**NOTICE: THIS IS A 2 PAGE DOCUMENT. BE SURE TO SIGN AND DATE THE SECOND PAGE**

Name of Property Owner(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Street Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Block: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Lot(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone: Day:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Evening \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Cell \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**TEMPORARY ACCESS AGREEMENT**

**I/We** hereby certify that we are the sole owners of the property described above (“Owner(s)”)

I/We understand that The Borough of Avalon has applied for and received permits from both the federal and state agencies having jurisdiction to perform certain back bay dredging as more specifically defined in the permit documents (the “Project”) and that said permits allow for individual property owners to contract with the dredge contractor, at their sole expense, to have their individual private boat slips dredged subject to the terms and conditions of the issued permits. We further understand that the Project is likely to last for three (3) years from the Project start date; and that all property owners wishing to contract for such dredging are required, under the issued permits, to execute a Temporary Access Agreement.

In consideration of our right to participate in the Project and benefit from the Permit issued to the Borough, and other good and valuable consideration, I/WE hereby voluntarily execute this Temporary Access Agreement in favor of the following entities:

 The **BOROUGH OF AVALON;** the engineering firm of **HATCH MOTT** **MACDONALD**, and **MOBILE DREDGING & PUMPING CO**. and their agents, employees, representatives, designees and assigns (“GRANTEES”) for the purpose stated.

**1.PURPOSE**: It is the purpose of this Easement to grant a temporary non-exclusive access easement over, on, under, upon, and across the Property described herein including access to any private boat slips on this property, at all times to perform all acts necessary to ensure fulfillment of all requirements of dredging the area of the private boat slip(s) in compliance with the Project Permits and in accordance with the plans and specifications prepared by Hatch Mott MacDonald, Licensed Engineers in the State of New Jersey, all of which Grantee shall be authorized to perform in its sole discretion.

**2. No Dedication**. No right of access by the general public to any portion of the Property is conveyed by this Easement.

**3. Owner’s Responsibility**. Owner(s) shall be responsible for: (1) payment to the contractor performing the dredging of the boat slips the agreed upon negotiated price at such times and in such amounts as the Grantor and the Dredge Contractor shall agree upon AND (2) payment of the additional sum of $300.00 to the Borough Of Avalon to be deposited into an escrow account to cover the engineering costs of a pre-dredge and post-dredge survey which is required to be performed by a New Jersey Licensed Engineer as required by the Project Permits. In addition, if it is necessary to remove and reinstall the dock(s), as owner(S) I/WE assume full responsibility for the removal and reinstallation of such dock(s), including all costs of any nature associated therewith, and to do so strictly in accordance with the terms and conditions of any permit or license previously granted to me/us.

**4. Duration**. This Easement shall expire on December 31, 2017.

**IN WITNESS WHEREOF,** Grantor(s) have signed this Agreement and do hereby represent that s/he/they are the sole owner(s) of the property described herein and to the best of her/his/their knowledge and belief there is no other person or entity having any ownership interest in said property excluding any mortgage holder(s).

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Signature

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

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

Signature

 Print name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

***Contact information for Dredging Contractor:***

***DREDGING CONTRACTOR: MOBILE DREDGING & PUMPING CO.***

***PHONE: 610-497-9500 FAX: 610-497-9708***

(Avalon: Final 10/29/14)