIVES OF STATE

Spill Compensation and Control Act actions, 46:151

DISCIPLINARY ACTIONS

Site Remediation and Reform Act (SRRA), 46:123

DISCLOSURE

Lead-based paint lease-Form, 46:255 sales contract-Form, 46:254

DRINKING WATER

Private Well Testing Act, this index Safe Drinking Water Act, 46:268-46:270

DUE DILIGENCE

Hazardous substances discharges liability, failure to perform due diligence, 46:146

DUTY

Asbestos litigation, 46:261 Defend, insurance coverage for environmental claims, 46:344

DUTY-Cont'd

Lead-based paint bodily injury claims, household exposure to non-tenants, 46:250

EMERGENCY PERMITS

Freshwater wetlands protection, **46:42**

ENGINEERING

Cleanup standards based on useengineering and institutional controls, **46:302**

ENVIRONMENTAL CONTROLS ON LAND DEVELOPMENT

Contractual and indemnity obligations, **46:326 et seq.**

Department of Environmental Protection (DEP), this index

Development of contaminated property, **46:296 et seq.**

Hotlines, 46:10

List of forms, figures and tables contained in book, **46:2**

Natural resources controls, **46:11 et seq.**

Overview, 46:1

Pollution controls, 46:116 et seq.

Reporting requirements and environmental crimes, **46:350** et seq.

ENVIRONMENTAL GRACE ACT

Generally, 46:356

ENVIRONMENTAL OPPORTUNITY ZONE ACT

Generally, 46:325

EVIDENCE

Damages, burden of proof, **46:115**Private party actions, proofs required, **46:156**

Proximate cause standard asbestos injuries, **46:260** lead-based paint injuries, **46:251**

EXEMPTIONS

De minimis quantity exemption under ISRA, 46:208

EXEMPTIONS—Cont'd

Freshwater Wetlands Protection Act, 46:28

Industrial Site Recovery Act (ISRA) completion of remedial activity timeframes

generally, 46:204

de minimis quantity exemption, 46:208

what is not an industrial establishment, **46:182**

Not an industrial establishment, what is, **46:182**

Spill Compensation and Control Act, exemptions for Superfund sites, 46:172

Underground storage tanks (UST), **46:223**

EXPEDITED REVIEW PROCESS

Minimal environmental concern under Industrial Site Recovery Act (ISRA), **46:211**

FAILURE TO ACT

Hazardous substances discharge, liability for, **46:142**

FAILURE TO PERFORM DUE DILIGENCE

Hazardous substances discharges liability, **46:146**

FEDERAL MATTERS

Lead-based paint, 46:246

FEES

Site Remediation and Reform Act (SRRA) board complaints, excessive fees, 46:125

FIGURES CONTAINED IN BOOK

List of, 46:2

FILL OPERATION

Meadowlands Commission, fill/ stockpile operation application, form, **46:79**

FINANCIAL ASSURANCE (FA) UNDER ISRA

Generally, 46:195

Permissible types of FA, 46:198

FINANCIAL ASSURANCE (FA) UNDER ISRA—Cont'd

When it may be terminated, **46:196**

FINANCIAL INCENTIVES

Remediation, 46:323

FLOODS

Flood Hazard Area Control Act generally, 46:89-46:92 applicability determination, 46:92 pre-application conference, 46:91 regulated activities, 46:90 Meadowlands Commission, flooding issues, 46:77

FORMS CONTAINED IN BOOK

List of, 46:2

FRESHWATER WETLANDS **PROTECTION** Generally, 46:17-46:45 Applications, 46:27 Classification of wetlands, 46:21 Conflict with other Acts, 46:25 Contingency—Form, 46:46 Definitions, 46:20 Dredged or fill material, discharge of, 46:34 Emergency permits, 46:42 Exceptional resource value wetlands protocols, 46:22 Exceptional resource value, standard, 46:36

Exemptions, 46:28 General permits, 46:40 How to identify, freshwater wetlands maps, 46:15

Individual permits, 46:41 Landscape maps, 46:23

Law—Freshwater wetlands Protection Act, 46:17-46:45

Letters of Interpretation (LOI), 46:29

freshwater wetlands, 46:15 landscape maps, 46:23 Mitigation, 46:44

No practical alternative standard, permits, 46:35

FRESHWATER WETLANDS PROTECTION—Cont'd

Non-water dependent activities, permits, **46:35**

Penalties, 46:45

Permits

generally, 46:30-46:42 application and process, 46:31

discharge of dredged or fill material, 46:34

exceptional resource value, standard, 46:36

no practical alternative standard, 46:35

non-water dependent activities, 46:35

objectors to applications and due process, 46:33

transition areas, 46:37-46:39

types of activities regulated, 46:32

Property valuation, 46:43

Regulated activity and permits, 46:30

Regulations, 46:18

Scope of DEP Authority, 46:26

Table of NJAC 2001 citation changes, 46:19

Transition areas, permits, 46:37-46:39

Value

exceptional resource value wetlands protocols, 46:22 property valuation, 46:43

Vernal habitats, 46:24

Waivers, transition areas, 46:39

FRESHWATER WETLANDS PROTECTION ACT

Generally, 46:17-46:45

FUNDING

Private Well Testing Act, under, 46:290

Remediation Funding Source (RFS) Under ISRA, this index

Spill Compensation and Control Act generally, **46:176**

superfund sites, exemptions for, 46:172

GROUND WATER QUALITY STANDARDS

Generally, 46:111

HAZARDOUS SUBSTANCES

Pollution Controls, this index

HEATING OIL TANKS, HOME

Underground Storage Tanks (UST), this index

HIGHLANDS WATER PROTECTION AND PLANNING ACT

Generally, 46:93-46:96 Constitutionality, 46:96 Exemptions, 46:95 Regulations, 46:94

HISTORIC PESTICIDE CONTAMINATION

Generally, 46:294

HOME HEATING OIL TANKS

Underground Storage Tanks (UST), this index

HOTLINES

Environmental controls on land development, **46:10**

IMMUNITIES

Hazardous substance discharge liability defense, **46:168**

INCENTIVES

Remediation, financial and tax incentives, **46:323**

INDEMNITY OBLIGATIONS

Environmental indemnity agreement, form, **46:346**

Industrial Site Recovery Act (ISRA), indemnity and release of liability-Form, **46:221**

INDUSTRIAL SITE RECOVERY ACT (ISRA)

Generally, **46:178 et seq.**Alternate compliance options area of concern waiver, **46:213** certificate of limited conveyance, **46:209** expedited review process, **46:211**

INDUSTRIAL SITE RECOVERY ACT (ISRA)—Cont'd

Alternate compliance options
—Cont'd
limited review process, 46:212
minimal environmental concern,
46:210-46:212

Certification of remedial activity compliance

contacts, remediation certifications, 46:191

limited conveyance certificate, 46:209

remediation certifications, **46:190**, **46:191**

timeframes for completion of certification, **46:205**

Contacts

remediation certifications, **46:191** remediation Funding Source (RFS), **46:202**

Department of Environmental Protection (DEP) administration, 46:179

Establishments subject to ISRA, industrial

generally, 46:180

exemptions-what is not an industrial establishment, 46:182

what is an industrial establishment, 46:181

Exemptions

generally, 46:204

completion of remedial activity timeframes

de minimis quantity exemption, 46:208

waivers and exemptions, **46:204** de minimis quantity exemption, **46:208**

waivers and exemptions, **46:204** what is not an industrial establishment, **46:182**

Expedited review process, minimal environmental concern, **46:211**

Failure to comply and penalties, 46:214

INDUSTRIAL SITE RECOVERY	INDUSTRIAL SITE RECOVERY		
ACT (ISRA)—Cont'd	ACT (ISRA)—Cont'd		
Financial Assurance (FA)	Remediation Funding Source (RFS)		
generally, 46:195	—Cont'd		
permissible types of FA, 46:198	surcharges, 46:201		
when it may be terminated, 46:196	time to post, 46:194		
Forms	Remediation requirements, 46:189 et		
cleanup and nonapplicability	seq.		
clauses-Contingency-Form, 46:216	Timeframes for completion of remedial activity		
environmental laws-seller's	generally, 46:203		
representations and covenants-Form, 46:218	de minimis quantity exemption, 46:208		
indemnity and release of liability- Form, 46:221	regulated underground storage tank waiver, 46:206		
pro seller and pro purchaser	remediation certification, 46:205		
clauses-Contingency-Form, 46:217	remediation in progress waiver, 46:207		
provision favoring purchaser- Form, 46:220	waivers and exemptions, 46:204		
provision favoring seller-Form,	Transactions that trigger ISRA		
46:219	compliance		
ISRA compliance, 46:188 et seq.	generally, 46:183		
Limited review process, minimal	what does not trigger ISRA,		
environmental concern, 46:212	46:187		
Minimal environmental concern	what is closing operations, 46:184		
generally, 46:210	what is transferring ownership or		
expedited review process, 46:211	operations, 46:185		
limited review process, 46:212	when is there a change in owner-		
Permissible remediation funding	ship, 46:186		
source types	Waivers		
generally, 46:197 Financial Assurance (FA)-permis-	generally, 46:204		
sible types of FA, 46:198	area of concern waiver, 46:213		
Questionnaire-Form, 46:215	regulated underground storage tank waiver, 46:206		
Remediation certifications			
generally, 46:190	remediation in progress waiver, 46:207		
contacts, 46:191	10.207		
limited conveyance certificate, 46:209	INNOCENT OWNER DEFENSE		
timeframes for completion of certi- fication, 46:205	Hazardous substance discharge liability defense, 46:165-46:167		
Remediation Funding Source (RFS) amount of RFS, 46:199	INSURANCE COVERAGE FOR ENVIRONMENTAL CLAIMS		
contacts, 46:202	Generally, 46:327-46:344		
disbursement from RFS, 46:200	Absolute pollution exclusion, 46:343		
persons not required to post, 46:193	Accidental pollution. Sudden and accidental pollution exclusion,		
persons required to post, 46:192	below		

INSURANCE COVERAGE FOR ENVIRONMENTAL CLAIMS —Cont'd

Allocation of liability

excess insurance-Carter-Wallace, 46:335

first party damage claims, **46:334** third party damage and owned property exclusion

insured does not obtain all available coverage, 46:339

property changes ownership, 46:342

Apportionment, third party damage and owned property exclusion, **46:338**

Deductibles for third party damage claims, 46:340

Duty to defend, 46:344

Expected or intended environmental harm- case-by-case coverage analysis, **46:331**

First party damage claims generally, **46:333** allocation, **46:334**

Intended or expected environmental harm- case-by-case coverage analysis, **46:331**

Owned property exclusion. Third party damage and owned property exclusion, below

Ownership change

Third party damage and owned property exclusion allocation of liability when property changes ownership, 46:342

Response costs to remediate environmental harm constitutes property damage, **46:328**

Sudden and accidental pollution exclusion

generally, 46:329

history of CGL accident and occurrence -based policies, **46:330**

Third party damage and owned property exclusion

generally, **46:336**

INSURANCE COVERAGE FOR ENVIRONMENTAL CLAIMS

-Cont'd

Third party damage and owned property exclusion—Cont'd allocation of liability when property changes ownership, 46:342

allocation when insured does not obtain all available coverage, 46:339

apportionment, 46:338
how to treat deductibles, 46:340
impact to third-party triggers
coverage, 46:337
non-cumulation clauses, 46:341
Trigger of coverage, generally,
46:332 et seq.

ISRA

Industrial Site Recovery Act (ISRA), this index

JOINT AND SEVERAL LIABILITY

Hazardous substances discharge liability for, 46:149 private party actions, 46:160

JURISDICTION

Spill Compensation and Control Act, private party actions, **46:162**

KELO V. CITY OF NEW LONDON Generally, 46:68

LABELING

Home heating oil tanks, 46:239

LANDSCAPE

Freshwater wetlands protection, landscape maps, **46:23**

Meadowlands Commission plan, landscape and open space design guidelines, form, **46:87**

LEAD-BASED PAINT

Generally, 46:245

Bodily injury claims for household exposure. Litigation, below

Contingency-Form, 46:256

Disclosure

lease-Form, 46:255

LEAD-BASED PAINT—Cont'd Disclosure—Cont'd sales contract-Form, 46:254

Duty to non-tenants, 46:250

Exclusion and coverage issues, 46:252

Federal laws, 46:246

Lease

disclosure-Form, **46:255** duty to non-tenants, **46:250**

Litigation

generally, 46:248

exclusion and coverage issues, 46:252

non-tenants, 46:250

proximate cause, 46:251

Non-tenants, duty to, 46:250

Pamphlet, 46:257

Penalties, 46:253

Pollution exclusion and coverage issues, **46:252**

Proximate cause, 46:251

Sales contract, disclosure-Form, **46:254**

State laws, 46:247

LEASES

Lead-based paint disclosure, form, 46:255

Private Well Testing Act, application to lessors, **46:273**

LETTERS

Brownfield and Contaminated Site Remediation Act (BCSRA), no further action letters, **46:309**, **46:310**

Freshwater wetlands protection, Letters of Interpretation (LOI), 46:29

Home heating oil tanks, no further action letters, **46:236**

No Further Action Letters, this index

LETTERS OF INTERPRETATION (LOI)

Freshwater wetlands protection, **46:29**

LIMITATION ON RELEASE

Private well testing results, release to others, **46:284**

LIMITATIONS, STATUTE OF

Statute of Limitations, this index

LIMITED CONVEYANCE CERTIFICATE

Remedial activity compliance, 46:209

LIMITED REVIEW PROCESS

Minimal environmental concern, 46:212

LISTS

Forms, figures and tables contained in book, **46:2**

Private well testing required parameters, **46:275**

LITIGATION

Asbestos, 46:259-46:261

Covenants not to sue. Brownfield and Contaminated Site Remediation Act (BCSRA), this index

Evidence, this index

Hazardous substance discharge Private Party Actions, this index State Actions, this index

Lead-based paint, 46:248-46:252 Mold-theories of liability, 46:265

LOSS OF USE DAMAGES

Generally, **46:114**

MAPS

Freshwater wetlands maps, **46:15** Landscape maps, **46:23**

MEADOWLANDS COMMISSION

generally, 46:71

Approval and permit process, **46:72** Approval application as to subdivision, form, **46:82**

Checklist for tank applications, form, 46:85

COAH, 46:76

Fill/stockpile operation application, form, **46:79**

Flooding, **46:77**

MEADOWLANDS COMMISSION -Cont'd Landscape and open space design guidelines, form, 46:87 Open space design guidelines, form, 46:87 plan requirements, form, 46:86 Preemption, 46:74 Regulations generally, 46:75 subdivision regulations waiver application, form, 46:83 variance from zoning regulations application, form, 46:84 Rezoning request application, form, 46:80 Special exception application, form, Standard of review and appeal, 46:73 Stockpile operation application, form, 46:79 Subdivision approval application, form, 46:82 Subdivision regulations waiver application, form, 46:83 Tank applications checklist, form, 46:85 Variance from zoning regulations application, form, 46:84 Zoning occupancy certificate application, form, **46:78** rezoning request application, form, 46:80 variance from zoning regulations application, form, 46:84

MINIMAL ENVIRONMENTAL CONCERN

Generally, **46:210**Expedited review process, **46:211**Limited review process, **46:212**

MITIGATION

Freshwater wetlands protection, **46:44**

MOLD

Generally, **46:263**Contingency-Form, **46:267**

MOLD—Cont'd

Hazards of mold and guidance, 46:264 Litigation-Theories of liability, 46:265 Proposed legislation, 46:266

MUNICIPAL

Ordinances, stormwater, 46:108 Permitting, stormwater, 46:105

NATURAL RESOURCES CONTROLS Generally, 46:11-46:115

Coastal Area Facility Review Act (CAFRA), 46:49
Coastal regulations, 46:50-46:66
Coastal Wetlands Act of 1970, 46:47
Damages, generally, 46:112-46:115
Flood Hazard Area Control Act, 46:89-46:92

Freshwater Wetlands Protection Act, 46:17-46:45

Highlands Water Protection and Planning Act, **46:93-46:96** Meadowlands Commission, New Jersey, **46:71-46:87** Pinelands Protection Act. **46:88**

Regulatory takings, 46:67-46:69
State planning and environmental laws

generally, **46:70**Flood Hazard Area Control Act, **46:89-46:92**Highlands Water Protection and

Planning Act, **46:93-46:96** Meadowlands Commission, New Jersey, **46:71-46:87**

Pinelands Protection Act, 46:88 Water quality, 46:97-46:111 Waterfront Development Act, 46:48 Wetlands protection, 46:11-46:46

NEW JERSEY MEADOWLANDS COMMISSION

Meadowlands Commission, this index

NEXUS

Hazardous substances discharges liability, **46:147**

NO FURTHER ACTION LETTERS

Generally, **46:309**, **46:310** Home heating oil tanks, **46:236**

NOT TO SUE COVENANTS

Brownfield and Contaminated Site Remediation Act (BCSRA), this index

OCCUPANCY CERTIFICATE

Meadowlands Commission, zoning/ occupancy certificate application, form, **46:78**

OFFICE OF BROWNFIELD REUSE

Generally, 46:307

OFFSITE CONTAMINATION

Hazardous substance discharge liability defense, **46:170**

OPEN SPACE, MEADOWLANDS COMMISSION PLAN

Design guidelines, form, **46:87** Requirements, form, **46:86**

ORDINANCES, STORMWATER Generally, 46:108

OVERSIGHT BY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Site Remediation and Reform Act (SRRA), 46:131

OVERVIEW OF ENVIRONMENTAL CONTROLS ON LAND DEVELOPMENT

Generally, 46:1

OWNED PROPERTY EXCLUSION

Insurance Coverage for Environmental Claims, this index

OWNER INNOCENT DEFENSE

Hazardous substance discharge liability defense, **46:165-46:167**

OWNERSHIP CHANGE

Third party damage and owned property exclusion, allocation of liability, **46:342**

OWNERSHIP CHANGE—Cont'd

Triggering ISRA compliance, 46:186

PASSIVE MIGRATION

Hazardous substances discharges liability, **46:140**

PENALTIES

Freshwater Wetlands Protection Act, 46:45

Industrial Site Recovery Act (ISRA) noncompliance, **46:214**

Lead-based paint, 46:253

Safe Drinking Water Act, **46:269**, **46:270**

Spill Compensation and Control Act, 46:175

PERMITS

Freshwater wetlands protection, 46:30-46:42

Meadowlands Commission permit process, **46:72**

Stormwater, municipal permitting, 46:105

Underground storage tanks, 46:229

PESTICIDES

Historic pesticide contamination, 46:294

PINELANDS PROTECTION ACT

Generally, 46:88

POLLUTION CONTROLS

Generally, **46:116 et seq.** Asbestos, **46:258-46:262**

Development/Redevelopment of Contaminated Property, this index

Environmental Opportunity Zone Act, **46:325**

Hazardous substances, generally, **46:116**

Historic pesticide contamination, 46:294

Industrial Site Recovery Act, 46:178-46:221

Lead-based paint, 46:245-46:257

Mold, **46:263-46:267**Pressure-treated wood, **46:295**

POLLUTION CONTROLS—Cont'd

Private Well Testing Act, **46:271- 46:293**

Radon, 46:241-46:244

Safe Drinking Water Act, **46:268-46:270**

Site Remediation and Reform Act (SRRA), 46:117-46:135

Spill Compensation and Control Act, 46:137-46:177

Underground storage tanks, 46:222-46:240

PREEMPTION

Meadowlands Commission, **46:74**Private well testing, no preemption of other testing, **46:287**

PRESSURE-TREATED WOOD

Generally, 46:295

PRIVATE PARTY ACTIONS, HAZARDOUS SUBSTANCE DISCHARGE

Generally, 46:155

Allocation, 46:159

Damages, 46:158

Defenses, 46:157

Joint and several liability, 46:160

Jurisdiction, 46:162

Proofs required, 46:156

Treble damages, 46:161

Written approval, 46:162

PRIVATE WELL TESTING ACT

Generally, 46:271-46:293

Annual reviews, 46:277

Applicability, generally, 46:272

Confidentiality of data

generally, 46:286

limitation on release of results to others, 46:284

Contingency-Form, 46:293

Department of Environmental Protection (DEP)

submission of test results to, 46:283

website, 46:276

Drinking water standards, primary and secondary, **46:292**

PRIVATE WELL TESTING ACT

-Cont'd

Exclusion of parameters, 46:278

Form of notification, **46:281**

Funding, 46:290

Impact on real estate transactions, **46:289**

Limitation on release of results to others, **46:284**

List of required parameters, 46:275

Local health authorities, notification to, 46:282

No preemption of other testing, **46:287**

Notification

form of, 46:281

when parameter detected, to person requesting test and local health authorities, 46:282

Other testing, no preemption of, **46:287**

Parameters

exclusion of, 46:278

list of required parameters, 46:275

that must be tested, 46:274

Payment for testing, who must pay, 46:288

Primary and secondary drinking water standards, **46:292**

Release, results to others, limitation on, **46:284**

State-wide tests results, 46:291

Submission of test results to DEP, **46:283**

Test results

failures-reporting requirements, 46:285

limitation on release to others, 46:284

state-wide, 46:291

submission to DEP, 46:283

time period valid, 46:279

Time period test results are valid, 46:279

When is it applicable, 46:272

Who may perform tests, 46:280

Who must pay for testing in real estate transaction, 46:288

PROOF

Evidence, this index

PROXIMATE CAUSE STANDARD

Asbestos injuries, **46:260** Lead-based paint injuries, **46:251**

RADON

Generally, 46:241 Contact information, 46:243 Contingency-Form, 46:244 Contract disputes, 46:242

RAOS

Response Action Outcomes (RAOs), this index

REDEVELOPMENT OF CONTAMINATED PROPERTY

Generally, 46:296 et seq.

Brownfield and Contaminated Site Remediation Act (BCSRA), this index

Environmental Opportunity Zone Act, **46:325**

REGISTRATION

Underground storage tanks (UST), 46:224

REGULATIONS

Coastal, 46:50-46:66

Freshwater wetlands protection generally, **46:18** activity and permits, regulated, **46:30**

Meadowlands Commission generally, **46:75**

subdivision regulations waiver application, form, **46:83**

variance from zoning regulations application, form, **46:84**

Natural resources controls

coastal regulations, 46:50-46:66 regulatory takings, 46:67-46:69

Underground storage tank remedial activity waiver, 46:206

REGULATORY TAKINGS

Generally, **46:67** Kelo v. City of New London, **46:68**

REGULATORY TAKINGS—Cont'd

Valuation of contaminated property in condemnation proceedings, **46:69**

RELEASE OF LIABILITY

Brownfield and contaminated site remediation

generally, 46:314

acquiring property with knowledge of contamination, **46:317**

no release for persons liable under Spill Act-defense when acquiring property after September 14, 1993, **46:315**

Contractual and indemnity obligations

fixed cost environmental release and settlement agreement, form, **46:349**

Industrial Site Recovery Act (ISRA), indemnity and release of liability-Form, **46:221**

REMEDIATION CERTIFICATIONS

Generally, 46:190

Contacts, 46:191

Limited conveyance certificate, 46:209

Timeframes for completion of certification, 46:205

REMEDIATION FUNDING SOURCE (RFS) UNDER ISRA

Amount of RFS, 46:199

Contacts, 46:202

Disbursement from RFS, 46:200

Persons not required to post certification, **46:193**

Persons required to post certification, 46:192

Surcharges, **46:201**

Time to post, 46:194

REMEDIATION IN PROGRESS WAIVER UNDER ISRA

Generally, 46:207

REMEDIATION LAWS

Brownfield and Contaminated Site Remediation Act (BCSRA), 46:297 et seq.

Site Remediation and Reform Act (SRRA), 46:117-46:135

REMEDIATION PROPOSAL

Fixed cost, form, 46:348 Request for, form, 46:347

REMEDIATION STANDARDS

Generally, 46:301

Alternative, 46:303

Brownfield and Contaminated Site Remediation Act (BCSRA), 46:297 et seq.

Challenges to, 46:306

Change in, 46:305

Engineering and institutional controls, **46:302**

Minimum standards, generally, 46:300

RENEWAL

Underground storage tanks (UST), 46:224

REPORTING REQUIREMENTS

generally, 46:350

Criminal liability, 46:357

Environmental Grace Act, 46:356

Hazardous Substances Discharge Reports and Notices Act, **46:352**

How to report, 46:355

Private well test failures, **46:285**

Site Remediation and Reform Act (SRRA), **46:351**

Spill Compensation and Control Act, 46:353

Underground storage tanks, 46:230, 46:231

When to report, 46:354

Where to report, 46:355

REPOSE, STATUTE OF

Defenses to liability, 46:174

RESPONSE ACTION OUTCOMES (RAOS)

Brownfield and Contaminated Site Remediation Act (BCSRA), 46:311

generally, 46:311

RESPONSE ACTION OUTCOMES

(RAOS)—Cont'd

Brownfield and Contaminated Site Remediation Act (BCSRA), 46:311—Cont'd

no further action letters, response action outcomes and covenants not to sue, **46:309**

when can a response action outcome be issued. **46:312**

Site Remediation and Reform Act (SRRA), **46:126**

RESPONSE COSTS TO REMEDIATE ENVIRONMENTAL HARM

Generally, 46:328

REZONING

Request application, form, 46:80

ROADSIDE POLLUTANTS

Water quality protection, 46:106

SAFE DRINKING WATER ACT

Generally, **46:268**

Penalties, 46:269

Penalty matrix, 46:270

SETTLEMENTS

Brownfield and Contaminated Site Remediation Act (BCSRA), settlements with the state, 46:321

Contractual and indemnity obligations, fixed cost, environmental release and settlement agreement, form, **46:349**

Hazardous substance discharge liability defense, **46:168**

Spill Compensation and Control Act, defense to liability, **46:171**

SITE REMEDIATION AND REFORM ACT (SRRA)

Generally, 46:117-46:135

Administrative requirements for Remediation of Contaminated Sites (ARRCS)

generally, **46:133**

final rule adoption—May 7, 2012, **46:134**

SITE REMEDIATION AND	SPILL COMPENSATION AND		
REFORM ACT (SRRA)	CONTROL ACT—Cont'd		
—Cont'd	Damages		
Audits, 46:127	defenses to liability, 46:169		
Board complaints	private party actions, 46:158,		
generally, 46:124	46:161		
excessive fees, 46:125	state actions, 46:153		
Department of environmental Protec-	treble, 46:161		
tion (DEP)	Defenses to liability		
guidance, 46:135	generally, 46:164		
oversight by, 46:131	exemptions for Superfund sites,		
Disciplinary actions, 46:123	46:172		
End of phase in, 46:136	immunities, 46:168		
Excessive fees, board complaints,	innocent owner defense, 46:165-		
46:125	46:167		
Final rule adoption—May 7, 2012,	national resource damages, 46:169		
46:134	offsite contamination, 46:170		
Licensing application process,	settlements, 46:171		
46:121	statute of limitations, 46:173		
Licensing board, 46:119	statute of repose, 46:174		
Licensing program	Superfund sites, exemptions for,		
generally, 46:118	46:172		
powers of, 46:120	Joint and several liability		
Mandatory notification requirements,	liability for discharges of hazard-		
46:130	ous substances, 46:149		
Mandatory remediation obligations,	private party actions, 46:160		
46:129	Liability for discharges of hazardous		
Mandatory timeframes, 46:128	substances		
Non-LSRPs, use of, 46:132	generally, 46:138 et seq.		
Notification requirements, manda-	affirmative acts not required,		
tory, 46:130	46:145		
Obligations, mandatory remediation	cleanup costs, 46:148		
obligations, 46:129	defenses. Defenses to liability,		
Oversight by DEP, direct, 46:131	above		
Powers of licensing program, 46:120	discharge, 46:139		
Professional obligations of LSRPs,	failure to act as basis for liability,		
46:122	46:142		
Remediation obligations, mandatory,	failure to perform due diligence as		
46:129	basis of liability, 46:146		
Reporting requirements, 46:351	hazardous substances, generally,		
Response Action Outcomes (RAOs),	46:141		
46:126	in any way responsible		
Timeframes, mandatory, 46:128	generally, 46:143		
Use of non-LSRPs, 46:132	ownership and control, 46:144		
•	joint and several liability, 46:149,		
SPILL COMPENSATION AND	46:160		
CONTROL ACT	nexus requirement, 46:147		
Generally, 46:137-46:177	passive migration, 46:140		
Compensation Fund, Spill, 46:176	Penalties, 46:175		

SPILL COMPENSATION AND CONTROL ACT—Cont'd

Private party actions generally, **46:155**

allocation, **46:159**

damages, **46:158**

defenses, **46:157**

joint and several liability, 46:160

jurisdiction, 46:162

proofs required, 46:156

treble damages, 46:161

written approval, 46:162

Reporting requirements, 46:353

State actions

generally, 46:150

damages, 46:153

direct actions against insurers, 46:152

directives, 46:151

statute of limitations, 46:154

Statute of limitations

defenses to liability, 46:173

state actions, 46:154

Successor liability, 46:163

Superfund sites, liability defenses, 46:172

Superlien provisions, 46:177

SRRA

Site Remediation and Reform Act (SRRA), this index

STANDARD OF REVIEW

Meadowlands Commission, 46:73

STATE ACTIONS, HAZARDOUS SUBSTANCE DISCHARGE

Generally, 46:150

Damages, 46:153

Direct actions against insurers, 46:152

Directives, 46:151

Statute of limitations, 46:154

STATE DEPARTMENT OF ENVIRONMENTAL PROTECTION

Department of Environmental Protection (DEP), this index

STATE PLANNING AND ENVIRONMENTAL LAWS

Generally, 46:70

Flood Hazard Area Control Act, 46:89-46:92

Highlands Water Protection and Planning Act, **46:93-46:96**

Meadowlands Commission, New Jersey, **46:71-46:87**

Pinelands Protection Act, 46:88

STATE-WIDE TESTS RESULTS

Private Well Testing Act, 46:291

STATUTE OF LIMITATIONS

Brownfield and Contaminated Site Remediation Act (BCSRA), 46:322

Spill Compensation and Control Act defenses to liability, **46:173** state actions, **46:154**

STATUTE OF REPOSE

Spill Compensation and Control Act, defense to liability, **46:174**

STOCKPILE OPERATION

Meadowlands Commission, fill/ stockpile operation application, form, **46:79**

STORAGE TANKS UNDERGROUND

Underground Storage Tanks (UST), this index

STORMWATER

Water Quality Protection, this index

SUCCESSOR LIABILITY

Spill Compensation and Control Act, 46:163

SUDDEN AND ACCIDENTAL POLLUTION

Generally, 46:329

History of CGL accident and occurrence-based policies, 46:330

SUPERFUND SITES

Generally, 46:172

SUPERLIEN

Spill Compensation and Control Act provisions, **46:177**

SURFACE WATER QUALITY STANDARDS

Generally, **46:110**Category one (C1) waters, **46:104**

TABLE

NJAC 2001 citation changes to Freshwater Wetlands Protection Act, **46:19**

TABLES CONTAINED IN BOOK

List of, 46:2

TAX INCENTIVES

Remediation, 46:323

TERMINATION

Financial Assurance (FA) under ISRA, **46:196**

THIRD PARTY DAMAGE EXCLUSION

Insurance Coverage for Environmental Claims, this index

TIME

Private well testing, validity of test results time period, **46:279**

Remedial activity completion timeframes. Industrial Site Recovery Act (ISRA), this index

Remediation Funding Source (RFS), time to post, **46:194**

Site Remediation and Reform Act (SRRA), mandatory timeframes, 46:128

TOXIC AND HAZARDOUS SUBSTANCES

Pollution Controls, this index

TRANSFERRING OWNERSHIP OR OPERATIONS

Transactions that trigger ISRA compliance, **46:185**

TREBLE DAMAGES

Generally, 46:161

UNDERGROUND STORAGE TANKS (UST)

Generally, 46:222 et seq.

Applicability and exemptions, 46:223

Closure requirements, 46:228

Contingency clauses-Forms, 46:240

Home heating oil tanks

generally, **46:234**

labeling requirements, 46:239

LSRP is not required, 46:235

processing of remediation and No Further Action (?NFA?) letters, 46:236

special conditions when UHOT program is inapplicable, 46:237

vapor intrusion, 46:238

Labeling home heating oil tanks, 46:239

New tanks standards, 46:226

Operation, maintenance and permit requirements, **46:229**

Registration and renewal requirements, **46:224**

Release detection and reporting requirements

generally, 46:230

suspected releases, 46:231

Services on USTs, who may perform, 46:232

Technical requirements

generally, 46:225

standards for new tanks, 46:226

Underground Storage Tank Finance Act, **46:233**

Upgrading existing tanks, 46:227

Waiver under Industrial Site

Recovery Act (ISRA), 46:206

Who may perform services on USTs, 46:232

USE DAMAGES, LOSS OF USE

Generally, **46:114**

USE-BASED CLEANUP STANDARDS

Engineering and institutional controls, **46:302**

UST

Underground Storage Tanks (UST), this index

Freshwater wetlands protection

VALUE

exceptional resource value wetlands protocols, 46:22 property valuation, 46:43 Regulatory takings, valuation of contaminated property in condemnation proceedings, 46:69

VARIANCE

Brownfield and contaminated site remediation, investigation standards-flexible approach and variance procedure, 46:299

Meadowlands Commission, variance from zoning regulations application, form, 46:84

WAIVERS

Freshwater Wetlands Protection Act, transition areas and activities permits, 46:39

Industrial Site Recovery Act (ISRA) generally, 46:204

regulated underground storage tank waiver, 46:206

remediation in progress waiver, 46:207

Meadowlands Commission, subdivision regulations waiver application, form, 46:83

WATER QUALITY PROTECTION

Background, 46:97

Drinking water protection

Private Well Testing Act, this index

Safe Drinking Water Act, 46:268-46:270

Freshwater Wetlands Protection, this index

Ground Water Quality Standards (GWQS), 46:111

Highlands Water Protection and Planning Act generally, 46:93-46:96

WATER QUALITY PROTECTION

—Cont'd

Highlands Water Protection and Planning Act—Cont'd constitutionality, 46:96 exemptions, 46:95

regulations, 46:94

Municipal ordinances, 46:108

Municipal permitting, 46:105

New Jersey Pollutant Discharge elimination System rules, 46:99

Roadside pollutants, 46:106

Rules of New Jersey Pollutant Discharge Elimination System, 46:99

Standards

generally, 46:109

Ground Water Quality Standards (GWQS), 46:111

Surface Water Quality Standards (SWQS), 46:110

Stormwater

generally, 46:98

application of management rules, 46:101

challenges to rules, 46:107 management rules, 46:100-46:108 municipal ordinances, 46:108 municipal permitting, 46:105 roadside pollutants, 46:106

surface water quality standards category one (C1) waters, 46:104

Surface water quality standards

generally, 46:110 category one (C1) waters, 46:104

Waterfront Development Act, 46:48

Well water testing. Private Well Testing Act, this index

Wetlands Protection, this index

WATERFRONT DEVELOPMENT ACT

Generally, 46:48

WELL WATER

Easements, this index Private Well Testing Act, this index

WETLANDS PROTECTION

Generally, 46:11 et seq. Background, 46:11 Coastal Area Facility Review Act (CAFRA), 46:49 Coastal regulations generally, 46:50-46:66

amendments

2005-2006, 46:57

2008, 46:64

2009, 46:65

2013, 46:66

centers, cores, and nodes, 46:62 DEP permit decision and appeal, 46:54

geotechnical borings and excavation for determining contamination, 46:60

habitat creation, permit, 46:61 history of significant changes to permit program, 46:56

impervious cover limits and vegetative cover, 46:63

jurisdictional determinations, 46:58

management rules, 46:55 permit application requirements, 46:53

permit program rules, 46:51 pre-application review, 46:52

WETLANDS PROTECTION

-Cont'd

Coastal regulations—Cont'd structures, repair, replacement, and renovation, 46:59

Coastal Wetlands Act of 1970, 46:47 Freshwater Wetlands Protection, this index

How to identify wetlands generally, 46:13 freshwater wetlands maps, 46:15 navigable waters, 46:16 three-parameter approach, 46:14 What are wetlands, 46:12-46:16

WOOD, PRESSURE-TREATED

Generally, 46:295

WRITING

Hazardous substance discharge, written approval for private party actions, 46:162

ZONING, MEADOWLANDS COMMISSION

Occupancy certificate application, form, **46:78**

Rezoning request application, form, 46:80

Variance from zoning regulations application, form, 46:84