

March 7, 1966

LEGISLATIVE HISTORY OF R.S. 46:23-9.9 et seq  
(Map filing law)

Previous bills introduced:

1959 - A554 (Crabiel).

This bill was amended in Assembly and passed Assembly. It died in Senate Committee.

COPY NO. 1

L. 1960, Chapter 141 - A597

Introduced March 28 by Crabiel and Everett

No statement.

Amendment adopted by Assembly April 25, 1960.

Amend page 1, section 2a, line 4, before the period (.), after the word "act" insert the following:

" , but does not mean a map, plat or sketch required to be filed or recorded under the provisions of Chapter 130 of the Laws of 1957".

No hearings or reports were located on this legislation.

We searched the following without success:

974.905 New Jersey Municipalities, 1959, 1960.

M96

974.905 New Jersey Engineer, 1959, 1960.

E57

New Jersey Law Journal. Index.

974.901 N.J. Advisory Planning Commission.

P53

Annual reports, 1958-1963. On page 5 of the 2d report, Feb. 1, 1958, appeared the following:

Topics or Problems Discussed.

In the course of the past year ten meetings were held by the Commission. The following topics have been discussed at some length, and are still under consideration.

1. Suggested revisions of the Map Filing Act.  
P.L. 1953, Chapter 358

2. \* \* \* \*

It appears, therefore, that this Commission had been discussing this legislation since at least early in 1957. We find no bill introduced, however, until the 1959 session.

**ASSEMBLY, No. 597**

**STATE OF NEW JERSEY**

INTRODUCED MARCH 28, 1960

By Assemblymen CRABIEL and EVERETT

Referred to Committee on State, County and Municipal Government

AN ACT concerning the approval and filing of maps, providing a short title for the act and repealing sections 1 to 6, both inclusive, of chapter 358 of the laws of 1953.

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

1 1. This act shall be known and may be cited as "the map filing law."

1 2. Definitions. As used in this act:

2 a. "Map" means a map, plat, chart, or survey of lands presented for  
3 approval to the proper authority as hereinafter defined or presented for  
4 filing in accordance with the provisions of this act.

5 b. "Municipal Engineer" means the official licensed professional engineer  
6 appointed by the proper authority of the municipality wherein the territory  
7 shown on a map is situate.

8 c. The term "Professional Engineer" within the intent of this act  
9 shall mean a person, who, as a result of his special knowledge of the mathe-  
10 matical and physical sciences and the principles and methods of engineering  
11 analysis and design, acquired by professional education and technical ex-  
12 perience, is qualified to practice professional engineering and as attested by  
13 his license as a professional engineer.

14 d. The term "Land Surveyor" as used in this act shall mean a  
15 person who by reason of his special knowledge of the mathematical sciences,

16 the principles of determining and establishing accurate field measurements  
17 by means of land surveying procedures, the law pertaining to land; and the  
18 methods whereby land boundaries are so marked defined and described, that  
19 they remain forever fixed, all acquired by professional training and experi-  
20 ence, is qualified to practice land surveying, and as attested by his license as  
21 a land surveyor.

22 e. "Proper authority" means the chief legislative body of a munici-  
23 pality or any other agencies to whom the authority for the approval of maps  
24 may be duly designated by ordinance.

1 3. Requirements for Approval.

2 No map requiring approval by law or that is to be approved for filing  
3 with a county recording officer, shall be approved by the proper authority  
4 unless it shall conform to the following requirements.

5 a. It shall be clearly and legibly drawn, and where required endorsed  
6 and presented either as an original drawing in black ink on translucent trac-  
7 ing cloth or its equivalent, of good quality, with signatures in ink, or as an  
8 equivalent reproduction on translucent cloth, or its equivalent and shall be  
9 accompanied by a cloth print duplicate thereof.

10 b. It shall be 1 of 4 standard sizes namely, 8½" x 13", 30" x 42", 24" x 36"  
11 or 15" x 21" as measured from cutting edges. If 1 sheet is not of sufficient  
12 size to contain the entire territory, the map may be divided into sections to  
13 be shown on separate sheets of equal sizes, with references on each sheet  
14 to the adjoining sheets.

15 c. It shall show the scale, which shall be inches to feet and be large  
16 enough to contain legibly written data on the dimensions, bearings and all  
17 other details of the boundaries, and it shall also show the graphic scale.

18 d. It shall show the dimensions, bearings and curve data sufficient to  
19 enable the definite location of all lines and boundaries shown thereon, in-  
20 cluding public easements and areas dedicated for public use.

21 e. Where lots are shown thereon, those in each block shall be numbered  
22 consecutively. In municipalities where tax maps exist, block and lot desig-

23 nations shall conform therewith, if the municipal regulations so require. In  
24 counties which have adopted or shall adopt the local or block system of in-  
25 dices pursuant to sections 46:24-1 to 46:24-22 of the Revised Statutes, it  
26 shall have delineated and shown thereon the block boundary or boundaries  
27 and designations established by the board of commissioners of land records  
28 of such counties respecting the territory intended to be shown on such map.

29 f. The reference meridian used for bearings on the map shall be shown  
30 graphically.

31 g. All municipal boundary lines crossing or adjacent to the territory  
32 intended to be shown shall be shown and designated.

33 h. All natural and artificial watercourses, streams, shorelines and water  
34 boundaries and encroachment lines shall be shown.

35 i. The map shall clearly show all monumentation as required by this act,  
36 including monuments found, monuments set, and monuments to be set. An  
37 indication shall be made where monumentation found has been reset.

38 j. It shall conform to such other technical design controls as may be re-  
39 quired by the provisions of local ordinances, including minimum width of  
40 streets and minimum area and lot dimensions.

41 k. The name of the map, municipality and county shall be shown.

42 l. The date of the survey shall be shown.

43 m. There shall be endorsed thereon a certificate of a land surveyor, as  
44 follows:

45 I hereby certify that this map and survey has been made under my  
46 supervision, and complies with the provisions of "the map filing law."

(Include the following, if applicable)

47 I do further certify that the monuments as designated and shown  
48 hereon have been set.

49 .....  
Licensed Land Surveyor and No.  
(Affix Seal)

50 If monuments are to be set at a later date, the following endorse-  
51-52 ment shall be shown on the map.

53 I certify that a bond has been given to the municipality, guarantee-  
54 ing the future setting of the monuments shown on this map and so desig-  
55 nated.

56 .....  
Municipal Clerk

57 n. There shall be endorsed thereon a certificate of the municipal engineer  
58 as follows:

59 I have carefully examined this map and find it conforms with the  
60 provisions of "the map filing law" and the municipal ordinances and  
61 requirements applicable thereto.

62 .....  
Municipal Engineer  
(Affix Seal)

63 o. There shall be submitted to the proper authority an affidavit setting  
64 forth the names and addresses of all the record title owners of the lands  
65 subdivided by said map and the consent in writing of all such owners to the  
66 approval of such map shall be required.

67 p. If the map shows streets, avenues, roads, lanes or alleys, there shall  
68 be endorsed thereon a certificate by the municipal clerk that the municipal  
69 body has approved such streets, avenues, roads, lanes or alleys, except where  
70 such map is prepared and presented for filing by the State of New Jersey  
71 or any of its agencies.

72 q. Monuments shall be of hard durable material at least 30 inches long.  
73 The top and bottom shall be a minimum of 4 inches square. They shall be  
74 firmly set in the ground so as to be visible at the following control points;  
75 provided that in lieu of installation of the monuments, the municipality may  
76 accept bond with sufficient surety in form and amount to be determined by  
77 the governing body, conditioned upon the proper installation of said monu-  
78 ments upon the completion of the grading of the streets and roads shown on  
79 the map.

80 (1) At each intersection of the outside boundary of the whole tract,  
81 with the right-of-way line of any side of an existing street.

82 (2) At the intersection of the outside boundary of the whole tract with  
83 the right-of-way line on 1 side of a street being established by the map  
84 under consideration.

85 (3) At 1 corner formed by the intersection of the right-of-way lines of  
86 any 2 streets at a T-type intersection.

87 (4) At any 2 corners formed by the right-of-way lines of any 2 streets  
88 in an "X" or "Y" type intersection.

89 (5) If the right-of-way lines of 2 streets are connected by a curve at an  
90 intersection, monuments shall be as stipulated in (3) and (4) above at 1 of  
91 the following control points:

92 (a) The point of intersection of the prolongation of said lines.

93 (b) The point of curvature of the connecting curve or,

94 (c) The point of tangency of the connecting curve.

95 (6) At the beginning and ending of all tangents on 1 side of any street.

96 (7) At the point of compound curvature or point of reversed curvature  
97 where either curve has a radius equal to or greater than 100 feet. This re-  
98 quirement shall be applied to only 1 side of a street and complete curve  
99 data shall be shown on both sides; namely, radius, length of curve and sub-  
100 tended angle.

101 (8) At intermediate points in the sidelines of a street between 2 adja-  
102 cent street intersections in cases where the street deflects from a straight line  
103 or the line of sight between the adjacent intersections is obscured by a  
104 summit or other obstructions which are impractical to remove.

105 (9) In cases where it is impossible to set a monument at any of the  
106 above designated points, a nearby reference monument shall be set and its  
107 relation to the designated point shall be clearly designated on the map.

108 (10) In areas where permanency of monuments may be better insured by  
109 off-setting the monuments from the property line, the municipal engineer may  
110 authorize such procedure; provided, that proper instrument sights may be  
111 obtained and complete off-set data is recorded on the map.

1     **4. Time for Approval.**

2     The proper authority shall approve or disapprove such map within 45  
3 days from the receipt thereof.

1     **5. Approval of maps by municipality not acceptance of roads, streets or**  
2 **highways.** The approval of any map under this law by the proper authority  
3 shall in no way be construed as acceptance of any road, street or highway indi-  
4 cated thereon; nor shall any such approval in any way obligate the State  
5 of New Jersey or any county or municipality therein, to maintain or exer-  
6 cise jurisdiction over such roads, streets or highways.

1     **6. Prerequisites to Filing.**

2     The county recording officer shall not accept for filing any map unless it  
3 has endorsed thereon a certificate signed and sealed with the municipal seal  
4 by the municipal clerk or secretary of the planning board as the case may be,  
5 stating that the proper authority has approved the map or stating its exemp-  
6 tion from approval which certificate shall state that said map complies with  
7 the provisions of this law and shall designate the day on or before which said  
8 map is required to be filed by the provisions of the applicable law and provided  
9 that said map is filed on or before said designated day.

10    Said map shall also comply with the provisions of section 3, paragraphs  
11 a. and b. of this act in order to be accepted for filing.

1     **7. Filing and Indexing of Maps, Fee.**

2     The county recording officer of each county shall, when received by him  
3 for that purpose in accordance with the provisions of this law file in folios,  
4 slides, cabinets or other receptacles, maps of land lying in whole or in part  
5 in the county where the same are offered to be filed; provided that he shall  
6 retain the original tracing on translucent tracing cloth or its equivalent un-  
7 mounted in an appropriate file or container, for preservation and use for re-  
8 production purposes only, prints of which may be made available to the pub-  
9 lic at a reasonable cost. He shall endorse on the tracing and cloth print  
10 duplicate the date of the filing thereof in his office, and he shall provide and  
11 keep a proper index of all maps on file in his office. The county recording

12 officer shall, for filing and indexing each map receive such fee as may be pro-  
13 vided by law, except that when any map shall be presented for filing by the  
14 State of New Jersey, or any of its agencies no fee shall be charged for the  
15 filing thereof.

1 8. Sections 1 to 6, both inclusive, of chapter 358 of the laws of 1953 en-  
2 titled "An act concerning the approval and filing of maps, supplementing  
3 chapter 23 of Title 46, and repealing sections 46:23-1, 46:23-2, 46:23-3,  
4 46:23-4, 46:23-5, 46:23-6, 46:23-7, 46:23-8 and 46:23-9, of the Revised Stat-  
5 utes" (approved August 10, 1953, P. L. 1953, c. 358) are hereby repealed.

1 9. This act shall take effect January 1, 1961.

ASSEMBLY AMENDMENT TO  
**ASSEMBLY, No. 597**

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**STATE OF NEW JERSEY**

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ADOPTED APRIL 25, 1960

Amend page 1, section 2a, line 4, before the period (.), after the word "act" insert the following: ", but does not mean a map, plat or sketch required to be filed or recorded under the provisions of chapter 130 of the laws of 1957".

[OFFICIAL COPY REPRINT]

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1     2. Definitions. As used in this act:

2     a. "Map" means a map, plat, chart, or survey of lands presented for  
3 approval to the proper authority as hereinafter defined or presented for  
4 filing in accordance with the provisions of this act, *but does not mean a map,*  
4A *plat or sketch required to be filed or recorded under the provisions of chapter*  
4B *130 of the laws of 1957.*

5     b. "Municipal Engineer" means the official licensed professional engineer  
6 appointed by the proper authority of the municipality wherein the territory  
7 shown on a map is situate.

8     c. The term "Professional Engineer" within the intent of this act  
9 shall mean a person, who, as a result of his special knowledge of the mathe-  
10 matical and physical sciences and the principles and methods of engineering  
11 analysis and design, acquired by professional education and technical ex-  
12 perience, is qualified to practice professional engineering and as attested by  
13 his license as a professional engineer.

14 d. The term "Land Surveyor" as used in this act shall mean a  
15 person who by reason of his special knowledge of the mathematical sciences,  
16 the principles of determining and establishing accurate field measurements  
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13 be shown on separate sheets of equal sizes, with references on each sheet  
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20 cluding public easements and areas dedicated for public use.

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38 j. It shall conform to such other technical design controls as may be re-  
39 quired by the provisions of local ordinances, including minimum width of  
40 streets and minimum area and lot dimensions.

41 k. The name of the map, municipality and county shall be shown.

42 l. The date of the survey shall be shown.

43 m. There shall be endorsed thereon a certificate of a land surveyor, as  
44 follows:

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46 supervision, and complies with the provisions of "the map filing law."  
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63 o. There shall be submitted to the proper authority an affidavit setting  
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66 approval of such map shall be required.

67 p. If the map shows streets, avenues, roads, lanes or alleys, there shall  
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69 body has approved such streets, avenues, roads, lanes or alleys, except where  
70 such map is prepared and presented for filing by the State of New Jersey  
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72 q. Monuments shall be of hard durable material at least 30 inches long.  
73 The top and bottom shall be a minimum of 4 inches square. They shall be  
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75 provided that in lieu of installation of the monuments, the municipality may  
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77 the governing body, conditioned upon the proper installation of said monu-  
78 ments upon the completion of the grading of the streets and roads shown on  
79 the map.

80 (1) At each intersection of the outside boundary of the whole tract,  
81 with the right-of-way line of any side of an existing street.

82 (2) At the intersection of the outside boundary of the whole tract with  
83 the right-of-way line on 1 side of a street being established by the map  
84 under consideration.

85 (3) At 1 corner formed by the intersection of the right-of-way lines of  
86 any 2 streets at a T-type intersection.

87 (4) At any 2 corners formed by the right-of-way lines of any 2 streets  
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1       4. Time for Approval.

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3 days from the receipt thereof.

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1       6. Prerequisites to Filing.

2       The county recording officer shall not accept for filing any map unless it  
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10       Said map shall also comply with the provisions of section 3, paragraphs  
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1       7. Filing and Indexing of Maps, Fee.

2       The county recording officer of each county shall, when received by him  
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