

# City of Salem, NJ



## Salem Waterfront Redevelopment Zone

### Preliminary Investigation for Determination of an Area in Need of Redevelopment

City of Salem Planning Board  
February 2016

Prepared by:

original signed and sealed

Louis C. Joyce, PP, AICP  
NJ License No. 02813

## Salem Waterfront Redevelopment Zone

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# Salem Waterfront Redevelopment Zone

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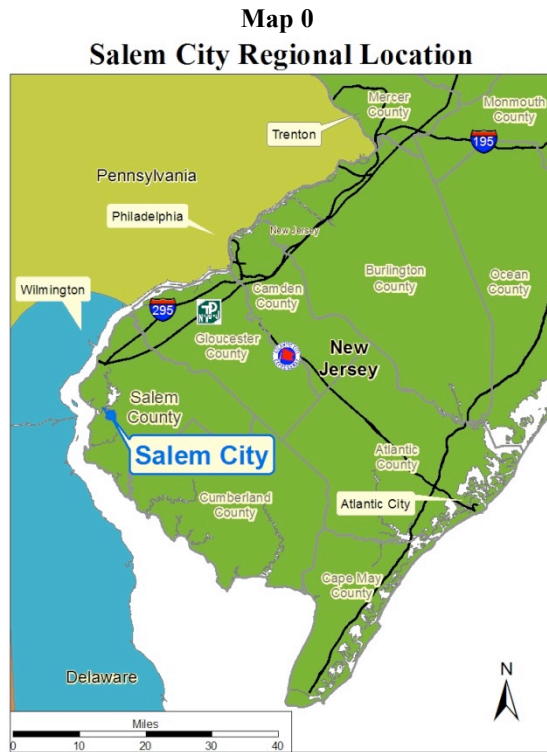
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## Introduction

The City of Salem is located in Salem County in southwest New Jersey. It is the county seat of Salem County, the state's most rural county. The name "Salem", in both the city and

county, is derived from the Hebrew word shalom, meaning "peace." Salem is a city rich in American History and is situated on the Salem River. During the 17th and 18th centuries, Salem was an important port engaged in shipbuilding and trade. Over time, the glass manufacturing industry became the major job generator in Salem.



As with many port cities around the country, Salem has experienced a decline in manufacturing and industry, leaving this once-thriving harbor area in a state of deterioration and under-utilization. The industry left, as did the jobs, and now there are large buildings on the Salem River standing empty. To remedy these existing conditions and bring jobs, commerce, and life back to the City's presence on the Salem River, this

investigation will determine whether the Study Area delineated in this report qualifies under the statutory criteria as an Area in Need of Redevelopment.

## The Redevelopment Process

The *Local Redevelopment and Housing Law* P.L. 1992, c.79 (C40A:12A-1 et seq.) allows a municipality to address the problems of disinvestment and deterioration in targeted areas within its borders. Declaration of an Area in Need of Redevelopment gives municipal officials the ability to effectively plan and, once a vision for the area has been established in the Redevelopment Plan, the powers to carry out the redevelopment goals and objectives.

The redevelopment statute requires a multi-step process that must be followed in order for the municipal governing body and planning board to exercise these powers lawfully. This process is as follows:

- (1) The governing body must authorize the planning board, by resolution, to undertake an investigation of the delineated area to determine whether it meets the criteria set forth in section 5 of P.L.1992, c.79 (C.40A:12A-5).

(2) The planning board must then prepare and post a map showing the boundaries of the area and the location of the various parcels therein.

(3) The planning board must conduct a preliminary investigation and hold a duly noticed public hearing in order to discuss the findings of the investigation and to hear persons who are interested in or would be affected by the contemplated action. The results and recommendations of the hearing are then referred to the governing body in the form of a planning board resolution for formal action.

(4) Upon receipt of the recommendation from the planning board, the governing body may act to adopt a resolution designating the area in question, or any part thereof, as an area in need of redevelopment.

(5) Upon designation, the planning board or redevelopment entity is then required to prepare a redevelopment plan, which establishes the goals and objectives of the municipality and outlines the actions to be taken to accomplish these goals and objectives.

(6) The redevelopment plan, after review by the planning board, is referred to the governing body.

(7) Upon receipt of the redevelopment plan from the planning board, the governing body may act to adopt the plan by ordinance. The adopted redevelopment plan may become an amendment to the municipality's zoning district map and zoning ordinance or may be treated as an overlay to existing zoning.

Only after completion of this public process is a municipality able to exercise the powers granted under the Redevelopment Statute.

## **Study Area**

### **City Overview**

The City of Salem was incorporated in 1798, and is 2.815 square miles in area. The City is located in the central western part of Salem County in southwestern New Jersey. It is bordered to the south by Elsinboro and Quinton Townships; to the west by Pennsville; to the north by the Fenwick Creek and Salem River, and Pennsville and Mannington Townships; and the east by Quinton Township. Salem City is the county seat of Salem County. Salem is rich in history and the City contains several historic districts, with most of the historic structures located on Market and Broadway Streets.

The city's population was 5,146 as of the 2010 United States Census, reflecting a decrease of 711 (-12.1%) from the 5,857 counted in the 2000 Census, which had in turn declined by 1,026 (-14.9%) from the 6,883 counted in the 1990 Census, an overall drop of more than 25% over the two decades.

Salem has excellent transportation access, with State Route 49 passing through the city, which has its southern terminus at its intersection with Route 49. Located nearby are Interstate 295, the New Jersey Turnpike and the Delaware Memorial Bridge. The City has limited public transportation, with New Jersey Transit offering bus service between the city and Philadelphia on the 401 route and local service on the 468 route.

The City of Salem, as well as the County and the Delaware Bay coastal region in New Jersey, has experienced a steady and significant economic decline over the past few decades, as evidenced by its population decline, and loss of jobs and commercial activity. The City of Salem was originally settled because of its exceptional waterfront location. In 1886 Salem's waterfront was a bustling port with three large manufacturing complexes at the water's edge with steam ships and sailing vessels plying the waterways. However, the industrial sector has seen a decline in Salem. The shipping business, while not as vibrant as it was historically is active along the Salem River but its survival is dependent upon dredging which will need to be a regular activity by the federal government.

### Study Area Delineation

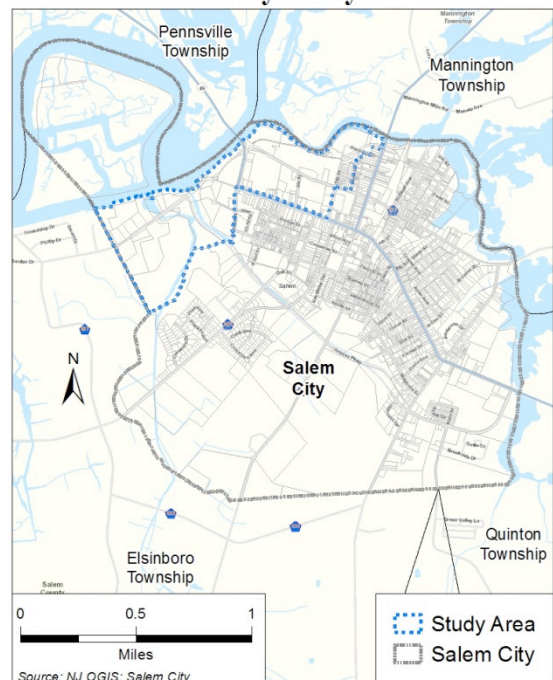
The Salem City Council directed the Planning Board to conduct a Preliminary Investigation of an area by Resolution 2105-168 adopted on December 7, 2015. Tax maps showing the Study Area and a list of properties (block & lot) are located in Appendices A and B. The resolution of City Council specifically provides that the designation of the Area in Need of Redevelopment will provide for the use of all of the powers of the Redevelopment Law including the use of eminent domain.

### Description of the Study Area and Locational Context

The area under consideration for redevelopment area designation is in the northwest boundary of the City of Salem and consists of 157 parcels that are designated on the City's tax maps as provided in Appendix A. The list of properties by block and lot are located in Appendix B. According to the City's official tax records, the study area encompasses  $\pm 250.74$  acres. The lots range in size from  $\pm 0.1$  acres to  $\pm 30$  acres.

**Map 0**

**Salem City Study Area**

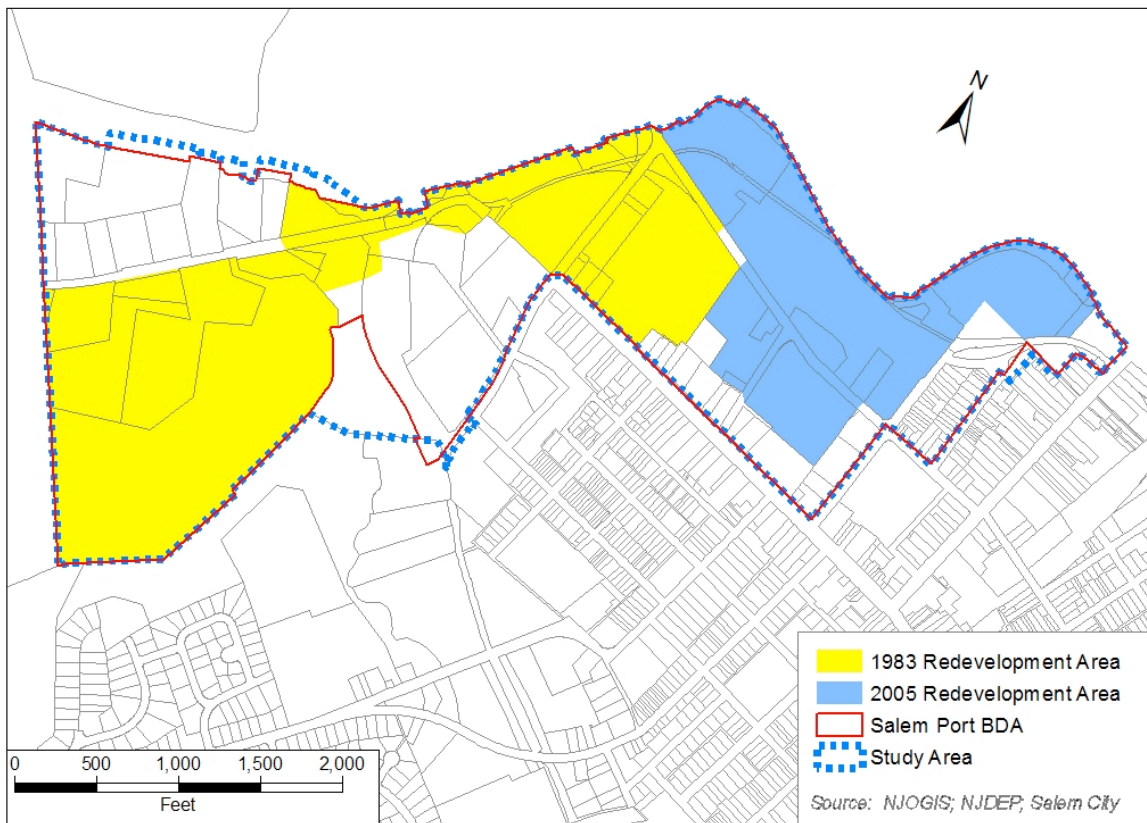


The study area is bounded generally by Elsinboro Township to the west; the municipal landfill, Grieves Parkway, South Front Street and West Broadway to the south; Ward Street and Market Street to the east; and the Salem River and Fenwick Creek to the north. Tilbury Road and County Road 657 traverse the study area, with Tilbury Road running east to west on the west end of the study area and County Road 657 running north to south on the east side of the study area. The location of the study area is shown on Map 2.

The study area is located in a portion of the City characterized mostly by abandoned and deteriorating industrial structures; former gasoline service stations; a heating oil storage facility; vacant land including a capped municipal landfill; a port area with some operating businesses and a private marina; a cemetery and a minor amount of residential development. Within the study area, two sub areas have already been designated as areas in need of redevelopment.

The first area, known as the Port District Redevelopment Area, was designated in 1983. It consists primarily of the municipally-owned landfill that has been recently capped as well as several general and light manufacturing/industrial business properties, port facilities and

**Map 0**  
**Existing Redevelopment and Brownfields Development Areas**



several properties that have remained vacant. This area was designated under the former “Redevelopment Agencies Law” of 1949 which has since been repealed.

The second area is known as the Griffith Street Redevelopment Area and was designated under the current Local Redevelopment and Housing Law of 1992 (N.J.S.A. 40A:12A-1 *et seq.*) and was adopted by Salem City in March 2005. This most recent designation included approximately 18 specific parcels that comprise just over 45 acres in the City’s M-1 and M-2 manufacturing zones. While some properties within this area are in good condition, many contain operating industrial uses that date to the early part of the 20<sup>th</sup> Century, abandoned or deteriorating industrial structures and properties that have been long-term vacant. Most notably, the area includes several parcels owned by a glass bottle producing company that closed operations in October 2014 ending 150 years of glass making in the City.

The 1983 redevelopment designation is recognized by the current law in which it is indicated that “[a]ny redevelopment agency created pursuant to the “Redevelopment Agencies Law,” P.L. 1949, c.306 (C.40:55C-1 *et seq.*) and in existence until the repeal of that law by this act, shall continue notwithstanding that repeal, but shall exercise its powers pursuant to the provisions of this act.” However, to ensure unquestionable compliance with current statutory requirements, this area is being reincorporated into a new designation that also includes the area designated by the City in 2005.

Consolidating and combining the previous redevelopment areas will both ensure compliance with current legislation and establish an area boundary that is coincident with the City’s designated New Jersey Department of Environmental Protection (DEP) Brownfield Development Area (BDA). A BDA is a geographic area identified by a community within which there are multiple properties that meet the definition of a “Brownfield” and is targeted for redevelopment. The Salem Industrial District BDA was designated in 2006 and contains approximately 76 of the 157 parcels in the proposed Redevelopment Area. The potential contaminants as report by DEP are petroleum hydrocarbons, polynuclear aromatic hydrocarbons, metals and historic pesticides.

In addition to consolidating and combining previous Redevelopment and Brownfields Development Areas, the study area boundary ensures that the area consists only of whole tax parcels and that those tax parcels reflect recent revisions the City’s Official Tax Map.

The northern portion of the study area (north of Tilbury Road and County Road 657) is in the CAFRA zone and is designated a CAFRA regional center. A large majority of the study area is in a 100 year flood zone (approximately 80 percent). The New Jersey State Development and Redevelopment Plan (SDRP) categorizes the entire City as part of the Rural (PA4) Planning Area. However, the City of Salem is identified as a Designated Regional Center by



the State Planning Commission and is a recognized Smart Growth area. The study area is surrounded by residential development, some retail/commercial uses and a Salem County administration building.

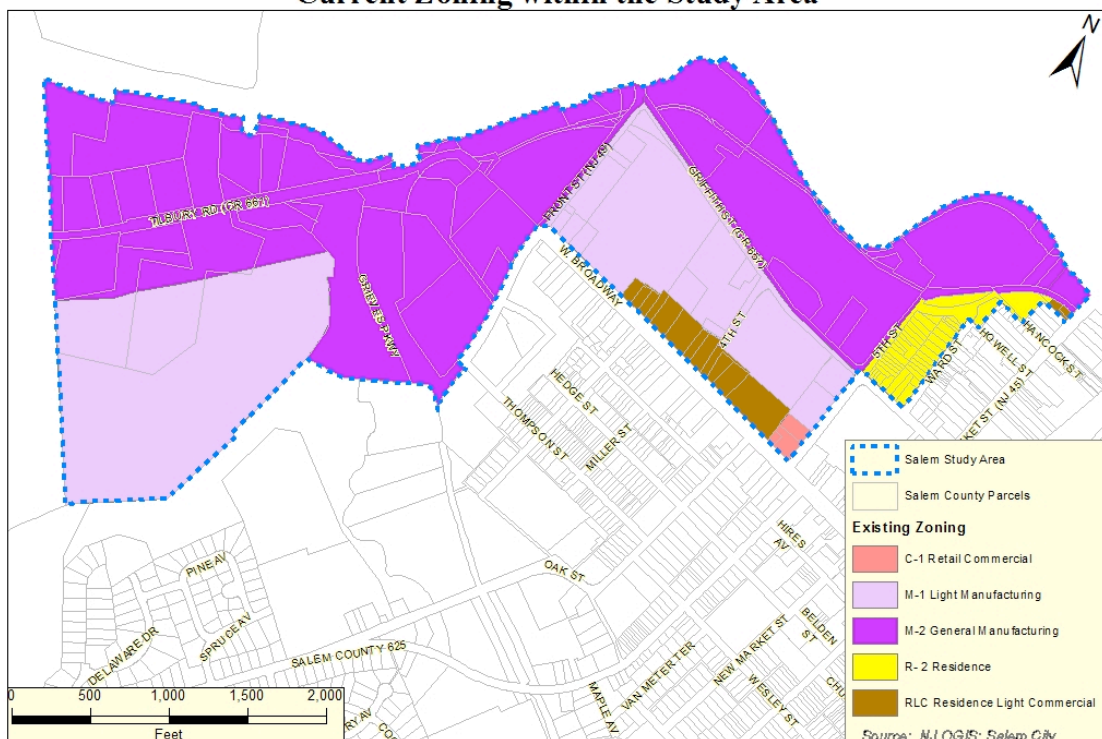
The study area is mostly flat and already developed with existing buildings and other improvements. There are some wetlands in the northwestern portion of the area, on the Salem Coal Gas property, the landfill property (a large majority of the property is wetlands), and some parcels owned by the City located off of Grieves Parkway toward the center of the study area. A non-operational county freight railroad track runs through the study area. The track was damaged in Superstorm Sandy in 2012 and the South Jersey Port Corporation and Salem County have recently received funds from the Department of Transportation to rehabilitate the existing tracks so that the line can become functional again.

Industrial jobs no longer represent the foundation of Salem's economy. Therefore, the properties within the study area are no longer used primarily for the functions that were originally intended.

## Existing Land Uses and Zoning and Relationship to Master Plan

Currently, the majority of the study area is zoned M-2 General Manufacturing, with a small M-1 Light Industrial zone, some R-2 Residential areas, and a small area located in the

**Map 0**  
**Current Zoning within the Study Area**



Commercial zone. This zoning generally reflects the conditions on the ground. The City's most recent Master Plan Re-examination report was completed in 2012. According to that report, the redevelopment of this study area would further the planning goals of the City in several areas. It would "preserve and strengthen the role of Salem as a source of industrial development"; "encourage the location of additional industries in appropriate areas"; "provide for adequate community facilities, including programs to meet social, cultural and recreational needs"; and "provide for safe and convenient circulation within the City and to points beyond." The changes to the Master Plan this report recommended that speak directly to this effort are "Waterfront Development planning along all waterfront areas of the City," and the fact that "the City should continue to develop programs for enhanced recreation and cultural activities."

The 2002 Main Street Revitalization Master Plan specifically focuses on bringing the waterfront back to Salem, using the industrial base to create economic activity while re-imagining the potential of the river.

## **Statutory Criteria**

According to the Local Redevelopment and Housing Law, an area qualifies as being in need of redevelopment if the governing body concludes that the delineated area meets at least one (1) of the eight (8) statutory criteria listed under N.J.S.A. 40A:12A-5 (a-h) listed below and identified by the letter corresponding to the paragraph in that Section. Properties located within the area of study may meet more than one of the criteria but only one (1) of the eight (8) needs to be identified in order to be deemed an area in need of redevelopment. The criteria are as follows:

- (a) "The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions."
- (b) "The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable."
- (c) "Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital."

(d) “Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.”

(e) “A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.”

(f) “Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.”

(g) “In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L. 1983, c.303 (52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L. 1992, c.79(40A:12A-5 and 40A:12A-6) for the purpose of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c.431 (40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c.441 (40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c.79 (40A:12A-1 et seq.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.”

(h) “The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.”

## **Applicability of Statutory Criteria**

While several of the criteria listed above apply in the area that has been identified, it is criterion (b), the discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes, the subsequent abandonment of some of those

buildings and the resulting signs of disrepair and disinvestment that is most prevalent within the study area. This meets the requirements of N.J.S.A. 40A:12A-5. It is also evident in the residential areas of Fifth and Ward Streets that criterion (a), the generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions is applicable.

As indicated in the enabling legislation, the characteristics of properties within a potential area in need of redevelopment need satisfy only one of the of the eight statutory criteria listed above in order to be formally deemed an area in need of redevelopment. That being said, the presence of additional characteristics serves only to strengthen the validity of any such determination. The discontinuance of historical uses that have been integrated into the City's Master Planning and Zoning processes for decades has consequently led to a growing lack of proper land utilization, resulting in a stagnant and not fully productive condition of much of the land in the area. This is both evidenced by and exacerbated by the high number of parcels that are owned by the City (many, if not most, due to tax lien foreclosure). Approximately 20 properties within the study area are currently owned by the City.

Additionally, due to the age of the industries within the area, obsolescence and associated dilapidation, disinvestment in the area is fueling a downward spiral. Most recently, the City's largest employer ceased operations in a glass manufacturing facility that had been a staple of local employment for 150 years. Ironically, one of the goals of the 2005 Griffith Street redevelopment plan was to provide incentives that would help retain this employer.

A goal of re-designating the previously designated areas, the Port District and Griffith Street Areas, and combining them with a more comprehensive land area is to create an identified and designated area in need of redevelopment that reflects the extent of the City's target for redevelopment planning. The inclusion of all the lands that have been identified for redevelopment support a revised and more comprehensive redevelopment zone and subsequent plan.

As indicated previously, not all properties within the study area are dilapidated and/or obsolete. However, to retain consistency with the area identified as the Salem Industrial District BDA and to foster the pursuit of a mix of commercial, modern light industrial, and maritime port uses for the redevelopment to provide economic revitalization to the area, these properties have been included. This practice is in keeping with sound planning principles and is permitted under Section 3 of the Local Redevelopment and Housing Law (N.J.S.A. 40:12A-3) as follows: "A redevelopment area may include lands, buildings, or improvements which of themselves are not detrimental to public health, safety or welfare, but the inclusion

of which is found necessary, with or without change in this condition, for the effective redevelopment of the area of which they are a part.”

In this case with this large study area, this provision applies to a number of the properties that are, in and of themselves, contributing to the economic or cultural health of the City, but whose proximity to this larger area necessitates inclusion in the designated Study Area.

## **Conclusion/Recommendations**

The Planning Board can find that the conditions qualifying for a designation as an Area in Need of Redevelopment exist as defined in the Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et.seq. There exists a generality of decay, underutilization and abandonment in addition to documented Brownfield sites that are prevalent within the area delineated for study by the City Council.

Residential properties in the R-2 zone along Fifth Street and Ward Street are abandoned, or vacant and in need of rebuilding or redevelopment. These properties fit the criterion (a) of the LRHL to be designated.

Further along Fifth Street between Griffith and West Broadway the buildings formerly housing SJ Times, Fralinger Engineers and Blue Rock Construction are all vacant. Those businesses have closed or relocated their functions and the properties qualifying under criterion (b).

The majority of the study area is zoned M-1 and M-2, the City's manufacturing zones. The former Anchor glass manufacturing facility, now Ardagh, at Griffith Street has been closed, used only for storage and distribution and is now qualified under criterion (b). Similarly, the properties along Front Street of AluChem and Cooper Interconnect have the condition of discontinuance of the prior uses and are in danger of becoming untenable if allowed to fall into disrepair and as such should be treated as in need of redevelopment. The former Tri-County Oil facility along the Salem River has documented environmental degradation and accessibility restrictions from the reconstruction of the adjacent bridge. It cannot be effectively redeveloped without the statutory imposition of redevelopment.

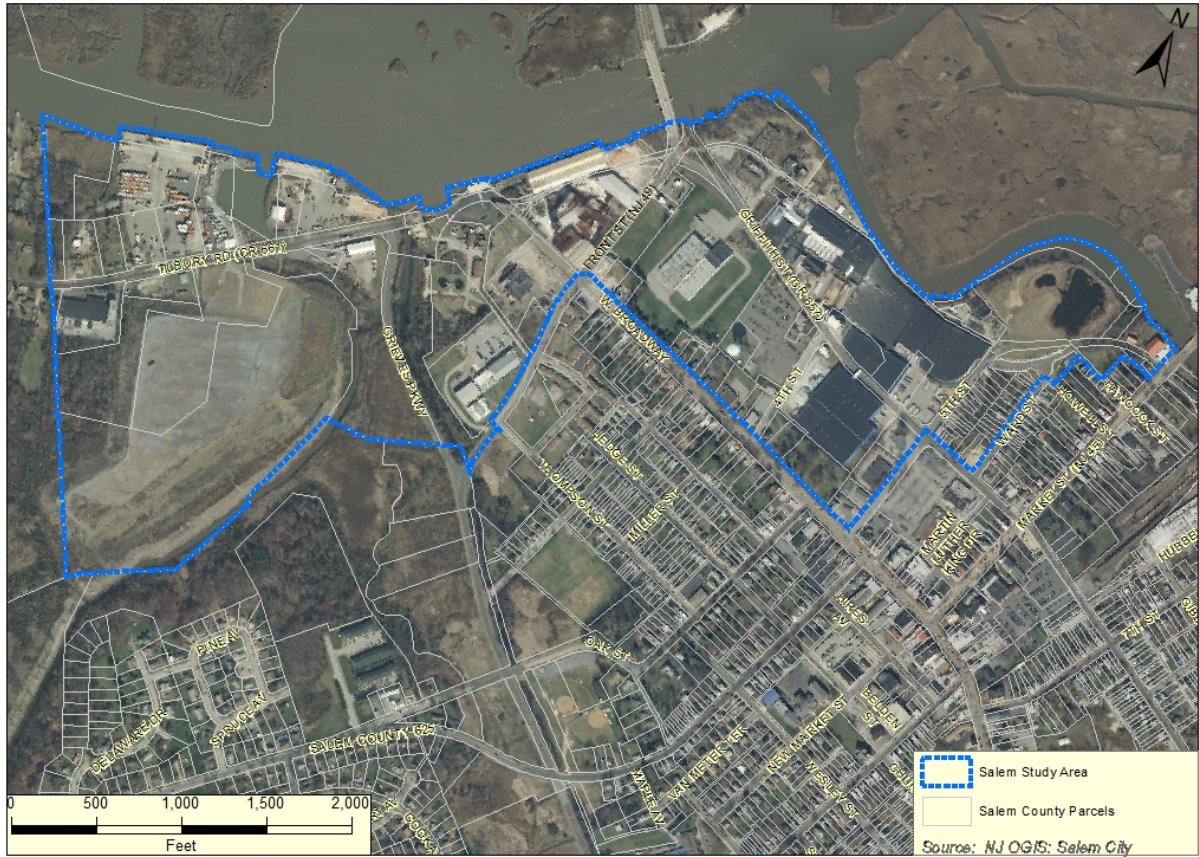
Properties along the Salem River are included from the perspective that their inclusion is necessary to develop and implement a comprehensive redevelopment plan. The goals of the 1983 Salem Port Redevelopment plan are still valid and incorporated in the current re-designation of the area.

Finally the Salem City landfill site inclusion, while consistent with the 1983 plan is included as qualified under criterion (c) as lands owned by the municipality and unlikely to be developed by private capital. The City has entertained proposals during the past ten years for development of the site that have not come to fruition and the designation is appropriate to assist the City as it strives to develop the site.

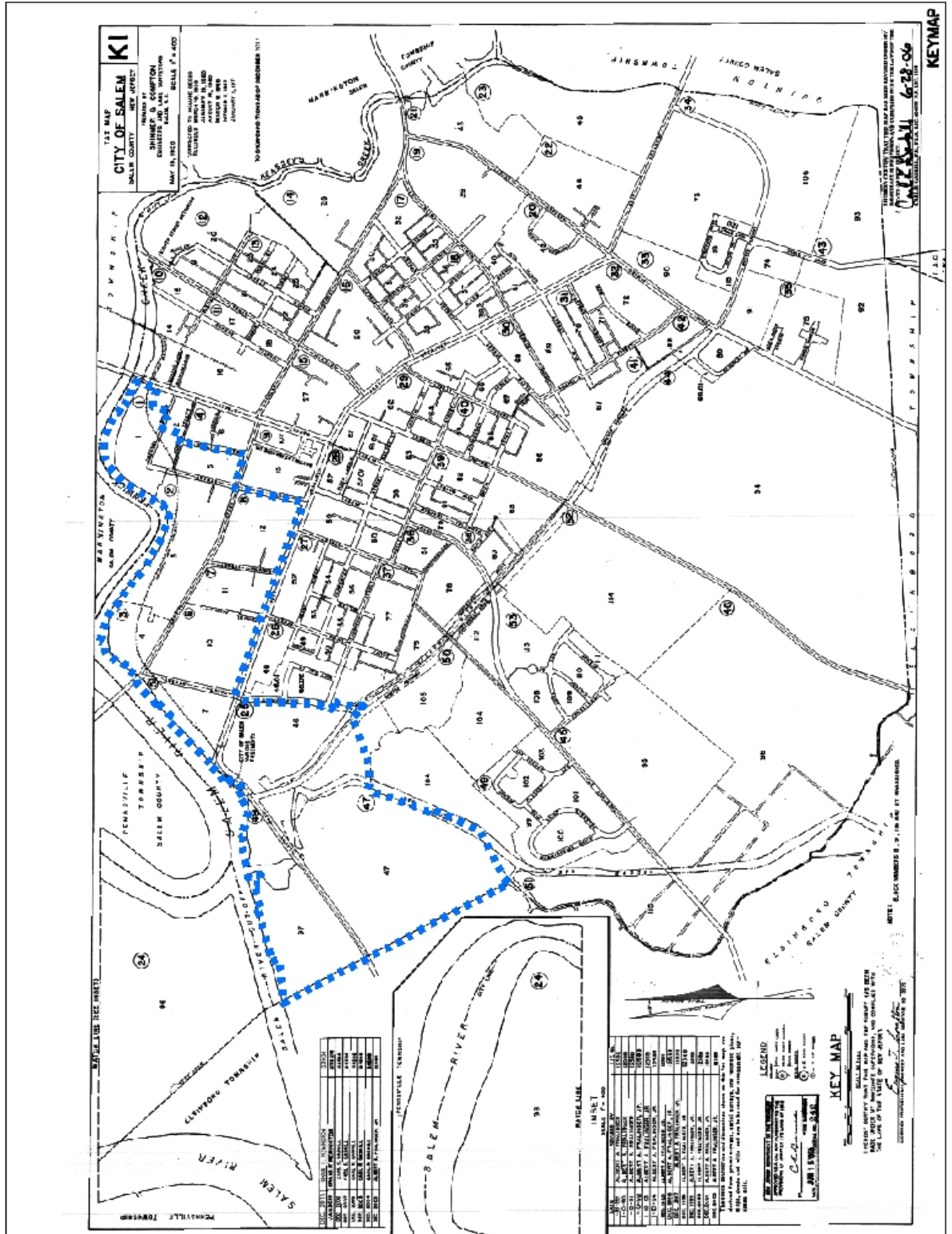
It is recommended that the Planning Board, after the public hearing approve the Preliminary Investigation and forward same to the Salem City Council for approval and designation of the mapped area as an Area in Need of Redevelopment, and further to have City Council initiate the process for preparing a comprehensive Redevelopment Plan for the area.

## Appendix A – Study Area Delineation and Relevant Tax Maps

### City of Salem Waterfront Redevelopment Zone

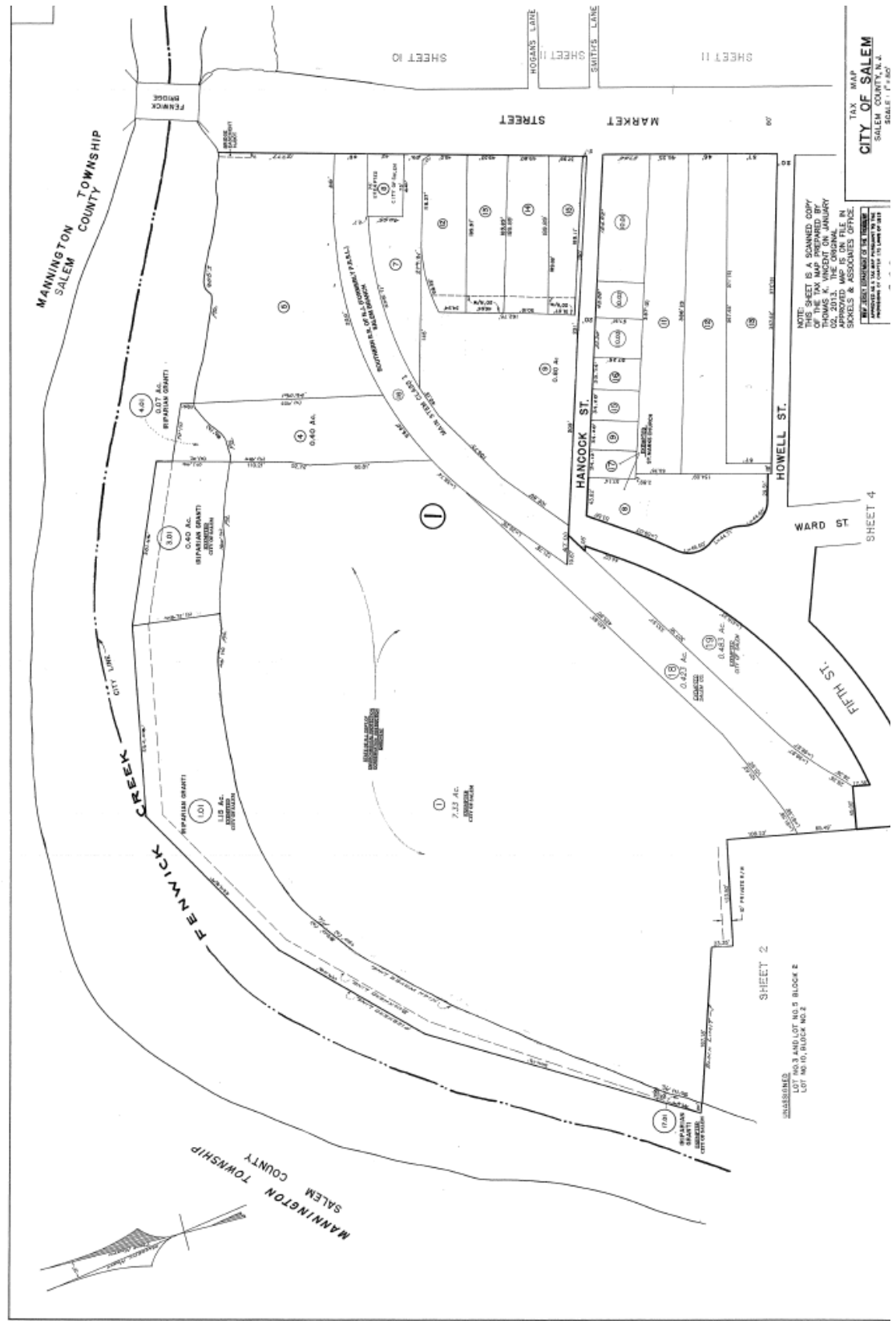


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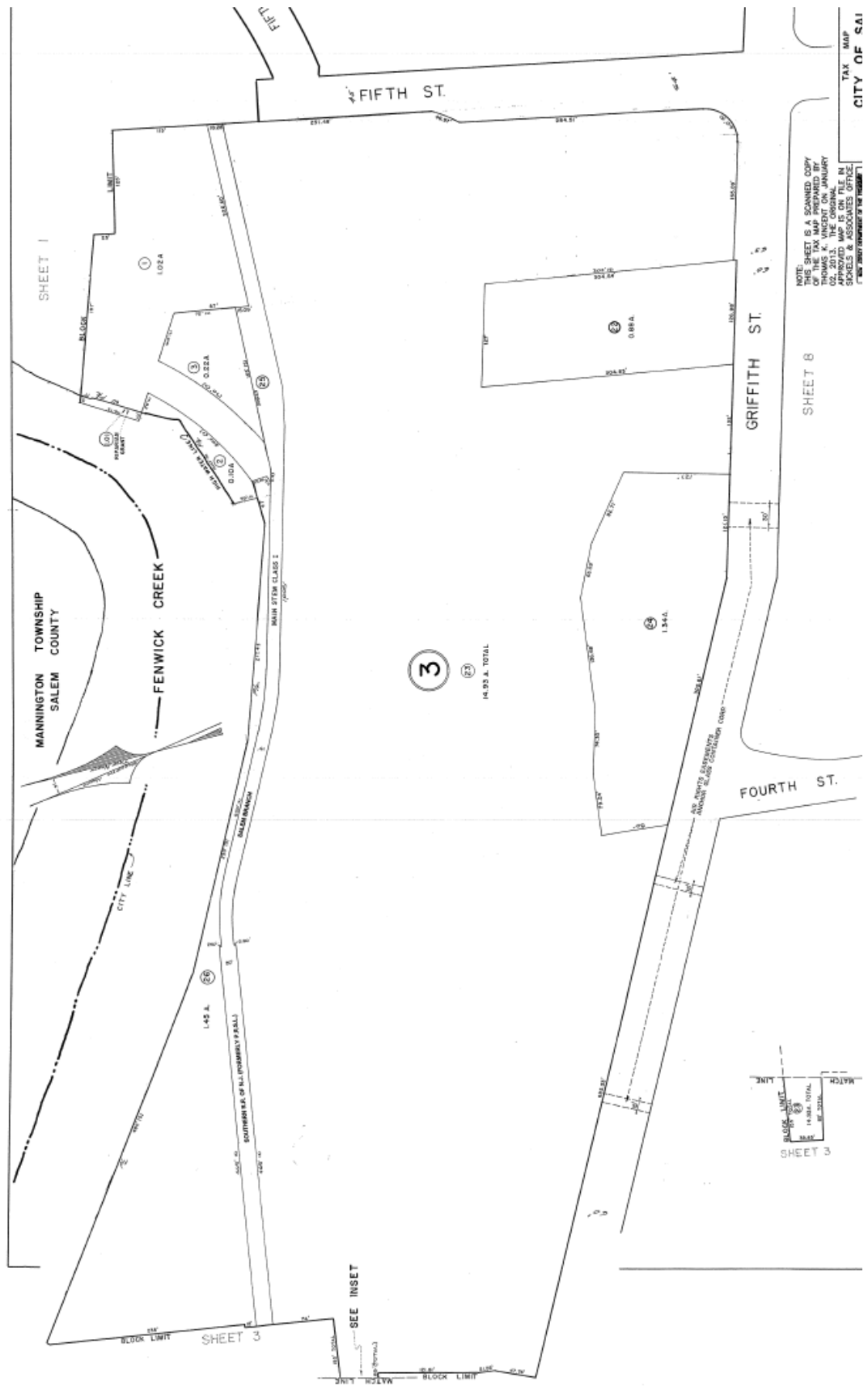




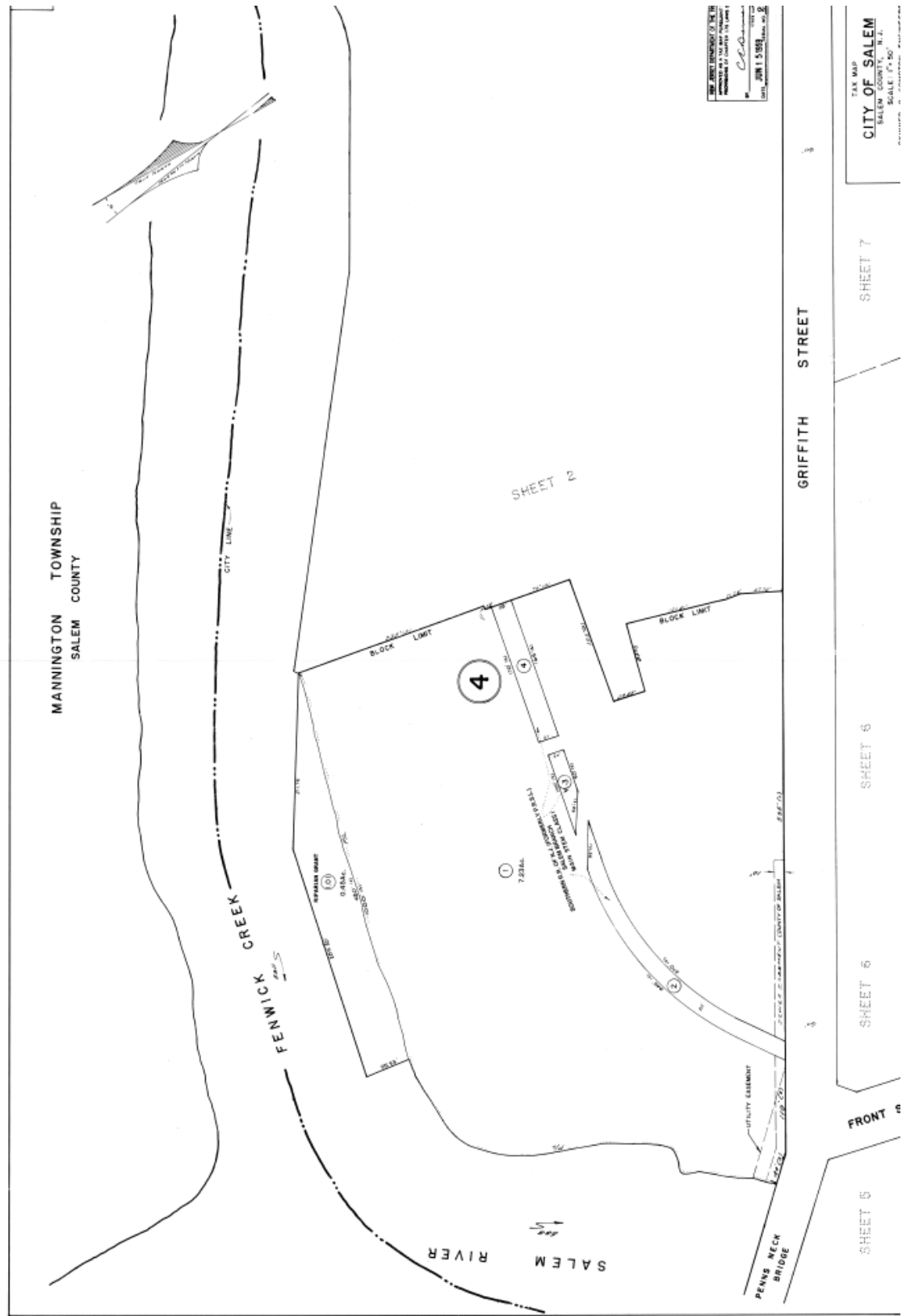
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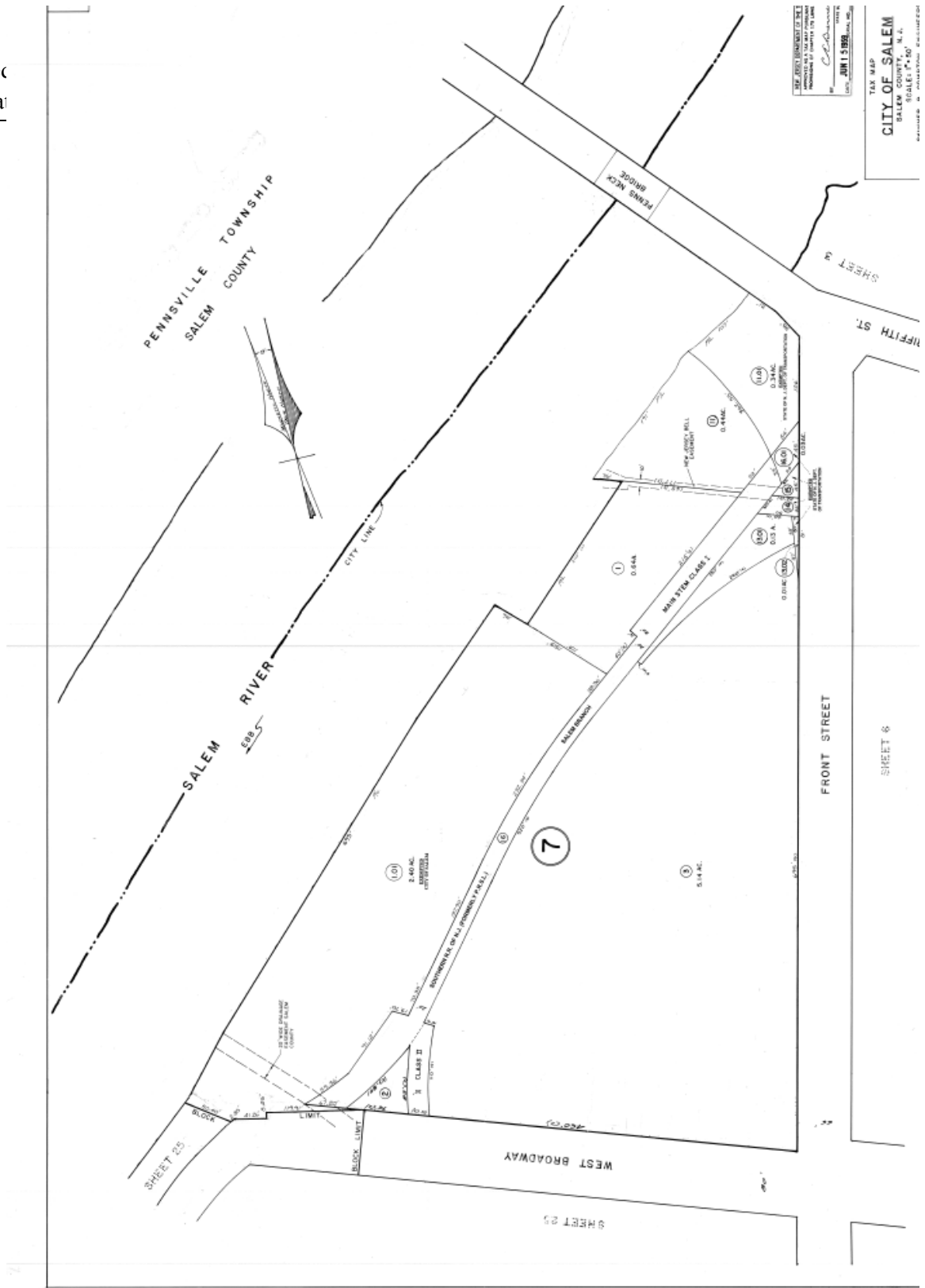


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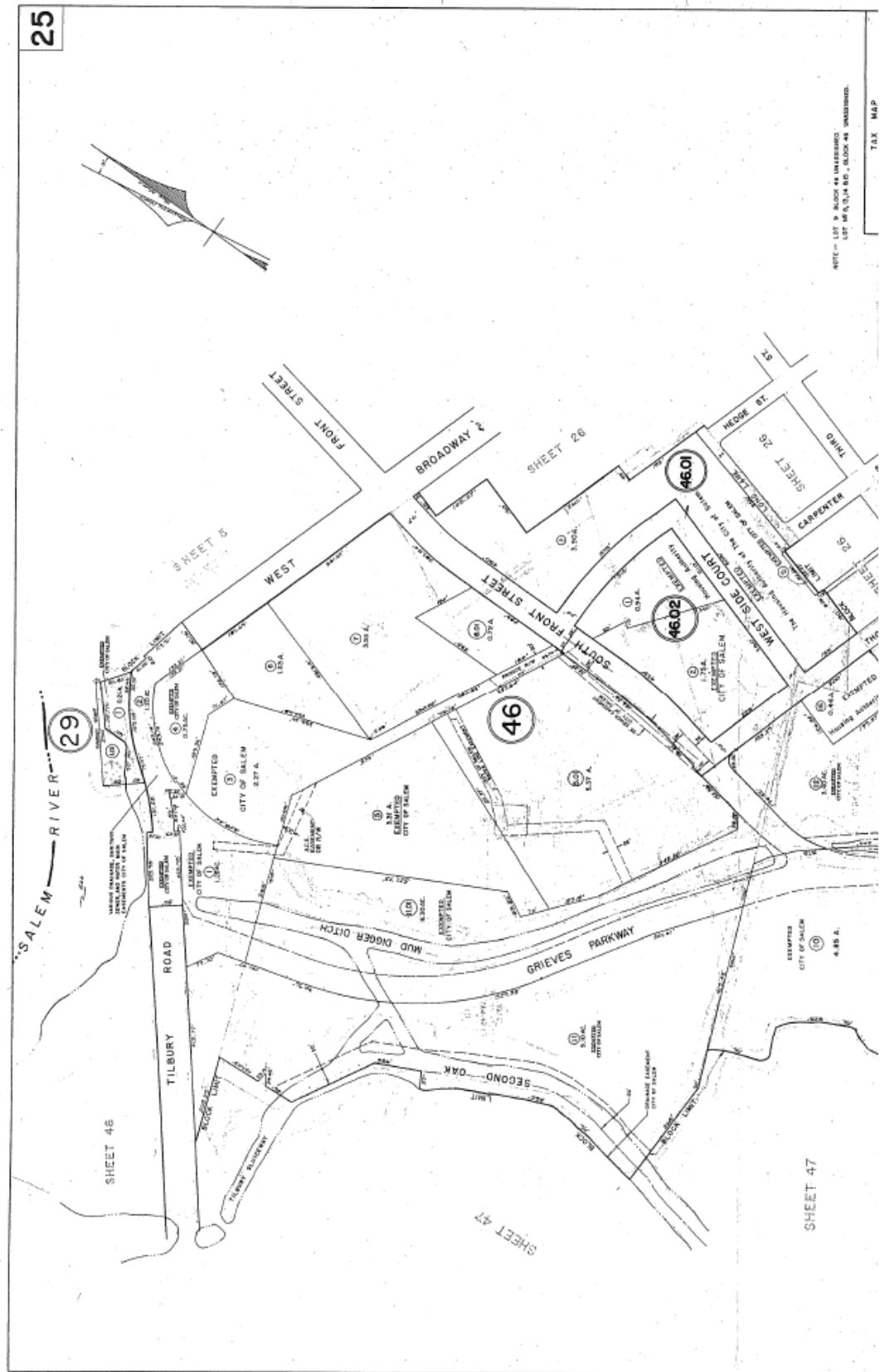




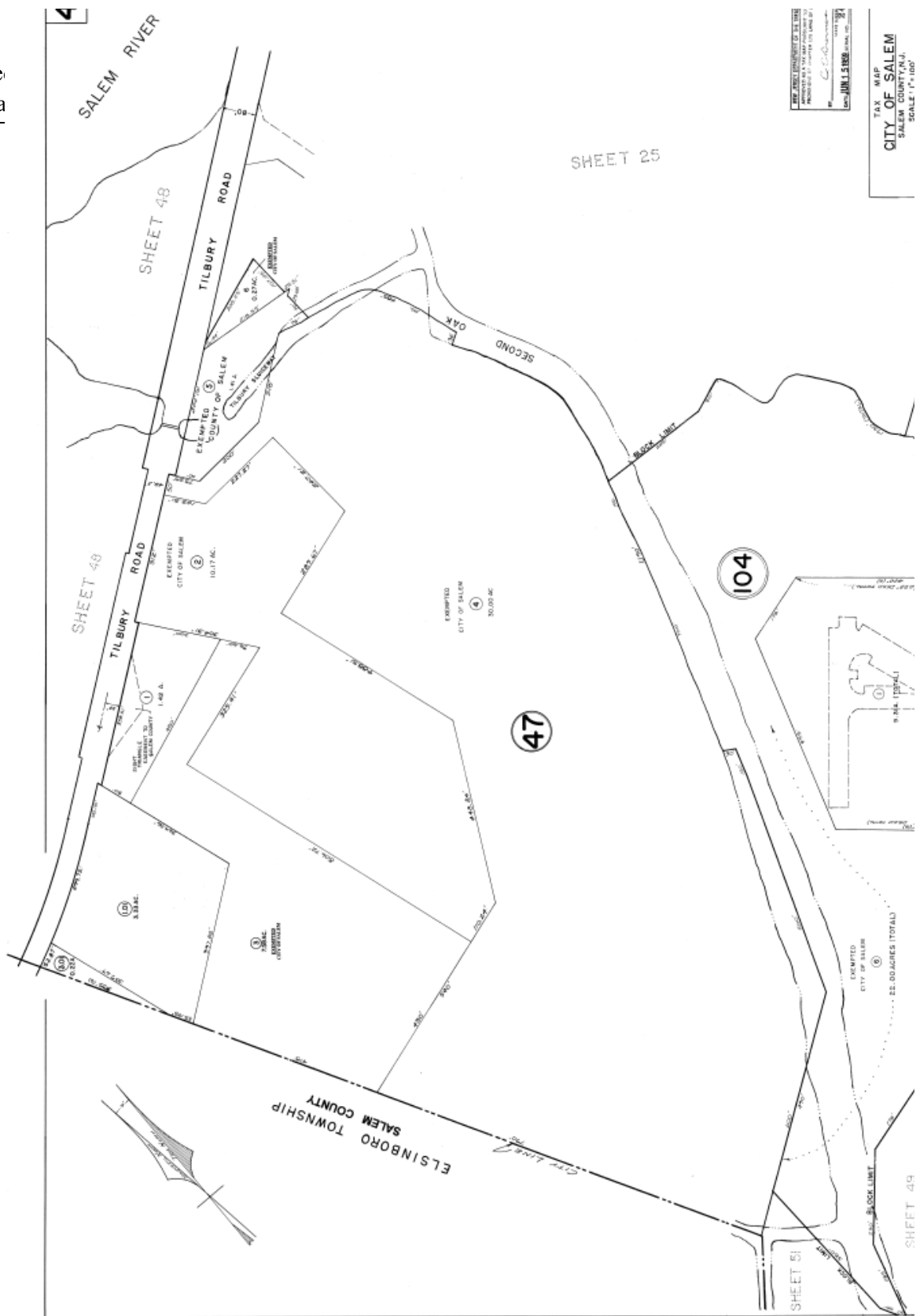




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THE CITY ENGINEER OF THE CITY OF SALEM HAS REVIEWED THIS MAP AND APPROVES IT IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 15A, LAWS OF 1975.

TOWN MAP  
CITY OF SALEM  
SALEM COUNTY  
SCALE: 1" = 100'

## **Appendix B – Hearing Notice and Parcel Data for Properties Within the Proposed Salem Waterfront Redevelopment Zone**

**LEGAL NOTICE**

**NOTICE OF PUBLIC HEARING TO INVESTIGATE A PROPOSED CONDEMNATION  
REDEVELOPMENT AREA DESIGNATION IN THE CITY OF SALEM**

Take notice that the Planning Board of the City of Salem (“Planning Board”) will hold a public hearing (the “Hearing”) on Thursday, February 18, 2016 at 6:30 p.m. at the Municipal Building located at One New Market Street, Salem NJ, as part of a preliminary investigation into whether certain properties should be designated as an area in need of redevelopment allowing the City to use all of the powers provided by the legislature in such areas, including the power of eminent domain (a “Condemnation Redevelopment Area”). The subject properties include those previously designated as the City’s Brownfield’s Development Area and consist of the following lots as shown on the Official Tax Map of the City: see attached schedule (hereinafter the “Area”). A map showing the boundaries of the proposed Condemnation Redevelopment Area and the location of the various parcels included therein as well as a statement of basis for the Board’s investigation as to whether the Area meets one or more of the criteria required by the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., for designation as an “Area in Need of Redevelopment” has been prepared and are available for public inspection and reproduction at the offices of the City Clerk, 17 New Market Street Salem NJ, during normal business hours. They may also be viewed on the City’s website: [www.cityofsalemnj.gov](http://www.cityofsalemnj.gov)

Any person who is interested in this matter will have the opportunity to address the Planning Board at the Hearing and to ask any questions concerning the contents of the study or any other relevant issue regarding the designation of the Area, or any portion thereof, as a Condemnation Redevelopment Area. Any person who is interested in or affected by this matter will have the right to make oral or written objections at the Hearing to the designation of the Area as a Condemnation Redevelopment Area, and to provide oral or written evidence in support of these objections, all of which will be made part of the record of the Hearing. Should the Board, upon considering the study and the testimony and evidence presented at the hearing, take action to recommend that the Area, or any portion thereof, be designated as a Condemnation Redevelopment Area, then the matter will be referred to the City Council, who will decide whether to adopt a resolution designating that the Area, or portion thereof, as a Condemnation Redevelopment Area. A designation of the Area as a Condemnation Redevelopment Area shall authorize the City of Salem to exercise the power of eminent domain to acquire any property in the Area. Written objections may be submitted in advance to the City Clerk at the above address.  
Kathleen L. Keen, City Clerk

Salem Waterfront Redevelopment Zone

Block 1 Lots: 1, 1.01, 3.01, 4, 4.01, 5, 7, 8, 9, 16, 17.01, 18, 19

Salem Waterfront Redevelopment Zone  
Preliminary Investigation for Determination of an Area in Need of Redevelopment

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Block 2 Lot: 8  
Block 3 Lots: 1, 1.01, 2, 3, 22, 23, 24, 25, 26  
Block 4 Lots: 1, 1.01, 2, 3, 4  
Block 5 Lots: 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44  
Block 7 Lots: 1, 1.01, 2, 3, 11, 11.01, 13.01, 13.02, 14, 15, 16, 16.01  
Block 10 Lots: 1, 1.01, 1.02, 1.03, 19, 32, 34, 35, 37, 38, 39, 40, 45  
Block 11 Lots: 2, 26, 27, 28, 44, 45, 47, 48  
Block 12 Lots: 1, 2, 3, 4, 16, 18, 19, 19.01, 23, 23.01, 24, 25  
Block 29 Lots: 1, 1.01  
Block 46 Lots: 1, 2, 3, 4, 5, 5.01, 6, 6.01, 7, 11, 11.01  
Block 47 Lots: 1, 1.01, 2, 3, 3.01, 4, 5, 6  
Block 97 Lots: 1, 2, 3, 4, 5, 6, 7, 8, 9, 9.01, 9.02, 9.03, 9.04, 10

The Area includes all of the foregoing lots together with all improvements, easements, rights of way, licenses, riparian rights, leases, grants, privileges, hereditaments, appurtenances and all other rights, in law or in equity, to the same belonging or in any way appertaining.