



John K. Fiorilla
856.914.2054
jfiorilla@capehart.com
Fax: 856.235.2786

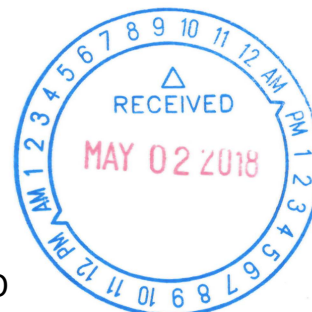
May 1, 2018
Law Day

Via UPS Overnight

Cynthia T. Brown
Chief of the Section of Administration, Office of Proceedings
Surface Transportation Board
395 E Street S.W.
Washington, D.C. 20024

245639

ENTERED
Office of Proceedings
May 2, 2018
Part of
Public Record



Re: Docket No. FD 36187
Passaic Street Properties, LLC
Operation Exemption Pursuant to 49 C.F.R. §1150.31
Our File No. 04378-85178

Dear Ms. Brown:

This firm represents the applicant, Passaic Street Properties, LLC, a non-carrier.

Enclosed are the **original** and 10 copies of a Verified Notice of Exemption for Passaic Street Properties, LLC regarding the New York & Greenwood Lake Railway which the applicant purchased at an action held by the Internal Revenue Service. The line extends from RR Milepost 0.0 in Garfield, Bergen County, New Jersey to Milepost 1.75 in Passaic, County of Passaic, New Jersey. The line is approximately 1.75 miles in length.

Also, enclosed is a check in the amount of \$2,000.00 for the filing fee and a computer diskettes containing the Notice in Word and pdf format.

FILED
May 2, 2018
SURFACE
TRANSPORTATION BOARD

Sincerely,

CAPEHART & SCATCHARD, P.A.

John K. Fiorilla

FEE RECEIVED

JKF:cae

Enclosures

cc: Jay Pasternack, Esq. (w/enc.)
Fadi Samaan (w/enc.)
James R. Wilson (w/enc.)
John D. Heffner, Esq. (w/enc.)

5814476

May 2, 2018
SURFACE
TRANSPORTATION BOARD

**Before the
Surface Transportation Board**

FD - 36187

**PASSAIC STREET PROPERTIES, LLC
ACQUISITION OF NEW YORK & GREENWOOD LAKE RAILWAY, INC.
OPERATION EXEMPTION**

**VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 C.F.R. § 1150.31**

Submitted By:

John K. Fiorilla, Esq.
Capehart & Scatchard, P.A.
8000 Midlantic Drive, Suite 300S
Mount Laurel, N.J. 08054
(856) 914-2054
Attorneys for Passaic Street Properties, LLC

Dated: May 1, 2018

**Before the
Surface Transportation Board**

FD

**PASSAIC STREET PROPERTIES, LLC
ACQUISITION OF NEW YORK & GREENWOOD LAKE RAILWAY, INC.
OPERATION EXEMPTION**

**VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 C.F.R. § 1150.31**

Pursuant to the provisions of 49 U.S.C. § 10901 and 49 C.F.R. § 1150.31, Passaic Street Properties, LLC, a non-carrier (hereinafter “PSP”) files this Verified Notice of Exemption from the requirements of 49 U.S.C. §10902 for PSP to acquire the rights to operate a line of railroad currently out of service for which the New York & Greenwood Lake Railway, Inc. (hereinafter “NYGL”) has not operated in more than five years. The line is located in the City of Passaic, County of Passaic and City of Garfield, County of Bergen, New Jersey. There are no prospective rail customers on the line.

The property of this line was put up for bid by the Internal Revenue Service for failure to pay federal income taxes. PSP was the successful bidder and obtained the rights to the land and track of NYGL with a bid of \$565,000.00. A copy of the Certificate of Sale of Seized Property from the IRS to PSP is attached hereto as Exhibit “A.” Also attached are copies of filed deeds to the property from IRS to PSP which is attached as Exhibit “B”.

Upon acquiring the rights to NYGL, PSP has the intention of filing for an abandonment of the property so that if the abandonment is granted, PSP can develop the property in conjunction with its plans with the City of Passaic, including making a portion of the property a city park and recreation area.

The line is known as the Dundee Spur, Line Code 6199. The Line extends from the County Line, the County of Bergen on the east and the County of Passaic on the west, at approximately Railroad Milepost 0.39 as indicated on the Sheet attached as Exhibit “C(1)” a general southerly direction; thence curving in a southwesterly direction; thence extending in a general westerly direction parallel to and southerly of South Street, as indicated on Exhibit “C(2)”, “C(3)” and “C(4)” attached hereto.;

thence curving to the northwest and extending in a general northerly direction to Railroad Station 702+89, at approximately Railroad MP 1.75, being the northerly line of Monroe Street in the City of Passaic, the place of the ending as indicated on Exhibit "C(5)" attached hereto.

Information Required by 49 CFR §1150.33

Name and address of the applicant - 49 CFR § 1150.33 (a)

The full name and address of the rail carrier applicant is as follows:

Passaic Street Properties, LLC
694 Main Avenue, (2nd floor)
Passaic, N.J. 07055

Applicant's Representative - 49 CFR § 1150.33 (b)

Any questions concerning this notice should be sent to PSP's representative at the following address:

John K. Fiorilla, Esq.
Capehart & Scatchard P.A.
8000 Midlantic Drive, Suite 300S
Mount Laurel, N.J. 08054
856-914-2054
jfiorilla@capehart.com

Statement of Agreement - 49 CFR § 1150.33(c)

PSP has purchased the railroad property including track as a result of a bid it made for the property to the IRS. PSP's winning bid for the property was \$565,000.00. PSP has no intention of operating the line, but will file to abandon the railroad upon obtaining the right to operate the railroad so that it can join with a plan of the City of Passaic for redevelopment and rehabilitation which is in great need in the City of Passaic and to provide a portion of the property to the City of Passaic as a park and recreation area. A copy of a letter from the City of Passaic regarding this and a Resolution of the Passaic City Counsel approving it is attached hereto as Exhibit "D".

PSP intends to file for an abandonment of the Dundee Spur so that the planned redevelopment/rehabilitation can be at some time after obtaining rights to operate the line.

Operator of the Property - 49 CFR § 1150.33(d)

PSP which is the Owner of the Property which has not been in service for more than five years and which has no prospective rail customers intends to take steps to abandon the railroad.

Brief Summary of Transaction - 49 CFR § 1150.33 (e)

1. PSP, a non-carrier which purchased the land and track of NYGL is petitioning the Board to become the operator of the line which has been out of service for more than five years for the purpose of abandoning the line and developing the property in connection with plans of the City of Passaic. Plans which include the redevelopment/rehabilitation in conjunction with the City of Passaic for housing and other non-industrial uses and a portion of the property becoming park and recreation area.

2. PSP plans to file for abandonment of the railroad within six months of the effective date of this Notice of Exemption so that it may develop the property as noted above.

3. The property purchased by PSP and which is the subject of this Notice of Exemption extends from Railroad Milepost 0.0 in the City of Garfield, County of Bergen, State of New Jersey to Railroad Milepost 1.75.in the City of Passaic, County of Passaic, and State of New Jersey.

4. The total route miles being acquire are approximately 1.75 miles.

Map - 49 CFR § 1150.33 (f)

A map of the line is attached hereto as Exhibits "C(1) - C(5)".

Certificate of Carrier Classification - 49 CFR § 1150.33 (g)

PSP does not intend to operate the line which has no customers so that there will be no projected revenues which exceed \$5,000,000 and that would qualify it as a Class III carrier, and that this transaction will not result in the creation of a Class I or Class II carrier.

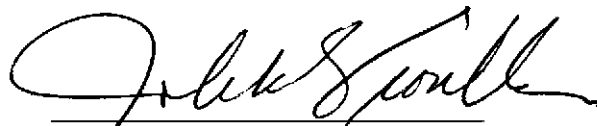
Transactions Imposing Interchange Agreements - 49 CFR § 1150.33 (h)

Since the intention is eventually abandon the line upon which there is currently no rail customers, no Interchange Agreements of any kind will be entered into.

Caption Summary - 49 CFR § 1150.44

A caption Summary in the prescribed form is attached as Exhibit "E" to this Notice.

Respectfully Submitted,



Dated: May 1, 2018

John K. Fiorilla, Esq.
Capehart & Scatchard, PA
8000 Midlantic Drive Suite 300S
Mount Laurel, N.J. 08054
(856) 914-2054
jfiorilla@capehart.com
Attorney for Petitioner,
Passaic Street Properties, LLC

VERIFICATION

I, Fadi Samaan, Managing Member of the petitioner hereby certifies that I have read the foregoing Notice of Exemption and am knowledgeable of facts stated therein, and that the same are true as stated to the best of my knowledge. I am aware that if any of the foregoing statements are willfully false, that I am subject to punishment.

Dated: April 24, 2018

A handwritten signature in black ink, appearing to read 'Fadi Samaan', is written over a horizontal line.

Fadi Samaan

Form **2435**
(Rev. January 2003)

Department of the Treasury — Internal Revenue Service

Certificate of Sale of Seized Property

I certify that I sold at public sale the property described below, seized for nonpayment of delinquent Internal Revenue taxes due from:

Taxpayer's name	Date of sale
New York and Greenwood Lake Railway Co	September 13, 2017

Sale held at: 99-111 Passaic Street Passaic New Jersey

in the county of Passaic

Description of property sold (If you need more space, please attach a separate sheet. If property listed includes motor vehicles, airplanes, and/or boats, see information under Notice of Encumbrances.)

99-111 Passaic Street Passaic New Jersey. Tax Map # 07-0500-02-00001

ALL THAT CERTAIN property of the Grantor, together with the improvements and appurtenances thereon, being all of Grantor's line of railroad known as the Dundee Spur and which property is situated in the Counties of Bergen and Passaic in the State of New Jersey, generally described in Exhibit "A" and generally indicated by "PS" on Grantor's Case Plan No. 71862, sheets 1 through 5, dated January 23, 1996 and revised February 1, 1996, which are attached hereto in Exhibit "B", hereinafter referred to as "Premises".

Passaic County, New Jersey
Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur), and identified as Line Code 6199 in the Office of the Secretary of State for the State of New Jersey, situate in the City of Passaic, County of Passaic and State of New Jersey, and being further described as follows:

EXTENDING from the County Line, the County of Bergen on the east and the County Of Passaic on the west, at approximately Railroad Mile Post 0.39, as indicated on sheet 2 of 5 of Exhibit "B", in general southerly direction; thence curving in a southwesterly direction; thence extending in a general westerly direction parallel to and southerly of South Street, as indicated on sheets 3 and 4 of 5; thence curving to the northwest and extending in a general northerly direction to Railroad Station 702+89, at approximately Railroad Mile Post 1.75, being the northerly line of Monroe Street in the City of Passaic, the place of ENDING, as indicated on sheet 5 of 5 of Exhibit "B".

Bergen County, New Jersey
Dundee Spur, Line Code 6199

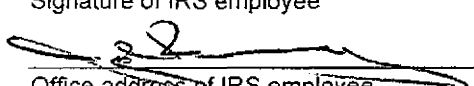
ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur) and identified as Line Code 6199 in the recorder's office of Bergen County, New Jersey in Deed book Volume 6949 at page 198, situate in the Borough of Garfield, County of Bergen and State of New Jersey, and being further described as follows:

BEGINNING at Railroad Station 610+66 of said Dundee Spur, at approximately Railroad Mile Post 0.00, being a point of connection to the New Jersey Transit Corporation's Bergen County Line (Line code 6102), as indicated on sheet 1 of 5 of Exhibit "B" thence extending in a general southwesterly direction in an along the bed of Monroe Street, to approximately Railroad Mile Post 0.39, being the County Line, the County of Bergen on the east and the County of Passaic on the west, as indicated on sheet 2 of 5 of Exhibit "B".

The above property was sold at the highest bid received, and receipt of the bid amount is acknowledged. The sale was conducted as provided by Subchapter D, Chapter 64, of the Internal Revenue Code and related regulations.

Sale amount	Purchaser's name
\$ 565,000.00	Passaic Street Properties LLC

Purchaser's address
694 Main Avenue 2nd fl Passaic New Jersey 07055

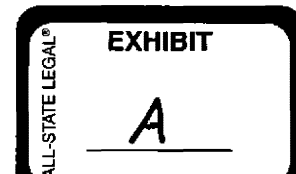
Signature of IRS employee	Area Office / Territory Office
	N Atlantic--New York
Office address of IRS employee	Date
191 Main Street Poughkeepsie New York	October 13, 2017

Part 1 — To Purchaser

Catalog No. 18493Z

www.irs.gov

Form **2435** (Rev. 1-2003)



Notice to Purchaser or Purchaser's Assignee

Personal Property

This certificate transfers to the purchaser all right, title, and interest of the taxpayer in and to the personal property described.

Real Property

If the real property is not redeemed within the time prescribed in section 6337 of the Internal Revenue Code, a deed will be issued ^{as} ^{soon} in and to the real property. Instructions for obtaining a deed are given below.

Redemption Rights

The rights of redemption of real estate after sale, as specified in Code Section 6337(b), are quoted below:

(b) Redemption of Real Estate After Sale.

(1) Period. —The owners of any real property sold as provided in section 6335, their heirs, executors, or administrators, or any ^{person} ^{having} sold, or any particular tract of such property, at any time within 180 days after the sale thereof.

(2) Price. —Such property or tract shall be permitted to be redeemed upon payment to the purchaser, or in case he cannot be found in the county in which the property to be redeemed is situated, then to the Secretary, for the use of the purchaser, his heirs, or assigns, the amount paid by such purchaser and interest thereon at the rate of 20 percent per annum.

How to Obtain a Deed

If the real estate is not redeemed within the 180-day period, the purchaser or assignee may obtain a deed by surrendering this certificate of sale, either by personal delivery or mail, to:

(1) The Area Director of Internal Revenue for the area in which the property is located, marked for the Attention, Technical Support Manager; or

(2) The address of the Internal Revenue Service office shown on the front of this certificate.

Applicable Sections Under The Internal Revenue Code

SEC. 6338. CERTIFICATE OF SALE: DEED OF REAL PROPERTY

(a) Certificate of Sale.—In the case of property sold as provided in section 6335, the Secretary shall give to the purchaser a certificate of sale upon payment in full of the purchase price. In the case of real property, such certificate shall set forth the real property purchased, for whose taxes the same was sold, the name of the purchaser, and the price paid therefor.

(b) Deed to Real Property.—In the case of any real property sold as provided in section 6335 and not redeemed in the manner and within the time provided in section 6337,

In which such real property is situated pertaining to sales of real property under execution) to the purchaser of such real property at such sale, upon his surrender of the certificate of sale, a deed of the real property by him, reciting the facts set forth in the certificate.

(c) Real Property Purchased by United States.—If real property is declared purchased by the United States at a sale pursuant to section 6335, the Secretary shall at the proper time execute a deed therefore, and without delay cause such deed to be duly recorded in the proper registry of deeds.

SEC. 6339. LEGAL EFFECT OF CERTIFICATE FOR SALE OF PERSONAL PROPERTY AND DEED OF REAL PROPERTY.

(a) Certificate of Sale Property Other Than Real Property.—In all cases of sale pursuant to section 6335 of property (other than real property), the certificate of sale—

(1) As evidence.—Shall be prima facie evidence of the right of the officer to make such sale, and conclusive evidence of the regularity of his proceedings in making the sale; and

(2) As conveyances.—Shall transfer to the purchaser all right, title, and interest of the party delinquent in and to the property sold; and

(3) As authority for transfer of corporate stock.—If such property consists of stocks, shall be notice, when received, to any corporation, company, or association of such transfer, and shall be authority to such corporation, company, or association to record the transfer on its books and records in the same manner as if the stocks were transferred or assigned by the party holding the same, in lieu of any original or prior certificate, which shall be void, whether canceled or not; and

(4) As receipts.—If the subject of sale is securities or other evidences of debt, shall be a good and valid receipt to the person holding the same, as against any person holding or claiming to hold possession of such securities or other evidences of debt, and

(5) As authority for transfer of title to motor vehicle.—If such property consists of a motor vehicle, shall be notice, when received, to any public official charged with the registration of title to motor vehicles, of such transfer and shall be authority to such official to record the transfer on his books and records in the same manner as if the certificate of title to such motor vehicle were transferred or assigned by the party holding the same in lieu of any original or prior certificate, which shall be void, whether canceled or not.

(b) Deed of Real Property.—In the case of the sale of real property pursuant to section 6335—

(1) Deed as evidence.—The deed of sale given pursuant to section 6338 shall be prima facie evidence of the facts therein stated; and

(2) Deed as conveyance of title.—If the proceedings of the Secretary as set forth have been substantially in accordance with the provisions of law, such deed shall be considered and operate as a conveyance of all the right, title, and interest the party delinquent had in and to the real property thus sold at the time the lien of the United States attached thereto.

(c) Effect of Junior Encumbrances.—A certificate of sale of personal property given or a deed to real property executed pursuant to section 6338 shall discharge such property from all liens, encumbrances, and titles over which the lien of the United States with respect to which the levy was made had priority.

(d) Cross References.—

(1) For distribution of surplus proceeds, see section 6342(b).

(2) For judicial procedure with respect to surplus proceeds, see section 7426(a)(2).

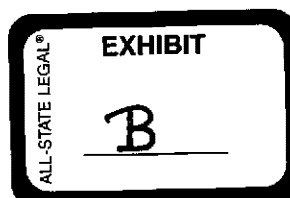
John S. Hogan Bergen County Clerk Bergen County Clerk One Bergen County Plaza Hackensack, NJ 07601 (201) 336-7000 www.bergencountyclerk.org/ 	 INSTRUMENT # 18-027136 V 02916 1674 RECORDED DATE: 04/19/2018 09:54:52 AM								
Document Type: Deed - Exempt	Transaction #: 9100082 Document Page Count: 19 Operator Id: CLERK								
RETURN TO: JAY PASTERNAK ESQUIRE 1066 CLIFTON AVENUE CLIFTON NJ 07013	SUBMITTED BY:								
PRIMARY NAME	SECONDARY NAME								
TIMOTHY S SHERRILL	PASSAIC STREET PROPERTIES LLC								
ADDITIONAL PRIMARY NAMES	ADDITIONAL SECONDARY NAMES								
JOANNE R NEMMER									
MARGINAL REFERENCES:									
DOCUMENT DATE: 03/29/2018 MUNICIPALITY: GARFIELD LOT: 1 BLOCK: 220 GRANTEE ADDRESS: 100 LIBERTY AVENUE PITTSBURGH PA 15222 FEES / TAXES: <table border="0"> <tr> <td>Recording Fee: Deed - Exempt</td> <td>\$40.00</td> </tr> <tr> <td>Additional Pages Fee</td> <td>\$180.00</td> </tr> <tr> <td>Homeless Trust Fund - Bergen County</td> <td>\$3.00</td> </tr> <tr> <td>Total:</td> <td>\$223.00</td> </tr> </table>	Recording Fee: Deed - Exempt	\$40.00	Additional Pages Fee	\$180.00	Homeless Trust Fund - Bergen County	\$3.00	Total:	\$223.00	INSTRUMENT #: 18-027136 Recorded Date: 04/19/2018 09:54:52 AM I hereby CERTIFY that this document is recorded in the Clerk's Office in Bergen County, New Jersey.  <i>John S. Hogan</i> John S. Hogan Bergen County Clerk Recording Fees: \$223.00 Realty Transfer Tax Fees: \$0.00
Recording Fee: Deed - Exempt	\$40.00								
Additional Pages Fee	\$180.00								
Homeless Trust Fund - Bergen County	\$3.00								
Total:	\$223.00								

OFFICIAL RECORDING COVER PAGE

Page 1 of 20

PLEASE DO NOT DETACH
THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

NOTE: If document data differs from cover sheet, document data always supersedes.
*COVER PAGE DOES NOT INCLUDE ALL DATA, PLEASE SEE INDEX AND DOCUMENT FOR ANY ADDITIONAL INFORMATION.



28
191
223

Book 294 Passaic
OK DC

Bergen County Recording Data Page Honorable John S. Hogan Bergen County Clerk				Official Use Only - Barcode  18-027136 Deed - Exempt V Bk: 02916 Pg: 1674-1693 Rec. Fee \$223.00 John S. Hogan, Bergen County Clerk Recorded 04/19/2018 09:54:52 AM	
Official Use Only - Realty Transfer Fee					
Date of Document: 3/29/18			Type of Document: Deed		
First Party Name: IRS			Second Party Name: Passaic Street Properties, LLC		
Additional Parties:					

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY	
Block: 220	Lot: 1
Municipality: Lafayette	
Consideration: \$565,000	
Mailing Address of Grantee: 694 MAIN AVE 2ND FLR Passaic NJ 07655	

THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGE INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES & OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY	
Original Book:	Original Page:

BERGEN COUNTY RECORDING DATA PAGE Please do not detach this page from the original document as it contains important recording information and is part of the permanent record.
--

Prepared by
William H. Charlton

QUITCLAIM DEED

Joanne R. Nemmer
Group Manager, Advisory
Internal Revenue Service
Wm. Moorhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222

Record and Return to:

Record and Return to:
JAY PASTERNAK, ESQ.
1066 Clifton Avenue
Clifton NJ 07013

TO

Passaic Street Properties, LLC
694 Main Avenue, 2nd Floor
Passaic, NJ 07055

THIS DEED made this 27th day of MARCH in the year 2018

BETWEEN Timothy S. Sherrill, Director, Collection North Atlantic Area, by and through his designated agent, Joanne R. Nemmer, Group Manager, Advisory of the Internal Revenue Service, Pittsburgh, Pennsylvania, hereinafter referred to as the Grantor, and Passaic Street Properties, LLC, hereinafter referred to as the Grantee, whose post office address is 694 Main Avenue, 2nd Floor, Passaic, NJ 07055.

TYPE OF DEED: This Deed is called a Quitclaim Deed. The Grantor makes no promises as to ownership or title, but simply transfers whatever interest the Grantor has in the property to the Grantee.

WHEREAS, the property described herein was sold to the Grantee at a public sale held on September 13, 2017, at the subject property location, 99-111 Passaic Street, Passaic, NJ 07055 in order to satisfy the delinquent Internal Revenue taxes of New York and Green Lake Railway Co. The sale was conducted in accordance with the provisions of the Internal Revenue Code of 1986, Chapter 64, subchapter D, and the Regulations there under. The sum of Five Hundred Sixty-Five Thousand Dollars and No Cents (\$565,000.00), which was the highest bid offered, and which bid was made by the Grantee, has been paid.

WHEREAS, the property has not been redeemed and the period of redemption has expired. The Certificate of Sale previously given to the Grantee has been surrendered.

IN CONSEQUENCE OF THE FOREGOING, pursuant to the provisions of section 6338(b) of the Internal Revenue Code of 1986, I, Timothy S. Sherrill, Director, Collection North Atlantic Area, by and through my designated agent, Joanne R. Nemmer, Group Manager, Advisory of the Internal Revenue Service, Pittsburgh, Pennsylvania, Grantor herein, in consideration of the sum of Five Hundred Sixty-Five Thousand Dollars and No Cents (\$565,000.00) to me in hand paid, hereby remise, release, and convey to Grantee, all the rights, title, and interests of the Grantor, in and to the following described property:

Tax Map Reference. (N.J.S.A.46:15-1.1) Municipality of Passaic. Block No. 1031 Lots 1 and 30, Block 1001.B, and Block 1054.A, Lot 1. Municipality of Garfield. Block 220, Lot 1.

ALL THAT CERTAIN property of the Grantor, together with the improvements and appurtenances thereon, being all of Grantor's line of railroad known as the Dundee Spur and which property is situated in the Counties of Bergen and Passaic in the State of New Jersey, generally described in Exhibit "A" and generally indicated by "PS" on Grantor's Case Plan No. 71862, sheets 1 through 5, dated January 23, 1996 and revised February 1, 1996, which are attached hereto in Exhibit "B", hereinafter referred to as "Premises".

Passaic County, New Jersey

Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur), and identified as Line Code 6199 in the Office of the Secretary of State for the State of New Jersey, situate in the City of Passaic, County of Passaic and State of New Jersey, and being further described as follows:

EXTENDING from the County Line, the County of Bergen on the east and the County Of Passaic on the west, at approximately Railroad Mile Post 0.39, as indicated on sheet 2 of 5 of Exhibit "B", in a general southerly direction; thence curving in a southwesterly direction; thence extending in a general westerly direction parallel to and southerly of South Street, as indicated on sheets 3 and 4 of 5; thence curving to the northwest and extending in a general northerly direction to Railroad Station 702+89, at approximately Railroad Mile Post 1.75, being the northerly line of Monroe Street in the City of Passaic, the place of **ENDING**, as indicated on sheet 5 of 5 of Exhibit "B".

Bergen County, New Jersey

Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur) and identified as Line Code 6199 in the recorder's office of Bergen County, New Jersey in Deed book Volume 6949 at page 198, situate in the Borough of Garfield, County of Bergen and State of New Jersey, and being further described as follows:

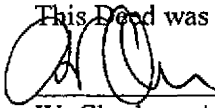
BEGINNING at Railroad Station 610+66 of said Dundee Spur, at approximately Railroad Mile Post 0.00, being a point of connection to the New Jersey Transit Corporation's Bergen County Line (Line code 6102), as indicated on sheet 1 of 5 of Exhibit "B" thence extending in a general southwesterly direction in and along the bed of Monroe Street, to approximately Railroad Mile Post 0.39, being the County Line, the County of Bergen on the east and the County of Passaic on the west, as indicated on sheet 2 of 5 of Exhibit "B".

BEING the same premises conveyed to New York and Greenwood Lake Railway Co. by deed from Consolidated Rail Corporation, dated November 14, 1997 and recorded July 17, 2007 as Instrument Number 2007055180 in Book D1466 of Deeds at page 211 in the Office of the Clerk of Passaic County, New Jersey.

BEING the same premises seized on February 10, 2017, pursuant to Internal Revenue Code Section 6331, for nonpayment of Internal Revenue taxes due from New York and Greenwood Lake Railway Co.

IN WITNESS WHEREOF, I, Timothy S. Sherrill, Director, Collection North Atlantic Area, by and through my designated agent Joanne R. Nemmer, Group Manager, Advisory of the Internal Revenue Service, Pittsburgh, Pennsylvania, have hereunto set my hand and seal this 29th day of March, 2018.

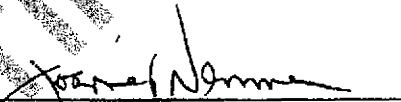
This Deed was prepared by:



W. Charlton, Advisor
Internal Revenue Service
1000 Liberty Avenue
Pittsburgh, PA 15222

Timothy S. Sherrill
Director Collection North Atlantic Area
Internal Revenue Service

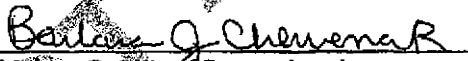
By:



Joanne R. Nemmer
Group Manager, Advisory
Pittsburgh, Pennsylvania 15222

SIGNED, SEALED AND DELIVERED

In the presence of:



Notary Public of Pennsylvania

My Commission Expires 10/09/2018

State of Pennsylvania)

) SS.

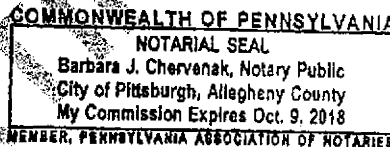
County of Allegheny)

On this 29th day of MARCH in the year 2018, before me, an officer authorized to take acknowledgements, personally appeared Joanne R. Nemmer, Group Manager, Advisory, Internal Revenue Service, Pittsburgh, Pennsylvania, who I am satisfied is the Grantor in the foregoing Deed, and in due form of Law declared that the facts set forth in the foregoing Deed are true, that she acknowledged that she executed the same and the entire consideration by the Grantee is the sum of \$565,000.00, and that she acknowledged that said Deed might be recorded..

Barbara J. Chervanek
Notary Public In and For the
Commonwealth of Pennsylvania

(Seal) _____
My Commission Expires:

10/09/2018



Certificate of Residence

I do hereby certify that the precise residence of Grantee is 694 Main Ave, Passaic, NJ 07055

WITNESS my hand this 30th day of March 2018.

X

For Grantee

FADI SAMMAN, managing member.

CASE NO. 71862

DEED TO

NEW YORK AND GREENWOOD LAKE RAILWAY

EXHIBIT "A"

Bergen County, New Jersey

Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur), and identified as Line Code 6199 in the Recorder's Office of Bergen County, New Jersey in Deed Book Volume 6949 at page 198, situate in the Borough of Garfield, County of Bergen and State of New Jersey, and being further described as follows:

BEGINNING at Railroad Station 610+66 of said Dundee Spur, at approximately Railroad Mile Post 0.00, being a point of connection to the New Jersey Transit Corporation's Bergen County Line (Line Code 6102), as indicated on sheet 1 of 5 of Exhibit "B"; thence extending in a general southwesterly direction in and along the bed of Monroe Street, to approximately Railroad Mile Post 0.39, being the County Line, the County of Bergen on the east and the County of Passaic on the west, as indicated on sheet 2 of 5 of Exhibit "B".

THIS EXHIBIT "A" CONTAINS 4 PAGES, OF WHICH THIS IS
PAGE 1 OF 4.

BEING a part or portion of the same premises which Thomas F. Patton and Ralph S. Tyler, Jr., as Trustees of the Property of Erie Lackawanna Railway Company, Debtor, by Conveyance Document No. BL-CRC-RP-3, dated March 31, 1976 and recorded on October 12, 1978 in the Office of the New Jersey Secretary of State and also on August 30, 1985 in the Recorder's Office of Bergen County, New Jersey, in Deed Book Volume 6949 at page 186&c., granted and conveyed unto Consolidated Rail Corporation.

NOT A CERTIFIED COPY

THIS EXHIBIT "A" CONTAINS 4 PAGES, OF WHICH THIS IS PAGE 2 OF 4.

71862

DEED

CONSOLIDATED RAIL CORPORATION

-to-

NEW YORK AND GREENWOOD LAKE RAILWAY

Land known as the Dundee Spur and
situate in the Counties of Bergen and
Passaic, State of New Jersey.

CASE NO. 71862

DEED TO

NEW YORK AND GREENWOOD LAKE RAILWAY

EXHIBIT "A"

Passaic County, New Jersey

Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur), and identified as Line Code 6199 in the Office of the Secretary of State for the State of New Jersey, situate in the City of Passaic, County of Passaic and State of New Jersey, and being further described as follows:

EXTENDING from the County Line, the County of Bergen on the east and the County of Passaic on the west, at approximately Railroad Mile Post 0.39, as indicated on sheet 2 of 5 of Exhibit "B", in a general southerly direction; thence curving in a southwesterly direction; thence extending in a general westerly direction parallel to and southerly of South Street, as indicated on sheets 3 and 4 of 5; thence curving to the northwest and extending in a general northerly direction to Railroad Station 702+89, at approximately Railroad Mile Post 1.75, being the northerly line of Monroe Street in the City of Passaic, the place of ENDING, as indicated on sheet 5 of 5 of Exhibit "B".

THIS EXHIBIT "A" CONTAINS 4 PAGES, OF WHICH THIS IS
PAGE 3 OF 4.

BEING a part or portion of the same premises which Thomas F. Patton and Ralph S. Tyler, Jr., as Trustees of the Property of Erie Lackawanna Railway Company, Debtor, by Conveyance Document No. EL-CRC-RP-7, dated March 31, 1976 and recorded on October 12, 1978 in the Office of the New Jersey Secretary of State, granted and conveyed unto Consolidated Rail Corporation.

NOT A CERTIFIED COPY

THIS EXHIBIT "A" CONTAINS 4 PAGES, OF WHICH THIS IS
PAGE 4 OF 4.

CASE NO. 71862

DEED TO

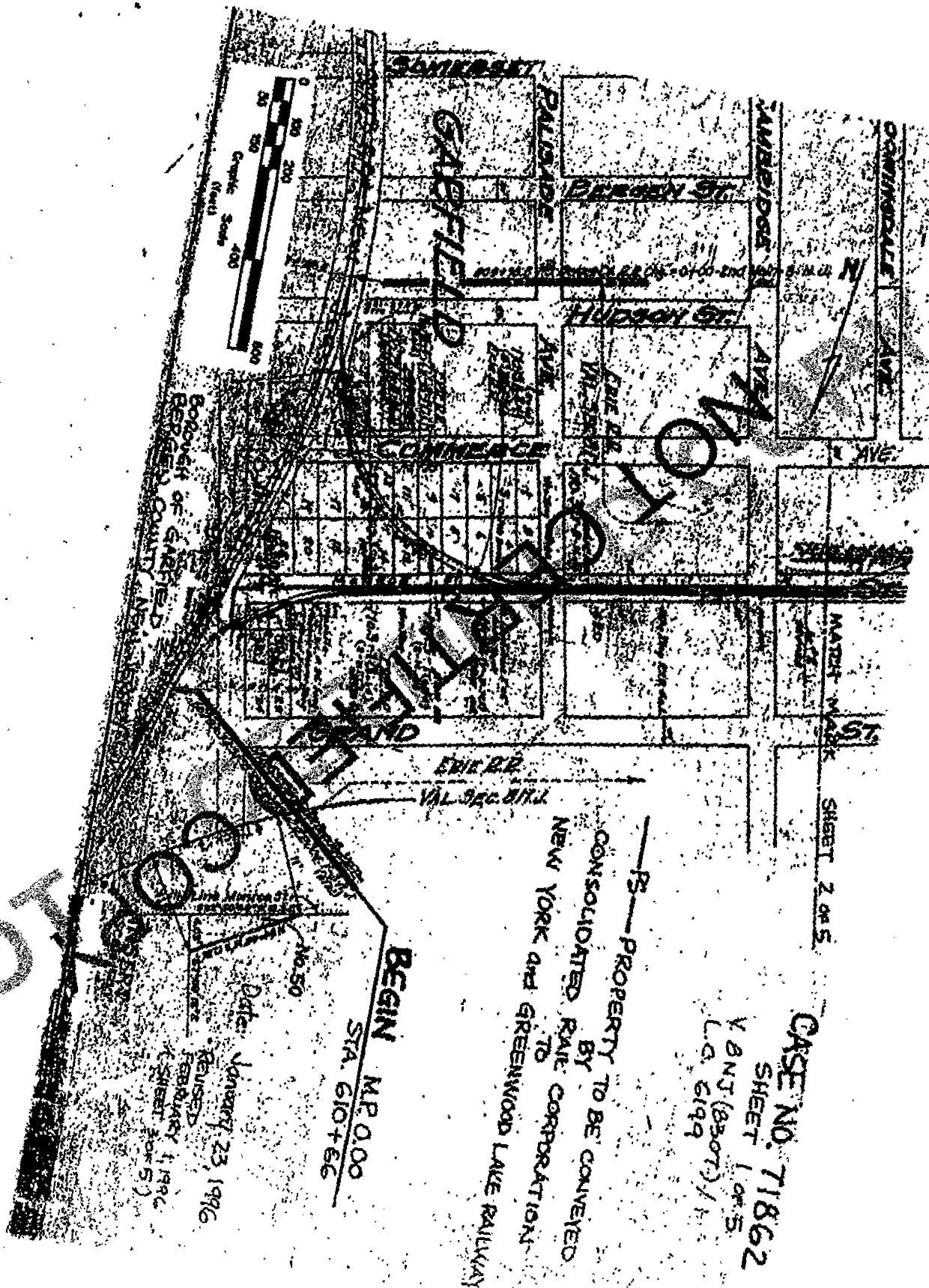
NEW YORK AND GREENWOOD LAKE RAILWAY

EXHIBIT "B"

MAP ADDENDUM

THIS EXHIBIT "B" CONTAINS 5 MAPS.

1061 5/11/51 N 1



PROPERTY TO BE CONVEYED
BY
CONSOLIDATED RAIL CORPORATION
TO
NEW YORK AND GREENWOOD LAKE RAILWAY

CASE NO. 71862
SHEET 1 of 5
V.B.N. (8307) / 1
L.A. 6199

BEGIN MP 0.00
STA. 610+66

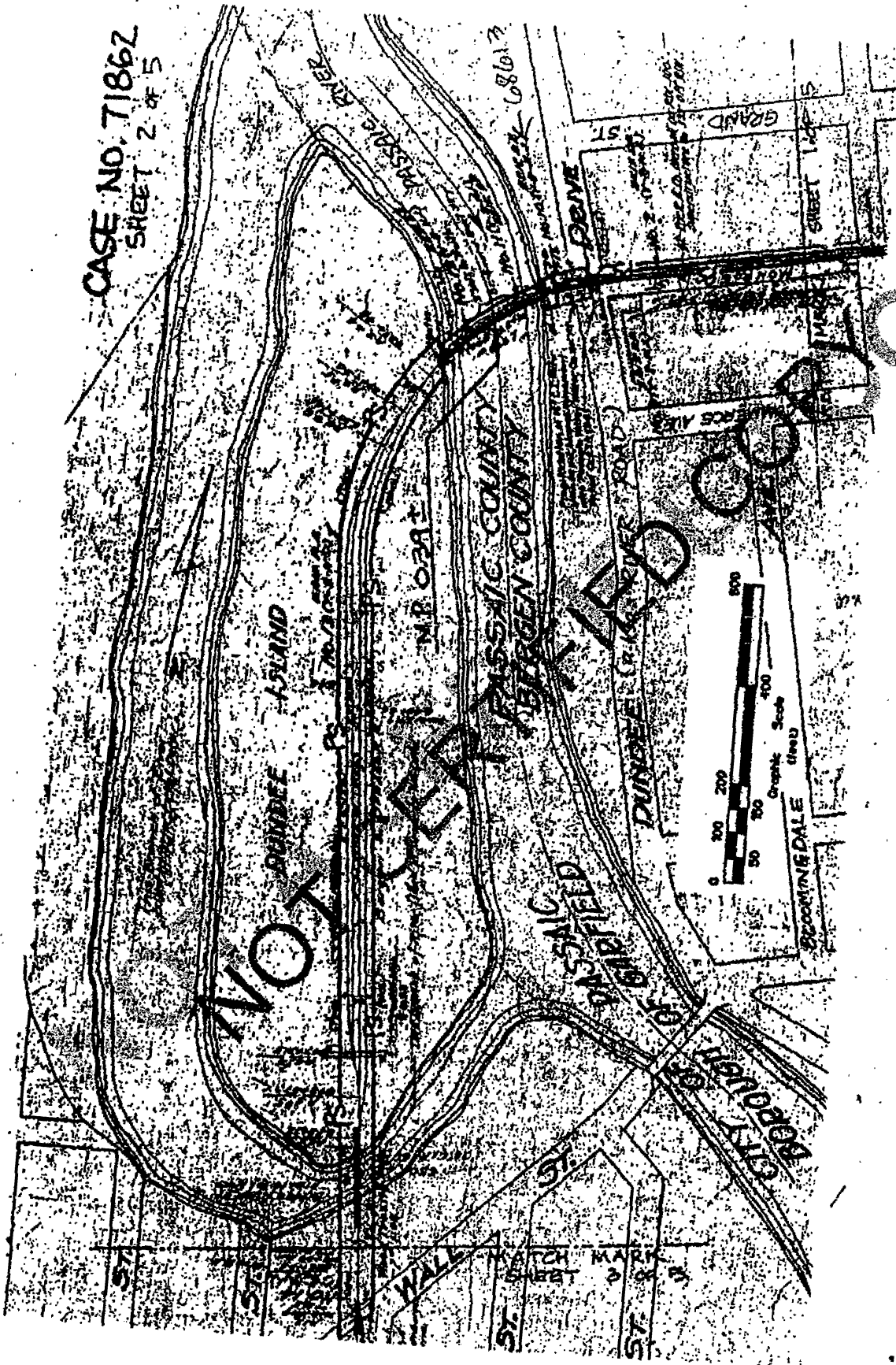
Date: January 23, 1996
REUSED
FEBRUARY 1, 1996
(SHEET FOR 5)

NOT TO SCALE

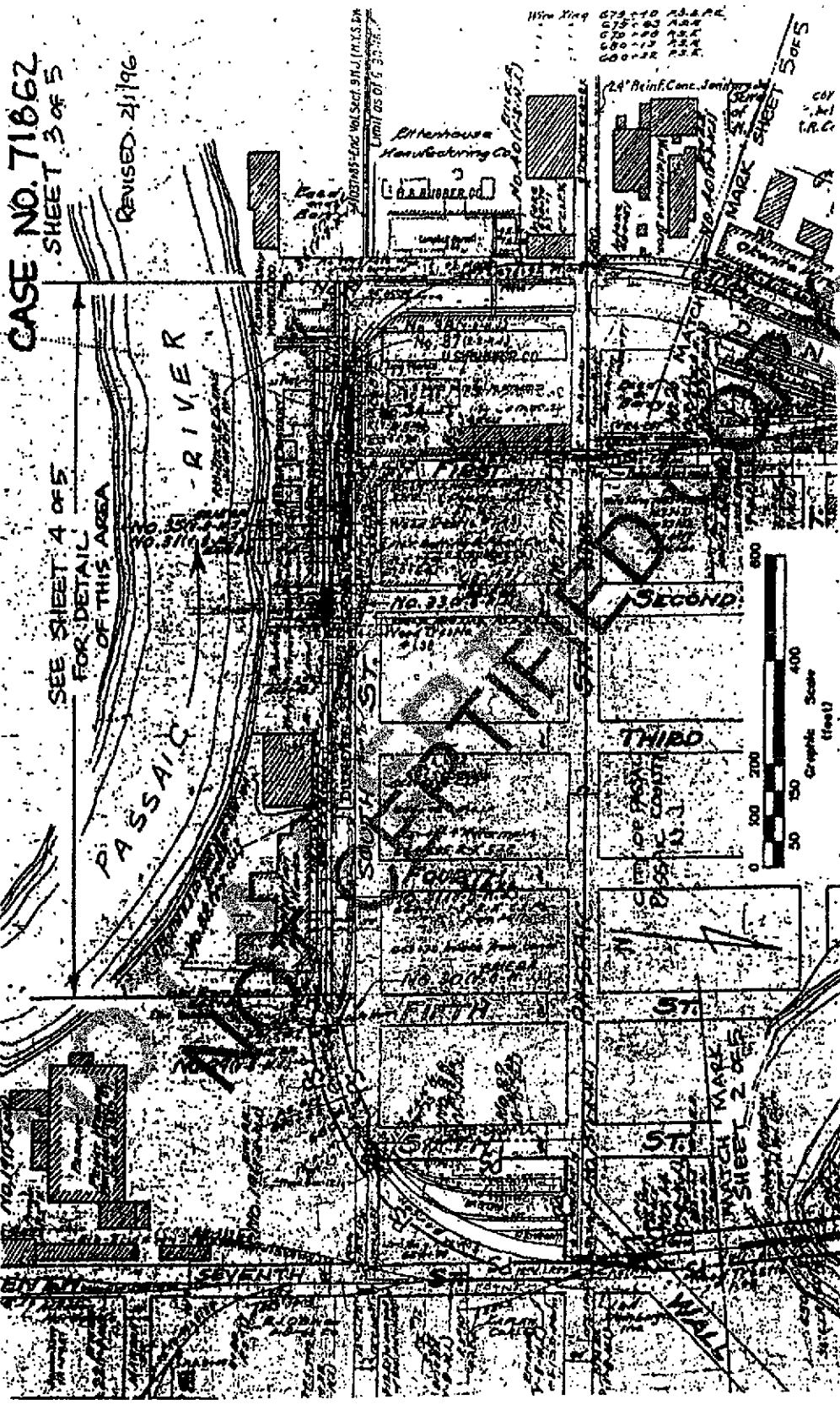
County Clerk

near original

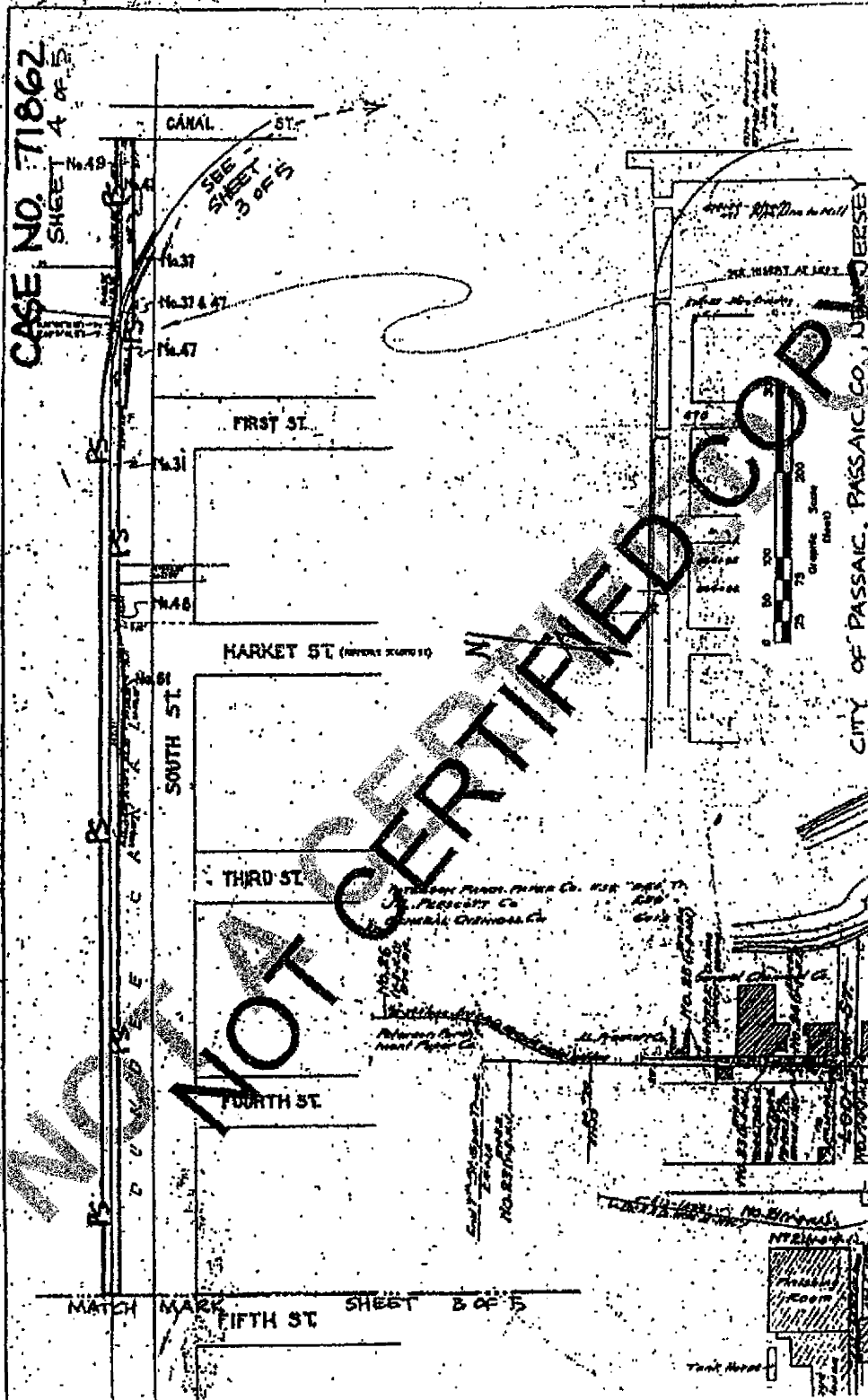
CASE NO. 7186Z
SHEET 2 of 5



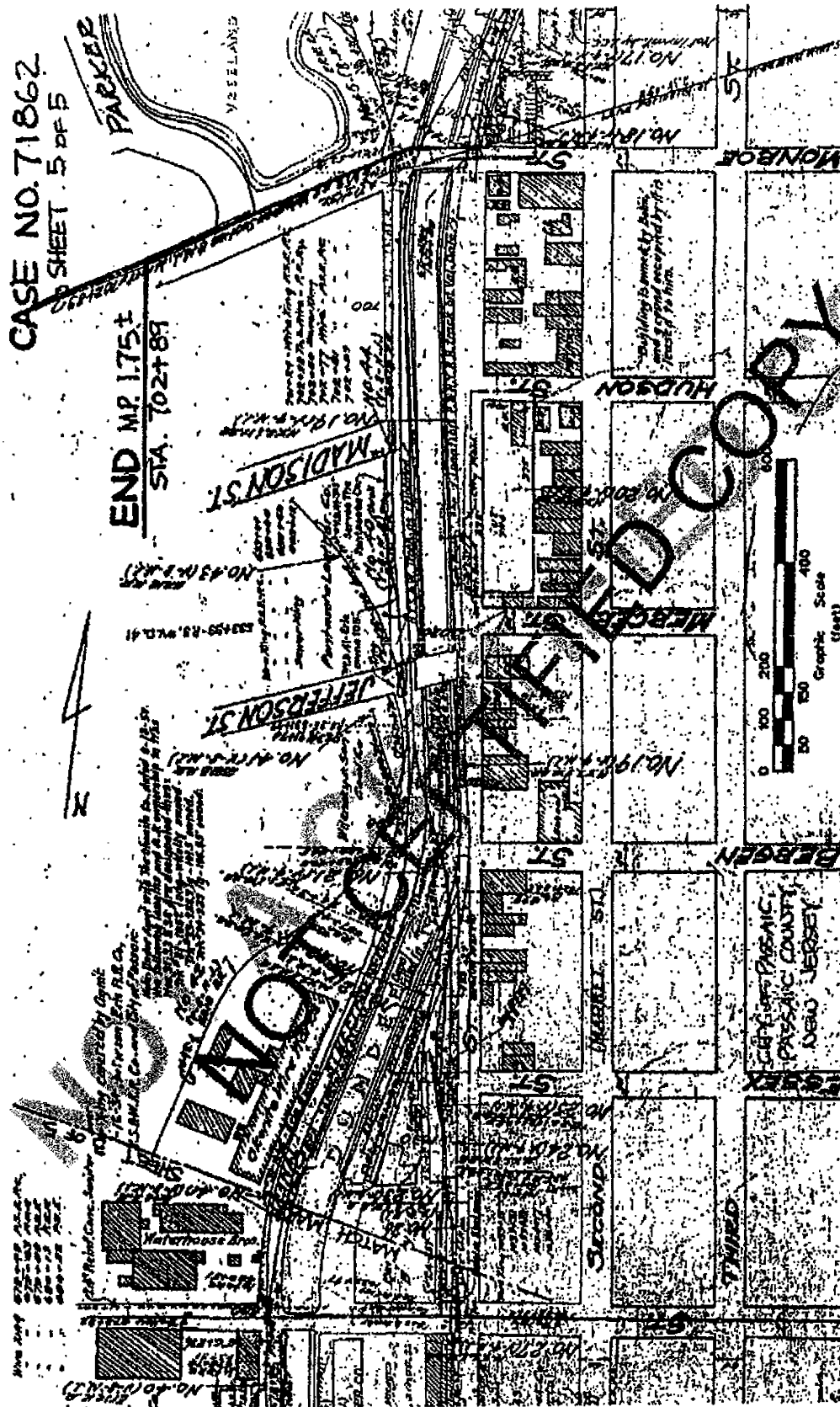
For original



for original



For original





Passaic County Document Summary Sheet

DEED-NO CONSIDERATION	Type	DEED-NO CONSIDERATION				
	Consideration	S\$65,000.00				
	Submitted By	SIMPLIFILE, LLC. (SIMPLIFILE)				
	Document Date	03/29/2018				
	Reference Info					
	Book ID	Book	Beginning Page	Instrument No.	Recorded/File Date	
		Name		Address		
		TIMOTHY S SHERILL DIRECTOR COLLECTION NORTH ATLANTIC AREA BY AND T		1000 LIBERTY AVENUE, PITTSBURGH, PA 15222		
		Name		Address		
		PASSAIC STREET PROPERTIES LLC		604 MAIN AVENUE 2ND FLOOR, PASSAIC, NJ 07055		
	Parcel Info					
	Property Type	Tax Dist.	Block	Lot	Qualifier	Municipality
		07	5000.02	1		07
		07	5000.02	1		07

* DO NOT REMOVE THIS PAGE.
COVER SHEET (DOCUMENT SUMMARY FORM) IS PART OF PASSAIC COUNTY FILING RECORD.
RETAIN THIS PAGE FOR FUTURE REFERENCE.

WALTER J. DAVISON CLERK PASSAIC COUNTY New Jersey	
INSTRUMENT NUMBER 2018014872 RECORDED ON Apr 03, 2018 12:11:18 PM BOOK:03277 PAGE:174 Total Pages: 20	
NJ PRESERVATION ACCOUNT	\$95.00
RECORDING FEES -	\$115.00
RECORDER OF DEEDS	
HOMELESSNESS TRUST FUND	\$3.00
REFILING CONVENIENCE FEE	\$2.00
TRUST FUND	
TOTAL PAID	\$215.00
JTY: 1260021 USER: ML	

QUITCLAIM DEED

Joanne R. Nemmer
Group Manager, Advisory
Internal Revenue Service
Wm. Moonhead Federal Building
1000 Liberty Avenue
Pittsburgh, PA 15222

Record and Return to:

Record and Return to:
JAY PASTERNAK, ESQ.
1068 Clifton Avenue
Clifton NJ 07013

TO

Passaic Street Properties, LLC
694 Main Avenue, 2nd Floor
Passaic, NJ 07055

THIS DEED made this 29th day of March in the year 2018

BETWEEN Timothy S. Sherrill, Director, Collection North Atlantic Area, by and through his designated agent, Joanne R. Nemmer, Group Manager, Advisory of the Internal Revenue Service, Pittsburgh, Pennsylvania, hereinafter referred to as the Grantor, and Passaic Street Properties, LLC, hereinafter referred to as the Grantee, whose post office address is 694 Main Avenue, 2nd Floor, Passaic, NJ 07055.

TYPE OF DEED: This Deed is called a Quitclaim Deed. The Grantor makes no promises as to ownership or title, but simply transfers whatever interest the Grantor has in the property to the Grantee.

WHEREAS, the property described herein was sold to the Grantee at a public sale held on September 13, 2017, at the subject property location, 99-111 Passaic Street, Passaic, NJ 07055 in order to satisfy the delinquent Internal Revenue taxes of New York and Green Lake Railway Co. The sale was conducted in accordance with the provisions of the Internal Revenue Code of 1986, Chapter 64, subchapter D, and the Regulations there under. The sum of Five Hundred Sixty-Five Thousand Dollars and No Cents (\$565,000.00), which was the highest bid offered, and which bid was made by the Grantee, has been paid.

WHEREAS, the property has not been redeemed and the period of redemption has expired. The Certificate of Sale previously given to the Grantee has been surrendered.

IN CONSEQUENCE OF THE FOREGOING, pursuant to the provisions of section 6338(b) of the Internal Revenue Code of 1986, I, Timothy S. Sherrill, Director, Collection North Atlantic Area, by and through my designated agent, Joanne R. Nemmer, Group Manager, Advisory of the Internal Revenue Service, Pittsburgh, Pennsylvania, Grantor herein, in consideration of the sum of Five Hundred Sixty-Five Thousand Dollars and No Cents (\$565,000.00) to me in hand paid, hereby remise, release, and convey to Grantee, all the rights, title, and interests of the Grantor, in and to the following described property:

Tax Map Reference. (N.J.S.A.46:15-1.1) Municipality of Passaic. Block No. 1031 Lots 1 and 30, Block 1001.B, and Block 1054.A, Lot 1. Municipality of Garfield. Block 220, Lot 1.

ALL THAT CERTAIN property of the Grantor, together with the improvements and appurtenances thereon, being all of Grantor's line of railroad known as the Dundee Spur and which property is situated in the Counties of Bergen and Passaic in the State of New Jersey, generally described in Exhibit "A" and generally indicated by "PS" on Grantor's Case Plan No. 71862, sheets 1 through 5, dated January 23, 1996 and revised February 1, 1996, which are attached hereto in Exhibit "B", hereinafter referred to as "Premises".

Passaic County, New Jersey

Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur), and identified as Line Code 6199 in the Office of the Secretary of State for the State of New Jersey, situate in the City of Passaic, County of Passaic and State of New Jersey, and being further described as follows:

EXTENDING from the County Line, the County of Bergen on the east and the County Of Passaic on the west, at approximately Railroad Mile Post 0.39, as indicated on sheet 2 of 5 of Exhibit "B", in a general southerly direction; thence curving in a southwesterly direction; thence extending in a general westerly direction parallel to and southerly of South Street, as indicated on sheets 3 and 4 of 5; thence curving to the northwest and extending in a general northerly direction to Railroad Station 702+89, at approximately Railroad Mile Post 1.75, being the northerly line of Monroe Street in the City of Passaic, the place of **ENDING**, as indicated on sheet 5 of 5 of Exhibit "B".

Bergen County, New Jersey

Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur) and identified as Line Code 6199 in the recorder's office of Bergen County, New Jersey in Deed book Volume 6949 at page 198, situate in the Borough of Garfield, County of Bergen and State of New Jersey, and being further described as follows:

BEGINNING at Railroad Station 610+66 of said Dundee Spur, at approximately Railroad Mile Post 0.00, being a point of connection to the New Jersey Transit Corporation's Bergen County Line (Line code 6102), as indicated on sheet 1 of 5 of Exhibit "B" thence extending in a general southwesterly direction in and along the bed of Monroe Street, to approximately Railroad Mile Post 0.39, being the County Line, the County of Bergen on the east and the County of Passaic on the west, as indicated on sheet 2 of 5 of Exhibit "B".

BEING the same premises conveyed to New York and Greenwood Lake Railway Co. by deed from Consolidated Rail Corporation, dated November 14, 1997 and recorded July 17, 2007 as Instrument Number 2007055180 in Book D1466 of Deeds at page 211 in the Office of the Clerk of Passaic County, New Jersey.

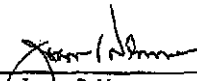
BEING the same premises seized on February 10, 2017, pursuant to Internal Revenue Code Section 6331, for nonpayment of Internal Revenue taxes due from New York and Greenwood Lake Railway Co.

IN WITNESS WHEREOF, I, Timothy S. Sherrill, Director, Collection North Atlantic Area, by and through my designated agent Joanne R. Nemmer, Group Manager, Advisory of the Internal Revenue Service, Pittsburgh, Pennsylvania, have hereunto set my hand and seal this 29th day of MARCH, 2018.

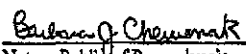
This Deed was prepared by:


W. Charlton, Advisor
Internal Revenue Service
1000 Liberty Avenue
Pittsburgh, PA 15222

Timothy S. Sherrill
Director Collection North Atlantic Area
Internal Revenue Service

By: 
Joanne R. Nemmer
Group Manager, Advisory
Pittsburgh, Pennsylvania 15222

SIGNED, SEALED AND DELIVERED
In the presence of


Notary Public of Pennsylvania
My Commission Expires 10/09/2018

State of Pennsylvania)

) SS.

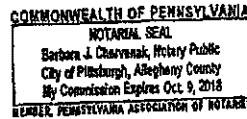
County of Allegheny)

On this 20th day of MARCH in the year 2018, before me, an officer authorized to take acknowledgements, personally appeared Joanne R. Nemmer, Group Manager, Advisory, Internal Revenue Service, Pittsburgh, Pennsylvania, who I am satisfied is the Grantor in the foregoing Deed, and in due form of Law declared that the facts set forth in the foregoing Deed are true, that she acknowledged that she executed the same and the entire consideration by the Grantee is the sum of \$565,000.00, and that she acknowledged that said Deed might be recorded..

Barbara J. Charniak
Notary Public-In and For the
Commonwealth of Pennsylvania

(Seal) _____
My Commission Expires:

10/09/2018



Certificate of Residence

I do hereby certify that the precise residence of Grantee is 694 Main Ave, Passaic, NJ 07055

WITNESS my hand this 30th day of March, 2018.

X [Signature]
For Grantee

FADI SAMAN, managing member

CASE NO. 71862

DEED TO

NEW YORK AND GREENWOOD LAKE RAILWAY

EXHIBIT "A"

Bergen County, New Jersey

Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur), and identified as Line Code 6199 in the Recorder's Office of Bergen County, New Jersey in Deed Book Volume 6949 at page 198, situate in the Borough of Garfield, County of Bergen and State of New Jersey, and being further described as follows:

BEGINNING at Railroad Station 610+66 of said Dundee Spur, at approximately Railroad Mile Post 0.00, being a point of connection to the New Jersey Transit Corporation's Bergen County Line (Line Code 6102), as indicated on sheet 1 of 5 of Exhibit "B"; thence extending in a general southwesterly direction in and along the bed of Monroe Street, to approximately Railroad Mile Post 0.39, being the County Line, the County of Bergen on the east and the County of Passaic on the west, as indicated on sheet 2 of 5 of Exhibit "B".

THIS EXHIBIT "A" CONTAINS 4 PAGES, OF WHICH THIS IS
PAGE 1 OF 4.

BEING a part or portion of the same premises which Thomas F. Patton and Ralph S. Tyler, Jr., as Trustees of the Property of Erie Lackawanna Railway Company, Debtor, by Conveyance Document No. EL-CRC-RP-3, dated March 31, 1976 and recorded on October 12, 1978 in the Office of the New Jersey Secretary of State and also on August 30, 1985 in the Recorder's Office of Bergen County, New Jersey, in Deed Book Volume 6949 at page 186&c., granted and conveyed unto Consolidated Rail Corporation.

THIS EXHIBIT "A" CONTAINS 4 PAGES, OF WHICH THIS IS
PAGE 2 OF 4.

CASE NO. 71862

DEED TO

NEW YORK AND GREENWOOD LAKE RAILWAY

EXHIBIT "A"

Passaic County, New Jersey

Dundee Spur, Line Code 6199

ALL THAT CERTAIN property of the Grantor, being a portion of the line of railroad known as the Dundee Branch (a.k.a. the Dundee Spur), and identified as Line Code 6199 in the Office of the Secretary of State for the State of New Jersey, situate in the City of Passaic, County of Passaic and State of New Jersey, and being further described as follows:

EXTENDING from the County Line, the County of Bergen on the east and the County of Passaic on the west, at approximately Railroad Mile Post 0.39, as indicated on sheet 2 of 5 of Exhibit "B", in a general southerly direction; thence curving in a southwesterly direction; thence extending in a general westerly direction parallel to and southerly of South Street, as indicated on sheets 3 and 4 of 5; thence curving to the northwest and extending in a general northerly direction to Railroad Station 702+89, at approximately Railroad Mile Post 1.75, being the northerly line of Monroe Street in the City of Passaic, the place of ENDING, as indicated on sheet 5 of 5 of Exhibit "B".

THIS EXHIBIT "A" CONTAINS 4 PAGES, OF WHICH THIS IS
PAGE 3 OF 4.

BEING a part or portion of the same premises which Thomas F. Patton and Ralph S. Tyler, Jr., as Trustees of the Property of Erie Lackawanna Railway Company, Debtor, by Conveyance Document No. EL-CRC-RP-7, dated March 31, 1976 and recorded on October 12, 1978 in the Office of the New Jersey Secretary of State, granted and conveyed unto Consolidated Rail Corporation.

THIS EXHIBIT "A" CONTAINS 4 PAGES, OF WHICH THIS IS
PAGE 4 OF 4.

CASE NO. 71862

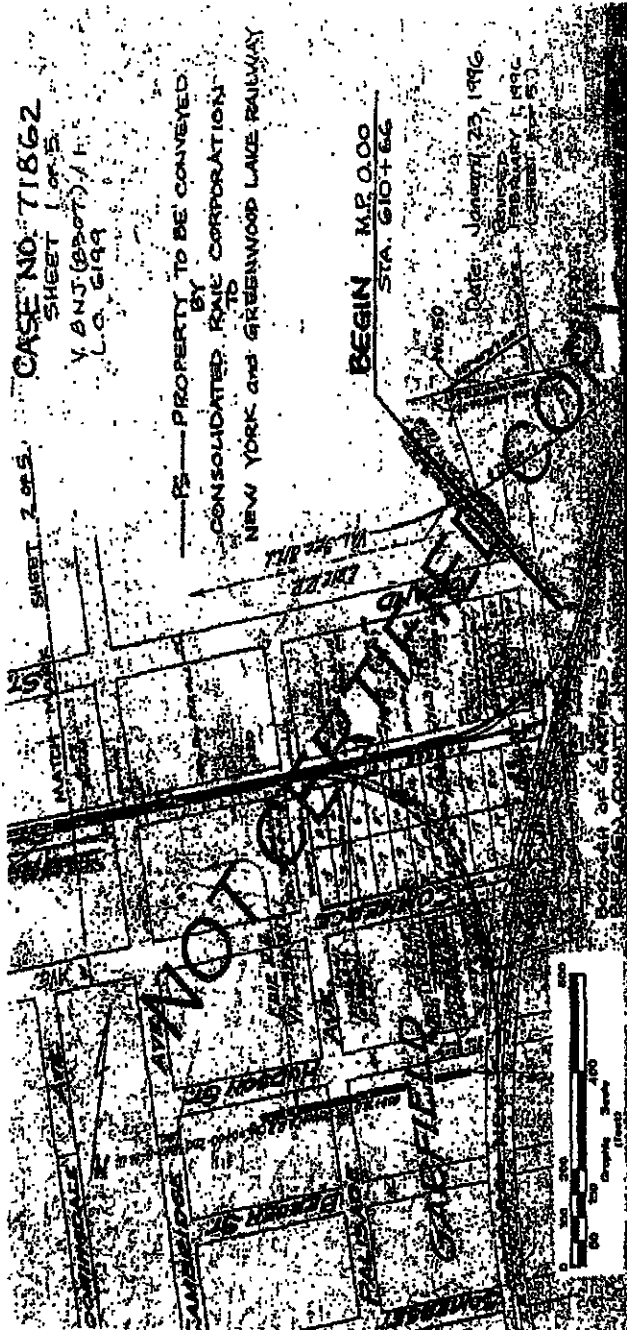
DEED TO

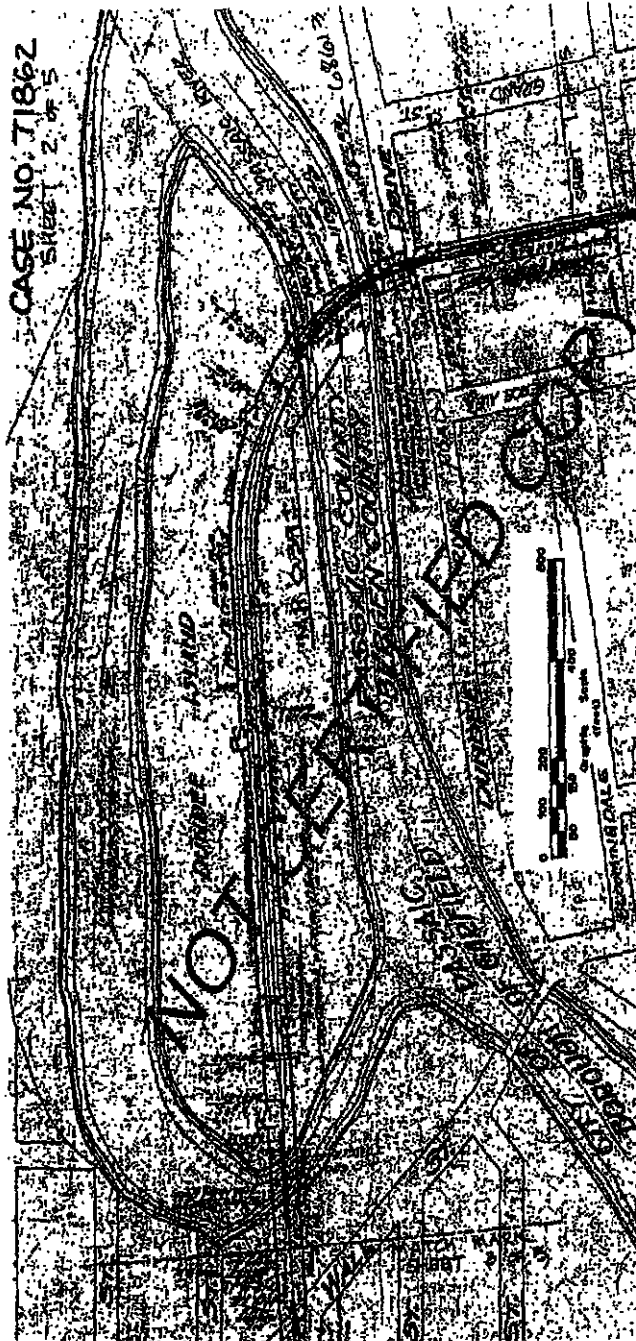
NEW YORK AND GREENWOOD LAKE RAILWAY

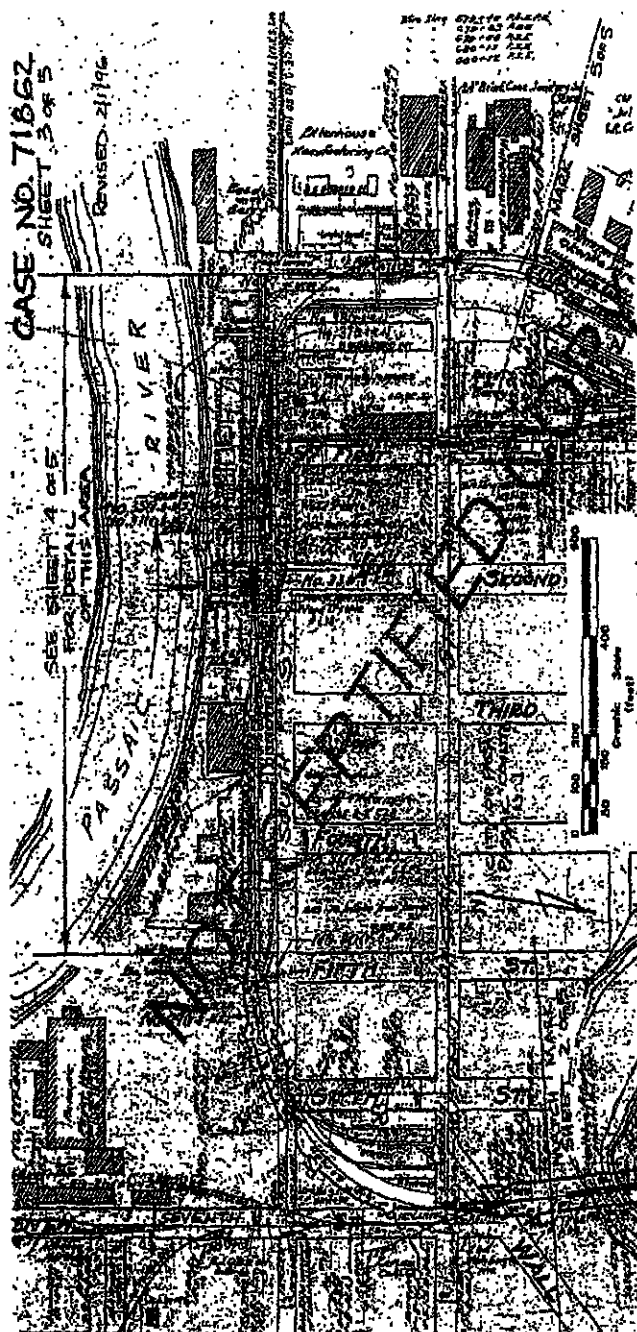
EXHIBIT "B"

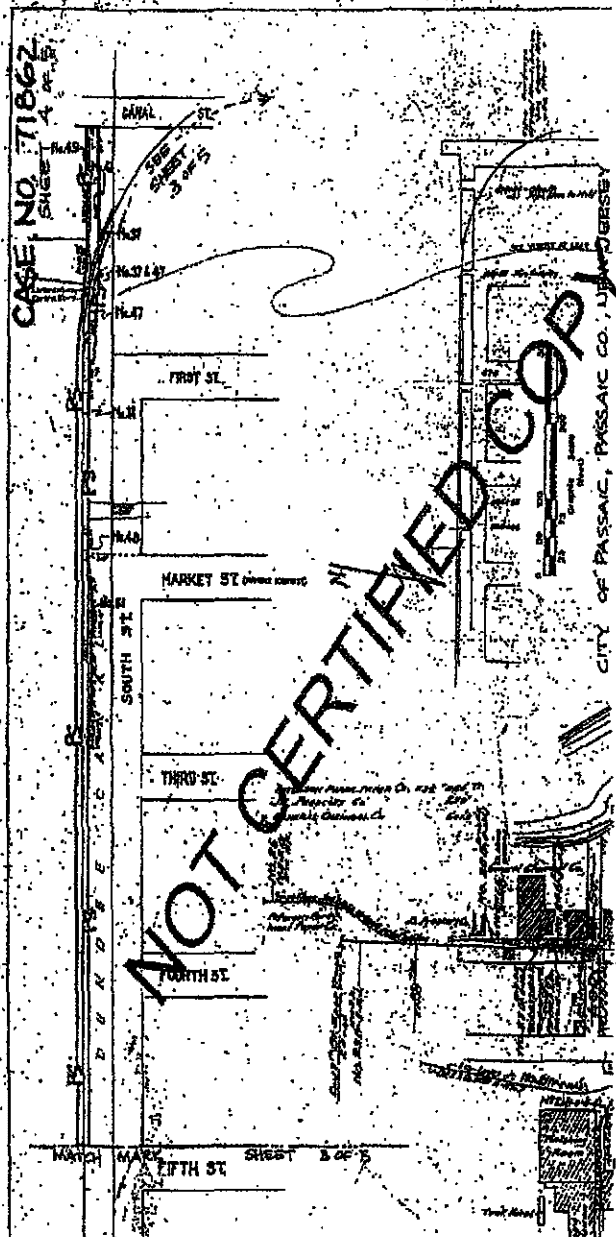
MAP ADDENDUM

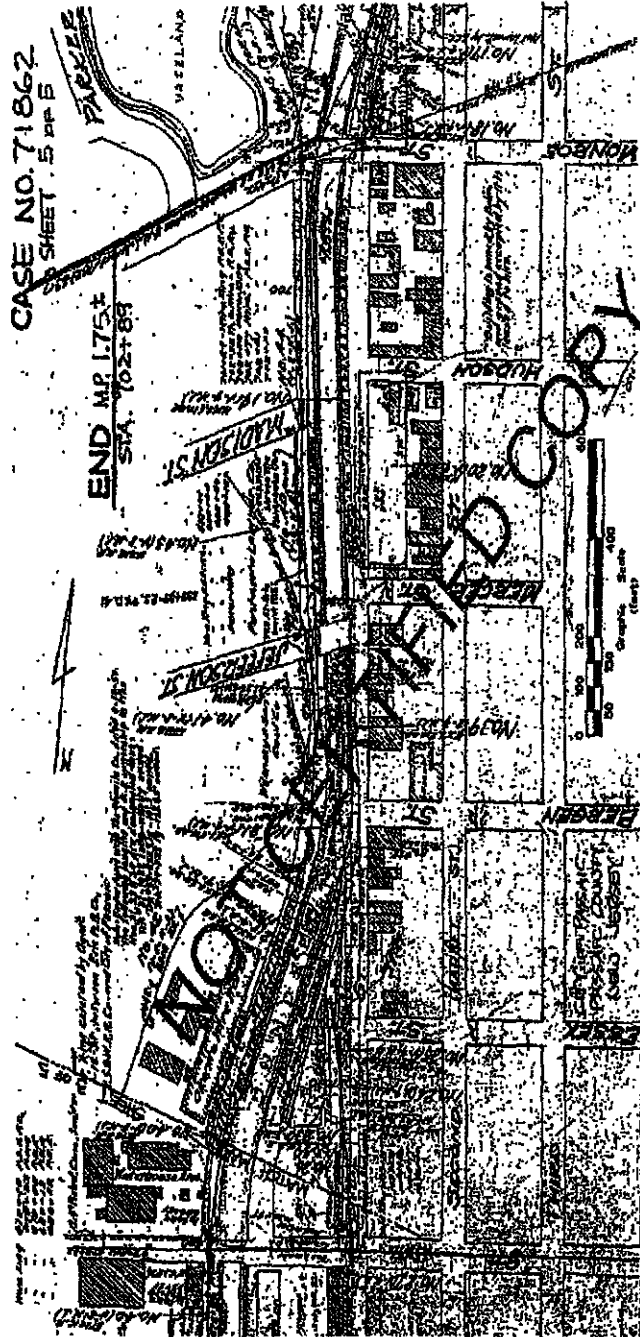
THIS EXHIBIT "B" CONTAINS 5 MAPS.











71862

DEED

CONSOLIDATED RAIL CORPORATION

-to-

NEW YORK AND GREENWOOD LAKE RAILWAY

Land known as the Dundee Spur and
situate in the Counties of Bergen and
Passaic, State of New Jersey.

RTF-1 (Rev. 7/14/10)
MUST SUBMIT IN DUPLICATE

STATE OF NEW JERSEY

AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1958, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-6 et seq.)

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

STATE OF NEW JERSEY

COUNTY Passaic } SS. County Municipal Code
1807MUNICIPALITY OF PROPERTY LOCATION Passaic City

FOR RECORDER'S USE ONLY

Consideration \$ _____
RTF paid by seller \$ _____
Date _____ By _____

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

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

Deponent, Joanne R. Nemmer being duly sworn according to law upon his/her oath,
(Name)
deposes and says that he/she is the Grantor in a deed dated March 28, 2018 recording
(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)
real property identified as Block number BL 1031, Lts 1&2; BL 1054A, L1 Lot number Block 1001B located at
Dundee Spur, Line Code #199, Case No. 71862, Passaic City and assessed thereon.
(Street Address, Town)(2) CONSIDERATION \$ 665,000.00 (Instructions #7 and #8 on reverse side) ☐ no prior mortgage to which property is subject(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:
(Instructions #5A and #7 on reverse side)

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

\$ _____ + _____ % = \$ _____

If Director's Ratio is less than 100%, the equalized valuation will be at least as great as 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 #9 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1958, as amended through C. 66, P.L. 2004, for the following reason(s). Merit reference is exemption symbol is insufficient. Explain in detail.

(a) By or to the United States of America, this State, or any instrumentality, agency or subdivision

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

NOTE: All houses 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. 175, P.L. 1976, C. 111, 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 on reverse side for A or B)
- B. ☐ BLIND PERSON Grantor(s) ☐ legally blind or
- ☐ DISABLED PERSON Grantor(s) ☐ permanently and totally disabled ☐ receiving disability payments ☐ not gainfully employed
- Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:
- ☐ Owned and occupied by grantor(s) at time of sale. ☐ Resident of State of New Jersey.
- ☐ One or two-family residential premises. ☐ Owners as joint tenants must all qualify.

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

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

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

(6) NEW CONSTRUCTION (Instructions #2, #70, #72 on reverse side)

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

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #72, #54 on reverse side)

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

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted hereon in accordance with the provisions of Chapter 49, P.L. 1958, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me
this 28th day of March, 2018

COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL

Barbara J. Charniak, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Oct. 9, 2018

Barbara J. Charniak

Joanne R. Nemmer
Signature of Deponent
1000 Liberty Ave Pittsburgh PA 15222
Exposures Address
Grantor Address at Time of Sale

Passaic City Title Serv. Inc.
Name/Company of Notary Office

XXXX-XX-8 2 2
Last three digits in Grantor's Social Security Number

FOR OFFICIAL USE ONLY

Instrument Number _____ County _____

Deed Number _____ State _____ Page _____

Order Date _____ Date Recorded _____

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to:

STATE OF NEW JERSEY

P.O. BOX 281

TRENTON, NJ 08646-0281

ATTENTION: REALTY TRANSFER FEE UNIT

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



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

GIT/REP-3
 (5-12)

(Please Print or Type)

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

Names(s)

Internal Revenue Service

Current Resident Address:

Street 1000 Liberty Ave., Room 704

City, Town, Post Office

Pittsburgh

State

PA

Zip Code

15222

PROPERTY INFORMATION (Brief Property Description)

Block(s)

Lot(s)

Qualifier

BL 1031, Lots 1&30; BL 1001.B; BL 1054A, Lot 1

Street Address:

Dundee Spur, Line Code 6199, Case No. 71862

City, Town, Post Office

Passaic City

State

NJ

Zip Code

07055

Seller's Percentage of Ownership

100%

Consideration

\$585,000.00

Closing Date

3/28/2018

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 10 apply to Residents and Non-residents)

1. ☐ I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. ☐ I am a mortgagee conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. ☒ Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. ☐ Seller is not an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A. 54A:1-1 et seq.
6. ☐ The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. ☐ The gain from the sale will not be recognized for Federal income tax purposes under L.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale (see instructions).
☐ No non-like kind property received.
8. ☐ Transfer by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this state.
9. ☐ The property being sold is subject to a short sale instituted by the mortgagee, whereby the seller has agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. ☐ The deed being recorded is a deed dated prior to the effective date of P.L. 2004, c. 55 (August 1, 2004), and was previously unrecorded.

SELLER(S) DECLARATION

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

3/29/2018

Date

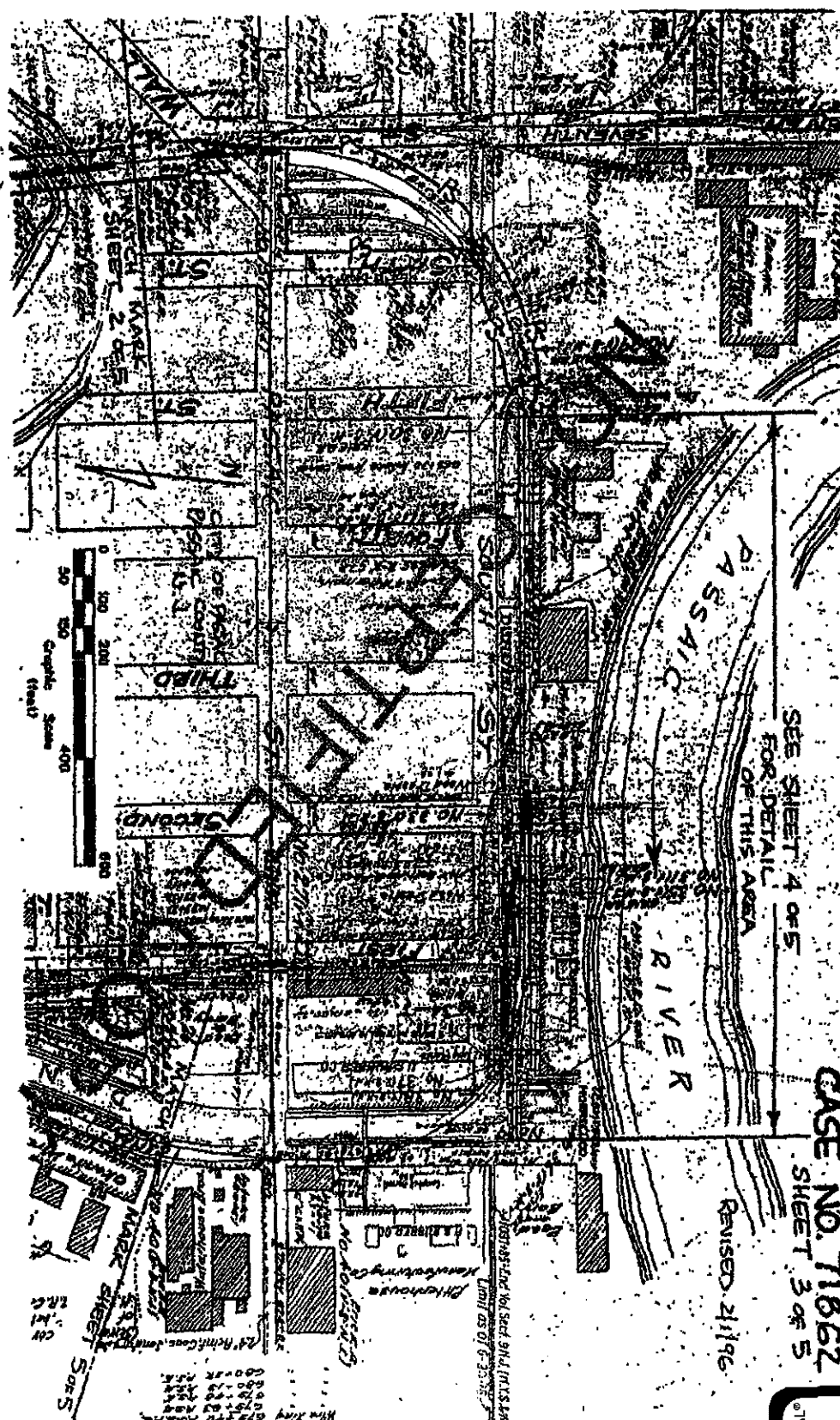
Signature

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

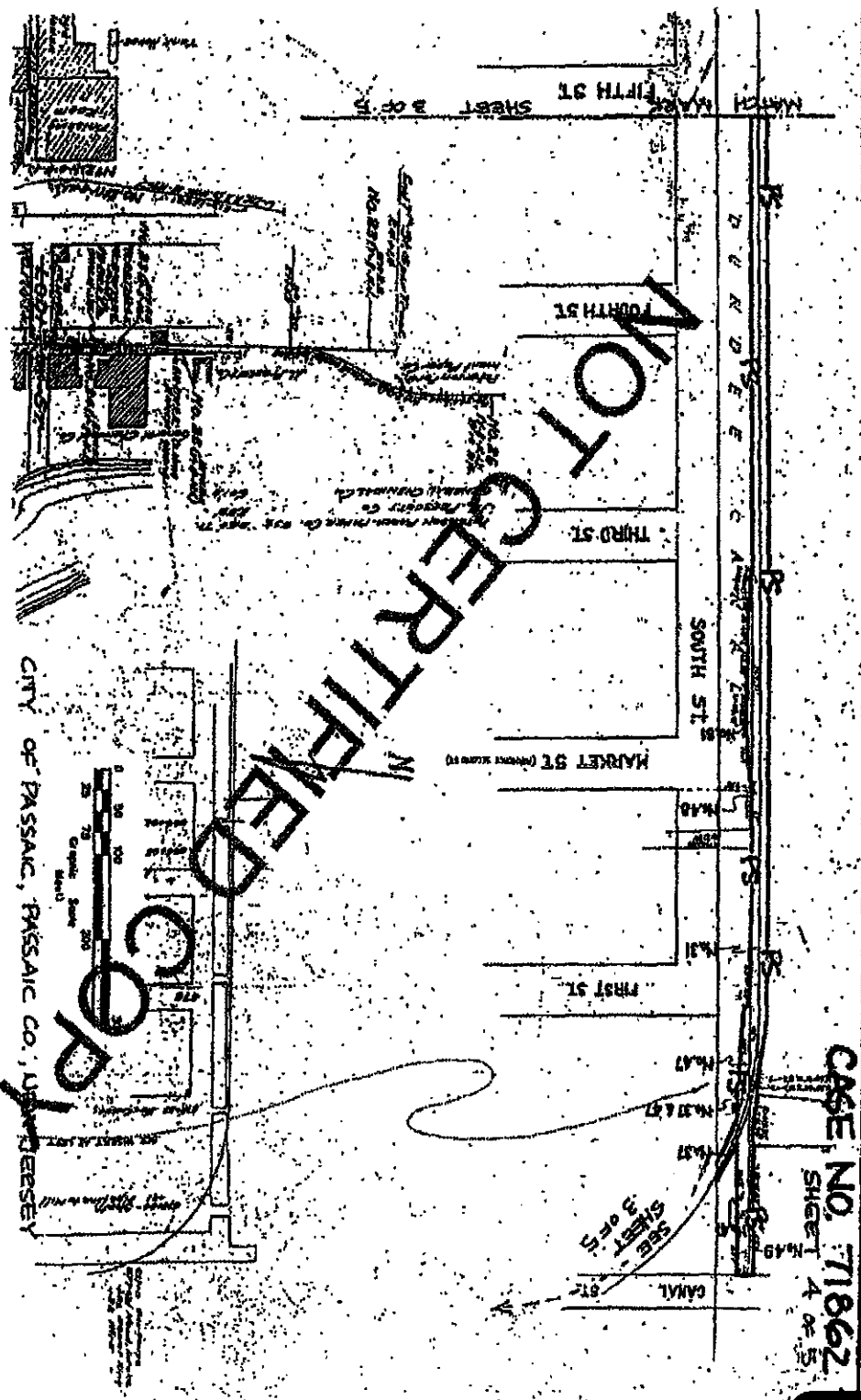
Date

Signature

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



ALL-STATE LEGAL
EXHIBIT
C(3)

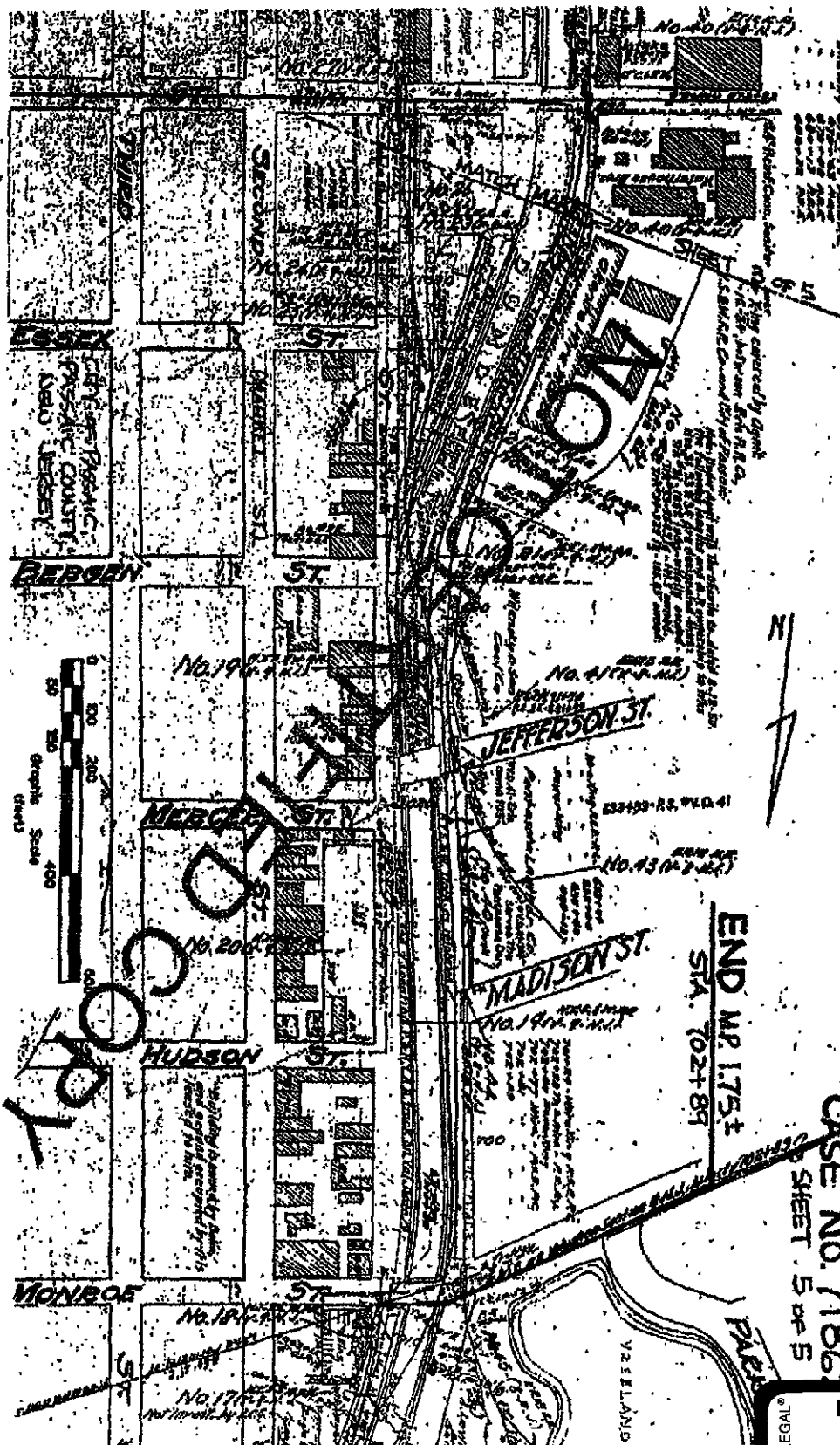


CASE NO. 71862
SHEET 4 OF 5

ALL-STATE LEGAL®

EXHIBIT

C(4)



CASE NO. 7186
SHEET 5 OF 5

END MAP 1.75+
STA. 702+89

ALL-STATE LEGAL®
EXHIBIT
C(5)



CITY OF PASSAIC

330 PASSAIC STREET
PASSAIC, NEW JERSEY 07055

OFFICE OF THE MAYOR
HECTOR C. LORA

TELEPHONE (973) 365-5510
FAX NUMBER (973) 472-2639
hlora@cityofpassaicnj.gov

April 25, 2018

Surface Transportation Board
395 E Street, SW,
Washington DC 20423

To Whom It May Concern:

My administration and the City Council are wholeheartedly in support of the prospect of redeveloping the site known as 99-111 Passaic Street, an area bordered by Passaic Street, Sixth Street, and South Street. The City Council has referred the area to the Planning Board for a formal investigation and most likely a designation as an Area in Need of Redevelopment. The Redevelopment Agency expects to name Passaic Street Properties, LLC as the Redeveloper for the site at their May 2018 meeting. While the property played an integral role during the industrial past of our City, that need has vanished as former industrial properties throughout the Eastside neighborhood are being repurposed for uses which do not require freight rail service.

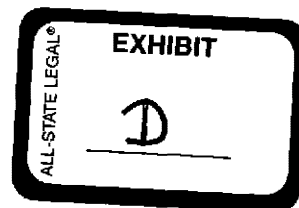
Of particular note is one segment of the property, which bisects two existing parks. A National Resource Damage Settlement, between a polluter and the NJ Department of Environmental Protection, plus a grant award from the County of Passaic have resulted in a total of \$10 million for park improvements adjacent to the property. The re-use of the railroad would improve pedestrian access to the park for thousands of residents, in this, the most densely populated area of our city.

Sincerely,

Hector C. Lora
Mayor

HCL/am

Cc: Fadi Saaman, Passaic Street Properties, LLC
Jay Pasternack, P.A.,



CITY OF PASSAIC
RESOLUTION# 18-04-121

**RESOLUTION DIRECTING A RECOMMENDATION FROM THE PASSAIC CITY
PLANNING BOARD REGARDING BLOCK 1031, LOTS 1 AND 30, BLOCK 1001.B,
BLOCK 1054.A, LOT 1, BLOCK 5000, LOT 1, BLOCK 5000.01, LOT 1, AND BLOCK
5000.02, LOT 1 (99-111 PASSAIC STREET) AS AN AREA IN NEED OF
REDEVELOPMENT/REHABILITATION**

WHEREAS, it has been determined by the planning officials of the City of Passaic that certain properties identified on the Official Tax Map of the City of Passaic as Block 1031, Lots 1 and 30, Block 1001.B, Block 1054.A, Lot 1, Block 5000, Lot 1, Block 5000.01, Lot 1, and Block 5000.02, Lot 1, more commonly known as 99-111 Passaic Street, Passaic, New Jersey, qualify as an area in need of redevelopment/rehabilitation under the conditions for determination for redevelopment/rehabilitation in N.J.S.A. 40:12A-14; and

WHEREAS, those conditions are that: (1) a program of rehabilitation is expected to prevent further deterioration and promote the overall development of the community; and (2) the designation will prevent vacancy of properties; and, (3) to prevent the deterioration which would accompany any vacancy; and

WHEREAS, this designation as an area in need of redevelopment/rehabilitation is not intended to confer the power of condemnation; and

WHEREAS, the City of Passaic is encouraging the redevelopment/rehabilitation of the aforementioned properties; and

WHEREAS, a designation of an area in need of redevelopment/rehabilitation would assist the City and potential developers in the rehabilitation of the area.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Passaic refers to the Planning Board of the City of Passaic, this matter directing a recommendation after an Investigation on Designating Block 1031, Lots 1 and 30, Block 1001.B, Block 1054.A, Lot 1, Block 5000, Lot 1, Block 5000.01, Lot 1, and Block 5000.02, Lot 1, (99-111 Passaic Street), as an Area in Need of Redevelopment/Rehabilitation.

INTRODUCED BY COUNCILPERSON: Zaida Polanco

SECONDED BY COUNCILPERSON: Thania Melo

Record of Council Vote on Final Passage	Aye	Nay	Abstain	Absent
GARCIA, J.	☒			
LOVE, T.	☒			
MELO, T.	☒			
MUNK, C.	☒			
POLANCO, Z.	☒			
SCHAER, G.	☒			
SCHWARTZ, D.	☒			

ADOPTED ON: April 10, 2018


Gary S. Schaer,
Council President


Amada D. Curling, RMC,
City Clerk

2018 APR - 3 A 10 35

RECEIVED

**Before the
Surface Transportation Board**

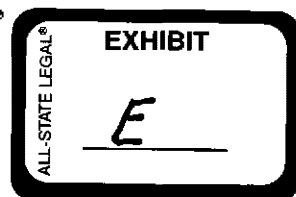
FD

**PASSAIC STREET PROPERTIES, LLC
ACQUISITION OF NEW YORK & GREENWOOD LAKE RAILWAY,
INC.
OPERATION EXEMPTION**

**VERIFIED NOTICE OF EXEMPTION
PURSUANT TO 49 C.F.R. § 1150.31**

CAPTION SUMMARY

Passaic Street Properties, LLC a noncarrier has acquired the entire 1.75 miles of the New York and Greenwood Lake Railway through a sale conducted by the Internal Revenue Service because of the failure of NYGL to pay federal income taxes. Passaic Street Properties, LLC has filed a Verified Notice of Exemption pursuant to 49 C.F.R. § 1150.31 to acquire operating rights. The line extends from Railroad Milepost 0.0 in Garfield, County of Bergen, New Jersey to Milepost 1.75 in Passaic, County of Passaic, New Jersey. Any comments must be filed with the Surface Transportation Board and be served on Petitioner's Representative, John K. Fiorilla, Esq.,



Capehart & Scatchard, P.A., and 8000 Midlantic Drive, Suite 300S, Mount Laurel, N.J. 08054. Mr. Fiorilla's telephone is (856)914-2054 and his email address is *jfiorilla@capehart.com*.

This notice is filed under 49 CFR § 1150.31. If this notice contains false or misleading information, the exemption is void *ab initio*. The filing of a petition to revoke will not automatically stay the transaction.