

Guidance to Trees for Schools Grant Recipients

Completing the Required Deed of Conservation Restriction

Definition/Background:

A **Conservation Restriction (CR)**, formally titled the **Deed of Conservation Restriction**, is a legal agreement that places restrictions on a property to protect certain resources—in this case, trees planted with Trees for Schools grant funding.

The **Deed of Conservation Restriction (CR)** is recorded with the County Clerk’s registry of deeds and runs with the land, meaning that the restrictions remain in place even if the property changes ownership. The CR is enforced by the entity that holds the restriction, in this case, the **New Jersey Department of Environmental Protection (DEP)**.

A **fully executed and recorded Deed of Conservation Restriction (CR)** must be submitted together with the final tree inventory and financial report in order for grant recipients to receive the final payment (up to 20% of the final project budget). A copy of the CR was included as an attachment to the Grant Agreement signed at the start of the project.

If any trees planted with **Trees for Schools grant funds** are located on **municipal or county-owned property** (rather than property owned by the school district), the **municipality or county that owns the property must execute a separate Deed of Conservation Restriction (CR)** for those trees.

Purpose:

The purpose of the **Deed of Conservation Restriction (CR)** is to protect the State of New Jersey’s investment in the trees planted through the Trees for Schools program. These plantings expand and strengthen tree canopy on public school, college, and university campuses and provide long-term environmental benefits, including carbon sequestration and improved ecosystem health. The benefits generated by these trees will continue to grow for decades to come -- as long as they are protected and maintained in good health.

Executing this document ensures that the parties responsible for the property acknowledge and agree to protect and maintain the trees. It also ensures that any future land use decisions take the protection of these trees into consideration.

The conservation restriction **automatically expires ten years after it is recorded**. Page two of the CR document also outlines a process for requesting a modification of the restriction prior to that time if the removal of trees is necessary for a core educational or public purpose (for example, construction of a new classroom or laboratory), provided that the trees are replaced.

Written approval for any modification must be obtained from the **New Jersey Department of Environmental Protection**, through the Climate Change, Clean Energy and Sustainability Program and/or the Office of Transactions and Public Land Administration.

What To Do:

- Consult the legal counsel or legal department of your institution.** The guidance below is provided for reference and is not legal advice.
- If necessary, obtain a resolution authorizing **“the execution and recording of this Deed of Conservation Restriction”** from the School Board or other relevant governing body.

- If any trees planted with Trees for Schools grant funds are located on **municipal or county-owned property (rather than property owned by the school district)**, the municipality or county that owns the property must execute a **separate Deed of Conservation Restriction (CR)** for those trees.

- Complete the CR form.**

Downloadable template available [here](#).

- **Page 2: Grantor Information**

- Enter the date and the name and type of the institution that owns the property where the trees are located (the “Grantor”), such as a school board, university/college, or municipality.

- **Page 2: TAX MAP REFERENCE Section**

- Enter the **Municipality, County, Block, and Lot Number(s)** of each parcel on which trees were planted.

There are several ways to find this information:

- Your school/college/university administration may have this information on file.
 - Many municipalities post tax maps on their websites.
 - Online tools can also be used, including [Parcel Map](#) or [Property Explorer](#) (NJ Office of GIS)

- **Page 3: NOTICE Section**

- **“To Grantor:”**

- Enter the name, title, and email of the appropriate school/college/university or municipal authority.

- **“To Grantee:”**

- Enter:

- Helaine Barr

- Assistant Director, Climate, Clean Energy and Sustainability

- New Jersey Department of Environmental Protection

- Helaine.Barr@dep.nj.gov

- Complete Attachment 1: Schedule A**

There are **two ways** to prepare Schedule A:

- **Option 1 — Map Method:**

- Attach a tax map (or equivalent) showing the location of the trees. The **Conservation Area** should include the area around those trees necessary for **the planting, maintenance, or survival of the tree planting**.

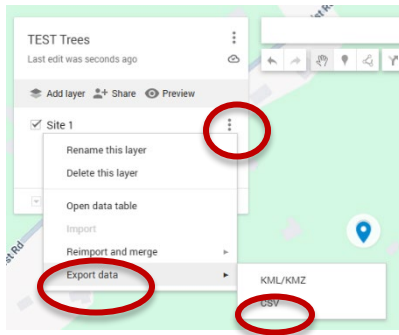
- The map may show either:

- Individual tree locations (points), and/or
 - A polygon (shape) enclosing the planted area.

- **Option 2 — Tree List Method:**

- For each Block and Lot, attach a list of trees planted by **species or common name**, along with coordinates (**latitude and longitude**).

The **final tree inventory submitted to Trees for Schools may serve as Schedule A.**



Coordinates can be obtained using a smartphone or other GPS device. See [this video](#) to see how you can use [Google My Maps](#) to plot your trees. This application works on your mobile device for easy GPS plotting. Simply have the map open, walk to your tree, and click the “Add Marker” button. Make sure to label the marker in a way that lets you identify the tree. You can pull a .csv file of your plotted points that includes the GPS coordinates and can allow you to update each markers name as needed.

Note that you may need to use a personal Google account or create a new one to use My Maps, as many school accounts do not work with My Maps. You can pull a .csv file of your plotted points that includes the GPS coordinates.

If you have questions about completing Schedule A, please contact:

Melanie McDermott
 mcdermom@tcnj.edu
 609-771-2836

Complete Attachment 2: Exhibit A: (Maintenance Plan)

Downloadable template available [here](#).

Execute the Deed of Conservation Restriction

The Deed must be signed by the **authorized representative of the property owner (Grantor)** and **attested by the appropriate institutional officer (e.g., Board Secretary, Municipal Clerk, or equivalent)**.

The signatures must then be **acknowledged before a notary public**, as provided in the Acknowledgment section of the document. **The attesting officer (or equivalent) must appear before the notary to complete the acknowledgment.**

Record the signed and notarized CR with the County Clerk’s Office in the county where the property is located.

Upload the **fully executed and recorded CR(s), including attachments**, to the Trees for Schools grants portal.

Mail a copy of the **fully executed and recorded CR(s)** to the following DEP offices:

Department of Environmental Protection

Climate Change, Clean Energy and Sustainability Program
 Mail Code 401-02G
 P.O. Box 420
 Trenton, NJ 08625-0420

AND

Office of Transactions and Public Land Administration

Mail Code 401-07
 401 East State Street, Floor 7
 P.O. Box 420
 Trenton, NJ 08625-0420