

CHAPTER 136

AN ACT concerning certain riparian lands in Jersey City, and supplementing Title 12 of the Revised Statutes.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey:*

1. Any part, or the entire tract, of real property described in section 1 of P.L.1872, c.596, and located in Jersey City shall be released of all duties, obligations, covenants, restrictions, including any restrictions on the right to sell and convey the property, burdens, terms, conditions, and provisos arising pursuant to the provisions of P.L.1872, c.596, P.L.1916, c.168, and P.L.1918, c.79, as to any claim by the State, or any State department or agency; and title to the real property shall be vested in the name of the current record owner of the property, in fee simple absolute, upon the delivery of a grant authorized pursuant to section 3 of this act. The property shall be subject to any terms and conditions in the grant authorized pursuant to section 3 of this act.

2. Subject to the limitations set forth in section 8 of this act, any part, or the entire tract, of real property described in section 5 of P.L.1872, c.596 shall be released of all duties, obligations, covenants, restrictions, including restrictions on the right to sell and convey the property, restrictions on filling, or the need for consent of all adjoining owners to fill, as well as all burdens, terms, conditions, and provisos arising pursuant to the provisions of P.L.1872, c.596, P.L.1916, c.168, P.L.1918, c.79, and P.L.1918, c.176, as to any claim by the State, or any State department or agency; and title to the real property shall be vested in the name of the current record owner of the property, in fee simple absolute, upon the delivery of a grant authorized pursuant to section 3 of this act. The property shall be subject to any terms and conditions in the grant authorized pursuant to section 3 of this act.

C.12:3-27.2 Authorization for approval of State tidelands, riparian grant.

3. The Tidelands Resource Council, established pursuant to section 10 of P.L.1948, c.448 (C.13:1B-10), is hereby authorized to approve a State tidelands or riparian grant and to set the amount of the consideration for the State's riparian interest in each of the real properties described in sections 1 and 5 of P.L.1872, c.596. The council shall establish the amount of consideration for each grant which shall be paid to the State of New Jersey, upon such terms and conditions as it deems appropriate. Any tidelands or riparian grant concerning property described in section 5 of P.L.1872, c.596 authorized by the Tidelands Resource Council and delivered after January 1, 1982 and prior to the date of enactment of this act is hereby validated.

4. Any grant made by the Tidelands Resource Council pursuant to the provisions of this act shall be subject to the requirements set forth in section 13 of P.L.1948, c.448 (C.13:1B-13) and shall be deemed to include any riparian interest that the State may have been able to assert.

5. Notwithstanding the provisions of any other law to the contrary, the current record owner of any real property referred to in this act shall not be required to qualify as a riparian owner of property as provided in R.S.12:3-10 in order to qualify for the benefits of this act.

6. The State acknowledges that all payments to the State required pursuant to section 3 of P.L.1872, c.596 have been made and that the real property described in section 3 of P.L.1872, c.596 is free of any obligation related to the payment requirement.

7. Notwithstanding the provisions of any law, or any rule or regulation adopted pursuant thereto, to the contrary, any grant and conveyance authorized pursuant to section 3 of this act shall not require the approval of the Department of the Treasury or the State House Commission or any further approval of the Legislature.

C.12:3-27.1 Fill, development of real property in tidewater basin.

8. Notwithstanding the provisions of R.S.12:3-27 to the contrary, the fill or development of real property within an existing tidewater basin to a width of less than 200 feet may be permitted with the approval of the Department of Environmental Protection pursuant to the provisions of R.S.12:5-1 et seq. and a grant may be approved by the Tidelands Resource Council for that fill or development pursuant to the provisions of R.S.12:3-12 and section 3 of this act.

9. This act shall take effect immediately.

Approved August 6, 2007.