

IV. Updated ROSI

**EXHIBIT 1 to DECLARATION
RECREATION AND OPEN SPACE INVENTORY**

The Recreation and Open Space Inventory (ROSI) is a document compiled by a local government unit as a master list of its Green Acres-restricted lands (known as "parkland" under the Green Acres rules *N.J.A.C. 7:36*). Lands that are subject to Green Acres restrictions cannot be disposed of, or diverted to a use other than recreation or conservation purposes, without the approval of the DEP Commissioner and the State House Commission. The Declaration of Encumbrance, including the ROSI, is recorded with the appropriate county clerk as a condition of the Green Acres funding contract in order to provide notice of the Green Acres restrictions on these lands to title searchers and the general public.

LANDS THAT SHOULD BE LISTED ON THE ROSI

Green Acres-restricted lands fall into two categories: funded parkland (lands included in the acquisition or park development projects funded by the Green Acres Program) and unfunded parkland (other lands held by the local government unit for recreation or conservation purposes at the time it received Green Acres funding). All funded and unfunded parkland parcels must be listed on the ROSI.

Lands owned by school boards, parking authorities, housing authorities, and similar public agencies without primary recreation or conservation responsibilities should not be inventoried unless they are also held for recreation and conservation purposes by the Local Government Unit. (e.g., through a lease, easement, use agreement or other agreement to which the Local Government Unit is a grantee.)

The ROSI should be compiled by a staff person who is knowledgeable about the local government unit's land holdings, uses of the land holdings and local land use regulations. The Local Government Units' planning board, environmental commission and other boards or commissions are encouraged to participate in the preparation and review of the ROSI.

The ROSI form is divided into three sections: Page 4, for land held in fee simple for recreation and conservation purposes; Page 5, for land held under a conservation restriction; and Page 6, for leases or use agreements held by the Local Government Unit for recreation and conservation purposes. Please review the Sample ROSI Sheets tab before completing the ROSI.

WHEN PREPARING AND SUBMITTING THE ROSI, please take note of the following:

The page number and the total number of pages in the completed ROSI must be entered at the top right corner of each page. **All pages, excluding the Sample ROSI Sheet, must be submitted.** Facility Names should be typed in all capital letters when filling out the three sections. All fields in each section should be filled in - including the acreage for each individual lot (do not submit the total acreage for the park). If there have been block and lot changes (consolidation / renumbering) since the last ROSI submission, please complete the last page of this document.

ROSI TAX MAPS

As an attachment to the ROSI, the local government unit should submit a copy of each appropriate municipal tax map (current as of the date of the Green Acres application) showing the parcels of parkland listed on the ROSI, with the approximate boundaries of each parcel clearly marked in colored ink. (See *N.J.A.C. 7:36-6.4(a)3ii* or *12.4(a)4ii*). If only a portion of a current tax lot is encumbered, the Green Acres-encumbered portion of the parcel should be clearly delineated, to scale, on the tax map. The Green Acres Program encourages local government units with Geographic Information System ("GIS") capability to utilize aerial maps (overlaid with digitized tax map lines) instead of photocopies of the tax map. If aerial maps are used, the local government unit should submit paper copies of the GIS-based maps to the Green Acres Program and should include with its submission a disk containing the mapping information in a **geodatabase** or **shapefile** format.

Form Specific Instructions

For parcels held in fee simple or in conservation restriction (easement), please provide the following: (1) location (as listed in the municipality's tax records), (2) name of park/facility, (3) block and lot identification numbers as shown on the current, official tax map, (4) the acreage for each individual lot, (5) whether the interest held by the local government unit for recreation or conservation covers the full or only a portion of the tax lot, (6) if partial lots are involved, the Green Acres encumbered acreage, (7) if the property is co-owned with other partners, (8) a notation of whether the property is subject to a conservation easement funded by the Environmental Infrastructure Funding Program (EIFP), and (9) a notation about whether the parcel is funded or unfunded parkland.

For parcels held through a lease or use agreement, please provide the following: (1) location (as listed in the municipality's tax records), (2) name of park/facility, (3) block and lot identification numbers as shown on the current, official tax map, (4) the acreage for each individual lot, (5) whether the interest held by the local government unit for recreation or conservation covers the full or only a portion of the tax lot, (6) if partial lots are involved, the Green Acres encumbered acreage, (7) the expiration date for the lease or use agreement, (8) the name of the underlying landowner, and (9) a notation about whether any of the recreation and conservation facilities on the encumbered property were funded by Green Acres or whether the leasehold interest is considered unfunded parkland.

Certification

If the local government unit is a municipality, the completed ROSI must be reviewed and duly executed and certified by the chief executive officer and the planning board chairperson. If the local unit is a county, the completed ROSI must be reviewed and duly executed and certified by the chief executive officer and one of the following: the parks director, or the director of the open space program. (See N.J.A.C. 7:36-6.5(a)2) *If the Local Unit's form of government does not allow for the Mayor to sign without a resolution from the governing body, please include the number and date of the resolution along with a copy of the passed resolution.*

Special Notes

1. This ROSI, as completed and duly executed, shall be incorporated into both (1) the Green Acres Project Agreement and (2) the Declaration of Encumbrance.
2. The Local Government Units' governing body and planning board should designate, with appropriate descriptive labels, all lands listed on this ROSI in any revision or update of the following master plan elements: recreation plan, conservation plan, and land use plan. However, failure to do so shall have no effect on the validity of the ROSI.
3. If lands held by the Local Government Unit for recreation and conservation purposes are omitted from the ROSI by mistake, inadvertence, or otherwise, such lands shall be subject to the same terms and conditions, covenants, and restrictions as they would be if they were included. Deletion or omission of lands listed on previously submitted ROSI's is prohibited without prior written approval of the Green Acres Program, and may require a public hearing. See N.J.A.C. 7:36-25.3.

Please check the Green Acres web site at <http://www.nj.gov/dep/greenacres/pdflaunch.html> for an updated version of this ROSI form prior to completion.

All pages of the ROSI must be electronically submitted with the completed original Certification page (page 7) mailed to the Project Manager's attention. Only pages 1 through 3, page 7, and those pages containing property information need to be included in the Declaration of Encumbrance that is sent for recording.

RECREATION AND OPEN SPACE INVENTORY

Definitions (as found at N.J.A.C. 7:36-2)

For the purposes of this ROSI, the following definitions shall apply whenever a form of the word is used:

“Conservation restriction”: an interest in land less than fee simple, stated in the form of a right, restriction, easement, covenant, or condition, in any deed, will, or other instrument, other than a lease, executed by or on behalf of the owner of the land, appropriate to retaining land or water areas predominantly in their natural, scenic, open, or wooded condition; appropriate for conservation of soil or wildlife; appropriate for outdoor recreation or park use; or appropriate as suitable habitat for flora or fauna. Often known as a "Conservation Easement".

“Declaration”: the recordable, written instrument executed by a local government unit that declares that all of the local government unit's funded and unfunded parklands are subject to the Green Acres restrictions. Such written instrument shall include the local government unit's Recreation and Open Space Inventory and is a component of the Project Agreement.

“Development”: any improvement to a land or water area of a parkland that is designed to expand or enhance its utilization for outdoor recreation and conservation purposes, and shall include the construction, renovation, or repair of any such improvement, but shall not mean shore protection or beach renourishment or replenishment activities, except as provided at N.J.A.C. 7:36-10.3(a)5 and 21.3(a)5. This term may include any of the following types of ancillary improvements to a parkland: roadways, parking, landscaping, fencing, lighting, utilities, structures, and any other improvement that expands or enhances the use of parkland for outdoor recreation and conservation purposes.

“Fee simple”: absolute ownership in land, unencumbered by any other interest or estate.

“Funded parkland”: parkland that a local government unit has acquired or developed with Green Acres funding.

“Held,” when used in the ROSI with reference to land: owned, leased, or otherwise controlled for recreation/conservation purposes.

“Historic preservation restriction”: an interest in land less than fee simple, stated in the form of a right, restriction, easement, covenant, or condition, in any deed, will or other instrument, other than a lease, executed by or on behalf of the owner of the land, appropriate to preserving a structure or site that is historically significant for its architecture, archaeology or associations.

“Land” or **“Lands”**: real property, including any improvement, right-of-way, water, riparian and other rights, easements, privileges, and any other rights or interests in, relating to, or connected with real property.

“Local government unit”: a county, municipality, or other political subdivision of the State, or any agency, authority, or other entity thereof the primary purpose of which is to administer, protect, acquire, develop, or maintain lands for recreation and conservation purposes.

“Parkland”: land acquired, developed, and/or used for recreation and conservation purposes, including funded and unfunded parkland.

“Recreation and conservation purposes”: the use of lands for beaches, biological or ecological study, boating, camping, fishing, forests, greenways, hunting, natural areas, parks, playgrounds, protecting historic properties, water reserves, watershed protection, wildlife preserves, active sports, or a similar use for either public outdoor recreation or conservation of natural resources, or both, pursuant to the Green Acres laws. This term includes the use of historic areas pursuant to P.L. 1974, c.102; P.L. 1978, c.118; P.L. 1983, c.354; P.L. 1987, c.265; P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204; and the use of historic buildings and structures pursuant to P.L. 1992, c.88, and P.L. 1995, c.204.

“Recreation and Open Space Inventory” or **“ROSI”**: the listing of all of a local government unit's funded and unfunded parkland, including a description sufficient to identify each such parcel.

“Time of receipt of Green Acres funding”: for a development project, the period from the earlier of the dates listed at 1 and 2 below until the date of the first transmittal of Green Acres funding. For an acquisition project, this term shall mean the period from the earlier of the dates listed at 1 and 2 below until the date of the first transmittal of Green Acres funding for each parcel acquired as part of the project:

1. The date of the letter from the Department notifying the local government unit of the Green Acres funding award; or
2. The date of the at-risk authorization provided by Green Acres under N.J.A.C. 7:36-6.3 or 12.3.

“Unfunded parkland”: parkland, other than funded parkland, that is held by a local government unit for recreation and conservation purposes at the time of receipt of Green Acres funding.

Legislative & Regulatory References

Green Acres enabling legislation: *N.J.S.A. 13:8A-1 et seq.*; *N.J.S.A. 13:8A-19 et seq.*; *N.J.S.A. 8:A-35 et seq.*, *N.J.S.A. 13:8C-1 et seq.*; Green Acres Rules: *N.J.A.C. 7:36*; Federal Land and Water Conservation Fund Act, 16 U.S.C. s. 460; and New Jersey Conservation Restriction and Historic Preservation Restriction Act *N.J.S.A. 13:8B-1 et seq.*

Questions? Please call (609) 984-0631

Local Unit: Byram Township

County: Sussex

All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the local government unit. The official map used for this ROSI is named Township of Byram Zoning Map_and is dated June 19, 2018. Please refer to page 1 of this document for more detailed instructions.

Lands Held in Fee Simple for Recreation and Conservation Purposes	(Use Page 4A -Fee Simple cont'd as necessary for additional lands)
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Map Key	Municipal Location per Tax Records	Name of Park / Facility	Block No.	Lot No.	Total Lot Acres	Partial Lot? (Y / N) <small>Note 1</small>	GA Encumbered Acres <small>Note 2</small>	Co-Owners? (Y / N) <small>Note 3</small>	Green Acres Funded? (F / U) <small>Note 4</small>	EIFP Funded? (Y / N) <small>Note 5</small>	Notes
1	Lackawanna Trail	Highland Trail	256	582	0.364	N	0.36	N	N	N	Buis
1	Lackawanna Trail	Highland Trail	256	585	1.86	N	1.86	N	N	N	Buis
1	Lackawanna Trail	Highland Trail	257	616	1.3	N	1.30	N	N	N	Buis
1	Lackawanna Trail	Highland Trail	257	614	0.705	N	0.71	N	N	N	Buis
1	Lackawanna Trail	Highland Trail	258	623	2.17	N	2.17	N	N	N	Buis
2	Roseville Road	C.O. Johnson Park	351	1	55.6	N	55.60	N	F	N	
3	Andover-Mohawk Road	Briar Ridge Park	336	43	44	N	44.00	N	F	N	Arnell
3	Andover-Mohawk Road	Briar Ridge Park	335	1.04	4.08	N	4.08	N	F	N	Heitman
3	Andover-Mohawk Road	Briar Ridge Park	335	2	44.622	N	44.62	N	F	N	Owner's Maintenance
4	Lee Hill Road	Glenside Woods	337	2	21.5	N	21.50	N	F	N	Boyd
4	Catalina Drive	Glenside Woods	337	9	57.26	N	57.26	N	N	N	Donation by Owner
4	Catalina Drive	Glenside Woods	337	9.01	11.552	N	11.55	N	F	N	Gamski
5	Lynn Drive	Forest South	337.01	82	3.6	N	3.60	N	N	N	Donation by Owner
5	Lee Hill Road	Forest South	337.01	85	16.36	N	16.36	N	N	N	Donation by Owner
6	C O Drive	Crranberry Overlook	226	25.02	53.97	N	53.97	N	F	N	Beckman-Kostray
6	Old Indian Spring Road	Crranberry Overlook	226	26	43.25	N	43.25	N	F	N	Johnson Property
6	Old Indian Spring Road	Crranberry Overlook	226	26.08	1.546	N	1.55	N	F	N	Johnson Property
7	Brookwood Road	East Bookwood Park	40	19	4.2	N	4.20	N	N	N	Vetter

Total of all fee simple Green Acres-encumbered acres on this page only:	367.94
Total of all fee simple Green Acres-encumbered acres from all pages of this ROSI:	480.30
Total of all Green Acres-encumbered acres from all pages of this ROSI:	636.28

Note 1: For properties partially held for recreation/conservation (e.g. municipal complex), please supply a survey or tax map with the park boundaries to scale, showing the recreation/conservation area.
Note 2: For entire properties, please supply acreage of entire property. For partial lots, please provide the recreation/conservation acreage only.
Note 3: Does any other entity have an undivided interest in this property? List co-owner in Notes column. **Note 4:** F = Funded by Green Acres; U = Unfunded (i.e., no Green Acres funding utilized)
Note 5: Were Environmental Infrastructure Trust Program funds used to acquire all or part of this property?

Local Unit: Byram Township

County: Sussex

All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the local government unit. The official map used for this ROSI is named Township of Byram Zoning Map and is dated June 19, 2018. Please refer to page 1 of this document for more detailed instructions.

Lands Subject to Conservation Restriction for Recreation and Conservation Purposes (Use Page 5A ~ Cons. Rest. cont'd. as necessary for additional lands)

Map Key	Municipal Location per Tax Records	Name of Park / Facility	Block No.	Lot No.	Total Lot Acres	Partial Lot? (Y / N) <i>Note 1</i>	GA Encumbered Acres <i>Note 2</i>	Co-Owners? (Y / N) <i>Note 3</i>	Green Acres Funded? (F / U) <i>Note 4</i>	Notes
A.	Route 206	Tamarack Park	360	26.02	40.114	N	40.11	Y	Y	Owned by NJCF
A.	Tamarack Road	Tamarack Park	360	39.04	113.2	N	113.20	Y	Y	Owned by NJCF
C.										
D.										
E.										
F.										
G.										
H.										
I.										
J.										
K.										
L.										
M.										
N.										
O.										
P.										
Q.										
R.										

Total of all conservation easement Green Acres-encumbered acres on this page only: **153.31**

Total of all conservation easement Green Acres-encumbered acres from all pages of this ROSI: **153.31**

Note 1: For properties partially held for recreation/conservation (e.g. municipal complex), please supply a survey or tax map with the park boundaries to scale, showing the area held for recreation/conservation purposes.

Note 2: For entire properties, please supply acreage of entire property. For partial lots, please provide the recreation/conservation acreage only.

Note 3: Does any other entity have an undivided interest in this property? List co-owner in Notes column.

Note 4: F = Funded by Green Acres; U = Unfunded (i.e., no Green Acres funding utilized)

Local Unit: Byram Township

County: Sussex

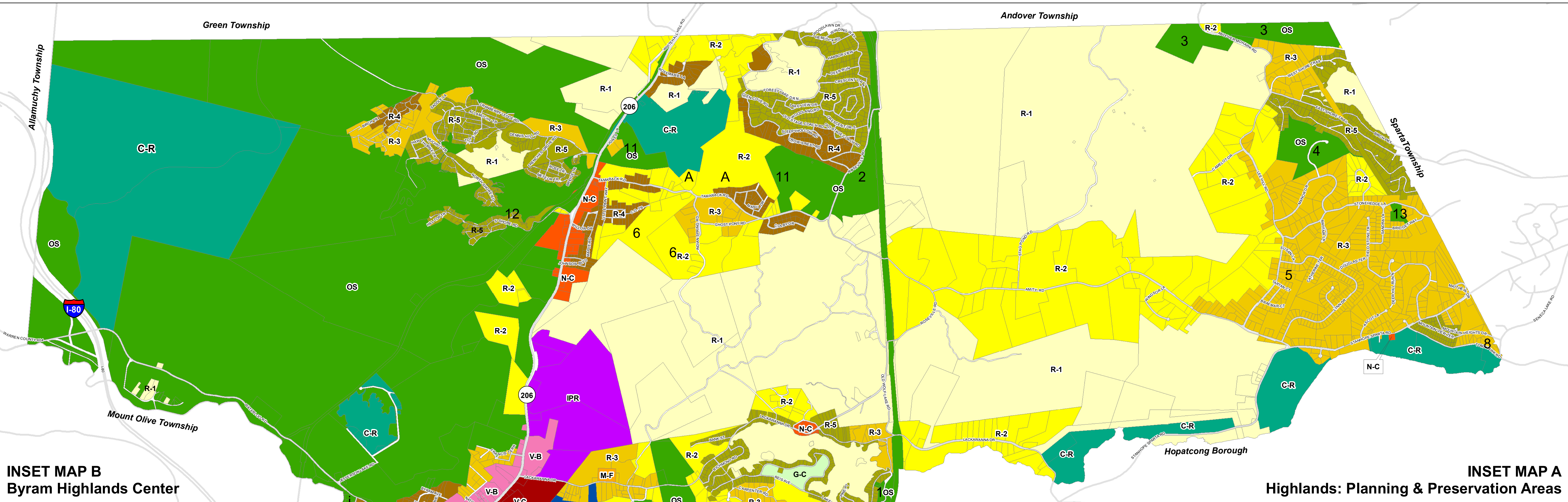
All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the local government unit. The official map used for this ROSI is named Township of Byram Zoning Map and is dated June 19, 2018. Please refer to page 1 of this document for more detailed instructions.

Lands Held through a Lease or Use Agreement for Recreation and Conservation Purposes

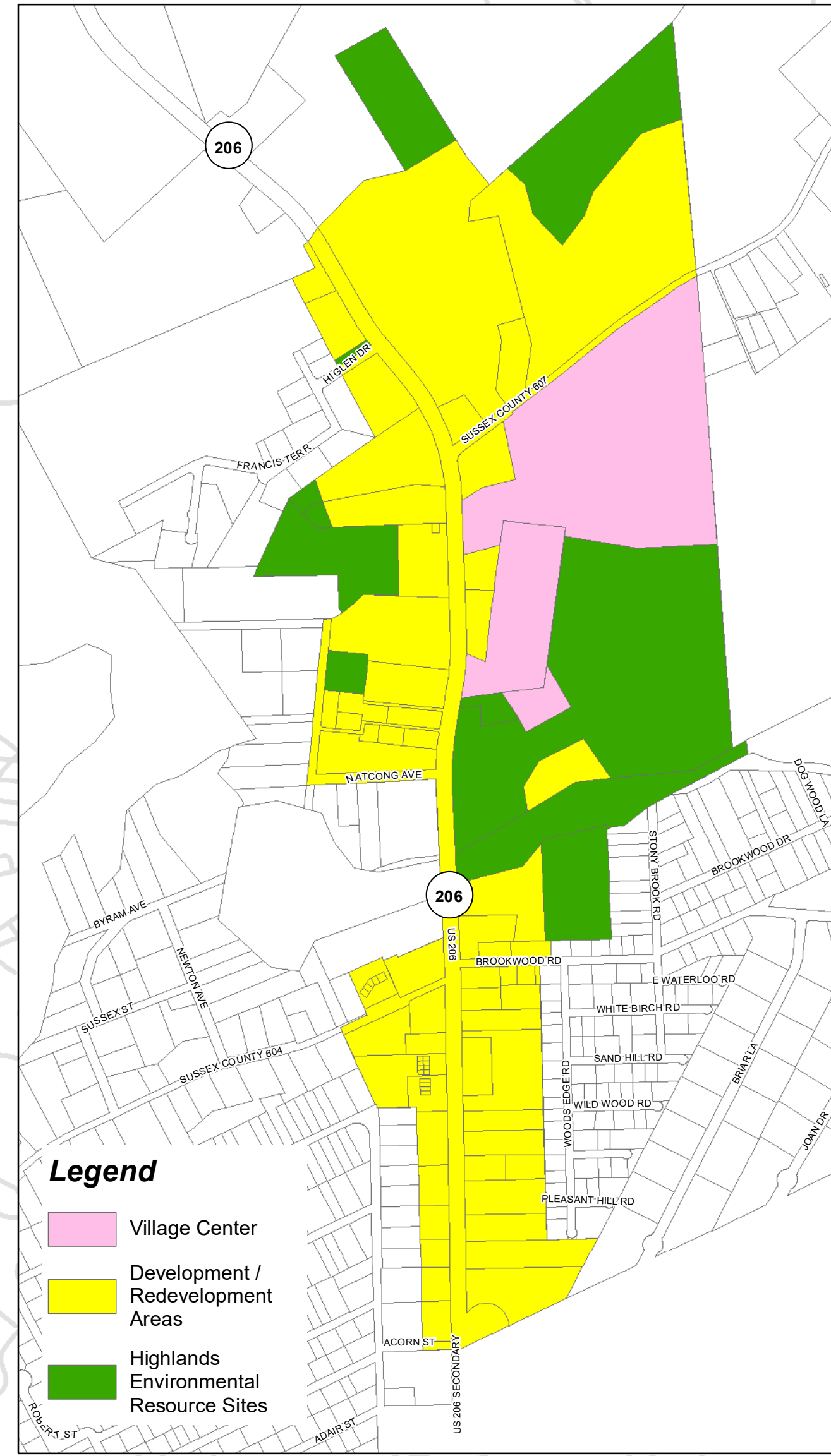
Map Key	Municipal Location per Tax Records	Name of Park / Facility	Block No.	Lot No.	Total Lot Acres	Lease Includes Entire Property? (Y / N) <i>Note 1</i>	GA Encumbered Acres <i>Note 2</i>	Lease / Use Agreement Expiration Date	Underlying Landowner	Green Acres Funded? (F / U) <i>Note 3</i>	Notes
I.	River Road	Riverside Park	22	223	2.661	Y	2.66	2046	NJ DOT	N	Compensation Land
II.											
III.											
IV.											
V.											
VI.											
VII.											
VIII.											
IX.											
X.											
XI.											
XII.											
XIII.											
XIV.											
XV.											
XVI.											
XVII.											
XVIII.											
XIX.											
XX.											

Total of all leased Green Acres-encumbered acres: 2.66

Note 1: For properties that are only partially held for recreation/conservation, please supply a survey or tax map with the park boundaries to scale, showing the area held for recreation/conservation purposes.
Note 2: For entire properties, please supply acreage of entire property. For partial lots, please provide the recreation/conservation acreage only.
Note 3: F = Funded by Green Acres; U = Unfunded (i.e., no Green Acres funding utilized)



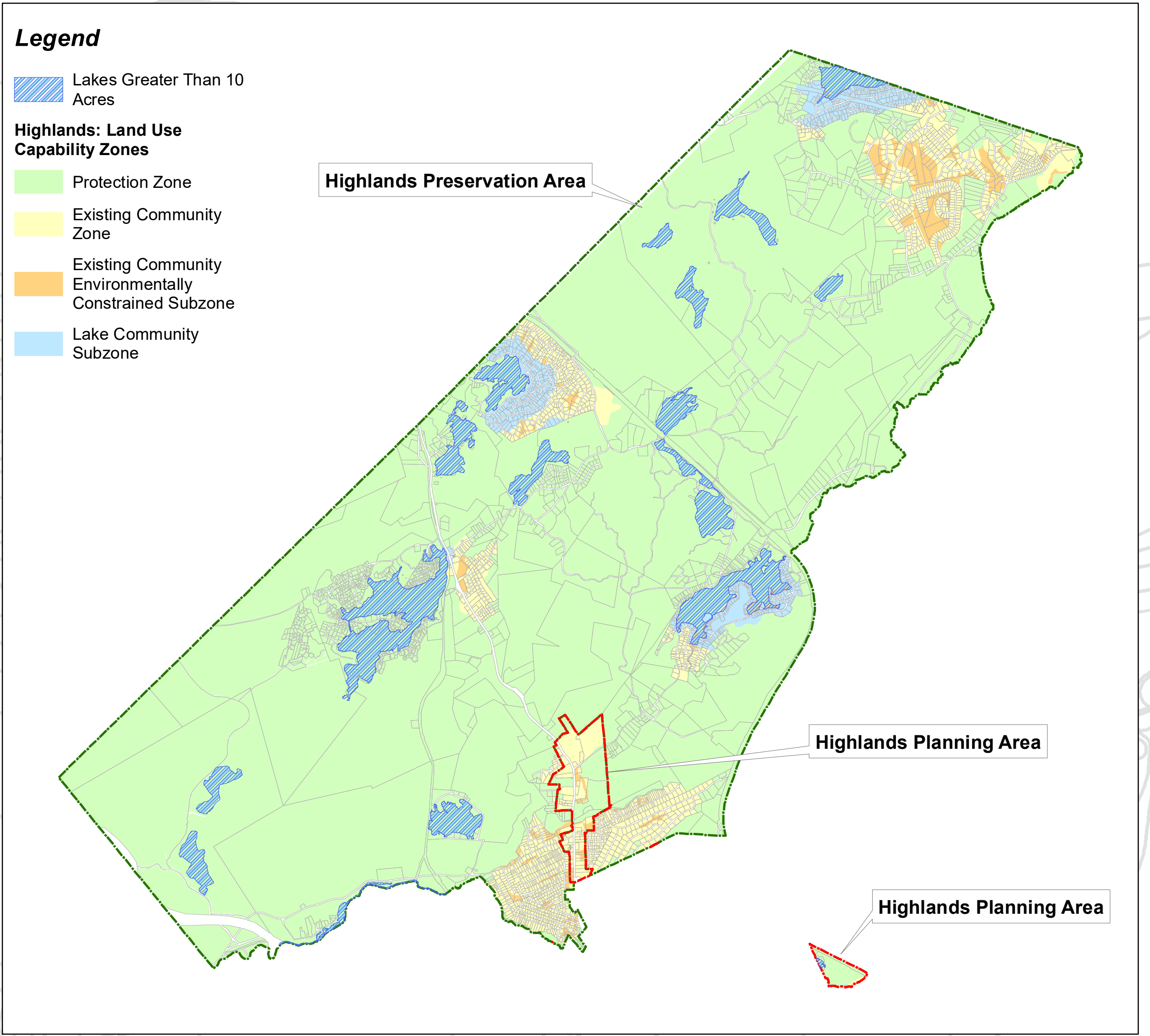
INSET MAP B
Byram Highlands Center



Legend

- Village Center
- Development / Redevelopment Areas
- Highlands Environmental Resource Sites

INSET MAP A
Highlands: Planning & Preservation Areas



Legend

- Lakes Greater Than 10 Acres
- Highlands: Land Use Capability Zones
 - Protection Zone
 - Existing Community Zone
 - Existing Community Environmentally Constrained Subzone
 - Lake Community Subzone

TOWNSHIP OF BYRAM ZONING MAP

Legend

R-1 10 acres	V-C 60 acres
R-2 5 acres	V-B
R-3 1 acre	IPR
R-4 1/2 acre	G-C
R-5 1/4 acre	C-R 20 acres
M-F Multifamily	F-P 80 acres
N-C	OS

1 in = 1,400 feet
 1,400 700 0 1,400 Feet

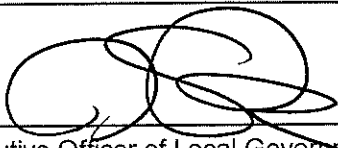
Township of Byram, Sussex County
 Date of Adoption

Prepared By: **L&G Planning**
 Funding Assistance From: **Highlands Council**
 New Jersey

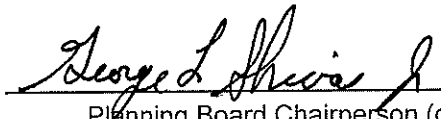
CERTIFICATION:

I HEREBY CERTIFY that this Recreation and Open Space Inventory, comprising 8 total pages, is a complete and accurate listing of all lands held by the Local Government Unit, as of this 29th day of June, 2018, for recreation and conservation purposes at the time of receipt of Green Acres funding.

This ROSI is being submitted to Green Acres as part of project number: 1904-00-078 and entitled: Township of Byram, Updated Roster of Open Space.



Chief Executive Officer of Local Government Unit
Joseph Sabatini
Date: 11/1/18



Planning Board Chairperson (or equivalent)
George Shivas Jr.
Date: 11/1/18

This Certification is to be signed only on this page, Page 7, of the Recreation and Open Space Inventory.

If required by local ordinance, number and date of governing body resolution authorizing Mayor to sign the ROSI:

151-2018

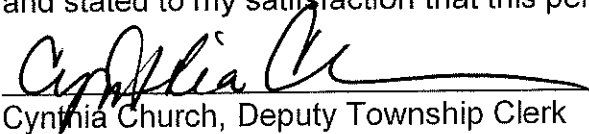
Resolution Number

8/14/2018

Date of Resolution

(Resolution attached)

State of New Jersey, County of Sussex: I Certify that on November 1, 2018
Joseph Sabatini & George Shivas, Jr. personally came before me and stated to my satisfaction that this person executed this instrument as his own act.


Cynthia Church, Deputy Township Clerk

Cynthia Church
Notary Public of NJ
Commission Expires 2/5/2020

20181113010233100
11/13/2018 02:16:04 PM
MUN DEED
NUMBER OF PAGES : 11
Recording Fee : \$8.00

SUSSEX COUNTY RECORDING COVER PAGE

Honorable Jeffrey M. Parrott
Sussex County Clerk



This cover page is required to be part of any document affecting land title being recorded in Sussex County, New Jersey. It is part of the recorded instrument and permanent record and should not be detached from the original document.

Official Use Only – Barcode



20181113010233100 1/11
11/13/2018 02:16:04 PM MUN DEED
Bk: 3498 Pg: 378
Jeffrey M. Parrott, County Clerk
Sussex County, NJ

Record & Return To:

Township of Byram
10 Mansfield Drive
Stanhope, N.J. 07874
(973) 347-2500

attn: Cynthia Church

Official Use Only – Realty Transfer Fee

Date of Document:

8-14-2018

Type of Document:

ROSI

First Party Name:

Byram Township

Second Party Name:

Additional Parties To Be Indexed:

PROPERTY INFORMATION (MANDATORY FOR DEEDS)

Block:

See attached list

Lot:

Municipality:

Byram Township

Consideration:

Mailing Address of Grantee:

**TOWNSHIP OF BYRAM
RESOLUTION NO. 151- 2018**

**RESOLUTION AUTHORIZING THE SIGNING OF THE UPDATED RECREATION
AND OPEN SPACE INVENTORY (ROSI)**

WHEREAS, Byram Township's Open Space Consultant has updated Byram's Recreation and Open Space Inventory; and

WHEREAS, Green Acres Program Project Manager Larry Fink has reviewed and approved the ROSI; and

WHEREAS, Green Acres is now requesting that the ROSI be signed by the Township Manager and Planning Board Chairman.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Byram, in the County of Sussex and State of New Jersey, Township Manager, Planning Board Chairman and Clerk are hereby authorized to execute any and all documents pertaining to the ROSI.

BYRAM TOWNSHIP COUNCIL

	Councilman Gray	Councilwoman Kash	Councilman Olson	Councilman Roseff	Mayor Rubenstein
Motion			X		
2nd	X				
Yes	X		X	X	X
No					
Abstain					
Absent		X			

ATTEST:

I certify that the foregoing resolution was adopted by the Byram Township Council at a meeting held on August 14, 2018.


 Cynthia Church, Deputy Municipal Clerk