

**APPLICATION FOR DEVELOPMENT**



**Borough of Emerson**

Land Use Board  
Emerson Borough Hall  
Second Floor Council Chambers  
146 Linwood Avenue  
Emerson, New Jersey 07630

Marie Shust  
Land Use Board Secretary  
Boardsec@emersonnj.org  
(201) 262-6086 Ext. 1351

**APPLICATION FOR DEVELOPMENT**

Date Filed \_\_\_\_\_ Date Received: \_\_\_\_\_  
Application Number \_\_\_\_\_ Completeness Date: \_\_\_\_\_

**PROPERTY INFORMATION:**

Address Old Hook Road (CR 502) & Main Street Block 1301 Lot(s) 1.01 & 1.02

**1 APPLICANTS' INFORMATION**

Name REG-UB PROPERTIES, LLC (Attn: Joe Allegretti, Senior Leasing Agent)  
Address 111 Kraft Avenue, Suite 2  
City Bronxville State NY Zip 10708  
Phone (203) 862-5422 Fax Number N/A  
E-mail joallegretti@regencycenters.com

Applicant is a(n) \_\_\_\_\_

Individual  Corporation  LLC  Partnership

**2 OWNERS INFORMATION (If different from applicant's)**

Name \*\* Same as Applicant\*\* Please see attached Exhibit "A"  
Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone \_\_\_\_\_ Fax Number \_\_\_\_\_  
E-mail \_\_\_\_\_

\*If the Applicant is not the Recorded Owner, describe the Applicant's interest in the subject property, giving the date that the Applicant will become owner of record.

\*\*Urstadt Biddle Properties, Inc. merged with Regency Centers Corp. on August 18, 2023

**3. DISCLOSURE STATEMENT FOR CORPORATIONS AND PARTNERSHIPS** Please see attached Exhibit "B"

Pursuant to N.J.S. 40:55D-48.1, the names and addresses of all persons owning 5% of the stock in a corporate applicant or 5% interest in any partnership application must be disclosed. In accordance with N.J.S. 40:55D-48.2 that disclosure requirement applies to any corporation or partnership which owns more than 5% interest in the applicant followed up the chain of ownership until the names and addresses of the non-corporate stockholders and partners exceeding the 5% ownership criterion have been disclosed. (Attach pages as necessary to comply).

Name _____	Address _____	% Interest _____
Name _____	Address _____	% Interest _____
Name _____	Address _____	% Interest _____
Name _____	Address _____	% Interest _____

**4 APPLICANT'S REGISTERED AGENT (If the Applicant is a Corporation, LLC or a Partnership)**  
Please see attached Exhibit "C"

Agent's Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ Fax Number \_\_\_\_\_  
 E-mail \_\_\_\_\_

**5 APPLICANT'S ATTORNEY (Corporations and LLC's must be represented by an attorney)**

Attorney's Name Antimo A. Del Vecchio, Esq. c/o Beattie Padovano, LLC  
 Address 200 Market Street, Ste 401  
 City Montvale State New Jersey Zip 07645  
 Phone (201) 799-2107 Fax Number (201) 799-2107  
 E-mail adelvecchio@beattielaw.com

**6 APPLICANT'S ENGINEER**

Attorney's Name James E. Henry, PE, PP- Dynamic Engineering Consultants PC  
 Address 1904 Main Street  
 City Lake Como State New Jersey Zip 07719  
 Phone (732) 974-0198 Fax Number (732) 974-3521  
 E-mail jhenry@dynamiccec.com

7 **APPLICANT'S ARCHITECT**

Attorney's Name William Dahn, AIA PP NCARB c/o Dahn & Krieger Architects Planners PC  
 Address 216 Route 17 North, Suite 203  
 City Rochelle Park State New Jersey Zip 07662  
 Phone (201) 489-8575 ext: 324 Fax Number (201) 489-5814  
 E-mail wdahn@dahn-krieger.com

8 **NATURE OF THE APPLICATION (Check applicable items)**

<input type="checkbox"/>	Commercial Addition	<input type="checkbox"/>	Deck or Fence variance
<input checked="" type="checkbox"/>	Commercial New Construction	<input type="checkbox"/>	Above-ground Pool
<input type="checkbox"/>	Commercial Use Variance	<input type="checkbox"/>	Home Occupational sign
<input type="checkbox"/>	Residential Addition	<input checked="" type="checkbox"/>	All Other Signs
<input type="checkbox"/>	Residential New Construction	<input type="checkbox"/>	Special Meeting Request
<input type="checkbox"/>	Residential use Variance	<input type="checkbox"/>	Tree Management
<input type="checkbox"/>	Minor Subdivision without variance	<input type="checkbox"/>	Minor Site Plan without variance
<input type="checkbox"/>	Minor Subdivision with variance	<input type="checkbox"/>	Minor Site Plan with variance
<input type="checkbox"/>	Major Subdivision without variance	<input type="checkbox"/>	Major Site Plan without variance
<input type="checkbox"/>	Major Subdivision with variance	<input checked="" type="checkbox"/>	Major Site Plan with variance

9 **PRESENT USE:** Describe briefly all buildings or structures now existing on the premises and their current use.

Has there been any previous application involving these premises?  Yes  No

If yes,  
On Lot 1.01 there is a Shoprite supermarket and other retail and office uses  
On Lot 1.02 there is a vacant two-story bank and office building

Is there adjacent property in common ownership?  Yes  No  
 If yes, provide the address of the property. 495 Old Hook Road

Are there any restrictions, covenants, easements, association by-laws, existing or proposed on the property?  
 Yes  No  Proposed

If yes or proposed, attached copies.

**DESCRIPTION OF PROJECT:** Describe briefly the Applicant's intentions concerning the proposed character of development. Where applicable, indicate type of use proposed, size of structures, hours of operation, number of employees, number of parking spaces, intention to sell or rent, and any other  
Please see attached Exhibit "D"

10

Is there any demolition contemplated?  Yes  No

If yes, describe same The Applicant proposes to demolish the existing structure on Lot 1.02 and construct a package liquor store and restaurant with parking, lighting, landscaping, and other associated site improvements.

Has an application been made to any other government body or bodies in relation to this Application?  Yes  No

If yes, attach copies of all application forms and any and all correspondence.

Bergen County Planning Board  
Bergen County Soil Conservation District

11 **PUBLIC USE:** Is any portion of the premises subject to this application intended to be dedicated or reserved for public use?  Yes  No

12 **BOROUGH REQUIREMENTS:**

Is the Applicant willing and able, in the event of approval of its site plan, to undertake and complete installation, in accordance with the requirements and specifications of the Borough of Emerson, and to furnish bonding and surety company performance bonds for the following. If yes, check applicable item.

The Applicant is prepared to post any and all bonds required by the Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq. in the form required by N.J.A.C. 5:36-4 et. seq.

- Street Paving
- Curbs
- Sidewalks
- Other requirements of the Planning Board

- Drainage Facilities
- Catch Basins
- Shade Trees

13 **ORDINANCE REQUIREMENTS:** Does this application comply with all requirements of the Zoning Ordinances?  Yes  No

If not, state violation, article, section and variance requested and state principal points on which the variance request is made. Use a separate sheet if necessary. Please see attached Exhibit "E"

14 **SUBMITTED MATERIALS:** List all plans, drawings, documents, reports, and other information that are being submitted as part of this application. Use a separate sheet if necessary.

By submitting this application, the Applicant agrees to provide a copy of any transcript of any meeting of the Emerson Land Use Board taken by a stenographer, if requested by the Emerson Land Use Board, without any cost to the Emerson Land Use Board.

I hereby affirm that all of the above and statements contained in the papers submitted herewith are true.

Name of Applicant or Agent:

Signature of Applicant or Agent:

Page 11

Joe Allegretti, Vice President, Market Officer

REG-UB PROPERTIES, LLC

By: 

# **EXHIBIT "A"**

AM  
6-90

50990 Deed > 1,000,000  
Kathleen A. Donovan Records Fee 90.00  
Bergen County Clerk  
Recorded 05/03/2007 14:07

103-DEED - BARGAIN AND SALE (Governed as to Grantor's Acts)  
Let. to Ind. or Corp. - Plain Language

1% Grantee Fee Paid  
\$22,500.00

RECORD & RETURN TO:  
Raymond J. Argila, Esq.  
Urstadt Biddle Properties Inc.  
321 Railroad Avenue  
Greenwich, Connecticut 06830

Prepared by:  
*Dan B. Cobb*  
Dan B. Cobb, Esq.  
Attorney at Law of New Jersey

057-46761 A  
RECORD & RETURN  
FIDELITY NATIONAL TITLE INSURANCE  
3705 CHALKERSBRIDGE ROAD, STE 205  
MERCERYLLFU 08619

**DEED**

Consideration 2,250,000.00  
Realty Transfer Fee 2,470.00  
State Portion 2,167.50  
County Portion 1,835.00  
Municipality Portion 3,150.00

This Deed is made as of April 30, 2007,

**BETWEEN:** Romelyn Friedman, a widow, having an address at  
1121 Crandon Boulevard, Apartment F607, Key Biscayne, Florida 33149,  
referred to as Grantor,

**AND:** Urstadt Biddle Properties Inc., a Maryland corporation  
having an address at 321 Railroad Avenue, Greenwich,  
Connecticut 06830, referred to as Grantee.

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

**Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of Two Million Two Hundred Fifty Thousand and 00/100 (\$2,250,000.00) DOLLARS. The Grantor acknowledges receipt of this money.

**Tax Map Reference.** (N.J.S.A. 46:15-2.1) Borough of Emerson, Bergen County, New Jersey, Block No. 1301, Lot No. 1.02.

**Property.** The property consists of the land and all the buildings and structures on the land in the BOROUGH OF EMERSON, COUNTY OF BERGEN and STATE OF NEW JERSEY MORE PARTICULARLY SET FORTH ON THE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT A.

BEING the same premises conveyed to the Grantor herein by Deed from Romelyn Friedman, Executrix of the Last Will and Testament of Dr. Edwin Friedman, dated June 1, 1992, recorded in the Bergen County Clerk's office on July 3, 1992 in Deed Book 7521, at Page 60.

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BK 09306PG073

SUBJECT to covenants, restrictions and easements of record and such state of facts as an accurate survey would disclose.

SUBJECT to municipal and governmental regulations, if any, provided it is not the intent of the parties to make them restrictive covenants.

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).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

Jan A. Rao

By: Romelyn Frieman  
Romelyn Frieman

ACKNOWLEDGMENT

STATE OF NEW JERSEY )  
                                  ) SS:  
COUNTY OF BERGEN )

ON THIS 27<sup>th</sup> day of April, 2007, Romelyn Frieman personally came before me, and this person acknowledged, under oath, to my satisfaction, that:

- (a) she is named in and personally signed this Deed;
- (b) she signed, sealed and delivered this Deed as her act and deed; and
- (c) she made this Deed for \$2,250,000.00 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).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year aforesaid.

Jo Ann Mitzko  
Notary Public

JO ANN MITZKO  
A Notary Public of New Jersey  
My Commission Expires July 16, 2009

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EXHIBIT A

[Legal Description]

BEGINNING at a point in the present easterly sideline of Main Street (25' from centerline), said point being distant 540.12' northerly from the intersection of Northerly sideline of Lake View Drive (50' Wide), produced with the easterly sideline of Main Street (25' from centerline), produced and running; thence

1. Along the easterly sideline of Main Street (25' from centerline) North 22 degrees 19 minutes 30 seconds East, a distance of 167.72' to a point; thence
2. South 67 degrees 40 minutes 30 seconds East, a distance of 5.00' feet to a point, thence
3. Along a curve to the right having a radius of 40.00', a central angle of 65 degrees, 08 minutes, 21 seconds and a chord of North 54 degrees, 53 minutes, 41 seconds East a distance of 43.07 feet (per survey) and an arc distance of 45.48' to a point of Non-Tangency; thence
4. Along the southerly sideline of Old Hook Road (32' from centerline) South 74 degrees 16 minutes 00 seconds East to a point 167.93 feet (167.88 per Deed); thence
5. South 22 degrees 19 minutes 30 seconds West a distance of 200.78 feet to the point; thence
6. North 74 degrees 16 minutes 00 seconds West a distance of 196.30 feet to a point on the easterly sideline of Main Street (25' from centerline), Being the point and place of Beginning.

This description in accordance with an ALTA/ACSM plat of survey made by Schwanevoda/Hals Engineering, dated March 6, 2007 and revised on April 24, 2007.

Note for information: currently known as Lot 1.02, Block 1301 on the current tax map.

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BK 09306 PG 015



State of New Jersey  
**NONRESIDENT SELLER'S TAX DECLARATION**  
 (C.65, P.L. 2004)

GIT/REP-1  
 (2-07)

(Please Print or Type)

**SELLER(S) INFORMATION**

Name(s)

Romelyn M. Filimon

Street Address:

1121 Crandon Boulevard, Apartment F807

City, Town, Post Office

State

Zip Code

FL

33148

Key Words:

**PROPERTY INFORMATION (Brief Property Description)**

Block(s)

Lot(s)

Qualifier

1301

1.02

Street Address:

411 Old Hook Road

City, Town, Post Office

State

Zip Code

NJ

07630

Emerson

Seller's Percentage of Ownership

Consideration

Closing Date

100%

\$2,250,000.00

4/30/2007

**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.

4/27/07

Date

*Romelyn Filimon*

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

BK09306P007b

(Detach on dotted line)

RTF-108 (Rev. 2/19/07)  
MUST SUBMIT IN DUPLICATE

STATE OF NEW JERSEY  
AFFIDAVIT OF CONSIDERATION FOR USE BY BUYER

(Chapter 49, P.L. 1966, as amended through Chapter 33, P.L. 2006) (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

FOR RECORDER'S USE ONLY

COUNTY

SS. County Municipal Code  
0214

Consideration  
RTF paid by Buyer  
Date 5/3/07

\$ 250,000.00  
By 214,500.00

MUNICIPALITY OF PROPERTY LOCATION Emerson Borough

(1) PARTY OR LEGAL REPRESENTATIVE (See instructions #3 and #4 on reverse side) XXX-XX-X 042  
Last 3 Digits in Grantee's Social Security Number

Deponent, Wing L. Biddie, being duly sworn according to law upon his/her oath,  
(Name)

deposes and says that he/she is the Corporate Officer of Grantee in a deed dated April 30, 2007 transferring  
(Grantee, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)

real property identified as Block number 1301 Lot number 1.02 located at  
411 Old Hook Road, Emerson, NJ and annexed thereto.  
(Street Address, Town)

(2) CONSIDERATION \$ 2,250,000.00 (See instructions #1, #5, and #11 on reverse side)

Entire consideration is in excess of \$1,000,000;

PROPERTY CLASSIFICATION CHECKED BELOW SHOULD BE TAKEN FROM THE OFFICIAL TAX LIST (A PUBLIC RECORD) OF THE MUNICIPALITY WHERE THE REAL PROPERTY IS LOCATED IN THE YEAR THAT THE TRANSFER IS MADE.

(A) When Grantee is required to remit the 1% fee, complete below:

- Class 2 - Residential
- Class 3A - Farm property (Regular) and any other real property transferred to same grantee in conjunction with transfer of Class 3A property
- Class 4A - Commercial Properties (if checked, calculation on (C) required below)
- Class 4C - Residential Cooperative Unit (4 Families or less)

(B) When Grantee is not required to remit the 1% fee, complete below:

- Property class. Circle applicable class(es): 1 4B 4C 16
- Property classes: 1-Vacant Land, 4B-Industrial properties, 4C-Apartments (other than cooperative unit), 16-Public Property
- Exempt Organization pursuant to Federal Internal Revenue Code of 1986
- Incidental to corporate merger or acquisition and equalized assessed valuation less than 20% of total value of all assets exchanged in merger or acquisition (If checked, calculation in (C) below required and MUST ATTACH COMPLETED RTF-4)

(C) REQUIRED CALCULATION OF EQUALIZED ASSESSED VALUATION FOR ALL CLASS 4A COMMERCIAL PROPERTY TRANSACTIONS: (See instructions #6 and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Valuation

\$ 2,250,200.00 + 100% = \$ 2,250,200.00

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

(3) TOTAL EXEMPTION FROM FEE (See instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1966, as amended through C. 66, P.L. 2004, for the following reason(s). More reference to exemption symbol is insufficient. Explain in detail.

(4) Deponent makes Affidavit of Consideration for Use by Buyer to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith pursuant to the provisions of Chapter 49, P.L. 1966, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 30th day of April, 2009

Wing L. Biddie  
Signature of Deponent  
321 Railroad Avenue, Greenwich CT  
Deponent Address

United Biddie Property, Inc.  
Grantee Name  
321 Railroad Avenue, Greenwich  
Grantee Address at Time of Sale

Jo Ann Mitiglo

JO ANN MITIGLO  
A Notary Public of New Jersey  
My Commission Expires July 16 2009

Robert S. Dember/Fidelity Nelson  
Name/Company of Registering Officer

FOR OFFICIAL USE ONLY  
Instrument Number \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_  
Date Recorded \_\_\_\_\_

County Recording Officers shall forward one copy of each Affidavit of Consideration for Use by Buyer recorded with deeds to:

STATE OF NEW JERSEY, DIVISION OF TAXATION  
PO BOX 261  
TRENTON, NJ 08646-0261

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 further information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at [www.state.nj.us/treasury/taxation/tp/rtfca.htm](http://www.state.nj.us/treasury/taxation/tp/rtfca.htm)

BK 09306 PG 077

RIF-1 (Rev. 2/19/07) STATE OF NEW JERSEY  
**AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER**  
 (Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 48:16-6 et seq.)  
**BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.**

STATE OF NEW JERSEY

COUNTY Bergen } SS. County Municipal Code 0214

MUNICIPALITY OF PROPERTY LOCATION Emerson

**FOR RECORDER'S USE ONLY**  
 Consideration \$ 2,250,000.00  
 RTF paid by seller \$ 24,700.00  
 Date \_\_\_\_\_ By \_\_\_\_\_

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

(1) **PARTY OR LEGAL REPRESENTATIVE** (See Instructions #3 and #4 on reverse side)  
 Deponent, Romelyn Friedman, being duly sworn according to law upon his/her oath, deposes and says that he/she is the Grantor in a deed dated April 30, 2007 transferring real property identified as Block number 1301 Lot number 1.02 located at 411 Old Hook Road, Emerson, NJ and annexed thereto.

(2) **CONSIDERATION** \$ 2,250,000.00 (See Instructions #1 and #5 on reverse side)

(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:**  
 (See Instructions #5A and #7 on reverse side)  
 Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation  
 \$ 2,238,200.00 + 100% = \$ 2,238,200.00  
 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** (See 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. 1968, as amended through C. 60, P.L. 2004, for the following reason(s). Merit reference to exemption symbol is insufficient. Explain in detail.

(5) **PARTIAL EXEMPTION FROM FEE** (See 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 Fee, Supplemental Fee, and General Purpose Fee, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 68, P.L. 2004 for the following reason(s):

A.  **BENIOR CITIZEN** Grantor(s)  62 years of age or over. \* (See Instruction #9 on reverse side for A or B)  
 B.  **BLIND PERSON** Grantor(s)  legally blind or;  
 **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 THE CASE OF HUSBAND AND WIFE/CIVIL UNION PARTNERS, ONLY ONE GRANTOR NEEDS TO QUALIFY IF TENANTS BY THE ENTIRETY.

C. **LOW AND MODERATE INCOME HOUSING** (See Instruction #9 on reverse side)  
 Affordable according to H.U.D. standards.  Reserved for occupancy.  
 Meets income requirements of region.  Subject to resale controls.

(6) **NEW CONSTRUCTION** (See Instructions #2, #10 and #12 on reverse side)  
 Entirely new improvement.  Not previously occupied.  
 Not previously used for any purpose.  "NEW CONSTRUCTION" printed clearly at the top of the first page of the deed.

(7) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 27<sup>th</sup> day of April, 2007

Romelyn Friedman Romelyn Friedman  
 Signature of Deponent Grantor Name  
1121 Crandon BLVD, APT. F607 Key Bldg, FL 33149  
 Dependent Address Grantor Address at Time of Sale

JO ANN MITZKO Fidelity National Title Insurance Co.  
 Notary Public of New Jersey Name/Company of Notarizing Officer  
 My Commission Expires July 16, 2009

**FOR OFFICIAL USE ONLY**  
 Instrument Number: \_\_\_\_\_ County: \_\_\_\_\_  
 Deed Number: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_  
 Deed Dated: \_\_\_\_\_ Date Recorded: \_\_\_\_\_

County Recording Officers shall forward one copy of each Affidavit of Consideration for Use by Seller when Section 3A is completed.  
 STATE OF NEW JERSEY - DIVISION OF TAXATION  
 PO BOX 261  
 TRENTON, NJ 08646-0261  
 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 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 of Taxation website at [www.state.nj.us/treasury/taxation/ptfdocstax.htm](http://www.state.nj.us/treasury/taxation/ptfdocstax.htm).

ABSTRACTED 01 09 09 06 00 00

**END OF DOCUMENT**

250  
SP  
90

Consideration	15,000,000.00
State Transfer Tax	750,000.00
State Portion	12,250.00
County Portion	2,275.00
Municipality Portion	2,275.00

101 - DEED - BARGAIN AND SALE (Conveyed as to Grantee's Acc)  
 led to Ind. or Corp - Public Language

54168 Deed > 1,000,000  
 Kathleen A. Donovan Recording Fee 90.00  
 Bergen County Clerk  
 Recorded 03/11/2007 14:30

654-40761  
 RECORD & RETURN  
 FIDELITY NATIONAL TITLE INSURANCE  
 3705 QUAKERBROOK ROAD, STE 200  
 MERCERVILLE NJ 08698

**RECORD & RETURN TO:**

Raymond P. Argila, Esq.  
 Urstadt Biddle Properties Inc.  
 321 Railroad Avenue  
 Greenwich, Connecticut 06830

Prepared by:  
*Dana B. Cobb*  
 Dana B. Cobb, Esq.  
 Attorney at Law of New Jersey

1% Grantee Fee Paid  
 \$150,000.00

**DEED**

This Deed is made as of April 30, 2007,

**BETWEEN:** Romelyn Frieman, a widow, having an address at 1121 Crandon Boulevard, Apartment F607, Key Biscayne, Florida 33149, referred to as Grantor,

**AND:** Urstadt Biddle Properties Inc., a Maryland corporation having an address at 321 Railroad Avenue, Greenwich, Connecticut 06830, referred to as Grantee.

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

**Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of Fifteen Million and 00/100 (\$15,000,000.00) DOLLARS. The Grantor acknowledges receipt of this money.

**Tax Map Reference.** (N.J.S.A. 46:15-2.1) Borough of Emerson, Bergen County, New Jersey, Block No. 1301, Lot No. 1.01.

**Property.** The property consists of the land and all the buildings and structures on the land in the BOROUGH OF EMERSON, COUNTY OF BERGEN and STATE OF NEW JERSEY MORE PARTICULARLY SET FORTH ON THE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT A.

BEING the same premises conveyed to the Grantor herein by Deed from Romelyn Frieman, Executrix of the Last Will and Testament of Dr. Edwin Frieman, dated June 1, 1992, recorded in the Bergen County Clerk's office on July 3, 1992 in Deed Book 7521, at Page 54.

SUBJECT to covenants, restrictions and easements of record and such state of facts as an accurate survey would disclose.

470220\_3ND05752

BK 0931296021



EXHIBIT A  
LEGAL DESCRIPTION

BEGINNING at a point in the present easterly sideline of Main Street (25' from centerline), said point being distant 123.09' northerly from the intersection of the northerly sideline of Lake View Drive (50' Wide) produced with the easterly sideline of Main Street (25' from centerline), produced and running; thence

1. Along the easterly sideline of Main Street (25' from centerline) North 22 degrees, 19 minutes, 30 seconds East a distance of 417.03' to a point, thence;
2. South 74 degrees 16 minutes East, a distance of 196.30 feet to a point and corner, thence;
3. North 22 degrees 19 minutes 30 seconds East, a distance of 200.78 feet to a point in the southerly line of Old Hook Road, (32.00' from centerline), thence;
4. South 74 degrees 16 minutes East, along the said southerly line of Old Hook Road (32' from centerline), a distance of 304.51 (304.53 per Det'd) feet to a point of curvature, thence;
5. Continuing along the said southerly sideline of Old Hook Road (32' from centerline), along a curve to the right having a radius of 1,342.21 feet, and a central angle of 01 degrees, 23 minutes, 27 seconds, an arc distance of 32.58 feet to a point; thence;
6. South 17 degrees 47 minutes 00 seconds West, a distance of 613.70 feet to a point; thence;
7. North 74 degrees 16 minutes 00 seconds West, a distance of 582.35 feet to a point in the aforesaid present easterly sideline of Main Street (25' from centerline) being the point or place of BEGINNING.

This description in accordance with an ALTA/ACSM plat of survey made by Schwanewide / Heis Engineering, dated March 6, 2007 and revised on April 24, 2007.

Note for information: currently known as Lot 1.01, Block 1301, on the current tax map.

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BK 09312 PG 023



State of New Jersey  
**NONRESIDENT SELLER'S TAX DECLARATION**  
 (C.55, P.L. 2004)

GIT/REP-1  
 (2-07)

(Please Print or Type)

**SELLER(S) INFORMATION**

Name(s)

Roselyn M. Erlman

Street Address:

1121 Brandon Boulevard, Apartment F807

City, Town, Post Office

State

Zip Code

FL

33148

Key Block(s)

**PROPERTY INFORMATION (Brief Property Description)**

Block(s)

Lot(s)

Qualifier

1301

1.01

Street Address:

486 Old Hook Road

City, Town, Post Office

State

Zip Code

NJ

07630

Emerson

Seller's Percentage of Ownership

Consideration

Closing Date

100%

\$15,000,000.00

4/30/2007

**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 statements 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.

4/21/07

Date

*Roselyn Erlman*

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

BK 09312 PG 024

(Detach on dotted line)

RTF-108 (Rev. 2/15/07) STATE OF NEW JERSEY  
 MUST BE SUBMITTED IN DUPLICATE AFFIDAVIT OF CONSIDERATION FOR USE BY BUYER  
 (Chapter 40, P.L. 1968, as amended through Chapter 33, P.L. 2006) (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 } SS. County Municipal Code  
 COUNTY \_\_\_\_\_ 0214  
 MUNICIPALITY OF PROPERTY LOCATION Emerson Borough

FOR RECORDEE'S USE ONLY  
 Consideration RTF paid by buyer \$ 15,000.00  
 Date 5/10/07

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3 and #4 on reverse side) XXX-XX-042  
 Deponent, Willing L. Biddle, being duly sworn according to law upon his/her oath, deposes and says that he/she is the Corporate Officer of Grantee in a deed dated April 30, 2007 transferring (Grantee, Legal Representative, Corporate Officer, Officer of This Company, Lending Institution, etc.) real property identified as Block number 1301 Lot number 1.01 located at 485 Old Hook Road, Emerson, New Jersey and annexed thereto. (Street Address, Town)

(2) CONSIDERATION \$ 15,000,000.00 (See Instructions #1, #5, and #11 on reverse side)  
 Entire consideration is in excess of \$1,000,000:

PROPERTY CLASSIFICATION CHECKED BELOW SHOULD BE TAKEN FROM THE OFFICIAL TAX LIST (A PUBLIC RECORD) OF THE MUNICIPALITY WHERE THE REAL PROPERTY IS LOCATED IN THE YEAR THAT THE TRANSFER IS MADE.

- (A) When Grantee is required to remit the 1% fee, complete below:
- Class 2 - Residential
  - Class 3A - Farm property (Regular) and any other real property transferred to same grantee in conjunction with transfer of Class 3A property
  - Class 4A - Commercial Properties (If checked, calculation in (C) required below)
  - Class 4D - Residential Cooperative Unit (4 Families or less)

- (B) When Grantee is not required to remit the 1% fee, complete below:
- Property class. Circle applicable class(es): 1 4B 4C 1B
  - Exempt Organization pursuant to federal Internal Revenue Code of 1986
  - Incidental to corporate merger or acquisition and equalized assessed valuation less than 20% of total value of all assets exchanged in merger or acquisition (If checked, calculation in (C) below required and MUST ATTACH COMPLETED RTF-4)

(C) REQUIRED CALCULATION OF EQUALIZED ASSESSED VALUATION FOR ALL CLASS 4A COMMERCIAL PROPERTY TRANSACTIONS: (See Instructions #6 and #7 on reverse side)  
 Total Assessed Valuation + Director's Ratio = Equalized Valuation  
 \$ 13,780,500.00 + 100% = \$ 13,780,500.00  
 If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed valuation. If Director's Ratio is equal to or in excess of 100%, the assessed valuation will be equal to the equalized value.

(3) TOTAL EXEMPTION FROM FEE (See Instruction #8 on reverse side)  
 Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1966, as amended through C. 66, P.L. 2004, for the following reason(s). More reference to exemption symbol is insufficient. Explain in detail.

(4) Deponent makes Affidavit of Consideration for Use by Buyer to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith pursuant to the provisions of Chapter 40, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 10th day of April, 2007

Willing L. Biddle  
 Signature of Deponent  
 321 Railroad Avenue, Greenwich CT  
 Deponent Address

United Biddle Properties, Inc.  
 Grantee Name  
 321 Railroad Avenue, Greenwich  
 Grantee Address at Time of Sale

Robert B. Dember, Fidelity Nat  
 Name/Company of Solemn's Officer

Jo Ann Mitzko  
 JO ANN MITZKO  
 A Notary Public of New Jersey  
 My Commission Expires July 18, 2009

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

County Recording Officers shall forward one copy of each Affidavit of Consideration for Use by Buyer recorded with deeds to:  
 STATE OF NEW JERSEY - DIVISION OF TAXATION  
 PO BOX 181  
 TRENTON, NJ 08646-0181  
 ATTENTION: REALTY TRANSFER FEE UNIT

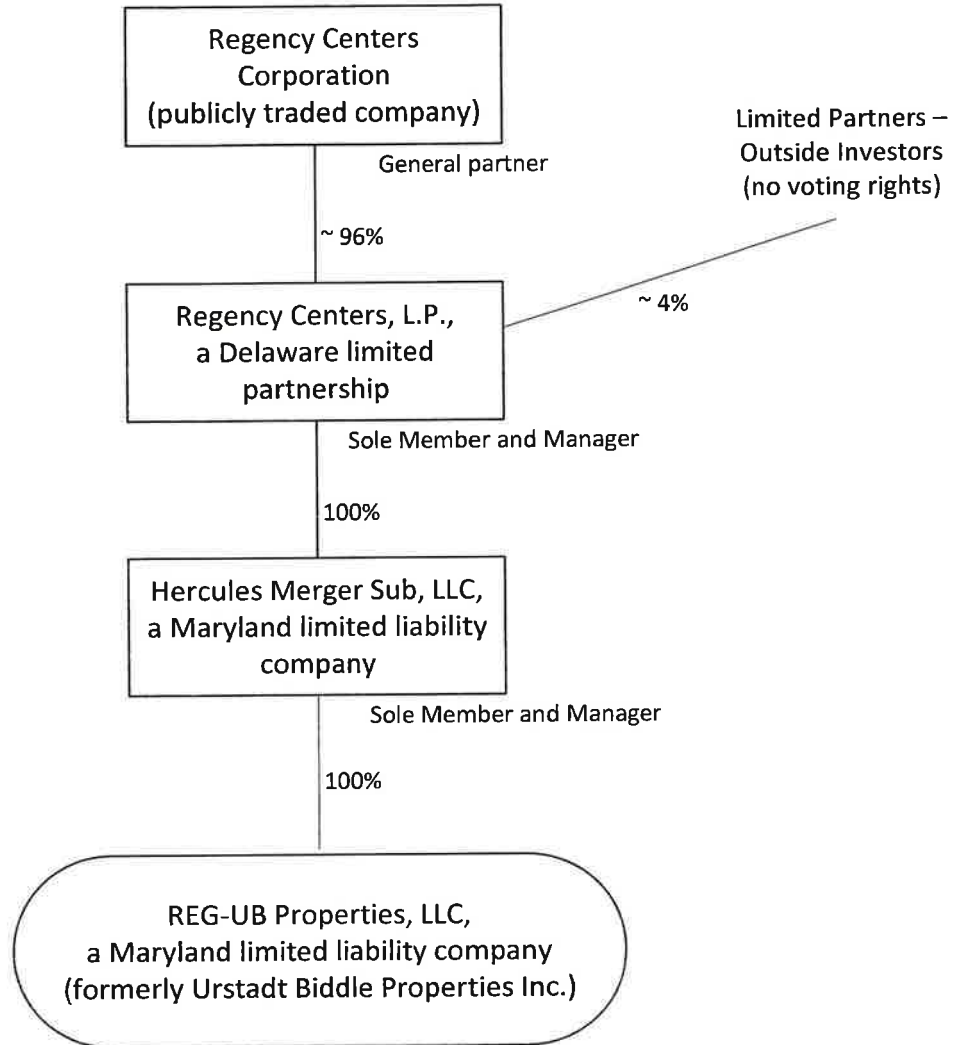
The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without prior approval of the Director. For further information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at [www.state.nj.us/treasury/taxation/tfp/foctax.htm](http://www.state.nj.us/treasury/taxation/tfp/foctax.htm)

BK 093126025 END OF DOCUMENT

ABSTRACTED

# **EXHIBIT "B"**

# Ownership Diagram



## **EXHIBIT “C”**

**The registered agent in the State of NJ is:**

**UNITED AGENT GROUP INC.**

**181 NEW ROAD #304**

**PARSIPPANY, NJ 07054**

## **EXHIBIT D**

### 10. Description of Project

REG-UB Properties, LLC ("Applicant") seeks preliminary and final site plan approval, along with variance relief, for its proposed development on Block 1301, Lots 1.01 and 1.02 in the Borough of Emerson.

#### **I. Lot 1.02**

The Applicant proposes to demolish the existing improvements on Lot 1.02 and construct a package liquor store and restaurant with parking, lighting, landscaping and other associated site improvements.

#### **II. Lot 1.01**

The current use of Lot 1.01 is a shopping center use and the Applicant has no intention of modifying that use. No new buildings or structures are contemplated for Lot 1.01.

**EXHIBIT "E"**

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**List of Variances & Waivers**  
**October 2025**

**Reg-UB Properties, LLC**  
**Proposed Package Liquor Store & Restaurant Pad Site**  
**Block 1301, Lots 1.0 & 1.02**  
**411-495 Old Hook Road (CR-502) & Main Street**  
**Borough of Emerson**  
**Bergen County, NJ**  
**DEC# 4182-23-03579**

**Variances**

**Zoning Requirements – Borough of Emerson Zoning Ordinance**

- (Borough of Emerson - Zones and Zone Regulations) Lot, Yard, Height and Setback Requirements (§ 290-Attachment 2)
- Retail/Commercial (RC Zone) Bulk Requirements
  - The minimum rear yard setback for the RC Zone is 20 feet.  
***The project includes the proposed building which is 1.9 feet setback from the rear yard. The rear yard borders the parking facilities of the adjacent shopping center.***
- (Borough of Emerson - Zones and Zone Regulations) B-1 Off-street parking, loading and unloading (§ 290-30(B)(1))
- Design standards for off-street parking areas
  - Size. Each off-street parking space shall measure not less than 10 feet by 20 feet, exclusive of access drives and aisles, except that parallel curb parking spaces shall be eight feet by 23 feet. Except in the case of one-family dwellings, no parking areas provided hereunder shall be established for fewer than four spaces.  
***The existing lot provides parking spaces that are 9 feet by 18 feet and as such the proposed development includes similarly sized parking spaces to match the existing conditions. Therefore, variance relief is requested.***
- (Borough of Emerson - Zones and Zone Regulations) Off-street parking, loading and unloading (§ 290-30(E))
  - As per the ordinance requirement for minimum parking spaces to be provided the overall site has a parking requirement of 427 Spaces and proposes 379 spaces.  
***The existing nonconformance on Lot 1.02 is to remain as 2 spaces were eliminated due to the site improvements.***

- (Borough of Emerson - Zones and Zone Regulations) Fences, walls, arbors and trellises (§ 290-40(B))
  - Any fence, freestanding wall, shrubbery, arbor or trellis located along the front property line or anywhere within the required front yard setback area shall not exceed three feet in height.  
***The proposed development includes a retaining feet which is greater than 3 feet tall within a front yard setback. Therefore, variance relief is requested.***
- (Borough of Emerson - Zones and Zone Regulations) Design Standards (§ 290-70(E)(1)(C))
- Lighting Requirements
  - The maximum lighting intensity at any point on the subject property line shall not exceed 0.5 footcandle.  
***The proposed maximum lighting intensity along the subject property line exceeds 0.5 footcandle. Therefore, variance relief is requested.***
- (Borough of Emerson - Zones and Zone Regulations) Performance Standards (§ 290-54)
- Glare Requirements
  - No direct glare shall be permitted except as may be caused by lights placed on standards not exceeding the maximum height of structures allowed in the zone and shielded so as to restrict the maximum apex angle of the cone of illumination to 150° and the maximum intensity of illumination at ground level of 10 footcandles.  
***The proposed maximum lighting intensity along the subject property line exceeds 0.5 footcandle. Therefore, variance relief is requested.***
- (Borough of Emerson - Zones and Zone Regulations) Signage Chart (§ 290-Attachment 3)
- Signage Regulations
  - Building-mounted signage has a maximum area of 1.5 SF/building foot or 24 feet, whichever is less.  
***The proposed project includes building-mounted signage on all sides of the proposed building. All building-mounted signage is greater than 24 square feet. Therefore, variance relief is requested.***

### Existing Non-conformances

- (Borough of Emerson - Zones and Zone Regulations) B-1 Off-street parking, loading and unloading (§ 290-30(B)(2)(D))
- Driveway Widths
  - Driveways servicing two-way traffic are required to provide 25 feet of width.  
***The existing development has an existing non-conformance with a driveway of 20.8 feet. The proposed development includes a driveway of 23.72 feet.***