

AN ORDINANCE OF THE TOWNSHIP OF LAKEWOOD, COUNTY OF OCEAN, STATE OF NEW JERSEY AUTHORIZING THE EXCHANGE OF CERTAIN LANDS WITHIN THE TOWNSHIP OF LAKEWOOD, IN PARTICULAR, THE TOWNSHIP OF LAKEWOOD TO ACQUIRE BLOCK 1044, LOT 7, BLOCK 1009, LOT 1.08, AND BLOCK 1123 LOT 8 PLUS ADDITIONAL CONSIDERATION, AND THE TOWNSHIP OF LAKEWOOD TO CONVEY BLOCK 769, LOT 16, AS PART OF AN EXCHANGE OF LANDS PURSUANT TO N.J.S.A. 40A:12-16.

WHEREAS, Richatz LLC. is the owner of record of certain property known as Block 1044, Lot 7; Clifton Custom Homes, Inc. is the owner of record of certain property known as and Block 1009, Lot 1.08 and Pinerock Lakewood LLC. is the owner of record of certain property known as Block 1123, Lot 8 ("Exchange Properties"); and

WHEREAS, the Township is the owner of certain vacant land known as Block 769, Lot 16 ("Township Lot"); and

WHEREAS, the Township Lot is approximately 0.344 acres, fronts on John Street, is located in the R-75 Zone and is located adjacent to privately owned parcels, isolated from other Township property and is of no practical use to the Township; and

WHEREAS, the Exchange Properties are of the following sizes and locations:

<u>Block/Lot</u>	<u>Fronts On</u>	<u>Size</u>	<u>Zone</u>
1044 - 7	Surf Ave	80X100	R-12
1009 - 1.08	Croton Avenue	60X100	R-12
1123 - 8	Essex Avenue	40X100	R40C

WHEREAS, the Township believes that it would be advantageous for the Township to own the Exchange Properties; and

WHEREAS, the Exchange Properties are located adjacent to other Township owned properties and could be combined with such other Township properties for use by the Township; and

WHEREAS, the 2012 tax assessment for the Township Lot is \$52,700.00 and the 2012 tax assessment for the Exchange Properties is \$5,800.00 (Bl 1044 L 7) \$10,700.00 (Bl 1009, Lot 1.08) and \$1,900.00 (Bl 1123, Lot 8); and

WHEREAS, the Township had the Township Lot and Exchange Properties appraised by Starmark Appraisals ("Starmark"), 525 East County Line Road, Suite 8, Lakewood, New Jersey, State of New Jersey Certified General Appraiser License #42RG00222500; and

WHEREAS, Starmark by Summary Appraisal Reports, copies of which are available for viewing at the Township Clerk's Office, valued the properties as follows:

Township Lot	\$205,000.00	(Block 769, Lot 16)
Exchange Properties	\$60,000.00	(Block 1044, Lot 7)
	58,000.00	(Block 1009, Lot 1.08)
	<u>66,000.00</u>	(Block 1123, Lot 8)
Total	\$ 184,000.00	

WHEREAS, the Exchange Properties are located adjacent to Township owned property; and

WHEREAS, the Township previously adopted Ordinance 2005-114 which authorized the exchange of the Township Lot for other properties, but due to changes in the market and the change in other conditions, the exchange never was completed; and

WHEREAS, the Township Committee of the Township of Lakewood based on the foregoing is desirous of authorizing the exchange of lands based on the appraised values; and

WHEREAS, pursuant to law, the municipality may enter into an exchange of lands when the governing body determines that the lands or rights or interests therein to be conveyed to such municipality or such lands or rights or interests therein are at least of equal value to, and their acquisition is more advantageous to, the municipality for public use, than the lands or rights or interests therein to be conveyed by the municipality, and that it is in the public interest that such exchange of lands or rights or interests therein be consummated; and

WHEREAS, in any case in which the value of the Township land to be exchanged exceeds the value of the land or rights or interests therein to be received by the Township shall be the exact additional cash consideration equal to the difference of the three values; and

WHEREAS, based on the appraisals, the Township has determined and the Township Tax Assessor agrees that the value of the Township Lot exceeds the value of the Exchange Properties by \$21,000.00; and

WHEREAS, the Township of Lakewood now desires to undertake an exchange of the aforementioned properties pursuant to N.J.S.A. 40A:12-16 provided the Township is paid the additional sum of \$21,000.00.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Lakewood, County of Ocean, State of New Jersey as follows:

SECTION 1. That the Township of Lakewood desires to undertake an exchange of real property pursuant to N.J.S.A. 40A:12-16.

SECTION 2. The Township of Lakewood therefore determines that the lands or rights or interests therein to be conveyed to the Township of Lakewood is \$21,000.00 less in value to, and the acquisition of said property is more advantageous to the Township of Lakewood for public use than are the lands or rights or interests therein to be conveyed by the Township of Lakewood and that it is in the public interest of the Township of Lakewood that such exchange of lands or rights or interests therein be consummated provided the Township is paid the additional sum of \$21,000.00.

SECTION 3. The Township Committee of the Township of Lakewood does hereby approve the conveyance by the Township of the Township Lot in exchange for the acquisition by the Township from Richatz LLC, Clifton Custom Homes, Inc. and Pinerock Lakewood LLC of the Exchange Properties provided the Township is paid the additional sum of \$21,000.00, plus all costs of Starmark for preparation of the appraisals.

SECTION 4. The Mayor and/or Deputy Mayor are authorized to execute and the Clerk to attest to any Deeds, closing statements or documents necessary to consummate the aforementioned exchange of lands.

SECTION 5. The conveyance by the Township of the Township Lot shall be "as is-where is" and shall be by Bargain and Sale Deed without any covenants.

SECTION 6. The conveyance of the Exchange Properties shall be by Bargain and Sale Deed with Covenants against Grantors Acts.

SECTION 7. All other Ordinances or parts of Ordinances inconsistent herewith are repealed.

SECTION 8. This Ordinance shall take effect upon final passage and publication in accordance with law.

NOTICE

PUBLIC NOTICE is hereby given that the foregoing ordinance was introduced at a meeting of the Township Committee of the Township of Lakewood, in the County of Ocean and State of New Jersey on the 6th day of September 2012, and was then read for the first time. The said Ordinance will be further considered for final passage by the Township Committee in the Town Hall at 7:30 p.m. on Sept. 20, 2012. At such time and place or any time or place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning said ordinance.


MARY ANN DEL MASTRO, RMC
Township Clerk

DATE	NAME	LIC. NO.
12-02	BIRDAILL ENGINEERING INC.	L.S. 19458
12-03	BIRDAILL ENGINEERING INC.	L.S. 19458
12-04	BIRDAILL ENGINEERING INC.	L.S. 19458
12-05	BIRDAILL ENGINEERING INC.	L.S. 19458
12-06	BIRDAILL ENGINEERING INC.	L.S. 19458
12-07	BIRDAILL ENGINEERING INC.	L.S. 19458
12-08	BIRDAILL ENGINEERING INC.	L.S. 19458
12-09	BIRDAILL ENGINEERING INC.	L.S. 19458
12-10	BIRDAILL ENGINEERING INC.	L.S. 19458

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12-02	BIRDAILL ENGINEERING INC.	L.S. 19458
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12-05	BIRDAILL ENGINEERING INC.	L.S. 19458
12-06	BIRDAILL ENGINEERING INC.	L.S. 19458
12-07	BIRDAILL ENGINEERING INC.	L.S. 19458
12-08	BIRDAILL ENGINEERING INC.	L.S. 19458
12-09	BIRDAILL ENGINEERING INC.	L.S. 19458
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**STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES
CERTIFICATE OF REINSTATEMENT**

PINEROCK LAKEWOOD LIMITED LIABILITY COMPANY
0400059422

WHEREAS the above-named business entity did on the 28th day of June, 2017, satisfy all requirements for reinstatement as set forth in the laws of this State, I, the Treasurer of the State of New Jersey do hereby issue this certificate authorizing the same to continue its business and resume the exercise of its functions.

Registered Agent and Office

YECHESKEL SCHWAB
22 CARASALJO DRIVE
P.O. BOX 1229
LAKEWOOD, NJ 08701

Main Business Address

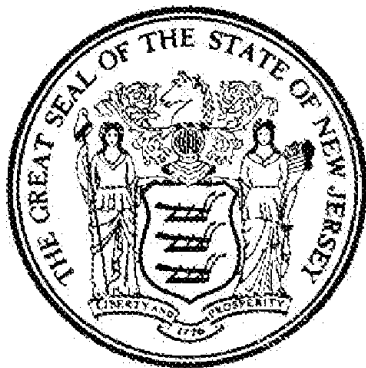
22 CARASALJO DRIVE
LAKEWOOD, NJ 08701

Principal Business Address

22 CARASALJO DRIVE
LAKEWOOD, NJ 08701

Officers and Directors

OTHER
Y SCHWAB
22 CAROSALJO DR
LAKEWOOD, NJ 08701



*IN TESTIMONY WHEREOF, I have
hereunto set my hand and affixed
my Official Seal, this
28th day of June, 2017*

*Ford M. Scudder
State Treasurer*

Certificate Number : 2273819894
Verify this certificate online at
https://www1.state.nj.us/TYTR_StandingCert/JSP/Verify_Cert.jsp

NEW JERSEY DEPARTMENT OF TREASURY
DIVISION OF REVENUE, BUSINESS GATEWAY SERVICES

CERTIFICATE OF FORMATION

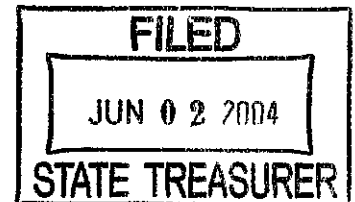
PINEROCK LAKEWOOD LIMITED LIABILITY COMPANY
0400059422

The above-named DOMESTIC LIMITED LIABILITY COMPANY was duly filed in accordance with New Jersey State Law on 06/02/2004 and was assigned identification number 0400059422. Following are the articles that constitute its original certificate.

1. **Name:**
PINEROCK LAKEWOOD LIMITED LIABILITY COMPANY
2. **The Registered Agent:**
YECHESKEL SCHWAB
3. **The Registered Office:**
22 CARASALJO DRIVE
LAKEWOOD, NJ 08701
4. **Business Purpose:**
Other: Please Specify in detail as an additional article
5. **Members/Managers:**
BRIAN S. FLANNERY
590 ATLANTIC AVENUE
LAKEWOOD, NJ 08701
RICHARD RUTTA
22 CARASALJO DRIVE
LAKEWOOD, NJ 08701
6. **The Main Business Address:**
22 CARASALJO DRIVE
LAKEWOOD, NJ 08701

Signatures:

BRIAN S. FLANNERY
AUTHORIZED REPRESENTATIVE
RICHARD RUTTA
AUTHORIZED REPRESENTATIVE
YECHESKEL SCHWAB
AUTHORIZED REPRESENTATIVE



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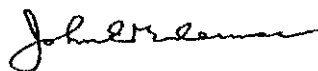
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NEW JERSEY DEPARTMENT OF TREASURY
DIVISION OF REVENUE, BUSINESS GATEWAY SERVICES

CERTIFICATE OF FORMATION

PINEROCK LAKEWOOD LIMITED LIABILITY COMPANY
0400059422

IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
at Trenton, this
06/03/2004



John E. McCormac, CPA
Treasurer of the State of New Jersey

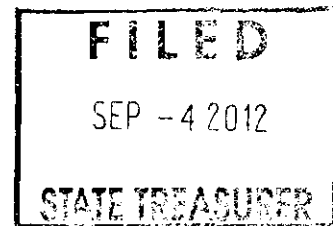
NEW JERSEY DEPARTMENT OF THE TREASURY
DIVISION OF REVENUE AND ENTERPRISE SERVICES

CERTIFICATE OF FORMATION

RICHATZ LIMITED LIABILITY COMPANY
0400515756

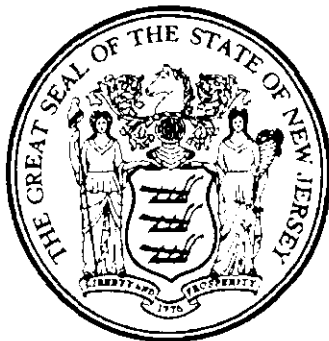
The above-named DOMESTIC LIMITED LIABILITY COMPANY was duly filed in accordance with New Jersey State Law on 09/04/2012 and was assigned identification number 0400515756. Following are the articles that constitute its original certificate.

1. **Name:**
RICHATZ LIMITED LIABILITY COMPANY
2. **Registered Agent:**
RICHARD RUTTA
3. **Registered Office:**
22 CARASALJO DRIVE
LAKEWOOD, NJ 08701
4. **Business Purpose:**
REAL ESTATE
5. **Members/Managers:**
RICHARD RUTTA
22 CARASALJO DRIVE
LAKEWOOD, NJ 08701
6. **Main Business Address:**
22 CARASALJO DRIVE
LAKEWOOD, NJ 08701



LLC

Signatures:
RICHARD RUTTA
AUTHORIZED REPRESENTATIVE



IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed my Official Seal
at Trenton, this
5th day of September, 2012

Andrew P Sidamon-Eristoff
State Treasurer

Certificate Number 125913940

Verify this certificate online at

https://www1.state.nj.us/TYTR/standingCert/ISP/Verify_Cert.jsp