

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION
(STATEMENT OF PRIOR MORTGAGE, LIENS OR ENCUMBRANCES)
FOR
SHERIFF'S DEEDS
(c. 225, P.L. 1979)

To Be Recorded With Deed Pursuant to c. 49 P.L. 1968, as amended, and c. 225, P.L. 1979

STATE OF NEW JERSEY }
COUNTY OF \_\_\_\_\_ } ss.

FOR RECORDER'S USE ONLY
Consideration \$ \_\_\_\_\_
Realty Transfer Fee \$ \_\_\_\_\_
Date \_\_\_\_\_ By \_\_\_\_\_

IMPORTANT NOTES:

This form is to be attached to all Sheriff's Deed not otherwise exempt pursuant to N.J.S.A 46:15-10, when presented to the County Clerk or Register of Deed's for recording. One of the following blocks MUST be checked:

- [ ] NO PRIOR MORTGAGES OR LIENS ARE OUTSTANDING.
[ ] PRIOR MORTGAGE OR LIENS OUTSTANDING AND NOT EXTINGUISHING BY THE SALE ARE AS LISTED IN SECTION 2 BELOW.

(1) PARTY OR LEGAL REPRESENTATIVE

(Plaintiff)
(Legal Representative of Plaintiff)

(\*Legal representative is to interpreted broadly to include any person actively and responsibly participating in the transaction, such as but not limited to: an attorney representing one of the parties; a closing officer of a title company of lending institution participating in transaction; a holder of power of attorney from plaintiff.)

(2) CONSIDERATION

Deponent states that, with respect to deed hereto annexed, there follows the name or names of all mortgagees and other holders of encumbrances constituting "consideration" as defined in the act to which this act is a supplement (C. 46:15-5(c)), to which such sale shall be subject. Such prior mortgages, liens and encumbrances are as follows:

Table with 2 columns: NAME OF SECURED PARTY, CURRENT AMOUNT DUE. Includes a TOTAL row at the bottom.

NOTE: The amount of consideration on which the Realty Transfer Fee shall be calculated shall include both the total listed above and the amount bid at the sale as set forth in the Sheriff's Deed.

Deponent makes affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c. 49, P.L. 1968, as amended, and c. 225, P.L. 1979.

Subscribed and Sworn to before me
this
Day of \_\_\_\_\_, 19
Name of Deponent
Address of Deponent

AMOUNT BID AT SHERIFF SALE
\$ \_\_\_\_\_

FOR OFFICIAL USE ONLY
This space for use of County Clerk or Register of Deeds
Instrument Number \_\_\_\_\_ County \_\_\_\_\_
Deed Number \_\_\_\_\_ Block \_\_\_\_\_ Page \_\_\_\_\_
Deed Dated \_\_\_\_\_ Date Recorded \_\_\_\_\_

IMPORTANT - BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE FOLLOWING PAGE.

This form is prescribed by the Director, Division of Taxation in the Department of the Treasury, as required by law, and may not be altered or amended without the approval of the Director.

ORIGINAL to be attached to Sheriff's Deed.
COPY to be retained by Sheriff Deed.

**CHAPTER 225, LAWS OF N.J. 1979**  
**(APPROVED OCTOBER 12, 1979)**

1. Whenever an application is made to the sheriff of any county for the sale of any real property, whether under execution or pursuant to any other writ, judgment or order, the sheriff shall not proceed with such sale unless and until the applicant shall furnish to the sheriff a statement, under oath, listing the names of all mortgagees and other holders of encumbrances constituting "consideration" as defined in section 1 (c) of the act is a supplement (C. 46:15-5(c)), to which such sale shall be subject.

Upon the preparation of a deed for any real property sold as herein provided, the sheriff shall cause to be attached to such deed the statement of prior mortgages, liens or encumbrances furnished by the applicant.

Upon the recordation of a deed to real property executed by a sheriff as herein provided, the realty transfer fee shall be computed upon the amount bid for the property plus the remaining amount of any superior mortgages, liens or encumbrances constituting "consideration" as defined in the said section 1 (c) C. 46:15-5(c), provided, however, that nothing herein contained shall be construed to subject to the payment of a fee any deed excluded pursuant to section 6 of P.L. 1968, c. 49 (C. 46:15-10).

The director shall promulgate rules, regulations and forms of certification or otherwise necessary to carry out the provisions of this act.

2. This act shall take effect on the first day of the second month following enactment.

**NEW JERSEY ADMINISTRATIVE CODE 18:16-4.6**  
**CALCULATION OF FEE ON A SHERIFF'S DEED**

- (a) As a general rule, in the case of a sheriff's deed confirming a sheriff's sale, the amount of the realty transfer fee shall be computed upon the amount of the accepted bid for the property sold.
  1. Where, however, the sale is for delinquent taxes or assessments, no fee is imposed.
  2. Where a deed to real estate is executed by a sheriff to a mortgagee who bids in property foreclosure sale to satisfy a mortgage lien, the Realty Transfer Fee will be computed upon the amount bid for the property plus the remaining amount of any superior mortgage liens.