ADOPTED: FEBRUARY 4, 2025

APPROVED: _____ MAYOR

DATE: 2/4/2025

ATTEST: _____ MUNICIPAL CLERK

Ordinance No. 3-2025
Introduced: January 21, 2025
Adoption: February 4, 2025

ORDINANCE NO. 3-2025
OF THE GOVERNING BODY
OF THE BOROUGH OF BLOOMINGDALE

AN ORDINANCE OF THE BOROUGH OF BLOOMINGDALE, IN THE COUNTY OF PASSAIC AND STATE OF NEW JERSEY AUTHORIZING THE ACQUISITION OF A PORTION OF BLOCK 5073, LOT 71 FROM M&T AT UNION AVE. BLOOMINGDALE, LLC

WHEREAS, the Local Lands and Buildings Law, N.J.S.A. 40A:12-1 *et seq.*, provides that a municipality may, by ordinance, provide for the acquisition of real property or an interest therein by purchase, gift, devise, lease, or exchange; and

WHEREAS, M&T At Union Ave. Bloomingdale, LLC has agreed to transfer ownership of a portion of Block 5073, Lot 71, consisting of approximately 0.0249 acres of land to the Borough; and

WHEREAS, the Mayor and Borough Council of the Borough of Bloomingdale have determined that it is in the best interests of the Borough to acquire the said property for its use as public property by the Borough.

NOW THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Bloomingdale, in the County of Passaic, and State of New Jersey, as follows:

SECTION 1. The Borough of Bloomingdale hereby authorizes the acquisition through donation by the owners of a portion of Block 5073, Lot 71, consisting of approximately 0.0249 acres of land for the total sum of $1.00.

SECTION 2. The said land to be conveyed to the Borough of Bloomingdale is described on the deed and map which are attached hereto and made a part hereof.

SECTION 3. The Mayor and Borough Clerk and all other proper officers and employees of the Borough are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Ordinance.

SECTION 4. No debt is to be authorized or incurred by the enactment and passage of this Ordinance.

SECTION 5. All ordinances of the Borough of Bloomingdale which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon final passage, approval, and publication as required by law.

BOROUGH OF BLOOMINGDALE
COUNTY OF PASSAIC
STATE OF NEW JERSEY

ATTEST:

Breeanna Smith, Clerk

By: John D'Amato, Mayor

***recorded deed to be made part of this ordinance**

Passaic County Document Summary Sheet

County Clerk, Registry Division **401 Grand Street** **Room 113** **Paterson, NJ 07505**	**Return Name and Address** JESSICA T. ZOLOTOROFE, ESQ. THE WEINGARTEN LAW FIRM, LLC 1260 STELTON ROAD PISCATAWAY, NJ 08854

Official Use Only

Submitting Company	The Weingarten Law Firm, LLC
Document Type	Deed
Document Date *(mm/dd/yyyy)*	
No. of Pages of the Original Signed Document *(Including the cover sheet)*	7
Consideration Amount *(If applicable)*	$1.00

Official Use Only

	Name(s) *(Last Name First Name Middle Initial Suffix) (or Company Name as written)*	**Address** *(Optional)*
First Party *(Grantor or Mortgagor or Assignor)* *(Enter up to five names)*	M&T at Union Ave Bloomingdale, LLC	
Second Party *(Grantee or Mortgagee or Assignee)* *(Enter up to five names)*	The Borough of Bloomingdale	

	Municipality	**Block**	**Lot**	**Qualifier**	**Property Address**
Parcel Information *(Enter up to three entries)*	Borough of Bloomingdale	5073	71		250 Union Avenue Bloomingdale, NJ 07403

	Book Type	**Book**	**Beginning Page**	**Instrument No.**	**Recorded/File Date**
Reference Information *(Enter up to three entries)*					

**DO NOT REMOVE THIS PAGE.*

DOCUMENT SUMMARY SHEET (COVER SHEET) IS PART OF PASSAIC COUNTY FILING RECORD. RETAIN THIS PAGE FOR FUTURE REFERENCE.

Prepared by & Record and Return to
Jessica T. Zolotorofe, Esq.
The Weingarten Law Firm, LLC
1260 Stelton Road
Piscataway, New Jersey 08854

DEED

This Deed is made on this 22 day of January, 2025,

BETWEEN **M&T at Union Ave Bloomingdale, LLC**, a New Jersey limited liability company having an address of 1260 Stelton Road, Piscataway, New Jersey 08854 (the "**Grantor**"),

AND **The Borough of Bloomingdale**, having an address of 101 Hamburg Turnpike, Bloomingdale, New Jersey 07403 (the "**Grantee**").

The Word "Grantee" shall mean all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of ONE and No/100 DOLLARS ($1.00). The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Borough of Bloomingdale, Lot 71, Block 5073.

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

See legal description on the attached Schedule A.

Having a street address of **Union Avenue, Bloomingdale, New Jersey 07403**.

Being the same premises conveyed to Grantor by Deed dated March 30, 2023 from Joseph W. Volpe and Anita Volpe, husband and wife and recorded in the Passaic County Clerk's Office on 4/14/23 in Deed Book D4508, at Page 1 et seq.

Subject to easements and restrictions of record.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. This Deed is signed and attested to by the managing member of the Grantor as of

the date at the top of the first page.

Witnessed by:



Jessica Zolotorofe

M&T at Union Ave Bloomingdale, LLC, a New Jersey limited liability company

By: _____

Jack Morris, Managing Member

STATE OF NEW JERSEY, COUNTY OF MIDDLESEX: SS.:

On January 22, 2025, JACK MORRIS personally came before me and acknowledged under oath, to my satisfaction, that:

(a) he is authorized and did execute this deed as Managing Member of **M&T at Union Ave Bloomingdale, LLC** the entity named in this deed; and

(b) this deed was made for $1.00, 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).

Notary Public of New Jersey

Jessica T. Zolotorofe
Attorney at Law
State of New Jersey

LEGAL DESCRIPTION

Property Description
Exhibit "A"
Block 5073, Lot 71
Borough of Bloomingdale, Passaic County, New Jersey

BEGINNING at a corner of Lots 70 and 71 in Block 5073 and common to the southerly sideline of Union Avenue (50.00 Right-of-Way) and running thence;

1. **North 59° 00' 00" West,** a distance of **24.42 feet** to a point; thence;
2. **South 12° 59' 00" West**, a distance of **93.32 feet** to a point; thence,
3. **North 28° 08' 01" East,** a distance of **88.86 feet** to the point and place of **BEGINNING.**

Said parcel containing an area of **1,083.57 square feet** or **0.0249 acres** of land, more or less.

GIT/REP-3
(8-19)
(Print or Type)

State of New Jersey
Seller's Residency Certification/Exemption

Seller's Information

Name(s)
M&T at Union Ave Bloomingdale, LLC, a New Jersey limited liability company

Current Street Address
1260 Stelton Road

City, Town, Post Office	State	ZIP Code
Piscataway	NJ	08854

Property Information

Block(s)	Lot(s)	Qualifier
5073	71	

Street Address
Union Avenue

City, Town, Post Office	State	ZIP Code
Bloomingdale	New Jersey	07403

Seller's Percentage of Ownership	Total Consideration	Owner's Share of Consideration	Closing Date
100	$1.00	$1.00	

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.
   ☐ Seller did not receive non-like kind property.
8. ☐ 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.
9. ☐ 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.
10. ☐ The deed is dated prior to August 1, 2004, and was not previously recorded.
11. ☐ 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.
12. ☐ 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.
13. ☐ The property transferred is a cemetery plot.
14. ☐ 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.
15. ☐ 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.
16. ☐ 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
1/22/25		Jack Morris, Managing Member

Date	Signature (Seller)	Indicate if Power of Attorney or Attorney in Fact

RTF-1 **(Rev. 3/2/22)**
MUST SUBMIT IN DUPLICATE

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.** 46:15-5 et seq.)

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

STATE OF NEW JERSEY }SS.

COUNTY PASSAIC County Municipal Code 1601

MUNICIPALITY OF PROPERTY LOCATION BLOOMINGDALE BORO

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 *(See Instructions #3 and #4 on reverse side)*

Deponent, M&T at Union Ave Bloomingdale, LLC **(Name)**, being duly sworn according to law upon his/her oath, deposes and says that he/she is the Grantor **(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)** in a deed dated JAN 22, 2025 transferring real property identified as Block number 5073 Lot number 71 located at 250 Union Avenue, Bloomingdale, New Jersey 07403 **(Street Address, Town)** and annexed thereto.

(2) CONSIDERATION $1.00 *(Instructions #1 and #5 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:**
(See 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 an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE *(See Instruction #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 **C.** 66, **P.L.** 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.
(a) For a consideration of less than $100

(5) PARTIAL EXEMPTION FROM FEE *(Instruction #9 on reverse side)*
NOTE: All boxes below apply to grantor(s) *only*. **ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED**. Failure to do so will void claim for partial exemption. Deponent claims that this deed transaction is exempt from State portions of the Basic, 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 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)* **IF APPLIES ALL BOXES MUST BE CHECKED.**
☐ Affordable according to H.U.D. standards. ☐ Reserved for occupancy.
☐ Meets income requirements of region. ☐ Subject to resale controls.

(6) NEW CONSTRUCTION *(Instructions #2, #10 and #12 on reverse side)* **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 first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES *(Instructions #5, #12, #14 on reverse side)* **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 **IF APPLIES ALL BOXES MUST BE CHECKED.** *(Instruction #15 on reverse side)*
☐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 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 22 day of January , 2025

Jessica T. Zolotorofe
Attorney at Law
State of New Jersey

Signature of Deponent

1260 Stelton Road
Piscataway, NJ 08854
Deponent Address

XXX-XX-X 947
Last three digits in Grantor's Social Security Number

Jack Morris, Managing Member
Grantor Name

1260 Stelton Road
Piscataway, NJ 08854
Grantor Address at Time of Sale

The Weingarten Law Firm, LLC
Name/Company of Settlement Officer

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

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

STATE OF NEW JERSEY
PO BOX 251
TRENTON, NJ 08695-0251
ATTENTION: REALTY TRANSFER FEE UNIT

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