

BOROUGH OF WHARTON  
GENERAL APPLICATION FORM

APPLICATION IS HEREBY MADE TO THE BOARD OF ADJUSTMENT FOR THE FOLLOWING:

- A. \_\_\_\_\_ Appeal alleging administrative error in enforcement of the Zoning ordinance (N.J.S.A. 40:55D-70a)
- B. \_\_\_\_\_ Interpretation or Decisions on Special Questions relating to the zoning map or an ordinance (N.J.S.A. 40:55D-70b)
- C. \_\_\_\_\_ Applications and Appeals alleging peculiar and exceptional practical difficulties or exceptional undue hardship (N.J.S.A. 40:55D-70c)
- D.  Applications to grant variances to allow a structure or use in a district restricted against such structure or use (N.J.S.A. 40:55D-70d)
- E. \_\_\_\_\_ Appeal for lot that does not abut a street.

NAME OF APPLICANT Klein Outdoor Advertising, LLC

ADDRESS 54 Broad Street, Suite L107, Red Bank, NJ 07701

TELEPHONE (HOME) 732-236-0100 BUSINESS \_\_\_\_\_

NAME OF OWNER Townsquare Investment Properties

ADDRESS 11 Nina Place, Randolph, NJ 07869

TELEPHONE (HOME) \_\_\_\_\_ BUSINESS \_\_\_\_\_

PREMISES AFFECTED: BLOCK 801 LOT 7.01  
STREET ADDRESS 320 N.J.S.H. Route 15  
ZONE B-2

Application is being made for relief of terms of Article 165,

Section 109.A, F.1, and J of the Borough of Wharton Land Use Ordinance so as to

Permit the installation and use of a billboard sign at the property

The billboard is proposed to have a sign area of approximately 396 square feet.

The steel support column for the billboard sign is approximately 27 feet in height.

The proposed billboard elevation is shown on Sheet 3 of the site plan.

This appeal is based on the (order issued) (decision rendered) by the Zoning Official,

Construction Code Official dated \_\_\_\_\_ and reading as follows:

N/A

Presently this property is used as \_\_\_\_\_  
a diner

Does the owner or applicant own or have any interest in any adjoining property?

YES \_\_\_\_\_ NO  \_\_\_\_\_. If yes, please specify Block/Lot  
BLOCK \_\_\_\_\_, LOT \_\_\_\_\_.

Has any prior application been made to the Zoning Board on this property?

YES  \_\_\_\_\_ NO \_\_\_\_\_ . If yes please specify date, relief sought and  
disposition. **Applicant has filed an OPRA request for prior resolutions**

DATE: \_\_\_\_\_, RELIEF \_\_\_\_\_

DISPOSITION \_\_\_\_\_.

Has any appeal of a decision been made on this property? YES \_\_\_\_\_ NO \_\_\_\_\_

If yes, please specify date and details. **Applicant has filed an OPRA request for prior resolutions**

DATE \_\_\_\_\_

DETAILS \_\_\_\_\_

The subject property is located along a \_\_\_\_\_ County road,  State Highway  
\_\_\_\_\_ Municipal road, \_\_\_\_\_ Private road/drive.

Is new construction proposed? \_\_\_\_\_ YES  No. If yes, what is the total floor area of  
all buildings?  \_\_\_\_\_.

How many parking spaces are required N/A? How many parking spaces are  
proposed N/A?

BASIS OF VARIANCE APPLICATION

It is a requirement of New Jersey Law that the applicant establishes the criteria set forth in either Section 1 or Section 2 below in order for a variance to be granted. Answer completely and fully either Section 1 or 2.

SECTION 1; (UNIQUE PHYSICAL CONSTRAINTS OF THE PROPERTY)

By reason of physical, topographical or other unique features affecting this specific property, the strict application of the provisions of the Borough Of Wharton Land Use Ordinance would result in peculiar and exceptional difficulties or exceptional undue hardship under N.J.S.A. 40:55 D-70c. List in detail facts showing that this application conforms to this requirement, including, if applicable, reference to the exceptional narrowness, shallowness, or shape of the property, or the exceptional topographical conditions affecting the property, or any other exceptional situation or conditions of the property which applicant contends warrants the granting of this variance.

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SECTION 2: NON-COMPLIANCE WITH ZONING USE.

A. There are special reasons under N.J.S.A. 40:55D-70d affecting this property which permits a variance for the land and/or proposed structure to be used for a use not permitted in the district in which this property is zoned. The following are reasons:

Testimony from a professional planner will be provided at the public hearing.

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B. List in detail the reasons why the granting of this variance will not be substantially detrimental to the public good and will not substantially impair the intent and purpose of the zone plan and Land Use Ordinance.

Testimony from a professional planner will be provided at the public hearing.

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SIZE OF SUBJECT PROPERTY

	<u>EXISTING</u>	<u>PROPOSED</u>	<u>REQUIRED</u>
Lot Frontage	<u>230.6'</u>	<u>230.6'</u>	<u>150'</u>
Lot Depth	<u>234.51'</u>	<u>234.51'</u>	<u>200'</u>
Lot Area	<u>56,613SF</u>	<u>56,613SF</u>	<u>40,000SF</u>

SIZE OF PROPOSED BUILDING OR ACCESSORY STRUCTURE

Frontage	_____	_____	_____
Depth	_____	_____	_____
Area	_____	_____	_____
Total Height	_____	_____	_____
Number of stories	_____	_____	_____

SET BACK FROM PROPERTY LINE

	<u>PRINCIPAL</u>	<u>ACCESSORY</u>	<u>REQUIRED</u>
Front Yard	<u>79.2'</u>	_____	<u>50'</u>
Side Yard	<u>55.1'</u>	_____	<u>25'</u>
Side Yard	<u>55.1'</u>	_____	<u>25'</u>
Rear Yard Depth	<u>101.5'</u>	_____	<u>40'</u>

PERCENTAGE OF LOT OCCUPIED BY ALL STRUCTURES (LOT AREA - BUILDING AREA)

<u>7.6%</u>	_____	<u>40%</u>
<b>Existing Lot Coverage</b>		<b>Maximum Lot Coverage</b>

**81%**  
**Existing Impervious Coverage**

No change is proposed to this condition.

**70%**  
**Maximum Impervious Coverage**

AUTHORIZATION

If anyone other than the owner of the property is making this application, the following authorization MUST BE executed:

To the Borough of Wharton Planning Board:

Peter Sedorey

Klein Outdoor Advertising, LLC

is hereby authorized to make the within application.

Print Applicant's Name

APPROVED:

[Signature]  
Property Owner's Signature

12 / 21 / 2020  
Month Day Year

Peter Sedorey  
Print Property Owner's Name

authorized representative of Townsquare Investment Properties

320 Rt. 15 South, Wharton, NJ 07885  
Property Owner's Address

Sworn and subscribed to me this 21<sup>st</sup> day of December, 2020.

[Signature]  
Notary Public

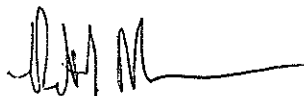
SHAWN K. EATON  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 3/28/2022



AFFIDAVIT OF APPLICANT

STATE OF NEW JERSEY)  
COUNTY OF MORRIS ) ss.

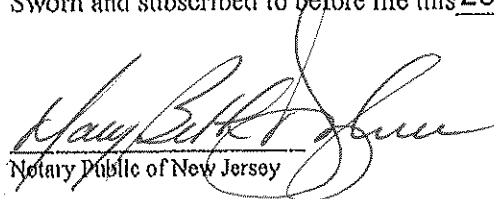
Klein Outdoor Advertising, LLC of full age, being duly sworn according to  
(Print applicant's name)  
on oath deposes and says that all of the above statements and the statements  
contained in the paper submitted herewith are true.



\_\_\_\_\_  
(Applicant's signature)

Peter J. Wolfson, Esq., Day Pitney LLP, as attorney for Applicant  
(Print applicant's name)

Sworn and subscribed to before me this 28 day of December, 2020.

  
\_\_\_\_\_  
Notary Public of New Jersey

**MARY BETH DONOGHUE**  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES 01/24/2021



## OWNERSHIP DISCLOSURE STATEMENT

In accordance with N.J.S.A. 40:55D-48.1, the names and addresses of all persons owning 10% of the stock in **Klein Outdoor Advertising, LLC** are disclosed as set forth below. In accordance with N.J.S.A. 40:55D-48.2 this disclosure requirement applies to any corporation or partnership which owns more than 10% interest in **Klein Outdoor Advertising, LLC** 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.

1. David Klein Outdoor Advertising, Inc., 54 Broad St, Red Bank, NJ 07701
  - David Klein has more than a 10% interest in David Klein Outdoor Advertising, Inc.
  - No other individual or entity has 10% or more interest.
  
2. Stonybrook Land Development LLC, 21 Powerhorn Drive, Kinnelon, NJ 07405
  - Craig Brinster has more than a 10% interest in Stonybrook Land Development LLC.
  - No other individual or entity has 10% or more interest.

# BOROUGH OF WHARTON

**Mayor**

William J. Chegwidde

**Council President**

Vincent Binkoski

**Council**

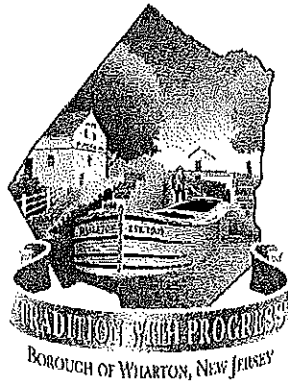
Sandra Hayes

Robert Norton

Paola Vasquez

Nicole Wickenheisser

Thomas Yeager



**Certified Tax Collector**

**Payroll Clerk**

Diana Fernandez

10 Robert Street  
Wharton, NJ 07885

973-361-8444

Fax: 973-361-5281

[dfernandez@whartonnj.com](mailto:dfernandez@whartonnj.com)

[www.whartonnj.com](http://www.whartonnj.com)

## CERTIFICATION OF TAX COLLECTOR

I, Diana Fernandez, Tax Collector for the Borough of Wharton do herein state that the property taxes on Block 801, Lot 7.01, commonly known as 320 Route 15, Wharton, NJ are paid current as of December 31, 2020.

Signed:

Diana Fernandez

Dated:

12/31/20

APPENDIX "A"  
FORM 3  
SITE PLAN SUBMISSION DETAILS AND REQUIREMENTS

Applicant's Name Klein Outdoor Advertising, LLC

Date Received \_\_\_\_\_

All applications for site plan approval shall be prepared, signed and sealed by a professional engineer. They shall bear the signature and the seal of a licensed land surveyor as to topographic and boundary survey data. A signed and sealed copy of the survey on which the site plan is based shall be submitted to the reviewing board with the site plan submission.

SCALE: 1" = 10:20:30:40:50

PLAN LEGIBILITY: Satisfactory ( ) Unsatisfactory ( )

REQUIRED INFORMATION

All site plans shall comply with the requirements hereinafter set forth and shall contain the following information and data where applicable:

- | YES                              | NO  |    |  |
|----------------------------------|-----|----|--|
| <input checked="" type="radio"/> | ( ) | 1. | A title block shall be indicated in the lower right-hand corner of the plan and shall include the name and address of the record owner, including the block and lot number of the site; the title of the development; and the name, address, license number and seal of the person preparing the plan. If the owner is a corporation, the name and address of the president and secretary shall be submitted with the application. |
| <input checked="" type="radio"/> | ( ) | 2. | A date block of the site plan adjacent to the title block containing the date of preparation. All subsequent revisions shall be clearly noted and dated.   |
| <input checked="" type="radio"/> | ( ) | 3. | A key map showing the location of the tract with reference to surrounding areas and existing street intersections within five hundred (500) feet of the boundaries of the subject premises.  |
| <input checked="" type="radio"/> | ( ) | 4. | A place for the signatures of the Chairman of the Board, Secretary of the Board and the Borough Engineer.  |
| <input checked="" type="radio"/> | ( ) | 5. | A scale of not less than fifty (50) feet to the inch shall be used and a graphic representation of the scale shall be displayed, and a North arrow. All distances and dimensions shall be in feet and decimals of a foot and all bearings shall be given to the nearest ten (10) seconds. In the case of an exceptionally large tract of land, a scale of not less than one hundred (100) feet to the inch may be employed.        |
| <input checked="" type="radio"/> | ( ) | 6. | The names of all owners of adjacent property within two hundred (200) feet of the subject premises, together with the block and lot numbers of the said property, as shown on the current municipal tax records.   |
| <input checked="" type="radio"/> | ( ) | 7. | Zone boundaries shall be shown on the site plan as they affect the parcel. Adjacent zone districts within two hundred (200) feet shall also be indicated. Such features may be shown on a separate map or as a key on the detail map itself.   |

- (●) ( ) 8. Survey data showing boundaries of the property, required building or setback lines from existing and proposed streets, lots and areas dedicated to public use, including grants, restrictions and rights-of-way, lot area.
- (●) ( ) 9. Reference to any existing covenants, deed restrictions, easements or exceptions that are in effect or are intended to cover all or any of the tract. A copy of such covenant, deed restriction, easement or exception shall be submitted with the application. If there are no known covenants, deed restrictions, easements or exceptions affecting the site, a notation to that effect shall be indicated on the site plan map.
- (●) ( ) 10. Location of existing buildings on the site which shall remain, including all existing setback dimensions, and all other structures such as walls, fences, culverts, bridges, roadways, etc. with spot elevations of such structures. Structures to be removed shall be indicated by dashed lines; structures to remain shall be indicated by solid lines.
- (●) ( ) 11. All distances as measured along the right-of-way lines of existing streets abutting the property to the nearest intersection with any other street.
- (●) ( ) 12. Location plans and elevations of all proposed buildings and other structures, including required yard and setback areas, building height in feet and stories, lot coverage and improved lot coverage calculations.
- (●) ( ) 13. Location, height, dimensions and details of all signs, either freestanding or affixed to a building. Where signs are not to be provided, a notation to that effect shall be indicated on the site plan.
- (●) ( ) 14. Location of all storm drainage structures, soil erosion and sediment control devices and utility lines, whether publicly or privately owned, with pipe sizes, grades and direction of flow. The estimated location of the said existing underground utility lines shall be shown.
- (●) ( ) 15. Existing and proposed contours, referred to United States Coast and Geodetic Survey datum, with a contour interval of one (1) foot for slopes of three percent (3%) or less, an interval of two (2) feet for slopes of more than three percent (3%) but less than fifteen (15) percent and an interval of five (5) feet for slopes of fifteen (15) percent or more. Existing contours are to be identified by dashed lines and proposed contours are to be identified by solid lines.
- (●) ( ) 16. Location of existing rock outcrops, high points, watercourses, depressions, ponds, marshes, wetlands, wooded areas and other significant existing features, including previous flood elevations of watercourses, where available, and ponds and marsh areas, as may be determined by survey. Unusual major conditions affecting the subject property or surrounding areas shall be indicated.
- N/A ( ) ( ) 17. All proposed streets with profiles indicating grading, and cross sections showing width of roadway, location and width of sidewalks, where required, and location and size of utility lines, according to community standards and specifications.
- N/A ( ) ( ) 18. The proposed use or uses of land and buildings and proposed location of buildings, including proposed grades. Floor plans and area of all buildings and estimated number of employees, housing units and other capacity measurements, where required, shall also be indicated. If the precise use of the building is unknown at

the time of application, an amendment plan showing the proposed use shall be required prior to a

- (●) ( ) 19. All means of vehicular ingress and egress to and from the site onto public or private streets, showing the size and location of driveways and curb cuts, including the possible organization of traffic channels, acceleration and deceleration lanes, additional width and other traffic controls which may be required. Improvements such as roads, curbs, sidewalks and other design details shall be indicated, including dimensions of parking stalls, access aisles, curb radii, direction of traffic flow and other conditions as may be required in the Zoning Ordinance or this Code.
- (●) ( ) 20. The location and design of any off-street parking areas or loading areas showing size and location of bays, aisles and barriers.
- N/A ( ) ( ) 21. The location of all proposed water lines, valves and hydrants and all sewer lines or alternative means of water supply or sewage disposal and treatment in conformance with the municipal standards and appropriate utility companies, where applicable.
- N/A ( ) ( ) 22. The proposed location, direction of illumination, power and time of proposed outdoor lighting, including type of standards to be employed, radius of light and intensity in footcandles. **No lighting proposed; Billboard lighting to be addressed in testimony**
- N/A ( ) ( ) 23. The proposed screening, landscaping and planting plan indicating natural vegetation to remain and areas to be planted. A plant schedule indicating botanical name, common name, size at time of planting, quantity and any special remarks for all plant material proposed. Planting and construction details and specifications.
- N/A ( ) ( ) 24. The proposed refuse and recycling collection facility including location, dimensions and screening elements.
- N/A ( ) ( ) 25. The proposed rooftop appurtenances including total area, height and screening elements.
- N/A ( ) ( ) 26. The proposed stormwater drainage system as to conform with designs based on a fifty-year storm, using a one-hour intensity of two and zero-tenths (2.0) inches. All site plans shall be accompanied by a plan sketch showing all existing drainage within five hundred (500) feet of any boundary, and all areas, wooded areas and any other surface area contributing to the calculations and methods used in the determination.
- (●) ( ) 27. Complete building elevation drawings of proposed structure(s).
- (●) ( ) 28. Location, size, and nature of contiguous property owned by the applicant or in which the applicant has direct or indirect interest.
- N/A ( ) ( ) 29. Soil Erosion and Sediment Control Plan.
- ( ) ( ) 30. Traffic Study (where required by the Board).
- ( ) ( ) 31. Environment Impact Study (where required by the Board).
- ( ) ( ) 32. Any other information deemed necessary by the Board.

# DEED

Prepared by: *[Signature]*  
JACK L. WOLFF

This Deed is made on December 23rd 19 87

BETWEEN

TOWNSQUARE DINER, INC.

07591

a corporation of the state of New Jersey  
having its principal office at 320 Route 15, Wharton, New Jersey

referred to as the Grantor,

AND

TOWNSQUARE INVESTMENT PROPERTIES, a New Jersey Partnership

whose post office address is 11 Nina Place, Randolph, New Jersey

referred to as the Grantee.

The word "Grantee" shall mean 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 ONE DOLLAR AND 00/100 (\$1.00)

The Grantor acknowledges receipt of this money.

**Tax Map Reference.** (N.J.S.A. 46:15-2.1) Municipality of Wharton  
Block No. 801 Lot No. 7.1 Account No.

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

**Property.** The property consists of the land and all the buildings and structures on the land in the Borough of Wharton of Morris County and State of New Jersey. The legal description is:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF, ENTITLED "EXHIBIT A".

COUNTY OF MORRIS  
CONSIDERATION 1.00  
REALTY TRANSFER FEE 2.00  
DATE FEB 1 - 1988 I.S.L.

*Records*  
*Robin*  
*Chy*  
*28-*  
*Tak Exempt*

BOOK 2996 PAGE 0175

INSTRUMENT REC'D IN DEED

## DESCRIPTION

ALL that certain tract, lot and parcel of land situate in the Borough of Wharton, County of Morris and State of New Jersey, being more particularly described as follows:

BEGINNING at an iron pin in the middle of New Jersey State Highway Route 15 (formerly known as Union Turnpike) said iron pin is distant 9.39 feet on a course of South 34 degrees 33 minutes East from the second corner of tract conveyed by Henry O. Baker, widower, to Joseph Dakos and Irene, his wife, by deed dated February 19, 1937 and recorded in Book of Deeds O-63 page 224 & c., and from thence runs

1. along the center line of Route 15, North 34 degrees 33 minutes West 27.56 feet; thence
2. South 55 degrees 27 minutes West 283.00 feet; thence
3. South 34 degrees 33 minutes East 200.00 feet; thence
4. North 55 degrees 27 minutes East 288.00 feet to a point in the new center line of Route No. 15; thence
5. on a curve to the left having a radius 1000 feet but measured on the chord of said curve North 28 degrees 35 minutes 40 seconds West 173.09 feet to the place of beginning.

EXCEPTING from the above described premises one-half of the Right-of-Way of said Route No. 15, as now laid out by New Jersey State Highway, being 33.00 feet in width measured westerly at right angles from said center line as now laid out.

EXCEPTING and reserving to Henry O. Baker, his heirs, and assigns, all mineral rights.

BEING FURTHER DESCRIBED AS FOLLOWS:

The property consists of the land and all the buildings and structures on the land in the Borough of Wharton, County of Morris, State of New Jersey. The legal description is:

TRACT I:

BEGINNING at a point in the southwesterly sideline of N.J. Highway Route 15 said point being distant 30.00 feet from the intersection of said side line of Route 15 with the southeasterly sideline of a private road having a right of way width of 50 feet and running; thence

1. Along said sideline South 42 degrees 24' 45" East 27.65 feet to a point of curvature thence
2. Still along the same on a curve to the right having a radius of 967.00 feet for an arc length of 173.28 feet to a point; thence
3. South 47 degrees 35' 15" West 234.51 feet to a point; thence
4. North 42 degrees 24' 45" West 200.00 feet to a point; thence

ICS 42652 - Townsquare Diner, Inc.  
Description: (Continued)

TRACT I: (Continued)

5. North 47 degrees 35' 15" East 250.00 feet to a point in the southwesterly side line of Route 15 said point being the point and place of BEGINNING.

TRACT II:

BEGINNING at the point of intersection of the southwesterly side line of Route 15 with the southwesterly side line of a private road having a 50 foot right of way and running; thence

1. Along the southwesterly side line of Route 15 South 42 degrees 24' 45" East 30.00 feet to a point; thence
2. South 47 degrees 35' 15" West 250.00 feet to a point; thence
3. North 42 degrees 24' 45" West 30.00 feet to a point in the southeasterly sideline of a private road; thence
4. Along said side line North 47 degrees 35' 15" East 250.00 feet to the point and place of BEGINNING.

The above description is in accordance with a survey made by Thomas S. Benjamin Associates, Inc., dated February 28, 1986.



Signatures. This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page. Its corporate seal is affixed.

Attested by: **TOWNSQUARE DINER, INC.**  
*Katie Sedereas* Secretary  
*Constantine Sedereas* President

STATE OF NEW JERSEY, COUNTY OF \_\_\_\_\_ SS.:  
I CERTIFY that on December 23rd, 19 87

KATIE SEDEREAS  
personally came before me and this person acknowledged under oath, to my satisfaction, that:  
(a) this person is the secretary of the corporation named in this Deed:  
**TOWNSQUARE DINER, INC.**  
(b) this person is the attesting witness to the signing of this Deed by the proper corporate officer who is  
**CONSTANTINE SEDEREAS** the President of the corporation;  
(c) this Deed was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;  
(d) this person knows the proper seal of the corporation which was affixed to this Deed;  
(e) this person signed this proof to attest to the truth of these facts; and  
(f) the full and actual consideration paid or to be paid for the transfer of title is \$ 1.00.  
(Such consideration is defined in N.J.S.A. 46:15-5.)

Signed and sworn to before me on  
December 23rd 19 87  
*Jack L. Wolff*  
JACK L. WOLFF  
AN ATTORNEY AT LAW OF NEW JERSEY  
*Katie Sedereas*  
KATIE SEDEREAS, Secretary

STATE OF NEW JERSEY  
AFFIDAVIT OF CONSIDERATION OR EXEMPTION  
(c. 49, P.L. 1988)

or  
PARTIAL EXEMPTION  
(c. 176, P.L. 1975)

To Be Recorded With Deed Pursuant to c. 49, P.L. 1968 (N.J.S.A. 46:15-5 et seq.)

STATE OF NEW JERSEY }  
COUNTY OF MORRIS } ss.

FOR RECORDER'S USE ONLY  
Consideration \$ 1.00  
Realty Transfer Fee \$ NONE  
Date By

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

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3, 4 and 5 on reverse side)

Deponent, CONSTANTINE SEDEREAS, being duly sworn according to law upon his/her oath deposes and says that he/she is the GRANITOR (State whether Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.) in a deed dated December 23, 1987, transferring real property identified as Block No. 901 Lot No. 7.1 located at 320 Route 15, Borough of Wharton, County of Morris and State of New Jersey and annexed hereto.

(2) CONSIDERATION (See Instruction #6)

Deponent states that, with respect to deed hereto annexed, the actual amount of money and the monetary value of any other thing of value constituting the entire compensation paid or to be paid for the transfer of title to the lands, tenements or other realty, including the remaining amount of any prior mortgage to which the transfer is subject or which is to be assumed and agreed to be paid by the grantee and any other lien or encumbrance thereon not paid, satisfied or removed in connection with the transfer of title is \$ 1.00

(3) FULL EXEMPTION FROM FEE Deponent claims that this deed transaction is fully exempt from the Realty Transfer Fee imposed by c.49, P.L. 1968, for the following reason(s): Explain in detail. (See Instruction #7.) Mere reference to exemption symbol is not sufficient.

Consideration is less than \$100.00.

(4) PARTIAL EXEMPTION FROM FEE 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. (See Instruction #8)

Deponent claims that this deed transaction is exempt from the increased portion of the Realty Transfer Fee imposed by c. 176, P.L. 1975 for the following reason(s):

- a) SENIOR CITIZEN (See Instruction #8)
 Grantor(s) 62 yrs. of age or over.\*
 One or two-family residential premises.
 Owned and occupied by grantor(s) at time of sale.
 No joint owners other than spouse or other qualified exempt owners.
- b) BLIND (See Instruction #8)
 Grantor(s) legally blind.\*
 One or two-family residential premises.
 Owned and occupied by grantor(s) at time of sale.
 No joint owners other than spouse or other qualified exempt owners.
- c) DISABLED (See Instruction #8)
 Grantor(s) permanently and totally disabled.\*
 One or two-family residential premises.
 Receiving disability payments.
 Owned and occupied by grantor(s) at time of sale.
 Not gainfully employed.
 No joint owners other than spouse or other qualified exempt owners.
- d) NEW CONSTRUCTION (See Instruction #8)
 Entirely new improvement.
 Not previously used for any purpose.
 Not previously occupied.

\*IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEED QUALIFY.

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

Subscribed and Sworn to before me this 23rd day of December, 19 87

JACK L. WOLFF
AN ATTORNEY AT LAW OF NEW JERSEY

CONSTANTINE SEDEREAS
320 Route 15, Wharton, New Jersey
Address of Deponent

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

IMPORTANT - BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE HEREOF.

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

ORIGINAL - White copy to be retained by County.

DUPLICATE - Yellow copy to be forwarded by County to Division of Taxation, pursuant to N.J.A.C. 18:18-8.12.

TRIPPLICATE - Pink copy is your file copy.

WHITE AND YELLOW COPIES MUST BE SUBMITTED WITH DEED TO COUNTY RECORDING OFFICER

RECEIVED

FEB 1 3 09 PM '08

Morris County Clerk  
JOHN S. LOUGHMAN  
Deputy Morris County Clerk  
Acting Under Provisions of  
N.J.S.A. 40A:9-74

**DEED**

TOWNSQUARE DINER, INC.,  
a Corporation of the State of  
New Jersey

TO

TOWNSQUARE INVESTMENT PROPERTIES,  
a New Jersey Partnership

Grantor.

Grantee.

Dated: December 23rd, 1987

Record and return to:

LAW OFFICES:

SCERBO, ROBIN, LITWIN & WOLFF  
10 Park Place  
Morristown, New Jersey 07960

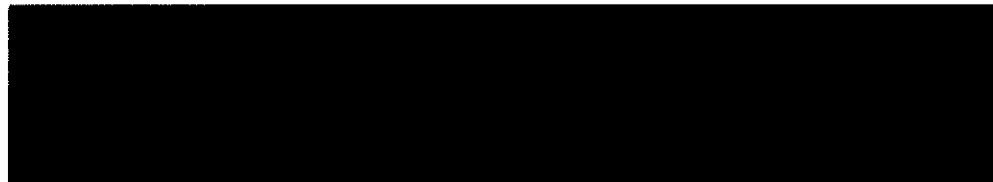
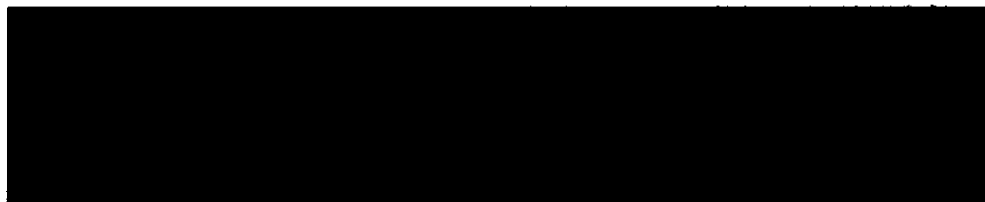


## KLEIN OUTDOOR ADVERTISING LEASE AGREEMENT

Agreement of Lease ("Lease") made this 5<sup>th</sup> DAY OF JULY, 2019, by and between DAVID KLEIN OUTDOOR ADVERTISING, INC. d/b/a KLEIN OUTDOOR ADVERTISING, 54 Broad Street, Suite L107, Red Bank, New Jersey 07701 ("Tenant") and: Townsquare Investment Properties LLC, Property Location: 320 Route 15, Wharton, New Jersey 07885, Mailing Address: 11 Nina Place, Randolph, New Jersey 07869 ("Landlord").

1. Landlord hereby leases to Tenant and Tenant leases from Landlord a portion the following described real property, which is attached as Exhibit "A": Block 801 Lot 7.1 (the "Demised Premises"), all on the terms and conditions hereinafter set forth in this Lease. If the proper legal description of the Demised Premises is not attached, either party may attach it or provide it at a later time. This instrument is a Lease, not a license, and the outdoor advertising structure(s) erected by Tenant will remain the personal property of the Tenant. All improvements to the subject property shall be subject to the reasonable approval of the Landlord.

2. Tenant shall use the Demised Premises for the purpose of erecting, leasing, maintaining, servicing, removing or repositioning (if subsequently necessary) outdoor advertising structure(s) (including without limitation, supports, sign faces, sign copy, lighting, footings, devices, power poles, connections and other necessary appurtenances) ("Advertising Use") as well as for the attachment of radio wave transmission apparatuses and such other non-advertising, ancillary uses as may be permitted by law ("Ancillary Uses").



Handwritten initials or marks, possibly "DJ" and a signature, located at the bottom right of the page.

[REDACTED]

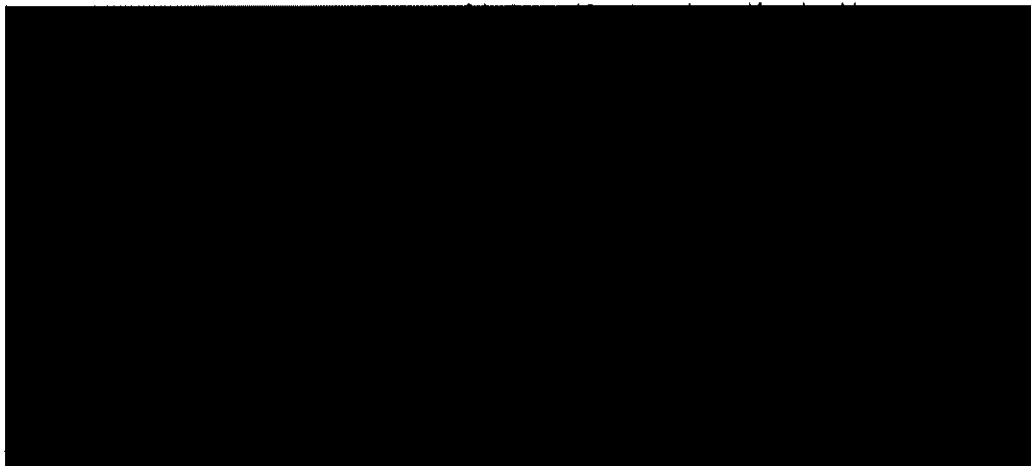
7  
[REDACTED]

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[REDACTED]

[REDACTED]

(21) [REDACTED]



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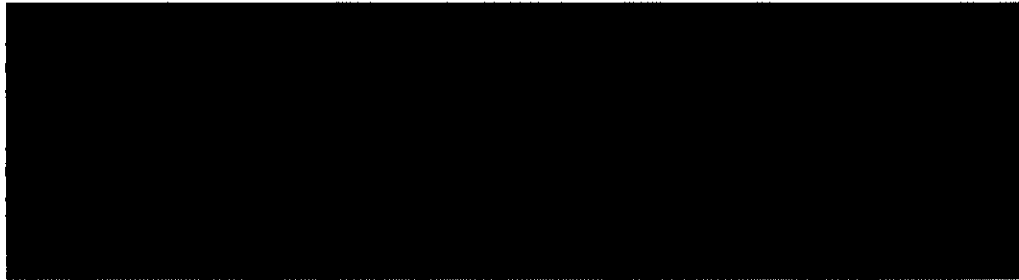
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(S) (S)



ACCEPTED AND AGREED TO BY TENANT

[Signature]      7/5/2019  
TENANT SIGNATURE      DATE

Dan Klein Resident  
PRINT NAME / TITLE

ACCEPTED AND AGREED TO BY LANDLORD

[Signature]      7/5/19  
LANDLORD SIGNATURE      DATE

Ruben Seligson - Manager  
PRINT NAME / TITLE





State of New Jersey  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF OUTDOOR ADVERTISING SERVICES

2020 Active Permits

**Klein**

The following outdoor advertising permits have been renewed in accordance with N.J.A.C. 16:41C-1 et.seq. Each permit is valid from May 16, 2020 through May 15, 2021, unless it is revoked by the Department or surrendered by the permit holder. Any change of ownership of a permit must be processed in accordance with the regulations. A State outdoor advertising permit does not grant authority to erect or maintain a sign on State highway right of way or to remove vegetation from highway right of way. Nor does it relieve the permit holder from obtaining any other permits or approvals that may be needed to erect and maintain a sign.

<u>App. #</u>	<u>Description of the Permitted Location</u>	<u>Travel Direction/Side/Visibility</u>
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State of New Jersey  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF OUTDOOR ADVERTISING SERVICES

2020 Active Permits

**Klein**

<u>App. #</u>	<u>Description of the Permitted Location</u>	<u>Travel Direction/Side/Visibility</u>
76852	Morris County - Wharton Boro NJ ROUTE 15 W/S, 195' S/O UTILITY POLE #NJ632W 270' N/O MT. PLEASANT AVENUE 36.00 x 11.00, 36.00 x 11.00	Route: NJ 15, MP 1.66 South/Right/Dual

**End of Permit List**