

WILENTZ

—ATTORNEYS AT LAW—

STEVEN J. TRIPP, ESQ., ESQ.

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90 Woodbridge Center Drive
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Woodbridge, NJ 07095-0958
732.636.8000

June 24, 2025

Via Hand Delivery

Sal Profaci, Zoning Officer
Community Development
710 Hermann Road, 2nd Floor
North Brunswick, NJ 08902

**Re: North Brunswick Executive Park, LLC
Block 252, Lots 1.06 and 1.03
Application for Use Variance Approval**

Dear Mr. Profaci:

This office represents North Brunswick Executive Park, LLC (the “Applicant”), in this matter. Enclosed, for filing, please find the following **collated** materials:

1. Original and fourteen (14) copies of Variance Application, with attached Rider.
2. Fifteen (15) copies of Bifurcated D Variance Checklist.
3. Three (3) original signed Tax and Assessment Payment Report forms.
4. Completed W-9 form for Applicant entity.
5. List of Property Owners within 200 feet of Lot 1.06, provided by North Brunswick Township, dated May 12, 2025.
6. List of Property Owners within 200 feet of Lot 1.03, provided by North Brunswick Township, dated May 28, 2025.
7. Will serve letters from Verizon, PSE&G; and a letter from CME, dated June 10, 2025, regarding availability of water service.

8. Copy of Deed between New Jersey Economic Development Authority and North Brunswick Executive Park, LLC, dated May 10, 2023, which was recorded in the Middlesex County Clerk's Office on May 18, 2023 in Book 19213 at Page 182.
9. Copy of DEP Letter of Interpretation: Presence/Absence Determination, dated July 21, 2023.
10. Copy of DEP Flood Hazard Area Applicability Determination, dated April 8, 2024.
11. Fifteen (15) copies of Environmental Impact Statement, prepared by EcolSciences, Inc., dated June 17, 2025.
12. Fifteen (15) copies of Stormwater Narrative, prepared by Langan, dated June 10, 2025.
13. Fifteen (15) copies of Traffic Study, prepared by Langan, dated May 28, 2025.
14. Fifteen (15) full-size sets and fifteen (15) 11"x17" sized sets of signed and sealed plans entitled "North Brunswick Executive Park Use Variance Application for Block 252, Lot Numbers 1.03 and 1.06, Township of North Brunswick, Middlesex County, New Jersey," consisting of nine (9) sheets, prepared by Chrstian M. Roche, PE, Langan and dated June 10, 2025.
15. Fifteen (15) full-size copies of ALTA/NSPS Land Title Survey, prepared by Matthew G. Sipple, PLS, Langan, dated March 17, 2023 and revised through July 17, 2023.
16. Fifteen (15) sets of architectural plans, prepared by Brian M. Taylor, AIA, Taylor Architecture & Design, dated May 15, 2025.
17. One USB thumb drive containing digital copies of materials submitted.

Please advise as to the required application and escrow fees, and we will arrange for immediate payment of same. Should you have any questions or need any additional information, please do not hesitate to contact me.

Thank you for your assistance with this matter.

Very truly yours,



STEVEN J. TRIPP, ESQ.

Enclosures

cc via email: Christian Roche, PE, Langan
William Iafe



For Office Use Only

Date Filed: _____ Appl. No.: _____

Appl. Fee: \$ _____ Escrow Deposit: \$ _____

Check One:

☒ Zoning Board of Adjustment

☐ Planning Board

Revision Date: 9/2020

TOWNSHIP OF NORTH BRUNSWICK

Variance Application (FORM C)

The original and fourteen (14) copies of the completed application form supplied by the Township and the required number of copies of supporting documents listed in the applicable checklist must be filed with the Department of Community Development. If a waiver is being requested for any item on the checklist, it must be noted in the "waiver requested" section, and each item must be listed by checklist number and a detailed reason for the request must be provided. Any application that does not include an item required by the checklist, and for which a waiver has not been requested, will be automatically deemed incomplete.

All applications must be accompanied by appropriate fees and escrow deposits together with a written explanation of the amount calculations. Separate application fee and escrow deposit checks must be provided.

In addition to submittal of hard copies of documents, copies of all applications, surveys, plans, reports and studies, such as environmental impact, traffic, stormwater, sewer and water reports, and any other documents associated with the application, shall be submitted on a CD in portable document format (pdf) at 400 × 400 dpi. Submittal of such digital copies shall be required to constitute an application for development, and all revised files shall be resubmitted as the originals are changed or amended. Every electronic submission must be accompanied by a cover letter listing all attached documents and any revisions, where applicable. Single-family or two-family homeowners preparing variance applications on their own behalf shall not be subject to this electronic submission requirement, provided that such applications do not require site plan or subdivision approval.

The following proof of satisfying the notice requirements must be filed with the Secretary of the appropriate Board at least five (5) days prior to the date fixed for the hearing:

- Affidavit of Service
- Copy of notice served
- Certified List of Property Owners within 200 feet and others served with manner of service
- Certified Mail receipts stamped by the USPS
- Affidavit of Publication from the newspaper in which the notice was published.



PART I

SUBJECT PROPERTY:

Block 252 Lot(s) 1.06 and 1.03 Zone O-R
Property Location US Route 1
Size of Property 23.69

Present Use: ☐ Residential ☐ Non-Residential ☒ Vacant
Proposed Use: ☐ Residential ☒ Non-Residential **Specify:** warehouse and flex-space

CONTACTS:

Applicant: ☐ Corporation ☐ Partnership ☐ Individual
☒ Other/Explain Limited Liability Company

Name: North Brunswick Executive Park, LLC
Address: 90 Woodbridge Center Drive, 6th Floor, Woodbridge, NJ 07095
Telephone: 732-750-1111 Fax: 732-750-9515
Email: billi@atlanticrdc.com

Owner (if different from Applicant):

Name: SAME
Address: _____
Telephone: _____ Fax: _____
Email: _____

Engineer:

Name: Christian Roche, PE, Langan Engineering
Address: 1 University Square Drive, Suite 110, Princeton, NJ 08540
Telephone: 609-282-8000 Fax: 609-282-8001
Email: croche@Langan.com

Attorney:

Name: Steven J. Tripp, Esq., Wilentz, Goldman & Spitzer, P.A.
Address: 90 Woodbridge Center Drive, Suite 900, Woodbridge, NJ 07095
Telephone: 732-855-6076 Fax: 732-726-6524
Email: stripp@wilentz.com



PART II

Describe the Proposed Development/Request (continue on a separate sheet if necessary):

Two 50,142 square foot flex space buildings, plus two 100,000 square foot warehouse buildings.

The site plan conforms to the bulk requirements of the O-R Zone and the parking and loading requirements of the Land Development Ordinance.

See attached Rider for details.

VARIANCE(S) REQUESTED (Check all that apply):

☐ "C" Variance(s):

- ☐ C(1) - The strict application of the provisions of Chapter 205 would result in peculiar and exceptional practical difficulties or exceptional and undue hardship.
- ☐ C(2) - The purposes of the Municipal Land Use Law would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

☒ "D" Variance(s):

- ☒ D(1) - Use or principal structure in a district restricted against such use or principal structure.
- ☐ D(2) - Expansion of a nonconforming use.
- ☐ D(3) - Deviation from a specification or standard pertaining solely to a conditional use.
- ☐ D(4) - Increase in the permitted floor area ratio.
- ☐ D(5) - Increase in the permitted density.
- ☐ D(6) - Height of a principal structure exceeds by 10 feet or 10% the maximum height permitted in the district for a principal structure.



ASSOCIATED APPROVALS REQUESTED:

Site Plan:

- ☐ Site Plan
☐ Amended Site Plan
☐ Conditional Use

Subdivision:

- ☐ Minor Subdivision
☐ Preliminary Major Subdivision
☐ Final Major Subdivision
☐ Amended Preliminary Major Subdivision
☐ Amended Final Major Subdivision

☐ Other (specify): _____

A change to a nonpermitted use shall require a site plan approval or, as a minimum, a site plan waiver request. Such request may be considered by the Board, and, if granted, will constitute an acknowledgment by the Board that the condition of the property is satisfactory and meets the requirements of Chapter 205. No site plan waiver will be granted if the condition of the property is not satisfactory in such matters as traffic, circulation, access, parking, lighting, setbacks, lot coverage, safety, landscaping, buffer, fire safety, noise or other requirements of Chapter 205

Is a site plan waiver requested?

☐ YES ☒ NO

☐ If a site plan waiver is sought, explain why the request shall be granted:

This is a bifurcated application. An application for site plan approval will be submitted to the Board if the
Board grants approval of this use variance application.

Is the application proposed to be bifurcated?

☒ YES ☐ NO

If bifurcated, identify the nature of subsequent development approvals to be sought:
site plan

Identify Requested Variances:

Ordinance Section: Requirement:
§205- 81 Permitted uses

Proposed Deviation:
Approval of non-permitted uses as set
forth in attached Rider



§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____

Identify Requested Design Waivers:

Ordinance Section:	Requirement:	Proposed Deviation:
§205- NONE	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____
§205-	_____	_____

“C” Variance(s) (Check one that applies):

☐ A variance under N.J.S.A. 40:55D-70.C(1):

Detail your argument for how this case conforms to this requirement, including, if applicable, reference to exceptional narrowness, shallowness or shape of the property, or exceptional topographic conditions or physical features uniquely affecting the property, or extraordinary and exceptional situations uniquely affecting the property or the structures lawfully existing thereon:



and/or

☐ A variance under N.J.S.A. 40:55D-70.C(2):

Detail your argument for how this case conforms to this requirement: _____

D Variance(s):

State special reasons why the refusal to allow the project would impose on the applicant an undue hardship and/or how the proposed project carries out a purpose of zoning as defined in N.J.S. 40:55D-2. Detail your argument for 1) how the proposed use inherently serves the public good, and/or 2) why the property cannot reasonably be adapted to a conforming use, and/or 3) what unique characteristics of the site make it particularly appropriate for the proposed use rather than a permitted use: See attached Rider

C and D Variance(s):

Supply a statement of facts why relief can be granted without substantial detriment to the public good: See attached Rider

Supply a statement of facts why relief can be granted without substantial detriment to the intent and purpose of the zone plan and zoning ordinance: See attached Rider



PART III

Has there been any previous application to any Township Board involving these premises?

☐ YES ☒ NO

If yes, provide file number(s) and state the nature, date and disposition of said mater:

Is public water available?

☒ YES ☐ NO

If no, how will water service be supplied? Township main

Is public sewer available?

☒ YES ☐ NO

If no, provide proposed method of sewage disposal: Township collector

Are there any existing deed restrictions, easements or covenants?

☒ YES ☐ NO

If yes, are copies provided?

☒ YES ☐ NO

Are any deed restrictions, easements or covenants contemplated?

☐ YES ☒ NO

If yes, are copies provided?

☐ YES ☐ NO

Does the owner own or have any ownership interest in any contiguous property?

☐ YES ☒ NO

If yes, provide type of ownership, address, block and lot(s): _____

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED:

Quantity: Description of Item:

Quantity:	Description of Item:
_____	See attached List of Materials Submitted
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

North Brunswick Executive Park, LLC
Block 252, Lots 1.06 and 1.03
Application for Use Variance Approval

Attachment

LIST OF PLANS, REPORTS AND OTHER MATERIALS SUBMITTED

- Variance Application, with attached Rider
- Bifurcated D Variance Checklist
- Tax and Assessment Payment Report forms
- Completed W-9 form for Applicant entity
- List of Property Owners within 200 feet of Lot 1.06, provided by North Brunswick Township, dated May 12, 2025.
- List of Property Owners within 200 feet of Lot 1.03, provided by North Brunswick Township, dated May 28, 2025.
- Will serve letters from Verizon, PSE&G; and a letter from CME, dated June 10, 2025, regarding availability of water service.
- Copy of Deed between New Jersey Economic Development Authority and North Brunswick Executive Park, LLC, dated May 10, 2023, which was recorded in the Middlesex County Clerk's Office on May 18, 2023 in Book 19213 at Page 182.
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- Signed and sealed plans entitled "North Brunswick Executive Park Use Variance Application for Block 252, Lot Numbers 1.03 and 1.06, Township of North Brunswick, Middlesex County, New Jersey," consisting of nine (9) sheets, prepared by Chrstian M. Roche, PE, Langan and dated June 10, 2025.
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- Architectural plans, prepared by Brian M. Taylor, AIA, Taylor Architecture & Design, dated May 15, 2025.



DISCLOSURE OF OWNERS OF CORPORATION OR PARTNERSHIP:

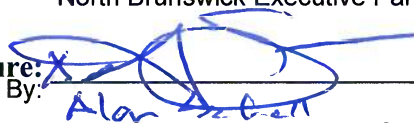
A corporation or partnership applying to a Board for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes shall list the names and addresses of all stockholders or individual partners owning at least 10% of its stocks of any class or at least 10% of the interest in the partnership, as the case may be, as required by N.J.S.A. 40:55D-48.1. Applications which do not comply with N.J.S.A. 40:55D-48.1 et seq. will be deemed incomplete. N/A - no 10% or greater owners.

Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____
Name: _____	Address: _____

North Brunswick Executive Park, LLC

Applicant's Signature: _____

By: _____


Alan

Date: _____

6/23/2025



ESCROW FUNDS AGREEMENT:

The Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) authorizes the collection of Technical Review Escrow Fees to cover the costs incurred by the Township for professional services involved in the review of land use development applications. Subsection 205-139 of the North Brunswick Township Land Use Ordinance establishes the amount of Technical Review Escrow Fees and the procedures for collecting and replenishing same. I hereby acknowledge and agree to the following: 1) I am responsible for the cost of all reasonable professional services rendered to the Planning Board or Board of Adjustment during the review and processing of my development application. 2) If I receive a written Deficiency Notice from the Chief Financial Officer or his/her designee (CFO) that the balance of funds remaining in the account is insufficient to cover invoices, vouchers or bills submitted to the Township for services which have already been performed, no further consideration, review or processing of the application will be permitted until such time as the funds requested in the Deficiency Notice have been deposited, and this cessation of work could result in carrying my application to the next regularly scheduled public meeting of the designated land use agency. 3) Failure to deposit the amount requested in the Deficiency Notice within ten days of receipt shall toll the period for action by the Planning Board or Board of Adjustment as stipulated in N.J.S.A. 40:55D-1 et seq., and shall bar me from seeking a default approval under N.J.S.A. 40:55D-10.4. 4) Failure to post funds requested in the Deficiency Notice within 45 days shall be grounds for dismissal of my application without prejudice, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application. 5) In the event that my application is approved and a Deficiency Notice is received after the approval is memorialized, failure to pay the shortfall amount shall be grounds for voiding the approval. 6) In the event that my application is denied and a Deficiency Notice is received after the denial is memorialized, I am still obligated to pay any shortfall amount, and I acknowledge that failure to pay the shortfall shall result in the shortfall being deemed a lien on the property which is subject of the land development application.

North Brunswick Executive Park, LLC

Applicant's Signature: X

By: Alan Breen

Date: 6/23/2025

Owner's Signature (if different from Applicant): _____ Date: _____



SITE INSPECTION AUTHORIZATION

I hereby give permission for North Brunswick professional staff or municipal agencies and their agents to come upon and inspect these premises with respect to this application.

North Brunswick Executive Park, LLC

Owner's Signature: *Alan Schall*

By: *Alan Schall*

Date: 4/22/2025

APPLICANT'S CERTIFICATION:

I, Alan Schall, of full age, being duly sworn according to law and upon my oath, depose that: I ^{have an address at} reside at 90 Woodbridge Center Drive, 6th Floor, Woodbridge NJ 07095 in the County of Middlesex and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the individual applicant, or a general partner of the partnership applicant, or an officer of the corporate applicant, and I am authorized to sign the application for the partnership or corporation.

Alan Schall
SIGNATURE

Sworn to and subscribed before me this 22nd day of

June, 20 25

Christina L. Dzingleski
NOTARY PUBLIC

CHRISTINA L. DZINGLESKI
Commission # 50083514
Notary Public, State of New Jersey
My Commission Expires
June 11, 2028

OWNER'S CERTIFICATION (If the owner is a corporation, this section must be signed by an authorized corporate officer. If the owner is a partnership, this section must be signed by a general partner):

I, *Alan Schall*, of full age, being duly sworn according to law and upon my oath depose that: I ^{have an address} reside at 90 Woodbridge Center Drive, 6th Floor, Woodbridge NJ 07095 in the County of Middlesex and State of New Jersey, and that the above statements contained in this application and in the papers appended thereto are true. I further certify that I am the owner in fee of all that certain lot, piece or parcel of land



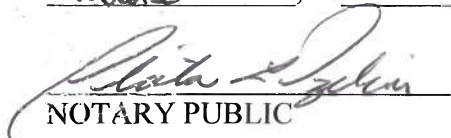
situated, lying, and being in the municipality aforesaid, and known and designated as Block(s)
252 and Lot(s) 1.06 & 1.07,

and that I am either the applicant or I have authorized the applicant to make this application, and
I agree to be bound by the application, the representations made and the decision in the same
manner as if I were the applicant.


SIGNATURE

Sworn to and subscribed before
me this 23rd day of

June, 20 25


NOTARY PUBLIC



RIDER

North Brunswick Executive Park, LLC (the “Applicant”) is the owner of property located on Route 1 in North Brunswick Township, known as Block 252, Lot 1.06 (the “Property”). It contains 23.693 acres, and has frontage on Route 1 and the Route 1 ramp to College Farm Road East. It is located within an O-R Office Research District.

The Applicant also owns Lot 1.03, a non-contiguous lot on the opposite side of adjacent Lot 1.02, with frontage on Route 1. It is comprised of 2.81 acres, and contains a detention basin designed to handle runoff from Lots 1.02 and 1.06. It is located in the O-R Zone District.

The Applicant is proposing to develop the Property with two 100,000 square foot warehouse buildings and two flex-space buildings containing 50,142 square feet each. The flex-space buildings will be designed to accommodate a mix of office/warehouse/light industrial uses, with the potential for multiple modestly-sized individual tenant spaces. The buildings will be designed to accommodate uses including office, assembly, contractors and other shops, laboratories, light manufacturing, and small-scale storage uses. Lot 1.03 will be used as part of the stormwater management system for the proposed site development.

This is a bifurcated use variance application. The Applicant is seeking a use variance, subject to obtaining site plan approval at a later date should the use variance be granted. The basis for the use variance is set forth below.

Positive Criteria

The Applicant will address the “special reasons” criteria of N.J.S.A. 40:55D-70d of the Municipal Land Use Law (“MLUL”) by demonstrating that the Property is particularly suited for the proposed uses. The Property is located on Route 1, and has direct access to the College Farm Road East ramp. This provides access to Route 1, northbound and southbound, which connects with Route 130 in the southbound direction, and Route 18 and Route 287 in a northbound direction. Additionally, the New Jersey Turnpike is a short distance from the intersection with Route 18. This enables truck traffic generated by the proposed uses to access major transportation routes,

without any need to travel through residential or commercial neighborhoods within the Township or surrounding municipalities.

The Property is located between two I-2 Industrial Districts: One is immediately adjacent to the south, and contains a large manufacturing complex. The other is located directly across Route 1, to the north, and contains multiple industrial uses, including manufacturing and laboratory facilities. The zoning on both sides of the Property to the east and west is ERR (Education-Recreation-Research). To the west is Cabriel Park, containing a playground and baseball and soccer fields. Permitting the uses proposed by the Applicant is totally consistent with the uses in the two I-2 Districts, and will not conflict with the uses in the ERR districts. In fact, the park adjacent to the west provides significant separation from the residential areas in Milltown.

It is important to note that the Property has been vacant for nearly a century, and that there has been no interest in developing the Property with uses permitted pursuant to the O-R Zone. This application provides the opportunity to develop the site with uses consistent with those in I-2 zones to the south and across Route 1, while having no impact on surrounding neighborhoods within North Brunswick and adjacent municipalities, due to the access on Route 1.

Negative Criteria

The Applicant also will demonstrate that granting the use variance will have no substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and zoning ordinance. As noted above, the Property is located on Route 1, and has direct access to major transportation routes without any need to traverse local roads. The uses proposed are consistent with the uses permitted and existing within the I-2 Zone Districts both adjacent to the Property and directly across Route 1. Based on the relatively modest size of the proposed buildings, it is anticipated that the impact on the surrounding area will be less than many of the uses permitted in the O-R Zone, which include large-scale administrative offices and hotel and convention centers. As such, development of the Property with the proposed uses will have no detrimental impact whatsoever.

LAND USE

205 Attachment 5

Township of North Brunswick

Appendix E Bifurcated D Variance Checklist (To be completed by applicant)

Application for Approval of Variance Requested Pursuant to N.J.S.A. 40:55D-70d Where No Site Plan or Subdivision Application Accompanies the Variance Application

	Submitted	Waiver Requested	N/A	
1.	☒	☐	☐	Plot plan or survey accurately depicting the property in question and all structures appurtenant.
2.	☒	☐	☐	Sketch of proposed improvements on the plot plan, including accurate measurements of distance to all property lines.
3.	☒	☐	☐	Show all required yard setbacks as per Land Development Zoning Ordinance and yard setbacks proposed.
4.	☒	☐	☐	Computation of percentage of lot coverage, existing and proposed.
5.	☒	☐	☐	Additional information on plans pertaining directly to on-site parking, if required, and any required landscaping or buffering.
6.	☒	☐	☐	Clear statement of reasons for need of variance.
7.	☒	☐	☐	Sections of Zoning Ordinance involved.
8.	☒	☐	☐	Completion of application form.
9.	☐	☐	☐	Payment of all fees.
10.	☒	☐	☐	Satisfaction of all notice and publication requirements.
11.	☒	☐	☐	Photos of the property in the location of the proposed improvements.
12.	☒	☐	☐	Architectural sketches of proposed improvements.

Site Plan information as follows: (Note: For details of all submissions, see Article VII. Applicant shall check off all items as: submitted, not applicable or waiver requested.)

Scale:

NORTH BRUNSWICK CODE

	Submitted	Waiver Requested	N/A	
13.	☒	☐	☐	1 inch = 50 feet (40 or fewer acres).
14.	☐	☐	☒	1 inch = 100 feet (over 40 acres).
Size:				
15.	☐	☐	☒	8 1/2 inch x 14 inch.
16.	☐	☐	☒	15 inch x 21 inch.
17.	☐	☐	☒	24 inch x 36 inch.
18.	☒	☐	☐	30 inch x 42 inch.
Drawings submitted:				
19.	☒	☐	☐	Title sheet.
20.	☒	☐	☐	Site survey and layout plan.
21.	☒	☐	☐	Drainage plan.
22.	☒	☐	☐	Landscape plan.
23.	☒	☐	☐	Lighting plan.
Key map.				
Title block.				
24.	☒	☐	☐	Name of development, municipality and county.
25.	☒	☐	☐	Name and address of developer.
26.	☒	☐	☐	Scale.
27.	☒	☐	☐	Date of preparation.
28.	☒	☐	☐	Name, address, signature and license number of the professional engineer and other professionals who prepared the drawing.
29.	☒	☐	☐	Graphic scale and North arrow.
30.	☒	☐	☐	Revision box.
31.	☒	☐	☐	All existing tract boundary or lot lines.

LAND USE

	Submitted	Waiver Requested	N/A	
32.	☒	☐	☐	Existing block and lot number(s) of the lot(s) to be developed as they appear on the municipal tax map.
33.	☒	☐	☐	Name and addresses of the owner or owners of record and the names and addresses of all property owners within 200 feet of the extreme limits of the tract.
34.	☒	☐	☐	Lot and block number of each bordering lot.
35.	☒	☐	☐	Municipal boundaries within 200 feet of the tract and the names of the adjoining municipalities.
36.	☒	☐	☐	Zoning district boundaries affecting the tract.
37.	☒	☐	☐	The location of any portion which is to be developed in relation to the entire tract.
38.	☒	☐	☐	Acreage of the tract to be developed to the nearest tenth of an acre.
39.	☐	☐	☒	Locations of all existing structures showing front, rear and side yard setback distances.
40.	☐	☐	☒	Indication of whether existing structures and uses will be retained or removed.
41.	☒	☐	☐	The location of all existing utility rights-of-way and easements.
42.	☒	☐	☐	The names, exact location and width along the property line of all existing streets, recorded streets, or streets shown on an official map or Master Plan of the Township within the tract and within 200 feet of it.
43.	☐	☐	☒	All existing watercourses, including lakes and ponds, and drainage right-of-way within the tract or within 200 feet thereof.
44.	☐	☐	☒	Unique natural features or historic sites or structures within the tract and within 200 feet thereof.
45.	☐	☐	☒	A sketch of the proposed layout or disposition of remaining land, if any.

NORTH BRUNSWICK CODE

	Submitted	Waiver Requested	N/A	
46.	☒	☐	☐	The location of all proposed buildings, structures, signs and lighting facilities, together with all dimensions necessary to confirm conformity to this chapter.
47.	☒	☐	☐	The location and design of any off-street parking areas or loading areas, showing size and location of bays, aisles and barriers.
48.	☒	☐	☐	All means of vehicular access and egress to and from the tract or site onto public streets, showing the size and location of driveways, curb cuts, traffic signs, signals, channelization, acceleration and deceleration lanes.
49.	☒	☐	☐	Letters from private utility company(ies) stating that service will be available for proposed use.
50.	☒	☐	☐	Environmental impact assessment.
51.	☒	☐	☐	Traffic impact report.



TAX AND ASSESSEMENT PAYMENT REPORT

APPLICATION # _____

RECEIVED _____

Under the provisions of N.J.S.A. 40:44D-39e and N.J.S.A. 40:44D-65h, an applicant for development of land must submit proof that no taxes or assessments for local improvements are due or delinquent on the property stated below.

The Applicant shall complete Section I and submit 3 copies of this form with the application for development. The forms will be forwarded to the Tax Collector for verification that no delinquent taxes or assessments are due.

Developers are cautioned that additional assessments may be levied where a structure is present.

SECTION I (to be completed by the Applicant/Owner)

I, North Brunswick Executive Park, LLC, with an address 90 Woodbridge Center Drive, Suite 600

Woodbridge, NJ 07095, and I am making an application to the Planning

Board/Zoning Board of Adjustment for the development of the property located at

N/N US Route 1, Block(s) 252 Lot(s) 1.03 and 1.06,

in the O-R Zoning District, whose owner of record is North Brunswick Executive Park, LLC,

with an address 90 Woodbridge Center Drive, Suite 600, Woodbridge NJ 07095.

This tract was formerly subdivided on _____ (Original Block(s) _____,

Lot(s) _____). I acquired interest in this property on May 10, 2023.

I request for the Tax Collector to determine whether there are any delinquent and/or assessments due.

North Brunswick Executive Park, LLC

Applicant's Signature: [Signature]
By: [Signature]

Date: 7/22/23

SECTION II (to be completed by the Tax Collector)

- I find that:
- ☐ All taxes due have been paid
 - ☐ All assessments due have been paid
 - ☐ The following are delinquent and past due:

Tax Collector's Signature: _____

Date: _____

**Request for Taxpayer
Identification Number and Certification**

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give form to the
requester. Do not
send to the IRS.

Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See Specific Instructions on page 3.	1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.) North Brunswick Executive Park, LLC	
	2 Business name/disregarded entity name, if different from above.	
	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate ☒ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. ☐ Other (see instructions)	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ (Applies to accounts maintained outside the United States.)
	3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions ☐	
	5 Address (number, street, and apt. or suite no.). See instructions. 90 Woodbridge Center Drive, 6 Floor	Requester's name and address (optional)
6 City, state, and ZIP code Woodbridge, NJ 07095		
7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number	
or	
Employer identification number	

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here Signature of U.S. person **Alan Pichell**

Date **6/23/2025**

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

200' Radius Map - Block 252 Lot 1.06

Township of North Brunswick

710 Hermann Road

North Brunswick, NJ 08902



BLOCK	LOT	Property Location	Owner Name	Mailing Address	City, State	Zip
194	28.01	651-691 ROUTE 1	NJ ECONOMIC DEVELOPMENT AUTHORITY	ATTN:NUDEA RE DIV POB 990	TRENTON NJ	08625
252	1.04	630 ROUTE 1	KELLER GRAD SCHOOL C/O DEVRY	3005 HIGHLAND PARKWAY	DOWNERS GROVE IL	60515
252	1.05	401 NORTH MAIN STREET	COUNTY OF MIDDLESEX	1 JFK SQUARE PO BOX 871	NEW BRUNSWICK NJ	08903
252	6.03	1 SILVERLINE DRIVE	ARTKEN REALTY LLC	195 MORRISTOWN ROAD	BASKING RIDGE NJ	07920
252	7	ROUTE 1 (MAIN)	PSE&G CORP PROP TAXES DEPT 6TH FL	80 PARK PLAZA	NEWARK NJ	07101

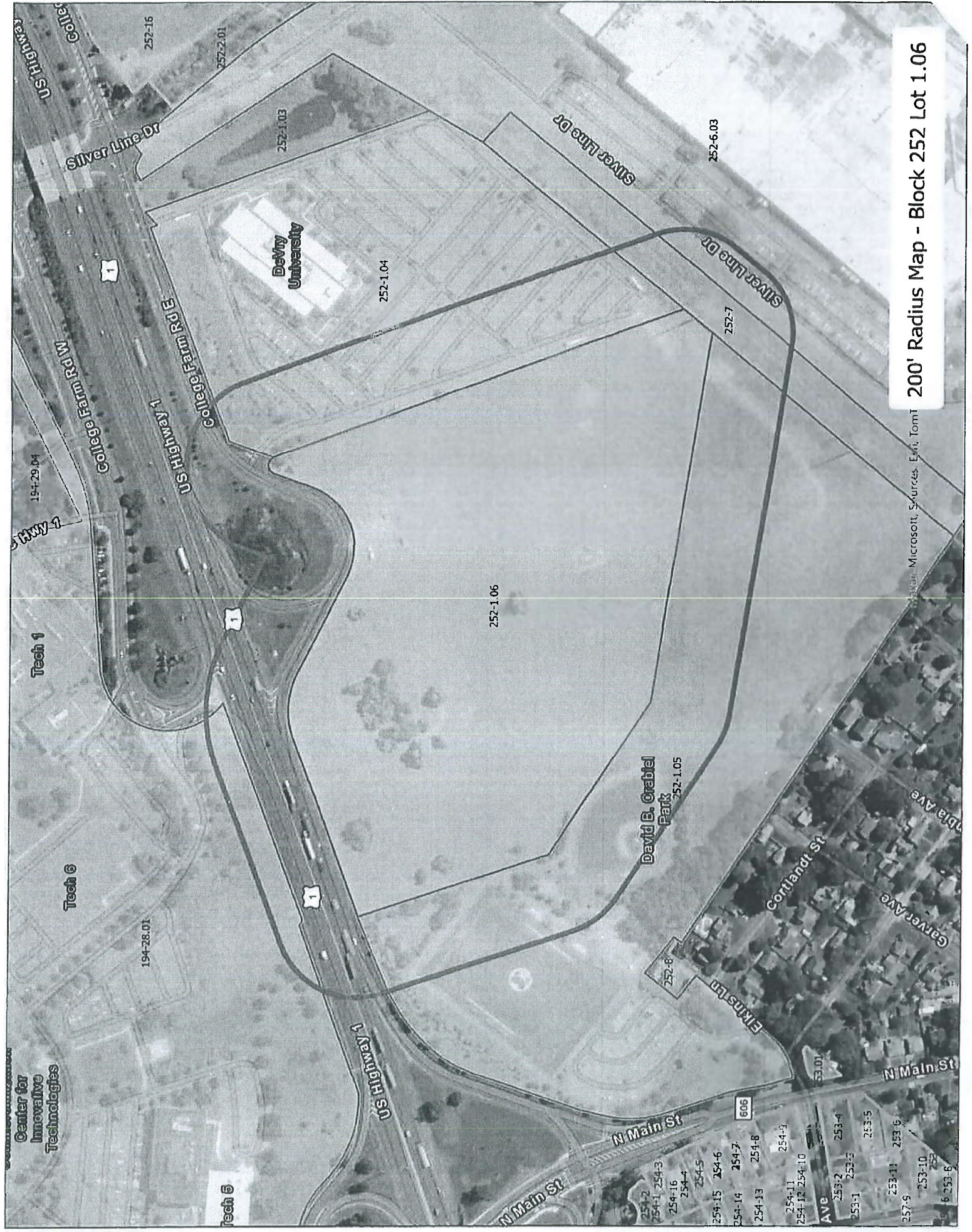
May 12, 2025

Number of Properties: 5

Sal Profaci

Sal Profaci

Administrative Officer



200' Radius Map - Block 252 Lot 1.06

Source: Esri, DeLorme, Garmin, Microsoft, Sources: Esri, TomTom

THE FOLLOWING OTHER AGENCIES MUST ALSO BE NOTIFIED :

Middlesex County Planning Board
County Administration Building
5th Floor
75 Bayard Street
New Brunswick, NJ 08901

North Brunswick Township
710 Hermann Road
North Brunswick, NJ 08902
Attn: Township Clerk

Public Service Electric & Gas Co.
Manager – Corporate Properties
80 Park Place, T6B
Newark, NJ 07102

Verizon
N.J Gen. Tax Administration
Broad Street – Room 305
Newark, NJ 07101

Cablevision of Raritan Valley
275 Centennial Avenue
CN 6805
Piscataway, NJ 08855-6805
Attn: Margurite Prenderville

Department of Transportation
State of New Jersey
1035 Parkway
Trenton, NJ 08625

Construction Department Mr. Tim Allen
Texas Eastern Transmission Corp.
501 Coolidge Street
South Plainfield, NJ 07080

Sunoco Pipeline L.P.
Right of Way
Montello Complex
525 Fritztown Road
Sinking Spring, PA 19608

200' Radius Map - Block 252 Lot 1.03

Township of North Brunswick

710 Hermann Road

North Brunswick, NJ 08902



BLOCK	LOT	Property Location	Owner Name	Mailing Address	City, State	Zip
252	1.04	630 ROUTE 1	KELLER GRAD SCHOOL C/O DEVRY	3005 HIGHLAND PARKWAY	DOWNERS GROVE IL	60515
252	2.01	GEORGES ROAD	CONSOLIDATED RAIL CORP	PO BOX 8499	PHILADELPHIA PA	19101
252	6.03	1 SILVERLINE DRIVE	ARTKEN REALTY LLC	195 MORRISTOWN ROAD	BASKING RIDGE NJ	07920
252	7	ROUTE 1 (MAIN)	PSE&G CORP PROP TAXES DEPT 6TH FL	80 PARK PLAZA	NEWARK NJ	07101
252	16	1 COLLEGE FARM ROAD	RUTGERS ST UNIV %REAL EST ADMIN	33 KNIGHTSBRIDGE RD 3RD FL	PISCATAWAY NJ	08854

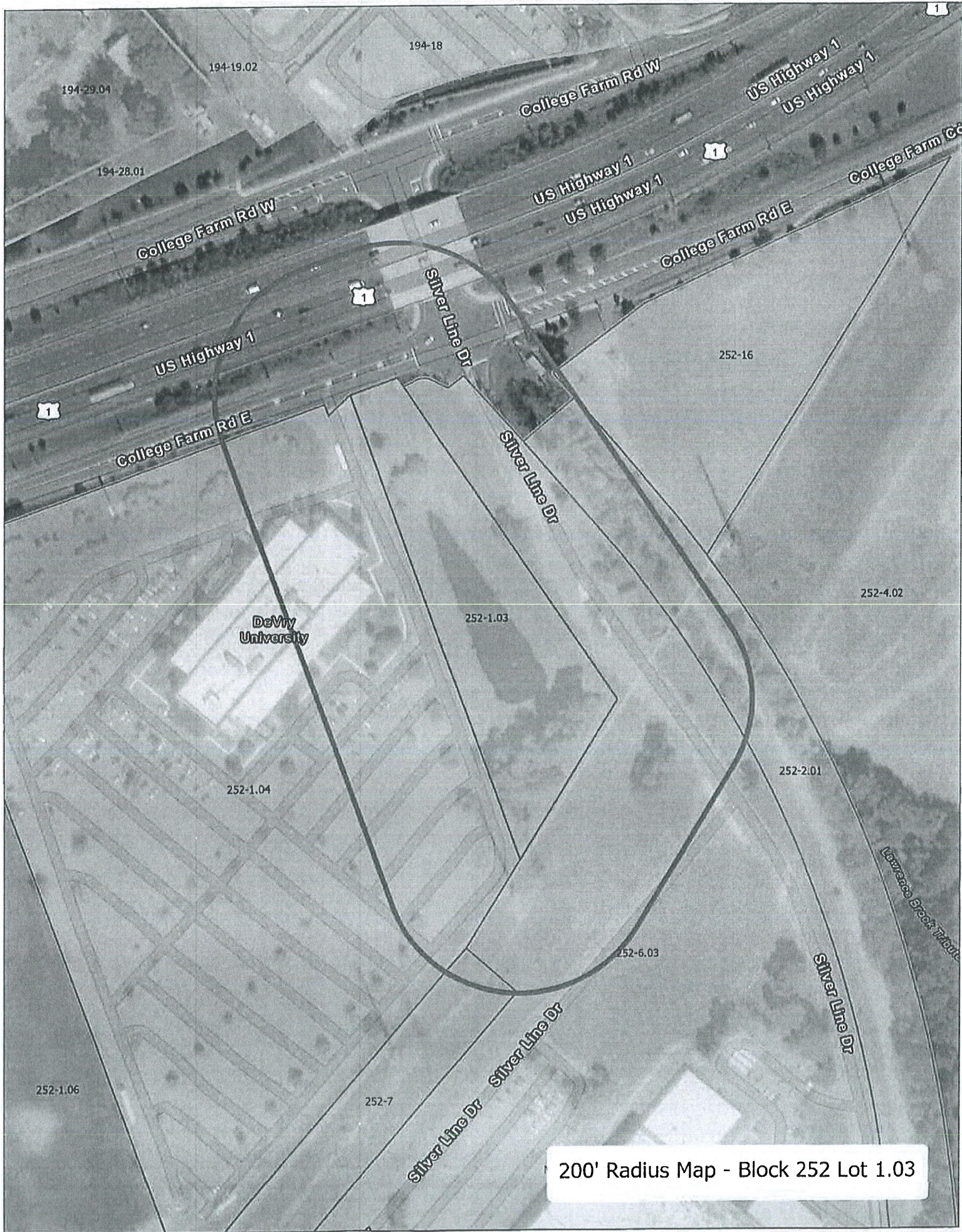
Sal Profaci

Sal Profaci

Administrative Officer

May 28, 2025

Number of Properties: 5



200' Radius Map - Block 252 Lot 1.03

THE FOLLOWING OTHER AGENCIES MUST ALSO BE NOTIFIED :

Middlesex County Planning Board
County Administration Building
5th Floor
75 Bayard Street
New Brunswick, NJ 08901

North Brunswick Township
710 Hermann Road
North Brunswick, NJ 08902
Attn: Township Clerk

Public Service Electric & Gas Co.
Manager – Corporate Properties
80 Park Place, T6B
Newark, NJ 07102

Verizon
N.J Gen. Tax Administration
Broad Street – Room 305
Newark, NJ 07101

Cablevision of Raritan Valley
275 Centennial Avenue
CN 6805
Piscataway, NJ 08855-6805
Attn: Margurite Prenderville

Department of Transportation
State of New Jersey
1035 Parkway
Trenton, NJ 08625

Construction Department Mr. Tim Allen
Texas Eastern Transmission Corp.
501 Coolidge Street
South Plainfield, NJ 07080

Sunoco Pipeline L.P.
Right of Way
Montello Complex
525 Fritztown Road
Sinking Spring, PA 19608

Verizon New Jersey Inc.
Eastern Shore
999 W. Main St.
Freehold, NJ 07728

May 5, 2025

To: Langan

Attn: Micah Morgan, Senior Staff Engineer
1 University Square Drive, Suite 110,
Princeton, NJ 08540

Re: **Will Serve Letter Request**
North Brunswick – Warehouse Development
Block 252, Lot 1.06
Township of North Brunswick, Middlesex County, New Jersey
Langan Project No.: 130239201

In reference to the above-mentioned Development and subject to applicable laws, regulations and tariffs, Verizon New Jersey Inc. will supply the necessary communication service at the Development if we receive the proper information, easements and payment listed below, as required by Verizon's tariff:

1. One full set of paper development plans.
2. Mailing addresses for each building when they become available to start to establish the 911 database.
3. Documentation granting all required rights-of-way and easements at no cost to Verizon.
4. Payment in full of the required advance construction payment based on estimated costs. The actual cost to you will depend on such factors as lot size, the proximity of existing feeder facilities, the existing feeder capacity, terrain and other environmental conditions (e.g., railroads, waterways). Please contact Verizon if you require a more precise estimate of construction costs for the Development.

Should you need any additional information, please do not hesitate to contact me.

Sincerely,

Grzegorz (Greg) Dziuba
Sr Engr Spec-Outside Plant
999 W Main St. 2nd Floor
Freehold, NJ 07728
O 732.683.5127 | M 908.596.9846
grzegorz.dziuba@verizon.com

Public Service Electric & Gas Company
Construction Inquiry-North & South
PO Box 710 Newark, NJ 07101-0710
Phone: 800-722-0256 Fax: 908-497-1762

Will Serve Electric and Gas



LANGAN Engineering and Environmental Services, Inc.

05/20/2025

North Brunswick – Warehouse Development

Darren D'Souza c/o Katherine Hibbs

1 University Square Drive, Suite 110

Princeton, New Jersey 08540

Service Address

Township of North Brunswick

North Brunswick, New Jersey, 08902

Project Reference Number: Block 252, Lot 1.06 / LANGAN Project No.: 130239201

Dear Ms. Hibbs,

Please be advised, gas and electric service can be made available for the service address above consistent with service requirements and PSE&G's tariffs for gas and electric services.

Please notify PSE&G Construction Inquiry at 800-722-0256 if you have any questions or concerns.

PSE&G appreciates the opportunity to service your energy needs and thanks you for your business.

Thank You,
Construction Inquiry
Public Service Electric & Gas Company



Consulting & Municipal
ENGINEERS

3141 Bordentown Avenue
Parlin, NJ, 08859
732.727.8000 ☎
www.cmeusa1.com 🌐

June 10, 2025

Darren D'Souza, EIT
Langan Engineering and Environmental Services, Inc.
1 University Square Drive, Suite 110
Princeton, NJ 08540

Re: Block 252, Lot 1.06
Water Will Serve Letter Request
North Brunswick, NJ
Our File No. 115.NO02025.P02

Dear Mr. D'Souza:

In response to your request regarding the availability of water service at the above referenced site for the construction of two proposed 100,000 SF warehouses and two 50,142 SF flex space buildings with associated site improvements, we offer the following for your consideration.

The Township of North Brunswick is the water purveyor and owns the water distribution system which is operated on their behalf by Veolia North America.

Excerpts of current Township mapping of the water distribution system in proximity to the above referenced property indicating that utility facilities are present in the vicinity have been attached. Please note that this mapping is schematic and approximate and should not be used as a substitute for detailed field surveys.

The project site fronts existing public water infrastructure, including 6" to 20" water mains, fire hydrants, and water valves located along the northern portion of the site adjacent to US Route 1 northbound, running east-west across the property. Based on the existing water system layout shown on the enclosed map, public water service is available in close proximity to the site.

CONSULTING AND MUNICIPAL ENGINEERS LLC
NJ CERTIFICATE OF AUTHORIZATION NO. 24GA28359000
Barneget • Berlin • Camden • Howell • Medford • Monmouth Junction • Parlin



Consulting & Municipal
ENGINEERS

Mr. Darren D'Souza
Langan Engineering and Environmental Services, Inc.
Re: Block 252, Lots 1.06
Township of North Brunswick, Water Will Serve Letter Request

June 10, 2025
Our File No. 115.NO02024.P02
Page 2

During the development application review process, the Applicant shall submit a Report prepared by a Professional Engineer, licensed in the State of New Jersey, addressing the existence and adequacy of the distribution system to provide for the proposed flows including, at a minimum, the following requirements:

- a. Volume and pressure necessary to provide sufficient flow, including at any interior fire suppression systems (if required), to provide adequate fire protection for all elements of the development site in accordance with NFPA requirements and all appropriate fire codes and/or requirements;
- b. Test data and calculations demonstrating that the required ISO Fire Flows and pressures can be provided from the existing system;
- c. Anticipated volume of water and pressure needed to adequately service the project with potable water.

If the proposed development requires volumes, flows or pressures exceeding that which is currently available from the distribution system, the Applicant shall be required to implement appropriate mitigation measures.

In addition, as part of the Application process, based on our review of the information provided, you will be required to obtain a NJDEP – Bureau of Water Systems Engineering (BWSE) approval.

As far as the physical connection and associated connection fees are concerned, water connection fees will be determined during the Township construction permit process, actual installation must be coordinated with Veolia North America, and they should be contacted for their specific requirements at (732) 297-3739.



Consulting & Municipal
ENGINEERS

Mr. Darren D'Souza
Langan Engineering and Environmental Services, Inc.
Re: Block 252, Lots 1.06
Township of North Brunswick, Water Will Serve Letter Request

June 10, 2025
Our File No. 115.NO02024.P02
Page 3

Should you have any questions regarding this matter, please do not hesitate to contact our office.

Very truly yours,
CME Associates

James C. Watson, P.E., PTOE.
Township Engineer's Office

JCW/go

cc: Michael Hritz, Director Community Development
Gary Oliva, CME Associates



**Middlesex County
Document Summary Sheet**

MIDDLESEX COUNTY CLERK NJ
PO BOX 1110
NEW BRUNSWICK NJ 08903

INSTR # 2023028961
O BK 19213 PG 182
RECORDED 05/18/2023 07:50:41 AM
NANCY J. PINKIN, COUNTY CLERK
MIDDLESEX COUNTY, NEW JERSEY
RECORDING FEES \$115.00

Official Use Only

Transaction Identification Number		6661738	8111252
Submission Date(mm/dd/yyyy)	05/15/2023	Return Address (for recorded documents) KENSINGTON VANGUARD 39 W 37TH ST FL 3 NEW YORK, NY 10018	
No. of Pages (excluding Summary Sheet)	8		
Recording Fee (excluding transfer tax)	\$115.00		
Realty Transfer Tax	\$0.00		
Total Amount	\$115.00		
Document Type	DEED - NO CONSIDERATION		
Municipal Codes			
NORTH BRUNSWICK		NBR	
Batch Type	L2 - LEVEL 2 (WITH IMAGES)		
714208			

Additional Information (Official Use Only)

*** DO NOT REMOVE THIS PAGE.
COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF MIDDLESEX COUNTY FILING RECORD.
RETAIN THIS PAGE FOR FUTURE REFERENCE.**



**Middlesex County
Document Summary Sheet**

DEED - NO CONSIDERATION	Type	DEED - NO CONSIDERATION				
	Consideration	\$12,000,000.00				
	Submitted By	SIMPLIFILE, LLC. (SIMPLIFILE)				
	Document Date	05/10/2023				
	Reference Info					
	Book ID	Book	Beginning Page	Instrument No.	Recorded/File Date	
	GRANTOR	Name			Address	
		NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY			36 WEST STATE STREET, TRENTON, NJ 08625	
	GRANTEE	Name			Address	
		NORTH BRUNSWICK EXECUTIVE PARK LLC			90 WOODBRIDGE CENTER DRIVE, SUITE 600, WOODBIDGE, NJ 07095	
	Parcel Info					
	Property Type	Tax Dist.	Block	Lot	Qualifier	Municipality
		NB	252	1.06		NBR
		NB	252	1.03		NBR

*** DO NOT REMOVE THIS PAGE.
COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF MIDDLESEX COUNTY FILING RECORD.
RETAIN THIS PAGE FOR FUTURE REFERENCE.**

Deed

This Deed is made on this 10th day of May, 2023
BETWEEN
New Jersey Economic Development Authority
An instrumentality of the state of **New Jersey**
having its principal office at
36 West State Street, Trenton, New Jersey 08625
referred to as the Grantor,
AND
North Brunswick Executive Park, LLC

whose post office address is 90 Woodbridge Center Drive,
Suite 600, Woodbridge, NJ 07095

referred to as the Grantee.

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. This transfer is made for the sum of **Twelve Million and no/100ths (\$12,000,000.00) Dollars**

The Grantor acknowledges receipt of this money.

2. Tax Map Reference (N.J.S.A. 46:15-1.1) Municipality of **Township of North Brunswick**
Block No. **252**, Lot No. **1.03 and 1.06**, Qualifier No. **N/A**, Account No. **N/A**
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 building and structures on the land in the **Township of North Brunswick** County of **Middlesex** and State of New Jersey. The legal description is:

Please see attached Legal Description annexed hereto and made part hereof.

Being the same premises conveyed to the Grantor herein by Deed from DKM-Atlantic Two Corp., dated October 25, 2004, recorded November 3, 2004 in the Middlesex County Clerk's Office in Deed Book 5404, Page 752 (Block 252, Lot 1.03); and also by Deed from DKM Properties Corp., dated October 25, 2004, recorded November 3, 2004 in the Middlesex County Clerk's Office in Deed Book 5404, Page 758 (Block 252, Lot 1.06).

Prepared by *(Print signer's name below signature)*

Meredith Friedman, DAG

(For Records Use Only)

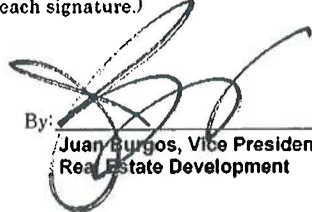
The street address of the Property is:
US Highway One South, North Brunswick, New Jersey

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. 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. (Print name below each signature.)

Witnessed or Attested by:


Cathleen Hamilton, Program Manager - Legal

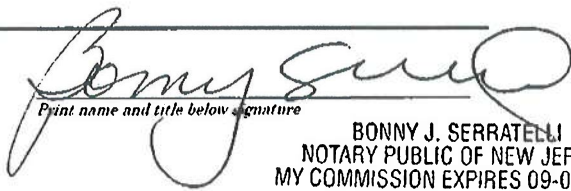
By: 
Juan Burgos, Vice President,
Real Estate Development

STATE OF NEW JERSEY, COUNTY OF Mercer SS:
I CERTIFY that on April 28, 2023
Juan Burgos

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 **Vice President, Real Estate Development of New Jersey Economic Development Authority** the entity named in this Deed;
- (c) made this Deed for **\$12,000,000.00** 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) executed this Deed as the act of the entity.

RECORD AND RETURN TO
Atlantic Realty Development Corp.
90 Woodbridge Center Drive, Suite 600
Woodbridge, NJ 07095
Attn: Ben Hoffer, Associate General Counsel


Print name and title below signature

BONNY J. SERRATELLI
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES 09-03-2024

GIT/REP-3
(2-21)
(Print or Type)

State of New Jersey
Seller's Residency Certification/Exemption

Seller's Information

Name(s)
New Jersey Economic Development Authority, A public body, corporate and politic, and independent authority of the State of New Jersey

Current Street Address
36 West State Street

City, Town, Post Office
Trenton

State
NJ

ZIP Code
08625

Property Information

Block(s)
252

Lot(s)
1.03, 1.06

Qualifier

Street Address
Route One North

City, Town, Post Office
North Brunswick

State
NJ

ZIP Code
08902

Seller's Percentage of Ownership
100

Total Consideration
\$12,000,000.00

Owner's Share of Consideration
0

Closing Date
5/10/2023

Seller's Assurances (Check the Appropriate Box) (Boxes 2 through 16 apply to Residents and Nonresidents)

1. ☐ Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. ☐ Seller is 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 is not required to make an estimated Gross Income Tax payment.
6. ☐ The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated Income Tax payment.
7. ☐ The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated 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 and report the recognized gain.
8. ☐ Seller did not receive non-like kind property.
9. ☐ The real property is being transferred 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.
10. ☐ The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
11. ☐ The deed is dated prior to August 1, 2004, and was not previously recorded.
12. ☐ The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
13. ☐ The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
14. ☐ The property transferred is a cemetery plot.
15. ☐ The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
16. ☐ The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
17. ☐ The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

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 may 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 a 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.

Date

Signature (Seller)

Indicate if Power of Attorney or Attorney in Fact

Juan Burgos

Date

Signature (Seller)

Indicate if Power of Attorney or Attorney in Fact

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. 40:15-5 et seq.)

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

STATE OF NEW JERSEY COUNTY <u>MIDDLESEX</u> Municipality of Property Location: <u>North Brunswick</u>	SS. County Municipal Code <u>1214</u>	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 attached)

Deponent, Juan Burgos (Name), being duly sworn according to law upon his/her oath, deposes

and says that he/she is the Corporate Officer in a deed dated May 10, 2023

(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)

transferring real property identified as Block No. 252, Lot No. 1.03, 1.06 located at

US Highway One, North Brunswick (Street Address, Town) and annexed thereto.

(2) **CONSIDERATION: \$12,000,000.00** (Instructions 1 and 5) ☒ no prior mortgage to which property is subject.

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

(3A) **REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSFERS:** (Instructions 3A and 7)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation
\$ _____ + _____ % = \$ _____

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 8)

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. 66, P.L. 2004, for the following reason(s). Mere reference to the exemption symbol is insufficient. Explain in detail. Deed from Instrumentality of the State of New Jersey

(5) **PARTIAL EXEMPTION FROM FEE:** (Instruction 9) 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. 113, P.L. 2004 and C. 66, P.L. 2004 for the following reason(s): _____

- A. **SENIOR CITIZEN** Grantor(s) ☐ 62 years of age or over * (Instruction 9)
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 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) IF APPLIES ALL BOXES MUST BE CHECKED

- ☐ Affordable according to HUD standards ☐ Reserved for occupancy
☐ Meets income requirements of region ☐ Subject to resale controls

(6) **NEW CONSTRUCTION** (Instructions 2, 10 and 12) IF APPLIES ALL BOXES MUST BE CHECKED

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

(7) **RELATED LEGAL ENTITIES TO LEGAL ENTITIES** (Instructions 3, 12 and 14) IF APPLIES ALL BOXES MUST BE CHECKED

- ☐ 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) **INTERCOMPANY TRANSFER** (Instructions 15) IF APPLIES ALL BOXES MUST BE CHECKED

- ☐ Intercompany transfer between combined group members as part of the unitary business
☐ Combined group NU ID number (Required)

(9) Deponent makes this 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 Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me

this 28th day
of April, 2023

Signature of Deponent: Juan Burgos

New Jersey Economic Development Authority

Grantor Name

36 West State Street, Trenton,
NJ 08625

36 West State Street, Trenton, NJ
08625

Deponent Address

Grantor Address at Time of Sale

XXX-XX-X 8 1 7

Last 3 digits in Grantor's Soc. Sec. No.

Name/Company of Settlement Officer

Notary Public *

County recording officers should print name and address of each
RTF-1 form when submitted to the State of New Jersey
New Jersey, P.O. Box 10000, Trenton, NJ 08646
Attention: Realty Transfer Fee Unit

FOR OFFICIAL USE ONLY	
Instrument Number _____	County _____
Book Number _____	Page _____
Date Recorded _____	

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/lpt/localtax.htm

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION FOR USE BY BUYER
(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

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

STATE OF NEW JERSEY

COUNTY

Middlesex

SS. County Municipal Code
1214

MUNICIPALITY OF PROPERTY LOCATION

North Brunswick Township

FOR RECORDER'S USE ONLY

Consideration \$
RTF paid by buyer \$
Date By

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

Deponent, Jeremy Halpern being duly sworn according to law upon his/her oath,

deposes and says that he/she is the Managing Member in a deed dated May 10, 2023 transferring real property

real property identified as Block number 252 Lot number 1.03 and 1.06 located at

US Route One North, North Brunswick Township and annexed thereto.
(Street Address, Town)

(2) CONSIDERATION \$ 12,000,000.00 (See Instructions #1, #5, and #11 on reverse side)

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

PROPERTY CLASSIFICATION CHECKED OR CIRCLED BELOW IS TAKEN FROM OFFICIAL ASSESSMENT LIST (A PUBLIC RECORD) OF MUNICIPALITY WHERE THE REAL PROPERTY IS LOCATED IN THE YEAR OF TRANSFER. REFER TO N.J.A.C. 18:12-2.2 ET SEQ.

(A) Grantee required to remit the 1% fee, complete (A) by checking off appropriate box or boxes below.

- ☐ Class 2 - Residential ☐ Class 4A - Commercial properties (if checked, calculation in (E) required below)
☐ Class 3A - Farm property (Regular) and any other real property transferred to same grantee in conjunction with transfer of Class 3A property ☐ Cooperative unit (four families or less) (See C. 46:8D-3.)
Cooperative units are Class 4C.

(B) Grantee is not required to remit 1% fee (one or more of following classes being conveyed), complete (B) by checking off appropriate box or boxes below.

- ☒ Property class. Circle applicable class or classes: 1 3B 4B 4C 15
Property classes: 1-Vacant Land; 3B- Farm property (Qualified); 4B- Industrial properties; 4C- Apartments; 15- Public Property, etc. (N.J.A.C. 18:12-2.2 et seq.)
☐ Exempt organization determined by federal Internal Revenue Service/Internal Revenue Code of 1986, 26 U.S.C. s. 501.
☐ Incidental to corporate merger or acquisition; equalized assessed valuation less than 20% of total value of all assets exchanged in merger or acquisition. If checked, calculation in (E) required and **MUST ATTACH COMPLETED RTF-4**.
☐ Intercompany transfer between combined group members as part of the unitary business (See Instruction #13 on reverse side)
List the Combined group NU ID number (Required) _____

(C) When grantee transfers properties involving block(s) and lot(s) of two or more classes in one deed, one or more subject to the 1% fee (A), with one or more than one not subject to the 1% fee (B), pursuant to N.J.S.A. 46:15-7.2, complete (C) by checking off appropriate box or boxes and (D).

- ☐ Property class. Circle applicable class or classes: 1 2 3B 4A 4B 4C 15

(D) EQUALIZED VALUE CALCULATION FOR ALL PROPERTIES CONVEYED, WHETHER THE 1% FEE APPLIES OR DOES NOT APPLY
Total Assessed Valuation + Director's Ratio = Equalized Valuation

Property Class _____ \$ _____ + _____ % = \$ _____
Property Class _____ \$ _____ + _____ % = \$ _____
Property Class _____ \$ _____ + _____ % = \$ _____
Property Class _____ \$ _____ + _____ % = \$ _____

(E) REQUIRED EQUALIZED VALUE CALCULATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (See Instructions #6 and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Value

\$ _____ + _____ % = \$ _____

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 exceeds 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. 1968, as amended through Chapter 33, P.L. 2006, for the following reason(s). Mere 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. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me
this 10th day of May, 2023

Jennifer S. Barnes
JENNIFER SHARISE BARNES
A Notary Public of New Jersey

My Commission Expires January 21, 2025

Signature of Deponent
Jeremy Halpern
90 Woodbridge Center Drive, Suite 600
Woodbridge, New Jersey 07095
Deponent Address

North Brunswick Executive Park, LLC
Grantee Name

90 Woodbridge Center Drive, Suite 600
Woodbridge, New Jersey 07095
Grantee Address at Time of Sale

Name/Company of Settlement Officer

County recording officers: forward one copy of each RTF-1EE to:

STATE OF NJ - DIVISION OF TAXATION
PO BOX 251
TRENTON, NJ 08646-0251
ATTENTION: REALTY TRANSFER FEE UNIT

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

The Director, Division of Taxation, Department of the Treasury has prescribed this form, as required by law. 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 or any other relevant forms, visit:
www.state.nj.us/treasury/taxation/rtf/localtax.shtml

SCHEDULE C

The Land is described as follows:

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Township of North Brunswick, in the County of Middlesex, State of New Jersey:

PARCEL ONE:

BEGINNING at a point being the intersection of the southeasterly right-of-way line of US Route 1 (variable width right of way) with lands now or formerly of New Jersey Economic Development Authority as set forth in Deed Book 4224, Page 693. said point being North 70 degrees 04 minutes 18 seconds East, 39.48 feet along the former right-of-way line of US Route 1 from the Beginning point described in Deed Book 5404, Page 752, said point also being the following four (4) tie courses and distances from a concrete monument found at US Route 1 baseline station 19+77.82 offset 60.77 feet right as shown on a map entitled, "New Jersey Department of Transportation, General Property Parcel Map, Route US 1 (1953) Section 6 From Route 26 to Raritan River", dated June 2006, last revised March 5, 2007"

A. Northwesterly along a curve to the left, having a radius of 30.00 feet and an arc length of 29.98 feet to a point of tangency; thence

B. North 70 degrees 12 minutes 55 seconds East, 15.94 feet to a point on the easterly line of said lands now or formerly of New Jersey Economic Development Authority as set forth in Deed Book 4224, Page 693; thence

C. Along said lands, North 33 degrees 43 minutes 18 seconds West, 18.38 feet to a point on said southeasterly line of US Route 1; thence

D. South 70 degrees 04 minutes 18 seconds West, 37.21 feet along said line of US Route 1 to the true Point of Beginning, and running; thence

1. North 70 degrees 04 minutes 18 seconds East, 37.21 feet along said line of US Route 1 to an angle point; thence

2. South 33 degrees 43 minutes 18 seconds East, 575.33 feet along said line of US Route 1 and also along the southwesterly line of Block 252, Lot 6.01, lands now or formerly of Arken Realty LLC as set forth in Deed Book 4206. Page 297 to a point on the northwesterly line of said lands now or formerly of Arken Realty, also being the northwesterly line of an easement to PSE&G Corporation; thence

3. South 31 degrees 11 minutes 40 seconds West, 274.70 feet along said northwesterly line of Arken Realty to a point in the common line between Block 252, Lot 1.02 lands now or formerly of the Keller Graduate School of Management and the herein described lands known as Block 252, Lot 1.03 lands now or formerly of New Jersey Economic Development Authority; thence

4. North 19 degrees 55 minutes 45 seconds West, 713.35 feet along said common line to a point on a curve in said southeasterly right-of-way line of US Route 1; thence

5. Northeasterly along said line of US Route 1 on a non-tangent curve to the right having a radius of 45.00 feet, an

This page is only a part of a 2016 ALTA® Commitment for Title Insurance [issued by Stewart Title Guaranty Company]. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

SCHEDULE C

(Continued)

arc length of 27.91 feet, a central angle of 35 degrees 32 minutes 20 seconds, a chord bearing North 39 degrees 12 minutes 13 seconds East and a chord distance of 27.47 feet to a point of tangency; thence

6. North 56 degrees 56 minutes 52 seconds East, 16.33 feet along said line to the point and place of BEGINNING

FOR INFORMATION PURPOSES ONLY: BEING known as Route 1, North Brunswick, NJ 08902, Tax Lot 1.03, Tax Block 252 on the Official Tax Map of North Brunswick, NJ.

PARCEL TWO:

BEGINNING at the point of intersection of the common line between lands now or formerly of the County of Middlesex as set forth in Deed Book 5404, Page 743 and lands now or formerly of New Jersey Economic Development Authority as set forth in Deed Book 5404, Page 758 with the southeasterly right-of-way line of US Route 1 (variable width right of way), and from said Beginning point running the following ten (10) courses along said right-of-way line of US Route 1:

1. North 70 degrees 01 minute 13 seconds East, 320.06 feet to an angle point; thence
2. North 68 degrees 53 minutes 01 second East, 50.02 feet to an angle point; thence
3. North 70 degrees 01 minute 11 seconds East, 105.71 feet to a point on a curve; thence
4. Easterly on a non-tangent curve to the right, having a radius of 240.00 feet, an arc length of 103.58 feet, a central angle of 24 degrees 43 minutes 40 seconds, having a chord bearing North 84 degrees 42 minutes 22 seconds East, and a chord length of 102.78 feet to a point of compound curvature; thence
5. Southeasterly on a curve to the right, having a radius of 172.99 feet, an arc length of 58.98 feet, a central angle of 19 degrees 32 minutes 05 seconds, having a chord bearing South 73 degrees 09 minutes 45 seconds East and a chord length of 58.69 feet to a found concrete monument at a point of tangency; thence
6. South 63 degrees 23 minutes 43 seconds East, 273.68 feet to a point of curvature; thence
7. Easterly on a curve to the left having a radius of 160.00 feet, an arc length of 268.32 feet, a central angle of 96 degrees 05 minutes 06 seconds, having a chord bearing North 68 degrees 33 minutes 44 seconds East, and a chord length of 237.97 feet to a found concrete monument at a point of tangency; thence
8. North 20 degrees 10 minutes 46 seconds East, 83.12 feet to a point of curvature; thence
9. Northerly on a curve to the right having a radius of 275.00 feet, an arc length of 17.49 feet, a central angle of 03 degrees 38 minutes 38 seconds, having a chord bearing North 22 degrees 00 minutes 05 seconds East, and a chord length of 17.49 feet to a point of compound curvature; thence
10. Easterly on a curve to the right having a radius of 23.25 feet, an arc length of 48.70 feet, a central angle of 120 degrees 00 minutes 34 seconds, having a chord bearing North 83 degrees 49 minutes 42 seconds East, and a chord length of 40.27 feet to a point in the common line between lands now or formerly of Keller Graduate School of Management set forth in Deed Book 4338, Page 454 and said lands now or formerly of New Jersey Economic Development Authority; thence

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NEW JERSEY LAND TITLE
INSURANCE RATING BUREAU

NJRB 3-09
Last Revised: 09/01/19
5135337-S-NJ-CP-KV

SCHEDULE C
(Continued)

11. Along said common line between lands now or formerly of Keller Graduate School of Management and lands now or formerly of Keller Graduate School of Management set forth in Deed Book 4338, Page 454 and said lands now or formerly of New Jersey Economic Development Authority; thence

12. South 40 degrees 15 minutes 39 seconds West, 92.78 feet along said northwesterly line of lands now or formerly of PSE&G Corp. to a found concrete monument; thence the following three (3) courses and distances along the northerly line of lands now or formerly of the County of Middlesex as set forth in Deed Book 5404, Page 743;

13. North 80 degrees 56 minutes 57 seconds West, 933.17 feet to a found concrete monument; thence

14. North 56 degrees 48 minutes 39 seconds West, 453.56 feet to a point; thence

15. North 17 degrees 59 minutes 41 seconds West, a distance of 483.22 feet to a point in the southerly right-of-way line of US Route 1 and the point and place of BEGINNING

FOR INFORMATION PURPOSES ONLY: BEING known as Route 1, North Brunswick, NJ 08902, Tax Lot 1.06, Tax Block 252 on the Official Tax Map of North Brunswick, NJ.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance [issued by Stewart Title Guaranty Company]. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

NEW JERSEY LAND TITLE
INSURANCE RATING BUREAU

NJRB 3-09
Last Revised: 09/01/19
5135337-S-NJ-CP-KV



State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Land Resource Protection
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

SHAWN M. LATOURETTE
Commissioner

July 21, 2023

William Iafe
90 Woodbridge Center Drive, Suite 600
Woodbridge, New Jersey 07095

RE: Letter of Interpretation: Presence/Absence Determination
File No.: 1215-23-0003.1
Activity Number: LLI230001
Applicant: NORTH BRUNSWICK EXECUTIVE PARK-N BRUNSWICK
Block(s) and Lot(s): [252, 1.06]
North Brunswick Township, Middlesex County

Dear Mr. Iafe:

This letter is in response to your request for a Letter of Interpretation from the Division of Land Resource Protection indicating the presence or absence of freshwater wetlands and waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection (NJDEP), the U.S. Army Corps of Engineers (USACOE) Philadelphia and New York Districts, and the U.S. Environmental Protection Agency (USEPA), the NJDEP, Division of Land Resource Protection is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retains the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, and upon a site inspection conducted by the staff of the Department on July 12, 2023, the Division of Land Resource Protection has determined that **freshwater wetlands and waters are not present** on the referenced property. In addition, the Department has determined that **no part of the above referenced property occurs within a transition area or buffer** as designated in N.J.A.C. 7:7A-3.3(d)1 and 2.

Pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A), you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter. This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have been conducted on this site. This determination does not affect your responsibility to obtain any State, Federal, county, or municipal permits which may be required.

In accordance with N.J.A.C. 7:7A-21, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landuse/forms. Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

Please contact Kate LaMotta of our staff by e-mail at Kate.LaMotta@dep.nj.gov or (609) 940-4581 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,



Digitally signed by Michael
Tropiano

Date: 2023.07.21 14:40:57-04'00'

Michael Tropiano, Environmental Specialist III
Division of Land Resource Protection

e-copy: Municipal Clerk
Municipal Construction Official
Agent (original)



State of New Jersey

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Land Resource Protection
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

SHAWN M. LATOURETTE
Commissioner

North Brunswick Executive Park, LLC
C/O David Halpern
90 Woodbridge Center Suite 600
Woodbridge, New Jersey 07095

April 8, 2024

RE: Flood Hazard Area Applicability Determination
File and Activity No.: 1215-23-0003.2 APD 230001
Applicant: North Brunswick Executive Park, LLC
Project: North Brunswick Executive Park
Block and Lots: [252, 1.06] [252, 103]
Municipality: North Brunswick; County: Middlesex

Dear Mr. Halpern:

This is with reference to your letter of October 25, 2023, concerning the proposed redevelopment project at the above-referenced location.

Decision:

A review of the submitted material indicates that the above referenced location is not situated within any regulated areas. Therefore, a flood hazard area permit **is not required** for this project.

Conditions:

This determination is valid for five years and is conditioned upon the receipt of all other necessary approvals and permits. Any change in the scope or design of this project may result in the need for a flood hazard area permit. Also, any activity proposed within freshwater wetlands, transition areas or open waters will require a freshwater wetland approval from this office prior to construction.

All disturbed areas should be stabilized in accordance with the requirements of the local soil conservation district. Your municipal construction official should also be contacted to determine if this project complies with local flood ordinances and building codes. The municipality may modify the design of this project or deny its construction if such ordinances or codes are not met.

If you have any questions regarding this letter, please contact Sheldon Piggot by email at sheldon.piggot@dep.nj.gov or by phone at (609)777-3760. Please reference the Program's file number in all communication.

Sincerely,



Digitally signed by dennis contoits
Date: 2024.04.08 10:00:08 -04'00'

Dennis Contois
Supervisor
Watershed & Land Management

- c: Applicant, Gregory Woodruff (Langan Engineering and Environmental Services, Inc.)
Municipal Clerk (Township of North Brunswick)
Municipal Construction Official (Township of North Brunswick)
Municipal Engineer (Township of North Brunswick)