BOROUGH OF HIGHLANDS
Department of Building & Housing

Community No. 345297

NON-CONVERSION AGREEMENT LETTER OF UNDERSTANDING

Deed Restriction Requirements for Habitable Buildings in Flood Zones A, Costal A, and V Zones

All Habitable Buildings **with an enclosure greater than six feet in height** are required to have recorded with the **Office of the County Clerk**, a Deed Restriction

Habitable Buildings in A Zones

Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C. 7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:

(1) The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience;

(2) The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;

(3) The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement.

Habitable Buildings in Coastal A and V Zones

Have documentation that a deed restriction has been obtained for the lot if the enclosure is greater than six feet in height. This deed restriction shall be recorded in the Office of the County Clerk or the Registrar of Deeds and Mortgages in which the building is located, shall conform to the requirements in N.J.A.C. 7:13, and shall be recorded within 90 days of receiving a Flood Hazard Area Control Act permit or prior to the start of any site disturbance (including pre-construction earth movement, removal of vegetation and structures, or construction of the project), whichever is sooner. Deed restrictions must explain and disclose that:

(1) The enclosure is likely to be inundated by floodwaters which may result in damage and/or inconvenience.

(2) The depth of flooding that the enclosure would experience to the Flood Hazard Area Design Flood Elevation;

(3) The deed restriction prohibits habitation of the enclosure and explains that converting the enclosure into a habitable area may subject the property owner to enforcement.

I fully read and understand the above.

Person completing this section: ☐**PROPERTY OWNER** ☐**AGENT**

_____ _____/_____/_____
Property Owner/Agent (Signed) Date

_____ _____
Property Owner/Agent (Printed) Title (if not the property owner)