

BOROUGH OF SEA BRIGHT PLANNING/ZONING BOARD APPLICATION

1099 Ocean Avenue Sea Bright, New Jersey 07760
732-842-0099 ext. 123

The application with supporting documentation must be filed with the office of the Planning Board Secretary and must be delivered for review **at least ten (10) days** prior to the meeting at which the application is to be considered.

NOTE: All plans must be folded. Any rolled plans will not be accepted.

To be completed by Municipal staff only.

Date Filed _____ Application No. _____

Application Fees _____ Escrow Deposit _____

Reviewed for Completeness _____ Hearing _____

1. SUBJECT PROPERTY

Location: 1 East Church Street

Block 22 | 23 Lot 1 | 1

Dimensions: Frontage 61.12 ft. Depth 54.21 ft. Total Area 3,246 sf]—(Dimensions of Block 22, Lot 1)

Zoning District: B-1

2. APPLICANT

Name: Woody's Ocean Properties, LLC

Address: c/o Jennifer S. Krimko, Esq., 1500 Lawrence Avenue, Ocean, NJ 07712

Telephone Number: (732) 643-5284

Applicant is a: Corporation Partnership Individual

3. DISCLOSURE STATEMENT: Pursuant to J.J.S. 40:55D-48-1, the names and addresses of all persons owning 10% of the stock in a corporate applicant or 10% interest in any partnership, applicant must be disclosed. In accordance with N.J.S. 40:55D4-8.2 that disclosure requirement applies to any corporation or partnership which owns more than 10% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 10% ownership criterion have been disclosed. (Attach pages as necessary to fully comply.)

4. If owner is other than the applicant, provide the following information on the Owner(s).

Owner's Name: Borough of Sea Bright (as to Block 23, Lot 1)

Address 1099 Ocean Avenue, Sea Bright, NJ 07760

Telephone Number (732) 842-0099

5. Property Information:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:

(Attach copies)

No Proposed _____

Note: All deed restrictions, easements, association by-laws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

Present the use of the premises: Restaurant.

6. Applicant's Attorney: Jennifer S. Krimko, Esq.

Address: 1500 Lawrence Avenue, Ocean, NJ 07712

Telephone Number (732) 643-5284 Email: jkrimko@ansell.law

7. Applicant's Engineer: Jason L. Fichter, PE

Address: 1955 Route 34, Suite 1A, Wall, NJ 07719

Telephone Number (732) 531-7100 Email: InSite@InSiteEng.net

8. Applicant's ~~Planning Consultant~~ Architect: Lino Picinic, RA

Address: 123 Grove Street, Tenafly, NJ 07670

Telephone Number N/A Email: Lino.picinic@gmail.com

9. Applicant's ~~Traffic Engineer~~ Surveyor: Eric V. Wilde, PLS

Address: 101 Crawfords Corner Road, Suite 3400, Holmdel, NJ 07733

Telephone Number (732) 383-1950 Email: N/A

10. List any other Expert(s) who will submit a report or who will testify for the Applicant: (Attach additional sheets as may be necessary).

Name: _____

Field of Expertise: _____

Address _____

Telephone Number _____ Email _____

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

_____ PLOT PLAN or VARIANCE PLAN APPROVAL

SUBDIVISION

_____ Minor Subdivision Approval

_____ Subdivision Approval (Preliminary)

_____ Subdivision Approval (Final)

Number of lots to be created ^{lot, line relocation.} N/A (including remainder lot)

Number of proposed dwelling units N/A (if Applicable)

SITE PLAN:

- Minor Site Plan Approval
- Preliminary Site Plan Approval
- Final Site Plan Approval
- Amendment or Revision to an Approval Site
- Plan Area to be disturbed (square feet)
- Total number of proposed dwelling units
- Request for Waiver from Site Plan Review and Approval
- Request for Variance Approval

Reason for request: (See Borough Resolution No. 170-2022)

Applicant seeks minor subdivision approval to acquire approximately 576 square feet from adjacent Block 23, Lot 1, and to consolidate the acquired property for use with Block 22, Lot 1 (the "Subject Property"). Applicant is seeking minor site plan approval for Subject Property to construct a proposed concrete patio and pergola with related site improvements for existing restaurant.

- Informal Review
- Appeal decision of an Administrative Officer
(N.J.S.A 40:55D-70A)
- Map or Ordinance Interpretation of Special Question
(N.J.S.A.40:55D-70b)
- Variance Relief (hardship)
(N.J.S. A. 40:55D-70c (1))
- Variance Relief (substantial benefit)
(N.J.SA.40:55D-70c (2))
- Variance Relief (use)
(N.J.S 40:55D-70d)
- Conditional Use Approval
(N.J.S 40:55D-67)
- Direct issuance of a permit for a structure
in bed of a mapped street, public drainage way, or flood control
basin. (N.J.S 40:55D-334)
- Direct issuance of a permit for a lot lacking street frontage
(N.J.S 40:55D-35)

12. Section(s) of Ordinance from which a variance is requested N/A

13. Waivers requested of development standards and/or submission requirements:(attach additional pages as needed)
None.

14. Attach a copy of the Notice to Appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.

To be provided.

The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An Affidavit of Service on all property owners and Proof of Publication must be filed before the application will be complete and the hearing can proceed.

15. Explain in detail the exact nature of the application and the changes to be made at the premises including the proposed use of the premises: (attach pages as needed) See "Reason for request" on previous page.

16. Is a public water line available? Yes.

17. Is public sanitary sewer available? Yes.

18. Does the application propose a well and septic system? No.

19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block number? No.

20. Are any off-tract improvements required or proposed? No.

21. Is the subdivision to be filed by Deed or Plat? Deed.

22. What form of security does the applicant propose to provide as performance and maintenance guarantees? Bond and/or cash if required.

23. Other approvals, which may be required, and date plans submitted: N/A

MARK THE FOLLOWING WITH A YES OR NO AND DATES OF THE PLANS SUBMITTED

NE Regional Sewer Auth N/A
Monmouth County Board Of Health N/A
Monmouth County Planning Board N/A
Freehold Soil Conservation District. N/A
NJ DEP N/A
Sewer Extension Permit N/A
Sanitary Sewer Connection Permit N/A
Stream Encroachment Permit N/A
Waterfront Development Permit N/A
Wetlands Permit N/A
Tidal Wetlands Permit N/A
Potable Water Constr. Permit N/A
NJ Department of Transportation N/A
Public Service Electric & Gas N/A
Other N/A

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. To be provided prior to hearing.

25. Certification from Sewer Collector that sewer utility charges due on the subject property have been paid. To be provided prior to hearing.

Note: It is the responsibility of the Applicant to mail or deliver copies of the Application form and all supporting documents to the Board Secretary, Borough Engineer and Board Attorney for their review at least ten (10) days prior to the meeting at which the application is to be considered, otherwise the application will be deemed incomplete. A list of those required to receive documents is attached to the application form.

26. The Applicant hereby requests that copies of the reports of the Borough Engineer and Board Attorney reviewing the application be provided to the following of the applicant's professionals.

Applicant's Professional Report Requested:

Attorney Jennifer S. Krimko, Esq.
Address: 1500 Lawrence Avenue
Ocean, NJ 07712
Phone Number: (732) 643-5284 Email: jkrimko@ansell.law

Engineer: Jason L. Fichter, PE
Address: 1955 Route 34, Suite 1A
Wall, NJ 07719
Phone Number: (732) 531-7100 Email: jason@insiteeng.net

CERTIFICATION

I certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate Application and that I am authorized to sign. (If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner).

Sworn to and subscribed before me this 19 day of September, 2023

A Notary Public of NJ Owner
My Commission Expires: 01/19/2026

Michelle Ketcham

<p>Michelle Ketcham NOTARY PUBLIC STATE OF NEW JERSEY ID # 50030214 MY COMMISSION EXPIRES January 19, 2026</p>

I understand that the sum of \$ 2,000 has been deposited in an escrow account (Builder's Trust Account). In accordance with the Ordinances of the Borough of SeaBright, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials.

Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required amount and shall add that sum to the escrow account within fifteen (15) days.

Date: 9/19/23 Applicant: *[Signature]*
Woody's Ocean Properties, LLC
By: Christopher Wood
Title: Managing Member

MINOR SUBDIVISION

Application No. _____ Date _____
Application Name Woody's Ocean Properties, LLC
Application Address c/o Jennifer S. Krimko, Esq., 1500 Lawrence Ave., Ocean, NJ 07712
Property Address 1 East Church Street
Block 22 Lot 1

CHECKLIST

Prior to issuance of a Certificate of Completeness, the Administrative Officer shall determine that the following documents have been submitted:
To be completed by the Applicant (C: complete; N: not complete; NA: non-applicable)

- C 1. 17 copies of the application and minor subdivision plat **plus one** marked **"FOR PUBLIC INSPECTION"**
- N/A 2. Right of Entry/Consent Form
- See attached Ordinance 3. Certification of owner authorizing application
- See attached Deed 4. Certificate of title to property
- C 5. Required Fees
- *TBP 6. Water/Sanitary Sewer information
- *TBP 7. Certification of payment of taxes/sewer
- N/A 8. Request for any Variances
- N/A 9. Proof of Application to County Planning Board
- N/A 10. Copy of any proposed covenants or Deed Restrictions

*TBP =
To be provided

I certify the above information is accurate and complete.

DATED: 9.10.23

NAME: Jennifer S. Krimko, Esq.

SIGNATURE 

LICENSE NO. N/A

SEAL: N/A

ORDINANCE NO. 08-2022

**AN ORDINANCE OF THE BOROUGH OF SEA BRIGHT, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, AUTHORIZING THE PRIVATE SALE OF NON-
CONFORMING REAL PROPERTY KNOWN AS A PORTION OF BLOCK 23, LOT 1 TO
CONTIGUOUS PROPERTY OWNERS PURSUANT TO NJSA 40A:12-13(B)(5)**

WHEREAS, NJSA 40A:12-13(B)(5) authorizes the sale of municipally owned property which is less than the minimum size required for development under the Municipal Zoning Ordinance; and which is without any capital improvement thereon, to the owners of contiguous real property; and

WHEREAS, the Borough Council has found and determined that a portion of the real property designated as Block 23, Lot 1 aforesaid (hereinafter the "Property") will not be needed for public use and may be offered for sale to the contiguous owners pursuant to the cited statutes; and

WHEREAS, the Property extends westward from the current border of Block 22, Lot 1, 10.42 feet and runs the length of Block 22, Lot 1, which is 54.86 feet and is more fully described by the legal description attached as Schedule A; and

WHEREAS, the Tax Assessor of the Borough of Sea Bright has recommended the sale of the subject lot with a minimum bid price of \$25,000.00;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Sea Bright, County of Monmouth, State of New Jersey as follows:

SECTION I

Within five (5) days following final enactment of this ordinance, the Borough Clerk shall post on the regular Borough Hall bulletin board and advertise in a newspaper circulating in the Borough, a notice setting forth the following information as to the sale of a portion of Block 23, Lot 1 on the Borough of Sea Bright Tax Map, whose sale is hereby authorized. A copy of this notice shall be mailed by certified mail by the Borough Clerk to all contiguous property owners of the property being offered for sale within the aforesaid five (5) day period.

**PUBLIC NOTICE
BOROUGH OF SEA BRIGHT - MONMOUTH COUNTY**

TAKE NOTICE that an ordinance of the Borough of Sea Bright adopted pursuant to NJSA 40A:12-13(b)(5) on September 6, 2022, the Borough of Sea Bright offers for sale the following property to contiguous property owners under the following terms and conditions:

Property offered for Sale: a portion of Block 23, Lot 1 of the Borough of Sea Bright Tax Map;

Minimum Price: \$25,000.00;

All offers must be made within twenty (20) days following this advertisement at not less than the minimum price above;

Deed Restriction: The Property shall be precluded from further sale as a separate lot by the contiguous owner purchasing said property pursuant to this Ordinance and shall be consolidated with the adjacent property. The Property will have no further development except a canopy structure with support legs, with a retractable cover, covering the area shown on the diagram attached as Schedule B, may be constructed subject to all necessary approvals and permits. However, permanent walls are prohibited. The Purchaser must construct a sidewalk extension and curbing per the diagram attached hereto as Schedule B, although the sidewalk and curbing will remain on the Borough's property. Such sidewalk must match in height and appearance the existing sidewalk and must have an Americans with Disabilities Act (ADA) accessible access toward East Ocean Avenue in addition to maintaining any other ADA accessible accesses already in place. If the Property is used for patrons of the restaurant establishment safety bollards and/or wall and/or fence must be placed around the perimeter at the discretion of the Borough's Planning Board. All of the foregoing will be completed by and be at the sole expense of the purchaser and will be subject to any applicable permitting requirements.

The sale is made subject to all restrictions, covenants, restrictions and conditions of record, with said property being sold in an "as is" condition and is being sold subject to such other facts that an accurate, certified survey would reveal. The sale is further subject to the purchaser obtaining subdivision, and site plan approval if required, to consolidate the Property for use with the contiguous property. Nothing in this sale shall affect the right to lawful occupancy of use of the Property by any municipal or private utility to occupy or use the Property as lawfully occupied or used by it.

Any contiguous property owner desiring to make an offer for the purchase of the property being offered for sale herein shall, within twenty (20) days following advertisement of this notice or a receipt of a mailed copy of this notice, make an offer in writing by certified mail addressed to the Borough Council c/o Borough Clerk, Borough of Sea Bright, 1099 Ocean Avenue, Sea Bright, NJ 07760 at no less than the minimum price set forth hereinabove. All bids must be received no later than 12:00 p.m. on September 29, 2022, all bids must be marked "Sealed Bid Enclosed".

The Borough Council of the Borough of Sea Bright reserves the right to reject any and all offers, and shall accept or reject any offer within thirty (30) days of the advertisement of this public notice. If the Borough Council fails to accept or reject any offer within the aforesaid time period, all offers will be deemed rejected. Where there is more than one owner with real property contiguous to the property being offered for sale, the subject property will be sold to the highest bidder or offer from among all such owners submitting an offer as provided for herein. All offers shall be accompanied by a certified or cashier's check in the amount of ten percent (10%) of the offer made, payable to the Borough of Sea Bright; the balance shall be paid at closing of title.

A meets and bounds description must be provided by the successful bidder within twenty (20) days after the acceptance of the offer by the Borough Council.

The closing of title shall be by a bargain and sale deed without covenants as to grantor. Closing shall take place no later than ninety (90) days after the acceptance of the offer by the Borough Council. The Borough of Sea Bright makes no representation as to the condition or marketability of title as to the subject property.

In addition to the purchase or offer price, it shall be the responsibility of the successful bidder to pay at closing the advertisement and mailing costs in connection with this sale and the Borough Attorney's fee for the preparation of the deed in connection with this sale. If the successful bidder or offer shall fail to close title through no fault of the Borough, the successful bidder or offerer shall forfeit the deposit made for the sale, which shall be retained by the Borough as liquidated damages, except in the event the successful bidder or offerer is not successful in obtaining subdivision and site plan approval to develop the Property with the contiguous property, the Borough shall return the deposit to the successful bidder and neither party shall have any further obligation to the other with regard to the Property.

The Borough Clerk shall file with the Director, Division of Local Government Services in the Department of Community Affairs, a sworn affidavit verifying publication of advertisement as required by this ordinance.

SECTION II

All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION III

If any section, subsection, paragraph, sentence or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance.

SECTION IV


This Ordinance shall take effect immediately upon its passage and publication as required by law. I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Borough Council of the Borough of Sea Bright, introduced on August 16, 2022 and will be further considered after a Public Hearing held on September 6, 2022.

INTRODUCED: August 16, 2022
PUBLIC HEARING: September 6, 2022
ADOPTED: September 6, 2022

Witness


CHRISTINE PFEIFFER, CLERK

BOROUGH OF SEA BRIGHT


BRIAN KELLY, MAYOR

SCHEDULE A

DESCRIPTION OF PROPERTY
OVER TAX LOT 1, BLOCK 23
BOROUGH OF SEA BRIGHT
MONMOUTH COUNTY
NEW JERSEY




ALL that certain lot, tract or parcel of land, situated in Borough of Sea Bright, Monmouth County, New Jersey, being known a Proposed Purchase Area, as shown on a plan entitled "Survey of Lot 1, Block 22, 1 East Church Street, Borough of Sea Bright, Monmouth County, New Jersey," by Thomas P. Santry, P.A., dated November 11, 2020, last revised October 26, 2021 being more particularly described as follows:

BEGINNING at a point on the Northerly right of way line of East Church Street, (38' R.O.W.), said point being the intersection formed by said line of East Church Street and the division line between Block 22, Lot 1 and Block 23, Lot 1; thence from said beginning point,

- 1) Along said line of East Church Street, North 86 degrees 42 minutes 00 seconds West, a distance of 10.42 feet to a point; thence
- 2) North 05 degrees 54 minutes 00 seconds East, a distance of 54.86 feet to a point; thence
- 3) South 86 degrees 42 minutes 00 seconds East, a distance of 10.42 feet to a point; thence
- 4) South 05 degrees 54 minutes 00 seconds West, a distance of 54.86 feet to the true point and place of BEGINNING.

CONTAINING 571 Square feet or 0.013 Acres.

8/10/22
DATE


JUSTIN J. HEDGES
NJ PLS NO. GS43362

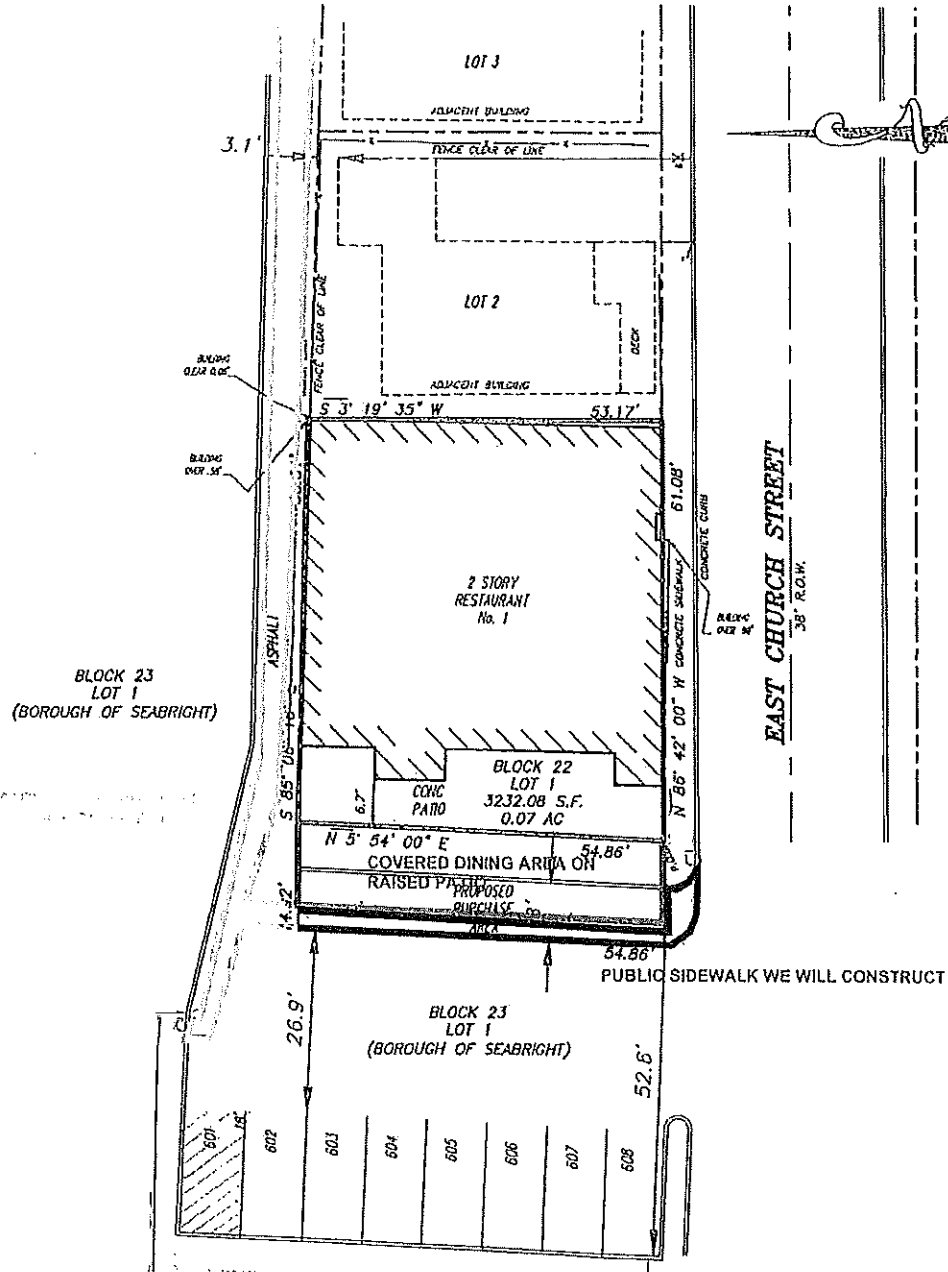
InSite Surveying, LLC
1955 Route 34; Suite 1A • Wall, NJ 07719
732-531-7100 (ph) • 732-531-7344 (fx)
www.InSiteSurveying.net

SCHEDULE B

OBTAINED FROM THE ULTIMATE USER PURSUANT TO N.J.A.C. 17:40-5.1(d).

THE INFORMATION SHOWN HEREIN CORRECTLY REPRESENTS THE CONDITIONS FOUND AT, AND AS OF THE DATE OF THE FIELD SURVEY, EXCEPT SUCH IMPROVEMENTS OR EASEMENTS, IF ANY, BELOW THE SURFACE AND NOT VISIBLE.

THIS SURVEY IS SUBJECT TO CHANGE ACCORDING TO THE FACTS THAT A CURRENT TITLE REPORT MAY ENCLOSE.



\$ 7305.00

5

APR 08 2011

Prepared By:

Jason C. Mandla, Esquire



DEED

THIS DEED is made on this 6th day of April, 2011,

BETWEEN

STEPHEN N. GRULICH, INC., a New Jersey Corporation, having an office address at 1 East Church Street, Sea Bright, New Jersey 07760, hereinafter referred to as the Grantor,

AND

WOODY'S OCEAN PROPERTIES, LLC, a New Jersey Limited Liability Company, about to have an address at 1 East Church Street, Sea Bright, New Jersey 07760, hereinafter referred to as the Grantee.

TA 116274

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. The transfer is made for the sum of **EIGHT HUNDRED THOUSAND AND NO/100** ----- (\$800,000.00) ----- DOLLARS. The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** (N.J.S.A. 40:15-41) Municipality of Borough of Sea Bright
Block Nos. 21 & 22 Lot Nos. 9 & 1 Qualifier No. Account No.

___ No property tax identification number is available on the date of this Deed. (check box if applicable)

3. **Property.** The Property consists of the land and all the buildings and structures on the land in the Borough of Sea Bright, County of Monmouth and State of New Jersey. The Property is more particularly described in Schedule "A" annexed hereto and made a part hereof.

XX Please see attached Legal Description annexed hereto and made a part hereof (check box if applicable)

COMMONLY known as 1 East Church Street and 6 East Church Street, Sea Bright, New Jersey.

KNOWN and designated as Lot 9 in Block 21, and Lot 1 in Block 22 on the Official Tax Map of the Borough of Sea Bright, Monmouth County, New Jersey.

BEING the same premises (as to Tract I - Lot 9, Block 21) conveyed to Stephen N. Grulich, Inc., a New Jersey Corporation, by Deed from Stephen N. Grulich, married, dated August 1, 1995, recorded in the Office of the Clerk of Monmouth County on August 9, 1995, in Deed Book 5432, Page 162, and further re-recorded on August 30, 1995, in Deed Book 5438, Page 847.

BEING the same premises (as to Tract II - Lot 1, Block 22) conveyed to Stephen N. Grulich and Stephen N. Grulich, Inc., a New Jersey Corporation, by Deed from Charles Barondess and Joanne Barondess, dated September 16, 1981, recorded in the Office of the Clerk of Monmouth County on September 23, 1981, in Deed Book 4319, Page 571. And further conveyed to Stephen N. Grulich, Inc., a New Jersey Corporation, by Deed from

Title No. TA-116274

**SCHEDULE A-4
DESCRIPTION
AMENDED**

ALL that certain tract, lot and parcel of land lying and being in the Borough of Sea Bright, County of Monmouth and State of New Jersey, being more particularly described as follows:

TRACT I

BEGINNING at a point in the Southerly line of East Church Street, distant 163.60 feet Easterly from the Southeast corner of East Church Street and Ocean Avenue; running thence

- 1) South 86 degrees 42 minutes 00 seconds East, along said Southerly line of East Church Street, 21.00 feet to a point; thence
- 2) South 03 degrees 18 minutes 00 seconds West, 47.00 feet to a point; thence
- 3) North 89 degrees 54 minutes 00 seconds West, 21.03 feet to a point; thence
- 4) North 03 degrees 18 minutes 00 seconds East, 48.17 feet to the point and place of BEGINNING.

For Information Only:

ALSO known as Lot 9 Block 21 on the Tax Map of the Borough of Sea Bright, in the County of Monmouth.

TRACT II

BEGINNING at a point in the Northerly line of East Church Street, distant 80.00 feet Easterly along same from its intersection with the Easterly line of Ocean Avenue and running; thence

- 1) North 05 degrees 54 minutes 00 seconds East, 54.86 feet to a point; thence
- 2) South 85 degrees 06 minutes 16 seconds East, 58.64 feet to a point; thence
- 3) South 03 degrees 10 minutes 35 seconds West, 53.17 feet to a point in the Northerly line of East Church Street; thence
- 4) North 86 degrees 42 minutes 00 seconds West, along same 61.08 feet to the point and place of BEGINNING.

For Information Only:

ALSO known as Lot 1 Block 22 on the Tax Map of the Borough of Sea Bright, in the County of Monmouth.

The above description is drawn in accordance with a survey prepared by Charles Surmonte, PE & PLS, dated March 1, 2011.

Note for Information Only: Also known as Lot(s) 1, Block 22 on the Tax Map of the Borough of Sea Bright, in the County of Monmouth, also known as 1 East Church Street and Lot(s) 9, Block 21 on the Tax Map of the Borough of Sea Bright, in the County of Monmouth, also known as 6 East Church Street.



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Name(s)

STEPHEN N. GRULICH, INC., a New Jersey Corporation

Current Resident Address:

Street: c/o Jason C. Mandia, President

City, Town, Post Office

State

Zip Code

685 Neptune Boulevard, Post Office Box 846, Neptune

NJ

07754

PROPERTY INFORMATION (Brief Property Description)

Block(s)

Lot(s)

Qualifier

21 & 22

9 & 1

Street Address:

1 East Church Street and 6 East Church Street

City, Town, Post Office

State

Zip Code

Borough of Sea Bright, Monmouth County

NJ

07760

Seller's Percentage of Ownership

Consideration

Closing Date

One Hundred (100%) Percent

\$800,000.00

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 8 apply to Residents and Non-residents)

1. I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A.54A:1-1 et seq.
6. The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale (see instructions).
 No non-like kind property received.
8. Transfer by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this state.

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box I certify that the Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

4/6/11
Date

Signature
(Seller) Please Indicate if Power of Attorney or Attorney in Fact

Date

Signature
(Seller) Please Indicate if Power of Attorney or Attorney in Fact

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER
(Chapter 49, P.L.1988, as amended through Chapter 33, P.L. 2008) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

COUNTY MONMOUTH
MUNICIPALITY OF PROPERTY LOCATION Borough of Sea Bright

FOR RECORDER'S USE ONLY
Consideration \$
RTF paid by seller \$
Date By

*Use symbol "C" to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (Instructions #3 and #4 on reverse side)

Deponent, JASON C. MANDIA, being duly sworn according to law upon his/her oath,
deposes and says that he/she is the President of Grantor in a deed dated April 8th, 2011
transferring
(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)
real property identified as Block number 21 & 22 Lot number 9 & 1
located at
One East Church Street, in the Borough of Sea Bright, Monmouth County, New Jersey 07760
and annexed thereto.

(2) CONSIDERATION \$ 800,000.00 (Instructions #1 and #5 on reverse side) no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:
(Instructions #5A and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation

\$ 661,700.00 + 68% = \$ 449,856.60

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (Instruction #6 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1988, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbols is insufficient. Explain in detail.

(6) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fees, as applicable, imposed by C. 176, P.L. 1975, C. 113B-2, 2004, and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN Grantor(s) 62 years of age or over
B. BLIND PERSON Grantor(s) legally blind
DISABLED PERSON Grantor(s) permanently and totally disabled
receiving disability payments
not gainfully employed*
Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
Owned and occupied by grantor(s) at time of sale.
Resident of State of New Jersey.
One or two-family residential premises.
Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

- Affordable according to H.U.C. standards.
Meets income requirements of region.
Reserved for occupancy.
Subject to resale controls.

(6) NEW CONSTRUCTION (Instructions #9, #10, #12 on reverse side)

- Entirely new improvement.
Not previously used for any purpose.
Not previously occupied.
"NEW CONSTRUCTION" printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)

- No prior mortgage assumed or to which property is subject at time of sale.
No contributions to capital by either grantor or grantee legal entity.
No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1988, as amended through Chapter 33, P.L. 2008.

Subscribed and sworn to before me
this 6 day of April, 2011
MARIA PINHO SARANHA
A Notary Public of New Jersey
My Commission Expires December 31, 2014

Signature of Deponent Stephen N. Grulch, Inc.
Grantor Name
665 Neptune Blvd, Neptune, NJ
Deponent Address
1 E. Church St., Sea Bright, NJ
Grantor Address at Time of Sale
XXX-XXX-103
Last three digits in Grantor's Social Security Number
Stone Mandia, LLC
Name/Company of Settlement Officer

FOR OFFICIAL USE ONLY
Instrument Number County
Deed Number Book Page
Deed Dated Date Recorded

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to:
STATE OF NEW JERSEY
PO BOX 281
TRENTON, NJ 08646-0281
ATTENTION: REALTY TRANSFER FEE UNIT

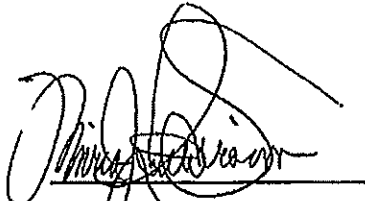
The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division's website at:
www.state.nj.us/treasury/taxation/tp/localtax.html.

Stephen N. Grulich and Stephen N. Grulich, Inc., a New Jersey Corporation, dated March 23, 1984, recorded in the Office of the Clerk of Monmouth County on March 27, 1984, in Deed Book 4468, Page 871.

4. **Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. **Signatures.** The grantor signs this Deed as of the date at the top of the first page. (Print name below each signature).

ATTEST/WITNESS:


Maria J. Pinho Saravak

STEPHEN N. GRULICH, INC.
A New Jersey Corporation

By: 
Jason C. Mandia, President

STATE OF NEW JERSEY
COUNTY OF MONMOUTH

I CERTIFY that on this 04 day of April, 2011, Jason C. Mandia, personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached Deed;
- (b) was authorized to and did execute this Deed as the President of Stephen N. Grulich, Inc., a New Jersey Corporation, the entity named in this Deed;
- (c) this Deed was made for \$800,000.00 as the full and actual consideration paid or to be paid for the transfer of title (such consideration is defined in N.J.S.A. 46:15-5.); and
- (d) this Deed was executed as the act of the entity.


Notary Public
MARIA J. PINHO-SARAVAK
A Notary Public of New Jersey
My Commission Expires December 31, 2014

Please Record & Return to:
SITAR LAW OFFICES, LLC
1481 OAK TREE ROAD
ISELIN, NJ 08830

860
Tender
MR

M. CLAIRE FRENCH-CITY CLK
MONMOUTH COUNTY NJ

INSTRUMENT NUMBER
2011035102

RECORDED ON
Apr 08, 2011
2:34:04 PM

BOOK: 08-8886
PAGE: 5853
Total Pages: 5

REALTY TRANSFER FEES \$7,305.00
COUNTY RECORDING FEES \$80.00
TOTAL PAID \$7,385.00