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(973) 538-0800
Attorneys for New Jersey Transit Corporation

NEW JERSEY TRANSIT CORPORATION,
a body corporate and politic,

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, HUDSON COUNTY
DOCKET NO. HUD-L-

Plaintiff, :

vs. :

410 37 LLC; STATE OF NEW
JERSEY; COREVEST AMERICAN
FINANCE LENDER LLC; WILMINGTON
TRUST NATIONAL ASSOCIATION;
UNITED STATES OF AMERICA;
BENDEL PROPERTIES LLC; and
CITY OF UNION CITY,

Civil Action
(In Condemnation)

VERIFIED COMPLAINT

Defendants.

Plaintiff, New Jersey Transit Corporation, having its principal office at One Penn Plaza East, Newark, New Jersey 07105 says:

1. The New Jersey Transit Corporation ("NJ TRANSIT" or "Plaintiff") was created and now exists pursuant to N.J.S.A. 27:25-4 et seq. with all functions, powers and duties heretofore vested by that statute as amended and supplemented.
2. Plaintiff is authorized by N.J.S.A. 27:25-13 et seq. and N.J.S.A. 27:25-5(h), to acquire by purchase, lease, gift or otherwise, or by condemnation in the manner provided in N.J.S.A. 20:3-1 et seq., on the terms and conditions and in the

manner it deems proper, any land or property real or personal, tangible or intangible which it may determine is reasonably necessary for the purposes of the corporation under the provisions of N.J.S.A. 27:25-1 et seq.

3. Plaintiff has determined to acquire, for NJ TRANSIT purposes, and has adopted a resolution authorizing such acquisition, either a fee simple and/or lesser interest, in the land and premises hereinafter described.

4. The interests in the land and premises sought to be condemned are necessary to the construction of a new trans-Hudson tunnel that will carry trains, including NJ TRANSIT's commuter trains, from New Jersey to Manhattan and these interests are being acquired in connection with a certain Project Development Agreement between the State of New Jersey, the State of New York and the Gateway Development Commission.

5. The interests in the land and premises sought to be condemned are more particularly described in an exhibit attached hereto and made a part hereof, and marked "Exhibit A", and a map and diagrams marked "Exhibit B", copies of which are also attached hereto and made a part hereof, and upon which map and diagrams the said land and premises are designated (hereinafter the "Property").

6. Plaintiff has been unable to acquire said interests in the land and premises comprising the Property through bona fide negotiations with the owner of the Property.

7. The amount of compensation offered by Plaintiff to the owner of the Property is \$2,000.00 (Two Thousand Dollars) as calculated in Plaintiff's appraisal dated August 17, 2022, and attached hereto as "Exhibit C".

8. Plaintiff hereby reserves any and all rights it has or may have to recover in a separate action or by any administrative means, against owner of the Property or any third parties, or for release of the funds retained in the Superior Court Trust Fund and for reimbursement of all costs of remediation and/or cleanup of contamination and/or removal of solid waste that have been or may be incurred in the future by reason of conditions which were in existence as of or prior to the date of vesting of title and possession pursuant to N.J.S.A. 20:3-19. Pursuant to N.J.S.A. 58:10-23.11g.d(4), Plaintiff is not liable for the cleanup and removal costs of any discharge which occurred or began prior to Plaintiff's ownership. Plaintiff does not accept any liability for pre-existing contamination and/or solid waste, whether now known or subsequently discovered.

9. Plaintiff has caused the subject Property to be inspected for the existence of contamination and/or solid waste and has

found no indication of contamination and/or solid waste which would require that further investigation or other affirmative action be undertaken in accordance with New Jersey Department of Environmental Protection guidelines and regulations.

Plaintiff has provided notice to the owner of record of the Property as to the results of the above-referenced inspection.

The owner of record has not provided to Plaintiff any information that would necessitate further investigation of the subject Property. Notwithstanding the results of Plaintiff's inspection, plaintiff does not accept liability for any pre-existing contamination or solid waste, whether now known or subsequently discovered. Furthermore, Plaintiff has valued the Property as if it has been remediated in accordance with applicable regulatory requirements and subject to the imposition of any conditions as to use except as noted in the appraisal and subject to paragraph 8 above. Plaintiff reserves the right to amend the complaint if additional or higher levels of contamination or solid waste are subsequently discovered within the subject property and to move for appropriate relief under law and equity, including but not limited to, seeking an order that the Clerk of the Superior Court shall not release any funds remaining on deposit until additional or higher levels of contamination are remediated and/or cleaned up by the owner of record or until any solid waste is properly removed or

closure is performed by the owner of record in accordance with applicable state and federal standards, and to move for any other relief, including administrative relief, which may be necessary to protect plaintiff's rights and interests.

10. The owner of record of the said land and premises comprising the Property is 410 37 LLC.

11. Other persons and corporations appearing of record to have an interest in the said land and premises comprising the Property and persons and corporations who have or may claim to have an interest therein as are known to the Plaintiff are as follows:

<u>Name and Address</u>	<u>Nature of Interest</u>
410 37 LLC c/o Bendel Properties, LLC (Registered Agent) 110 Chestnut Ridge Road Montvale, NJ 07645 And 410 37 LLC 3 Nancy Lane Monsey, NY 10952	Owner of Record.
State of New Jersey Office of the Attorney General Electronic Service NJAG.ElectronicService.CivilMatters@law.njoag.gov	Any and all right, title or interest in the condemned property including any interest arising from any applicable corporate taxes, franchises taxes or other interest.
City of Union City 3715 Palisade Avenue Union City, NJ, 07087	Any and all municipal property taxes or other municipal charges and/or liens due and owing on the subject property.

United States of America c/o Hon. Philip R. Sellinger US Atty for Dist. Of N.J. 970 Broad Street 7th Floor Newark, NJ 07102	Any and all right, title or interest in the condemned property including any interest arising from any applicable Federal taxes and/or liens.
CoreVest American Finance Lender LLC 659 Fifth Avenue Suite 2140 New York, NY 10019	Any and all right, title or interest in the Property including under mortgage recorded April 19, 2021.
Wilmington Trust National Association 1100 North Market Street Wilmington, DE, 19890	Any and all right, title or interest in the Property including under mortgage recorded April 19, 2021.
Bendel Properties LLC 110 Chestnut Ridge Road Montvale, NJ 07645	Any and all right title or interest in the Property.

11. Plaintiff is aware of the following persons and corporations appearing of record who may have an interest in the Property, but elects not to exercise its power of eminent domain with respect to these interests and will take the Property subject to all such interests: None.

WHEREFORE, Plaintiff demands judgment against all defendant(s) that it is duly vested with and has duly exercised its authority to acquire the Property being condemned and for an Order Appointing Commissioners to fix the compensation required to be paid, in accordance with N.J.S.A. 20:3-12, and preserving the reservations in paragraph 8 & 9 of this Complaint.

/s/ Stuart M. Lederman

Stuart M. Lederman, Esq., Attorney No. 02954-1985

RIKER DANZIG LLP

Headquarters Plaza

One Speedwell Avenue

Morristown, NJ 07962-1981

(973) 538-0800

Attorneys for New Jersey Transit Corporation

DATED: January 2, 2024

Verification

Richard Schaefer, of full age, being duly sworn according to law, on his oath, deposes and says:

1. I am a Senior Vice President, Capital Programs, for plaintiff, New Jersey Transit Corporation.

2. I have read the foregoing Complaint and am familiar with the contents thereof.

3. The matters and statements set forth in said complaint are true to my knowledge and belief based upon my review of the official files of the New Jersey Transit Corporation.

4. I further certify in accordance with R. 4:5-1 that there are no other proceedings either pending or contemplated with respect to the matter in controversy in this action and no other parties that should be joined in the action except those persons or entities which may appear in a title search updated to the filing and recording of the lis pendens and any party joined here or separately proceeded against pursuant to the rights reserved in paragraphs 8 and 9 of this Complaint.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 12-6-23

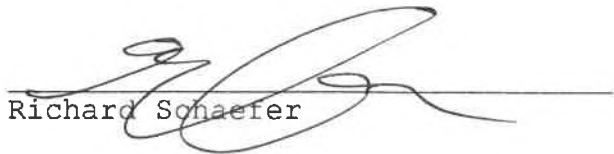

Richard Schaefer

EXHIBIT A

PROPERTY DESCRIPTION

Revised: March 1, 2023 HK / hk (Gateway Trans Hudson Partnership)

An easement in certain lands and premises, situate, lying and being in the City of Union City, County of Hudson, and State of New Jersey and being more particularly described as follows:

Parcel E230, as indicated on a certain map entitled "HUDSON TUNNEL PROJECT, GENERAL PROPERTY PARCEL MAP", dated December, 2017, revised November 22, 2022, being at approximately Station T4 4713 + 85 of the proposed track alignment and as shown more particularly on a map attached hereto and made a part hereof, entitled "INDIVIDUAL PROPERTY PARCEL MAP, NJ TRANSIT, HUDSON TUNNEL PROJECT, PARCELS: E385, E230, E229, E225, E224, Block: 63; Lots: 20, 21, Block: 74; Lots: 12, 24-26, City of Union City, County of Hudson, State of New Jersey, MAP 22D" dated December, 2017, revised January 14, 2022, and being further described as follows:

Beginning at the point formed by the intersection of the northerly right of way line of 14th Street and the common line dividing Block 74, Lots 23 and 24; thence,

1. Along said common line, N25° 05' 49"E, a distance of 62.70 feet to a point; thence,
2. Along the common line dividing Block 74, Lots 24 and 11, S58° 48' 03"E, a distance of 2.45 feet to a point; thence
3. Through Block 74, Lot 24, on a curve curving to the left, not tangent to the preceding course, having a radius of 2,413.29 feet, a length of 19.67 feet, a chord bearing of S37° 45' 43"E, and a chord length of 19.67 feet to a point; thence,
4. Along the common line dividing Block 74, Lots 24 and 25, S25° 02' 51"W, a distance of 54.13 feet to a point; thence,
5. Along the aforesaid northerly right of way line of 14th Street, N63° 00' 59"W, a distance of 20.00 feet to the point of beginning.

Containing an area of 1,175 square feet ±

The basis of bearing in this description is the Universal Trans-Mercator datum, Zone 18 North (UTM18N).

PARCEL E230, being a permanent sub-surface easement consisting of the right in perpetuity to construct, operate, maintain, reconstruct, repair, replace, and relocate sub-surface rail and fixed guideway systems facilities and appurtenances (including, but not limited to, tunnel, liner, rail, rock support devices or methodologies, fixed guideway and such forms of passenger transportation as may result from future technology, electrical, mechanical, rail and fixed guideway signal systems, and any other systems appurtenant thereto) within the area shown on the aforesaid maps,

PROPERTY DESCRIPTION

TOGETHER WITH the right to operate, in perpetuity, all passenger rail and fixed guideway vehicles and systems and appurtenances within the vertical and horizontal planes and limits of the aforesaid easement as stated herein and as shown on the aforesaid maps, and the right to enter within the stated vertical and horizontal planes and limits of said easement along with personnel, vehicles, equipment, and materials for the maintenance and operation of the passenger rail and fixed guideway systems and structures, tunnel and other facilities and appurtenances.

TOGETHER WITH the right to install and maintain for use, lease, or license; transmission, data or utility lines or any other form or mechanism of communication or transmission, whether by any existing or future means, within the horizontal and vertical planes and limits of the aforesaid permanent sub-surface easement as stated herein and as shown on the aforesaid maps.

TOGETHER WITH the right in perpetuity to utilize, for the above described purposes, any ownership, reversionary or associated right, title and interest that the owner or assigns may have in the right of way of 14th Street, between the stated horizontal and vertical planes, as stated herein and shown on the aforesaid maps.

Furthermore, all said rights shall extend from the lower limiting horizontal plane at elevation 206 +/- to the upper limiting horizontal plane at elevation 266 +/-, said upper limiting horizontal plane being approximately 253 feet below the average existing ground surface elevation of the subject property as approximately identified in the cross sections and profiles as they appear in the aforesaid maps. All elevations expressed herein are based on the "Hudson Tunnel Project Specific Vertical Datum".

Being also known as part of Block 74, Lot 24, City of Union City, Hudson County, N.J. as referenced in Deed Book 9551 Page 309.

SUBJECT TO such easements and restrictions as may be disclosed by a current title search.

The above-described premises are color coded in the following manner:
Brown - Permanent Sub-Surface Easement (PSSE)

This map and description have been prepared in the office of GTS Consultants, Inc., Freehold, NJ.



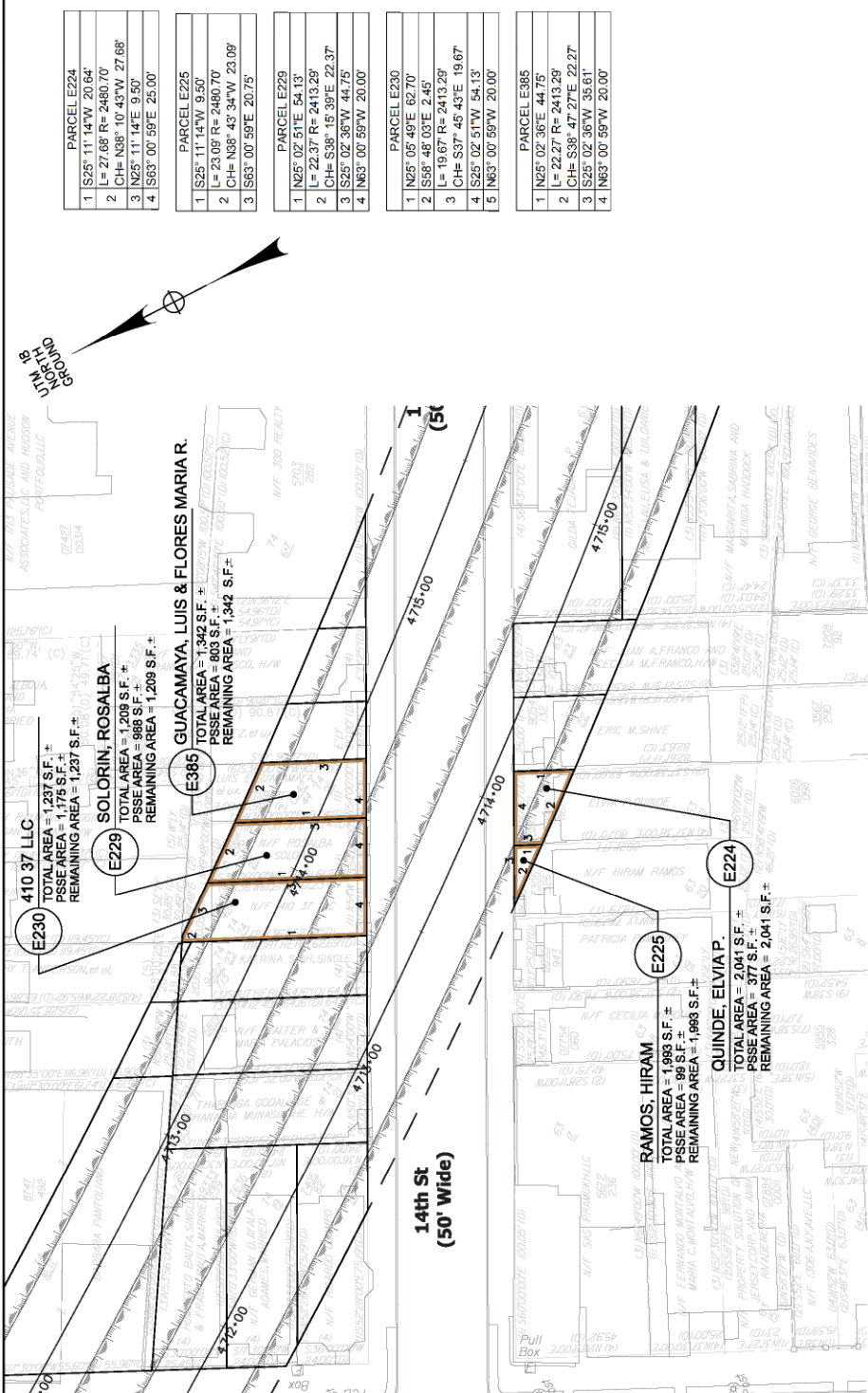
03-01-2023

James F. Steere, P.L.S. Date
New Jersey Professional Land Surveyor
License No. 24GS03540400

EXHIBIT B

CITY OF UNION CITY
COUNTY OF HUDSON

NO.	REVISION	DATE	DESCRIPTION
1			ISSUED FOR PERMIT
2			UPDATED OWNER NAMES
3			UPDATED MAPS FOR REVIEW COMMENTS
4			REVISED



PARCEL	DESCRIPTION
PARCEL E224	1. S25° 11' 14" W 20.64' 2. L= 27.68' R= 2480.70' 3. CH= N89° 40' 43" W 27.68' 4. N25° 11' 14" E 9.50' 5. S63° 00' 59" E 25.00'
PARCEL E225	1. S25° 11' 14" W 9.50' 2. L= 23.09' R= 2480.70' 3. CH= N38° 43' 34" W 23.09' 4. S63° 00' 59" E 20.75'
PARCEL E229	1. N25° 02' 51" E 54.13' 2. L= 22.37' R= 2413.29' 3. CH= S38° 15' 30" E 22.37' 4. S25° 02' 36" W 44.75' 5. N63° 00' 59" W 20.00'
PARCEL E230	1. N25° 05' 49" E 62.70' 2. S58° 48' 03" E 2.45' 3. L= 19.67' R= 2413.29' 4. CH= S37° 45' 43" E 19.67' 5. S25° 02' 51" W 54.13' 6. N63° 00' 59" W 20.00'
PARCEL E385	1. N25° 02' 36" E 44.75' 2. L= 22.27' R= 2413.29' 3. CH= S38° 47' 27" E 22.27' 4. S25° 02' 36" W 35.61' 5. N63° 00' 59" W 20.00'

- NOTES AND REFERENCES:
1. THE EXISTING PROPERTY INFORMATION SHOWN HEREON DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY.
 2. EXISTING PROPERTY LINES SHOWN HEREON ARE BASED UPON ONE OR MORE DOCUMENTS, INCLUDING BUT NOT LIMITED TO RECORDED DEEDS, FILED ROAD VALUATION MAPS, EXISTING BOUNDARY SURVEYS AND MUNICIPAL TAX MAPS.
 3. SUBJECT TO ANY AND ALL RIGHTS AND INTERESTS THAT A CURRENT TITLE SEARCH, SUBSEQUENT TITLE REPORT AND FULL TITLE REVIEW MAY DISCLOSE.
 4. THIS MAP IS BASED UPON PRELIMINARY ENGINEERING PLANS.
 5. BEARINGS, DESCRIPTIONS AND COORDINATES SHOWN HEREON ARE BASED ON THE HUDSON TUNNEL PROJECT COORDINATE SYSTEM 101N - 18 NORTH.



AT CERTAIN LOCATIONS CROSS PASSES BETWEEN THE TUNNEL LOCATION WITHIN THE ENVELOPE FOR INFORMATIONAL PURPOSES AND REFERENCE.

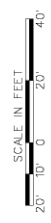
COLOR / LINE CODE
BROWN/SOLID - REMAINT SUBSURFACE EASEMENT

INDIVIDUAL PROPERTY PARCEL MAP
HUDSON TUNNEL PROJECT
PARCELS: E385, E230, E229, E225, E224
BLOCKS: 76 63
LOTS: 12, 24, 26 20, 21

The Gateway
Tunnel Authority
ATCOM - AECOM | aec.com

James F. Steere, P.L.S.
NJ PROFESSIONAL LAND SURVEYOR LICENSE NO. J480804040

DATE: 03/29/2023

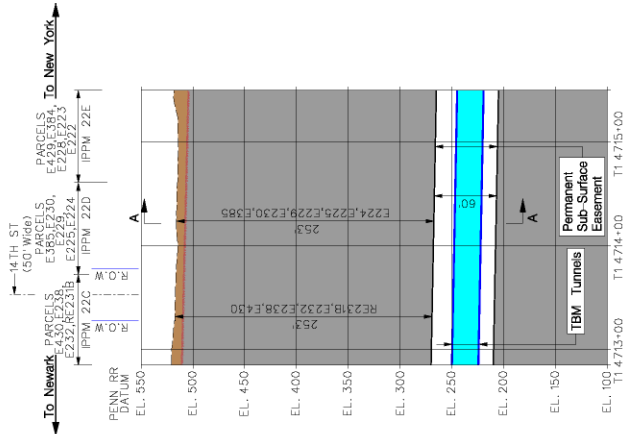


CITY OF HUDSON
COUNTY OF HUDSON
STATE OF NEW JERSEY

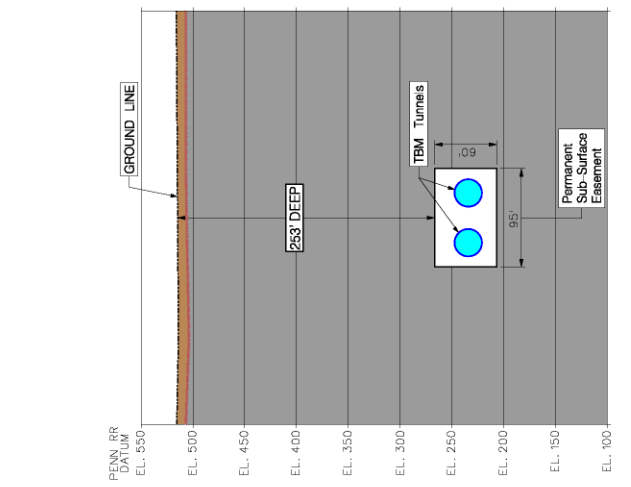
INDIVIDUAL PARCEL MAP

CITY OF UNION CITY
COUNTY OF HUDSON

NO.	REVISIONS	DATE	BY



CROSS-SECTION A-A



PROFILE

THIS EXHIBIT IS INTENDED TO BE ILLUSTRATIVE OF THE ATTACHED DESCRIPTIONS (ATTACHMENT "A"). HOWEVER, WHERE A CONFLICT MAY EXIST BETWEEN THE DESCRIPTION AND DIAGRAM, THE DESCRIPTION IS TO CONTROL. MOREOVER, THE DEPICTION OF THE PLACEMENT OF THE TUNNELS IS FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT REPRESENT THE FIELD CONDITIONS. THE PLACEMENT OF THE TUNNELS MAY VARY WITHIN THE LIMITS OF THE DESCRIPTION OF THE EASEMENT AS SET FORTH IN THE ATTACHMENT "A".

THIS DRAWING CORRESPONDS TO IPPM SHEETS 22D.

AT CERTAIN LOCATIONS, CROSS-PASSAGES BETWEEN THE TUNNELS WILL BE CONSTRUCTED.

THE TUNNEL LOCATION WITHIN THE ENVELOPE MAY DIFFER IN THE FIELD AND IS SHOWN FOR INFORMATIONAL PURPOSES AND REFERENCE.

- LEGEND**
- Water
 - Soil
 - Rock
 - Tunnel
 - Permanent Subsurface Easement



INDIVIDUAL PROPERTY PARCEL MAP

HUDSON TUNNEL PROJECT

PARCELS: E385, E230, E229, E225, E224

BLOCKS: 74

BLOCKS: 63

LOTS: 12, 24, 26

LOTS: 20, 21

CITY OF HUDSON
COUNTY OF NEW JERSEY

The Gateway Tunnel Authority

ATCOM - *Engineering & Surveying*

DATE: 03-01-2023

James F. Steere, P.L.S.

NY PROFESSIONAL LAND SURVEYOR LICENSE NO. J480204044

CITY OF UNION CITY
RECEIVED 2017

NOTE: N.G.V.D. (1929) ELEVATION 0.00 - GATEWAY (HUDSON) TUNNEL DATUM 297.275 (PENNSYLVANIA RAIL ROAD DATUM)



EXHIBIT C

Integra Realty Resources

Coastal, NJ

**Market Value Appraisal of A Proposed Deep Subsurface
Easement Acquisition Summary Report**

Parcel E230 (410 37, LLC)

Two Family Residential

314 14th St

Union City, Hudson County, New Jersey 07087

Parcel Number: E230

Prepared For:

Stuart M. Lederman, Esq.

Riker, Danzig, Scherer, Hyland & Perretti

Headquarters Plaza

One Speedwell Avenue

Morristown, NJ 07962-1981

Date of the Report:

August 17, 2022

Report Format:

Appraisal Report

IRR - Coastal, NJ

File Number: 109-2022-0183





Parcel E230 (410 37, LLC)
314 14th St
Union City, New Jersey

Integra Realty Resources
Coastal NJ

1415 Hooper Avenue
Suite 306
Toms River, NJ 08753-2887

T 732.244.7000
F 732.505.9498
www.irr.com



August 17, 2022

Stuart M. Lederman, Esq.

Riker, Danzig, Scherer, Hyland & Perretti
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962-1981

SUBJECT: Proposed Easement Acquisition Appraisal
Parcel E230 (410 37, LLC)
314 14th St
Union City, Hudson County, New Jersey 07087
Parcel Number: E230
IRR - Coastal, NJ File No. 109-2022-0183

Dear Mr. Lederman:

Integra Realty Resources – Coastal, NJ is pleased to transmit the summary report of a complete just compensation appraisal that was prepared on the above referenced property. The purpose of the appraisal is to offer an opinion of the market value of the proposed Deep Subsurface Easement Acquisition by New Jersey Transit Corporation as of August 9, 2022.

The appraisal is intended to conform with the *Uniform Standards of Professional Appraisal Practice (USPAP)*, the *Code of Professional Ethics and Standards of Professional Appraisal Practice* of the Appraisal Institute. The report has additionally been completed consistent with the reporting requirements of New Jersey Transit Corporation and applicable Superior Court of New Jersey rules. Our opinion of market value is premised upon the Assumptions and Limiting Conditions contained within this report.

The property and surrounding area have been inspected to the extent noted within our report by one or more of the undersigned. The accompanying summary report, of which this letter is a part, describes in detail the methods of our appraisal including data gathered during the investigation.

Stuart M. Lederman, Esq.
Riker, Danzig, Scherer, Hyland & Perretti
August 17, 2022
Page 2

The subject is an existing two family residential containing 2 dwelling units. The improvements were constructed in 1903 and the exterior improvements appear to be in average condition as of the effective date. The site area is 0.03 acres or 1,237 square feet.

The property owner was notified of the appraisal assignment by certified mail on July 19, 2022. The owner did not contact the appraiser. An exterior only inspection of the property was performed by Thomas J. Grouss, MAI and Kyle P. Diiorio on August 9, 2022. Anthony S. Graziano, MAI, CRE inspected the exterior on August 6, 2022.

Integra or its employees assume no responsibility for matters that are legal in character nor do we render an opinion as to the title.

We have accepted the description of the acquisition as furnished and have appraised the real property interests as defined within this report.

Based on the analysis and conclusions in the accompanying report, and subject to description, definitions, assumptions, and limiting conditions expressed in this report, it is our opinion that the market value for that portion of the property and property rights to be acquired as described herein, as of August 9, 2022 is

TWO THOUSAND DOLLARS
\$2,000



Stuart M. Lederman, Esq.
Riker, Danzig, Scherer, Hyland & Perretti
August 17, 2022
Page 3

If you have any questions or comments, please contact the undersigned. Thank you for the opportunity to be of service.

Respectfully submitted,

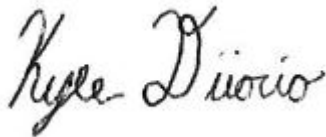
Integra Realty Resources - Coastal, NJ



Thomas J. Grouss, MAI
New Jersey Certified General Real Estate
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Kyle Diiorio
New Jersey Certified Residential
Real Estate Appraiser #42RC00282000
Telephone: 732.244.7000, ext. 106
Email: kdiiorio@irr.com



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Executive Summary

Property Name	Parcel E230 (410 37, LLC)
Address	314 14th St Union City, Hudson County, New Jersey 07087
Property Type	Two Family Residential
Owner of Record	410 37 LLC
Tax ID	Block 74, Lot 24
Effective Date of the Appraisal	August 9, 2022
Date of the Report	August 17, 2022

Summary of Acquisition

Description of Proposed Acquisition

Parcel #: E230 **Map Date:** December 2017;
Rev. June 13, 2018

Map Name: NJ Transit Corporation
General Property Parcel Map
Hudson Tunnel Project

Type Acquisition: Deep Sub-Surface Easement

Description of Easement Acquisition:

Below Surface Grade (Average Depth)	253 Ft
Gross Area of Encumbrance	1,175 SF
Width	20 Ft
Length (Approx.)	59 Ft (+/-)
Height	60 Ft
Shape of Acquisition Area	Irr. Rectangle

Improvements in Acquisition Area **NONE**

See addenda for graphic and metes and bounds description.
Source: *Project Parcel Maps; Metes & Bounds Description*

Market Value of the Proposed Acquisition

\$2,000



General Information

Identification of Subject

The subject is an existing two family residential containing 2 dwelling units. The improvements were constructed in 1903 and the exterior of the improvements appear to be in average condition as of the effective date. The site area is 0.03 acres or 1,237 square feet.

Property Identification

Property Name	Parcel E230 (410 37, LLC)
Address	314 14th St Union City, New Jersey 07087
Tax ID	Block 74, Lot 24
Census Tract Number	174

We have included a copy of parcel mapping and legal description of the acquisition in the Addenda section of this report. The legal description contained within represents the best available to the appraiser. It is assumed to be correct, however, no implied warranties or legal opinions are rendered.

The acquisition has been evaluated based upon the property description as provided by the client and is subject to the assumptions and limiting conditions contained herein

Sale History

The most recent closed sale of the subject is summarized as follows:

Sale Date	October 28, 2020
Seller	Bendel Properties LLC
Buyer	410 37 LLC
Sale Price	\$1
Recording Instrument Number	Book 9551, Page 309

The subject closed on October 28, 2020 for a consideration of \$1 as recorded in the Hudson County Deed Book 9551, Page 309.

	Sale 1	Sale 2
Sale Date	October 7, 2019	October 28, 2020
Seller	Gloria V. Torress	Bendel Properties LLC
Buyer	Bendel Properties LLC	410 37 LLC
Sale Price	\$335,000	\$1
Recording Instrument Number	Book 9446, Page 424	Book 9551, Page 309

The subject also had a prior sale that closed on October 7, 2019, for a consideration of \$335,000 as recorded in the Hudson County Deed Book 9446, Page 424.

Based on the MLS listing at the time of sale, the property was a short sale and subject to bank approval and was being sold as-is. We have not been able to inspect the interior of the dwelling and we have valued the property based on an 'average' condition based on our review of a prior MLS rental listing from February 2020. Our correlated market value of the subject is significantly greater than the 2019 short sale of the property.

To the best of our knowledge, no other sale or transfer of ownership has taken place within a three-year period prior to the effective appraisal date.

Pending Transactions

To the best of our knowledge, the property is not subject to an agreement of sale or an option to buy, nor is it listed for sale, as of the effective appraisal date.

Purpose of the Appraisal

The purpose of the appraisal is to offer an opinion of the market value of the property and the real property interest(s) to be acquired, as described herein, as of the effective date of the appraisal, August 9, 2022. Unless otherwise stated, all factors pertinent to a determination of value have been considered as of this date.

The date of the report is August 17, 2022. The appraisal is valid only as of the stated effective date or dates.

Intended Use and User

The use of this appraisal is for public acquisition purposes and/or condemnation on behalf of New Jersey Transit Corporation. Additional intended users include professionals engaged by the client and the Superior Court of New Jersey.

Prior Services

USPAP requires appraisers to disclose to the client any other services they have provided in connection with the subject property in the prior three years, including valuation, consulting, property management, brokerage, or any other services. We have previously appraised the property that is the subject of this report for the current client on January 7, 2020. We have provided no other services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.

Applicable Requirements

This appraisal is intended to conform to the requirements of the following:

- Uniform Standards of Professional Appraisal Practice (USPAP).

- Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- Real Estate reporting standards and case law of the Superior Court of New Jersey.
- Appraisal reporting requirements of New Jersey Transit Corporation and the New Jersey Department of Transportation.
- Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (The “Uniform Act”).

Scope of Work

The scope of the appraisal assignment encompasses the necessary research and analysis to prepare an appraisal report in accordance with the intended use and users, the Standards of Professional Practice of the Appraisal Institute, and the Uniform Standards of Professional Appraisal Practice of the Appraisal Foundation, and the requirements for public acquisition appraisal reporting.

In regard to the subject property, this involved the following steps:

1. The property owner was notified of the appraisal assignment by certified mail on July 19, 2022. The owner did not contact the appraiser. An exterior only inspection of the property was performed by Thomas J. Grouss, MAI and Kyle P. Diorio on August 9, 2022. Anthony S. Graziano, MAI, CRE inspected the exterior on August 6, 2022.
2. The subject photographs were taken on August 9, 2022.
3. Regional, city, county, and neighborhood data were based on information available in the Integra Realty Resources library, public reference sources, and third-party demographic sources.
4. Additional property data was compiled from public records, physical inspection, and other industry-recognized sources.
5. In estimating the Highest and Best Use for the property, an analysis was made of data compiled in the three steps noted above.
6. In developing approaches to value, the market data utilized was collected by Integra Realty Resources professionals from various sources, including other appraisers, brokers, or persons knowledgeable of the subject property and comparable data in the marketplace, inclusive of public records within the area.
7. Data utilized in this analysis was verified in accordance with USPAP and Superior Court rules to the greatest extent possible. The extent of Integra’s confirmation on individual data elements is included in the presentation of the comparable and subject data included in the report.

8. After assembling and analyzing the data defined in this scope of the assignment, a final estimate of the market value of the acquisition and any consequential or severance damages (if applicable) was estimated.
9. The results of our analysis are communicated in a Summary Report format as defined by the Uniform Standards of Appraisal Practice (USPAP).

Valuation Methodology

Appraisers usually consider the use of three approaches to value when developing a market value opinion for real property. These are the cost approach, sales comparison approach, and income capitalization approach.

Other Research And Analysis

Additional steps taken to satisfy the scope of the appraisal for its intended use include:

1. Research of public records, data services, proprietary data bases, and interviews of brokers, realtors, investors and developers knowledgeable in the market area.
2. Compilation and confirmation of zoning, environmental, planning, and similar regulatory facts from appropriate public and private agencies.
3. Personal confirmation of all transactions to the extent noted with primary parties to the transaction (buyers, sellers, brokers, attorneys, or other knowledgeable parties to the transactions).
4. All sale transactions used in this report were personally inspected by one or more of the appraisers signing this report unless otherwise noted.
5. Data, research, and analysis of a Detrimental Conditions Report prepared by Integra Realty Resources – Coastal, New Jersey dated June 20, 2018.

Inspection

Thomas J. Grouss, MAI and Kyle P. Diiorio conducted an exterior inspection of the property on August 9, 2022. Anthony S. Graziano, MAI, CRE inspected the exterior on August 6, 2022.

Integra research professionals and the undersigned also inspected the neighborhood and comparables during various site and neighborhood visits.

Availability of Information

Acquisition maps, plot plans and legal descriptions of the acquisition were prepared by third-parties under the direct supervision of the client. If the property owner contacted the appraiser and was present on the inspection, copies were provided by the Integra appraisers to the property owner on or about the date of property inspection.

As part of this report, we relied on; 1) staff geologist interviews including memorandum; and, 2) Vibration Monitoring Reports; prepared by AECOM, New York, NY, dated August 25, 2009 and April 5, 2018.

The property owner was notified of the appraisal by certified mail on July 19, 2022. The owner did not contact the appraiser. The appraiser did not meet with the property owner.



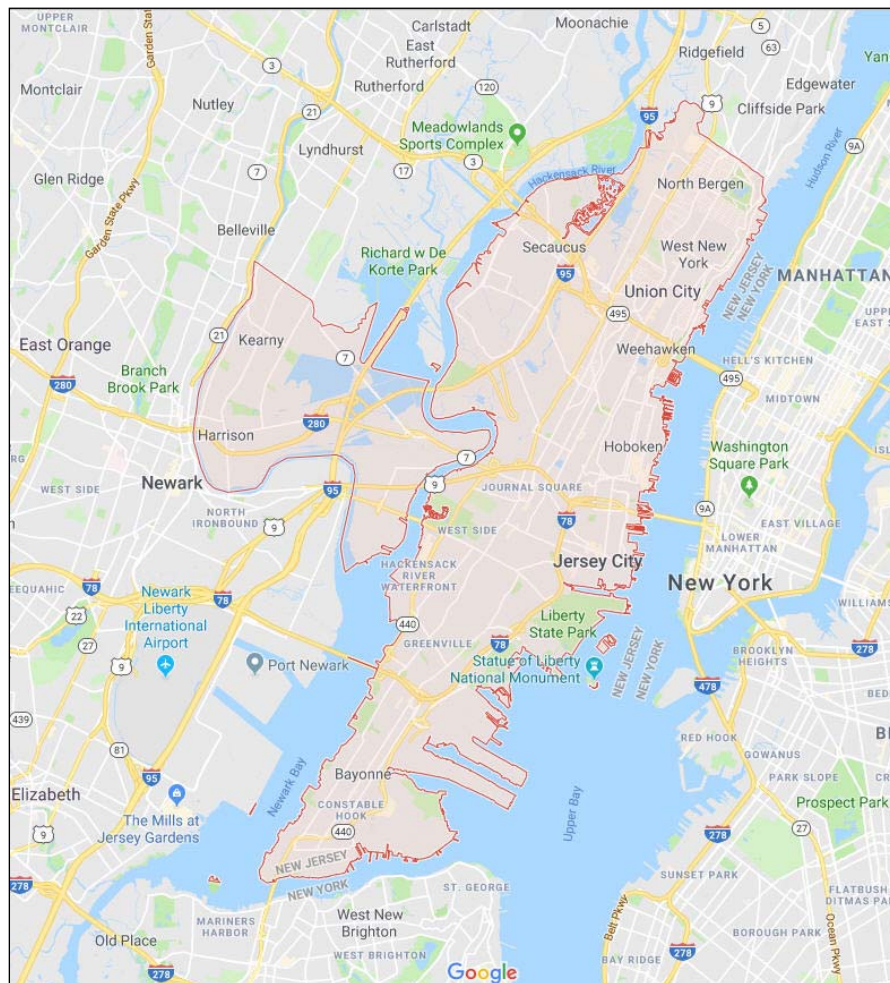
Economic Analysis

Market Area Overview

The communities located within the immediate area include Weehawken, North Bergen and Union City, all are located within Hudson County, New Jersey.

Hudson County is a peninsula bounded by Newark Bay and the Passaic and Hackensack Rivers to the west, the Hudson River and New York City to the east, Kill Van Kull to the south (separating the County from Bayonne and Staten Island) and by Bergen County to the north. Hudson County is comprised of 12 mostly urban municipalities and contained with a gross land area of approximately 46.5 square miles. As one of the smallest counties in the state, (number 21). Due to the intense density of population, Hudson County is ranked 4th in the State with a 2022 population estimated at approximately 705,044 individuals based on Claritas data.

Hudson County is located with the heart of the Northern New Jersey metropolitan area.



Because of the county’s core location and given its high population density, it is ideally suited for commercial, office and industrial type uses including major services to the Port of New York/New Jersey.

Hudson County is a part New York MSA one of the largest and economically strongest MSA’s in the United States.

Gross Domestic Product				
Year	(\$,000s)		(\$,000s)	
	New York MSA	% Change	United States	% Change
2011	1,346,878,804		15,891,534,000	
2012	1,400,779,267	4.0%	16,253,970,000	2.3%
2013	1,408,541,485	0.6%	16,553,348,000	1.8%
2014	1,429,380,148	1.5%	16,932,051,000	2.3%
2015	1,453,551,343	1.7%	17,390,295,000	2.7%
2016	1,486,750,171	2.3%	17,680,274,000	1.7%
2017	1,502,161,205	1.0%	18,079,084,000	2.3%
2018	1,548,071,410	3.1%	18,606,787,000	2.9%
2019	1,582,862,970	2.2%	19,032,672,000	2.3%
2020	1,500,986,298	-5.2%	18,384,687,000	-3.4%
Compound % Chg (2011-2020)		1.2%		1.6%
GDP Per Capita 2020	\$78,486		\$55,459	

Source: U.S. Bureau of Economic Analysis and Moody’s Analytics; data released December 2021. The release of state and local GDP data has a longer lag time than national data. The data represents inflation-adjusted “real” GDP stated in 2012 dollars.

Major transportation arteries that serve this county include the New Jersey Turnpike, various interstate highways, and most major Hudson River crossings. The County is also the home of the path rail system (The North River Tunnel) connecting Manhattan to New Jersey through Weehawken and Union City (part of the study of this report). The County boasts the main rail lines for motor freight, transportation and deep-water shipping, all which play an important role in the economic well-being of the County.

The subject communities are densely populated, primarily residential communities within the county and MSA.

The City of Union City is a relatively small community of 1.27 square miles with a 2022 population estimated at 70,829 individuals. Union City is one of the most densely populated cities in the nation, boasting a population of over 55,700 individuals per square mile.

The City is essentially fully developed with primarily residential, commercial and light industrial type land uses. Over 75% of the land parcels, within the City are dedicated to residential occupancy. The City is a major residential community within the metropolitan North Jersey/Hudson County region.

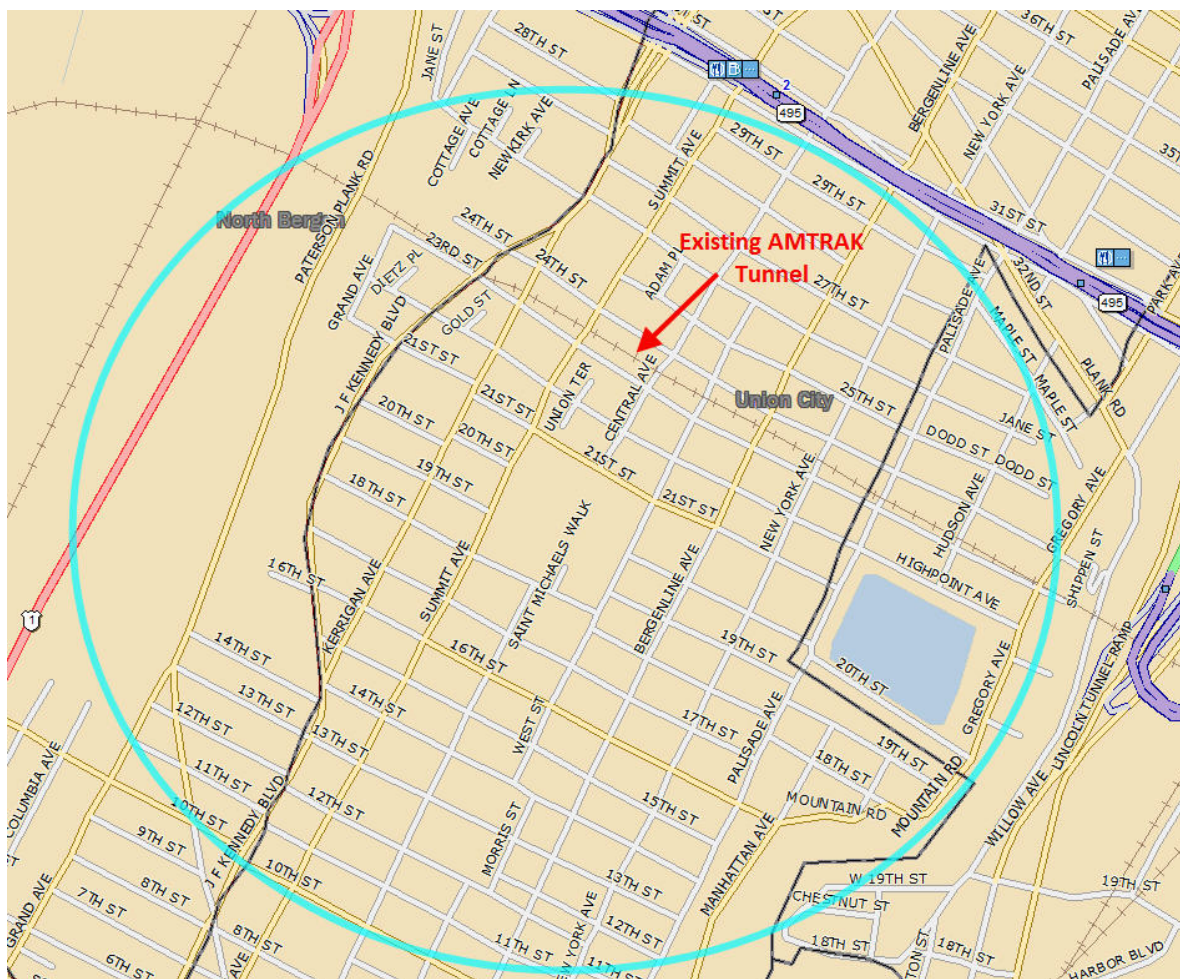
Weehawken Township is a very small community having a land area of approximately 0.85 square miles. The Township is bounded on the north by West New York, on the south by Hoboken, on the east by the



Hudson River and on the west by Union City. Weehawken has an estimated 2022 population of 14,388 individuals and boasts a significantly lower density of population as compared to Union City.

North Bergen is a relatively larger community of 5.13 square miles and extends from Bergen County to the north to Jersey City to the south. This township reflected a 2022 population estimated at 66,385 with a more modest population density of nearly 13,000 people per square mile.

The specific market area of the proposed acquisitions includes the northern portions of Union City, and a small center of the North Bergen neighborhood. The subject market area is generally located south of I-495 (Lincoln Tunnel approach) between Tonnelle Avenue (aka NJSH Route 9) and the Hudson River.



As the southerly most portions of the New Jersey Palisades the land elevations within this market area are approximately 200 to 250 feet above the nearby New Jersey Meadowlands to the west at about 250 feet above the Hudson River to the east.

Area development patterns are dominated by residential land uses which include single family, two, three, four family, multi-family apartments and several condominium projects. Along the principal



street corridors (Kennedy Boulevard, Summit, Bergenline and Palisades Avenues), there are many service commercial and light industrial type uses primarily orientated to the resident population.

The subject neighborhoods in this area are generally stable portions of the principal communities, (Union City, Weehawken and North Bergen Township). These areas are long established and stable middle class residential neighborhoods.

The various statistics and sources considered in our overall evaluation of the local real estate market are summarized below.

Surrounding Area Demographics				
2022 Estimates	North Bergen	Weehawken Township	Union City	Hudson County
Population 2010	60,773	12,554	66,455	634,266
Population 2022	66,385	14,388	70,829	705,044
Population 2027	70,193	15,232	74,465	746,756
Compound % Change 2010-2022	0.7%	1.1%	0.5%	0.9%
Compound % Change 2022-2027	1.1%	1.1%	1.0%	1.2%
Households 2010	22,062	5,712	22,814	246,437
Households 2022	24,476	6,711	24,825	279,785
Households 2027	25,972	7,148	26,249	297,815
Compound % Change 2010-2022	0.9%	1.4%	0.7%	1.1%
Compound % Change 2022-2027	1.2%	1.3%	1.1%	1.3%
Median Household Income 2022	\$75,875	\$101,620	\$60,433	\$87,418
Average Household Size	2.7	2.1	2.8	2.5
College Graduate %	31%	54%	26%	45%
Median Age	39	40	36	36
Owner Occupied %	39%	36%	20%	32%
Renter Occupied %	61%	64%	80%	68%
Median Owner Occupied Housing Value	\$447,712	\$765,890	\$438,343	\$486,408
Median Year Structure Built	1963	1944	1958	1963
Average Travel Time to Work in Minutes	40	42	39	41

Source: Claritas

As generally demonstrated by the above chart, the character of Hudson County and its economic composition is varied and diverse. The County has experienced increased population growth in recent years as part of the recent resurgence of urbanization and gentrification. Major redevelopment has occurred in the Hoboken and Jersey City areas by way of industrial conversions and large scale residential redevelopment.

The subject communities have also seen redevelopment, conversions and expansions but on a somewhat smaller scale than nearby Hoboken and Jersey City. We do not find any significant negative trend in the underlying fundamentals of the County and all real estate professionals anticipate a continued redevelopment with strong property values.

The County enjoys strong employment opportunities in the immediate area or within the Metropolitan Northern New Jersey/New York District.



Neighborhood Overview

The subject property is located at 314 14th Street, Union City, New Jersey.

This is an urbanized mixed-use neighborhood, however, is primarily residential in nature and is over 90% developed. Land uses within the neighborhood can be generally characterized as follows:

Single unit buildings	10%
Two to four-unit buildings	75%
Multi-family units	5%
Commercial Units	5%
Other	5%

Most multi-family properties range from 6 to upwards of 50 units per building.

The overall appearance of the subject neighborhood is average and age characteristics of the properties are broad, from over 100 years, to newer construction or complete renovations.

Our study of the local community has indicated that property values have increased over the past several years. Most brokers that we have interviewed have indicated that the subject community has received a significant amount of interest from buyers who have been priced out of the more expensive residential markets of Jersey City and Hoboken. This has oftentimes resulted in bidding wars whereby closing prices are above initial list prices. This has been the case for single family, two-family, as well as three and four family and multi-family properties.

Marketing periods are varied for the subject property class but are generally under 3 months for appropriately priced properties.

The overall appearance of the subject neighborhood is generally average. Our studies of market transactions have indicated that pricing for comparable real estate is generally in the high \$400's to upwards of \$700,000 for the most renovated properties in prime locations, with most properties in the mid-\$400's to upper-\$500's.

Occupancy levels are strong and based on our discussions with active market participants, most well maintained and managed properties have historically had occupancy levels at or above 95%.

We expect that the market will remain strong. Our inspection of the neighborhood has demonstrated no material negative influences that would impact the subject property values.

Property Analysis - Before

Land Description and Analysis – Before

Physical Features

Description and Analysis Land (Before)	
Land Area - Acres	0.03
Land Area - Square Feet	1,237
Source of Land Area	Parcel Map Provided by NJ Transit
Primary Street Frontage	14th Street - 20 feet
Shape	Irregular Rectangular
Corner	No
Rail Access	No
Topography	Generally level and at street grade
Drainage	No problems reported or observed
Environmental Hazards	Environmental evaluation is beyond the scope of expertise. A qualified engineer should be consulted on this manner. No obvious conditions were observed during our inspection
Ground Stability	As part of the New Jersey Palisades, the subsoil is reported as a hard diabase rock formation.
Flood Area Panel Number	34017C0043E
Date	Preliminary, December 20, 2013
Zone	X
Description	Outside of 500-year floodplain
Insurance Required?	No
Local Zone	R
Zone Conformance	No
Wetlands	None Evident
NJ State Planning Area	Metropolitan Planning Area
NJDEP Radon Tier #	Tier 2



Easements, Encroachments and Restrictions

We are not aware of any easements, encumbrances, or restrictions that would adversely affect the use of the site based on mapping provided by the client and our review of the most recently recorded deed. This valuation assumes no adverse impacts from easements, encroachments, or restrictions, and further assumes that the subject has clear and marketable title.

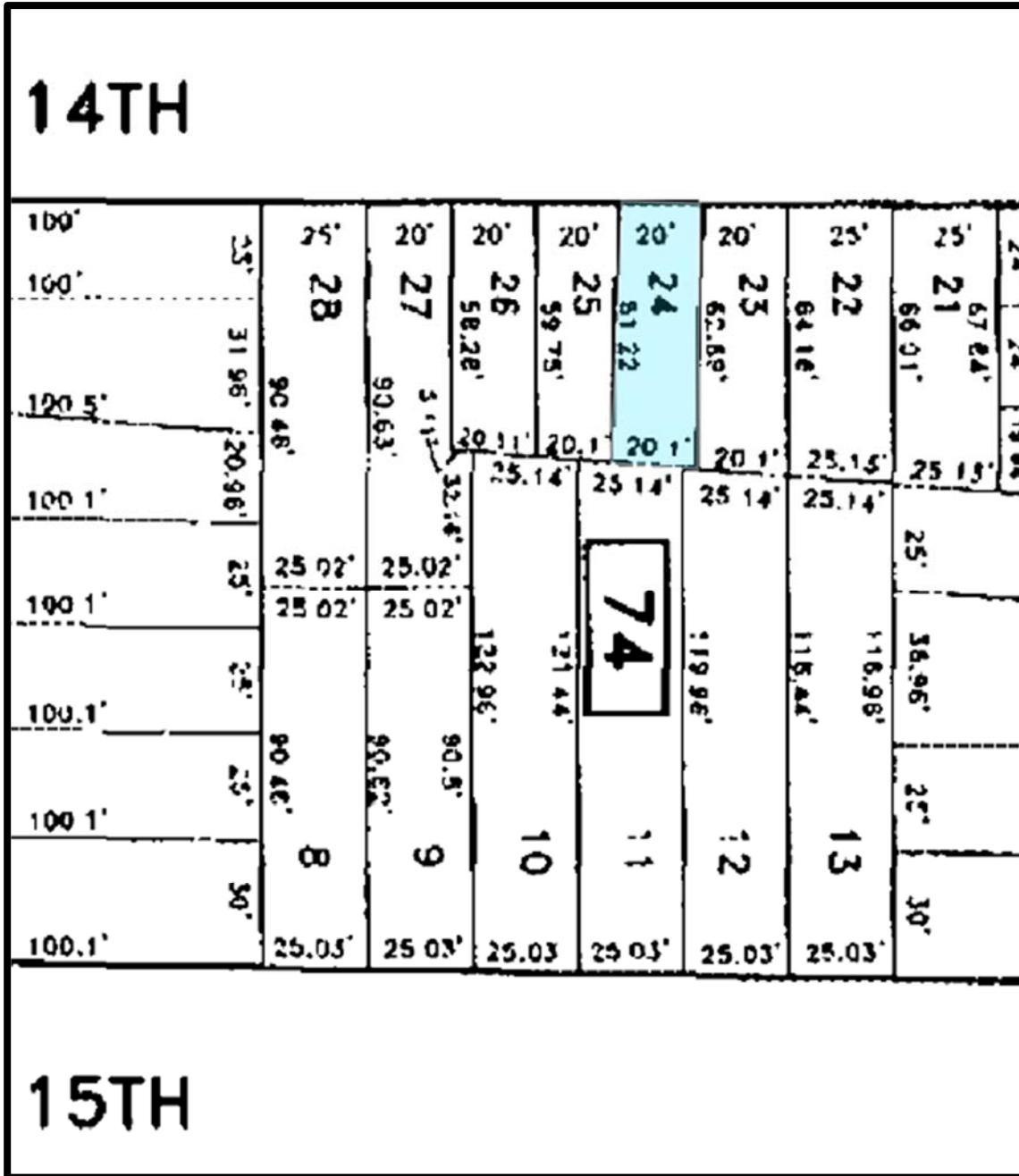
Utilities

Utilities	
Service	Provider
Water	United Water of New Jersey
Sewer	North Hudson Sewerage Authority
Electricity	PSE&G
Natural Gas	PSE&G
Local Phone	Verizon & Others

Conclusion

Overall, the physical characteristics of the site and the availability of utilities result in functional utility suitable for a variety of uses including those permitted by zoning. We are not aware of any other particular restrictions on development.

Tax Map



Improvements Description and Analysis – Before

314 14th Street

Address	314 14th St Union City, NJ
Abbrev Legal	Block 74, Lot 24
Style	Two-Family
Garage/Carport	No On-site Parking
Views	None
Units	2
Size	1,920 square feet
Avg Size/Unit	960 square feet
Bedrooms	4
Baths	2
Rooms	10
Basement	Yes
Finished	Finished (Half Bath & Rec Room)
Year Built	1903
Actual Age	119
Condition	Average
Quality	Average
Functional	Average
Lot Features	0.03 Acres
Heating/Coolin	Baseboard / Central Air
Energy Efficient	None Noted
Comments	Two-family attached dwelling in average condition. We were unable to inspect the interior of the property and room count and size was taken from property record card as well as a prior MLS listing. We assume the interior is in average condition.
Verification	Exterior Inspection (Grouss & Diiorio)
Source	Exterior Inspection (August 9, 2022)
Verified (Short)	Property Record Card, MLS & Visual Observations (Exterior Inspection)

	Unit 1	Unit 2
Unit Size	960 s.f.	960 s.f.
Bedrooms	2	2
Baths	1	1
Rooms	5	5

Improvements Analysis

Construction Quality	The quality of construction is average, and consistent with that of competing properties.
Condition	The condition of the improvements is average based on exterior observations.
Deferred Maintenance	Our inspection did not reveal any significant deferred maintenance.
Functional Utility	Our inspection did not reveal any significant items of functional obsolescence.
Personal Property	There are no personal property items considered in this valuation.

Occupancy Status

We had no contact with the property owner and we were unable to inspect the interior of the subject property. We could not confirm whether the subject is owner occupied, leased, or a combination of both.

Conclusions of Improvements Analysis

Overall, the quality, condition, and functional utility of the improvements are typical for their age and location. We assume the overall condition of the property is average based on our exterior observations.

The property sold in October 2019 at which time the property was marketed as a short sale, subject to bank approval, further the house was being sold in as-is condition and the listing indicated that the home needed "TLC". While the actual interior condition of the property may be 'average' to 'fair', absent an interior inspection, we have valued the property based on an 'Average' condition based on review of a prior MLS listing from February 2020.





View of Subject
(Photo Taken on August 9, 2022)



Additional View of Subject
(Photo Taken on August 9, 2022)



Street Scene – 14th Street Looking West
(Photo Taken on August 9, 2022)



Street Scene – 14th Street Looking East
(Photo Taken on August 9, 2022)

Real Estate Tax Analysis

The real estate tax assessment of the subject is administered by the municipal assessor. The final 2021/ preliminary 2022 tax rate is \$7.385 per \$100 of assessed value. The equalization ratio is reflected at 32.42% of market value. The property tax identification number and assessed value of the property for the current tax year are shown in the following table.

Taxes and Assessments - Final 2021/ Preliminary 2022						
Tax ID	Assessed Value			Taxes and Assessments		
	Land	Improvements	Total	Ad Valorem Tax Rate	Taxes	Total
Block 74, Lot 24	\$68,400	\$63,100	\$131,500	7.385000%	\$9,711	\$9,711



Highest and Best Use Analysis - Before

As Though Vacant

The current zoning of the property is classified as R, Low-Density Residential District. Permitted uses within this zone include; one, two and three-family dwellings; municipal uses; public parks and playgrounds. The subject property at 1,237± square feet does not conform to the minimum lot size requirements for residential uses within the zone. The zone requires 2,500 square foot lots for one, two and three-family development and 5,000 square foot lots for all other uses.

There do not appear to be any physical limitations that would prohibit development of the site with any of these uses excepting for the bulk standards of the zone. However, given the densely developed nature of the area and limited assemblage opportunities, variance relief would likely be granted 'as-vacant' to permit residential development.

Current market conditions are favorable for development of the property with residential uses. A newly constructed residential use would have a value commensurate with its cost.

Accordingly, it is our belief that no reasonably probable use of the site that would generate a higher residual value 'as-vacant' than residential development (with variance relief), likely a two or three-family dwelling.

As Improved

As of the date of value before the acquisition, the subject property is improved with a two-family dwelling. This use is generally in conformance with permitted uses within the zone and surrounding land use trends.

Our inspection of the property indicated that there are no physical limitations resulting from the acquisition that would prohibit continued use of the site as improved.

Present market conditions would indicate that the current use is economically viability.

Based on the following analysis, the subject property before (as improved) represents the most reasonably probable highest and best use of the property.

Description of the Proposed Acquisition

The property rights to be acquired by the New Jersey Transit Corporation are summarized within the following table based upon our site inspection, parcel maps, and property investigation:

Description of Proposed Acquisition	
Parcel #:	E230
	Map Date: December 2017; Rev. June 13, 2018
Map Name:	NJ Transit Corporation General Property Parcel Map Hudson Tunnel Project
Type Acquisition:	Deep Sub-Surface Easement
<u>Description of Easement Acquisition:</u>	
Below Surface Grade (Average Depth)	253 Ft
Gross Area of Encumbrance	1,175 SF
Width	20 Ft
Length (Approx.)	59 Ft (+/-)
Height	60 Ft
Shape of Acquisition Area	Irr. Rectangle
<u>Improvements in Acquisition Area</u>	NONE
See addenda for graphic and metes and bounds description. Source: <i>Project Parcel Maps; Metes & Bounds Description</i>	



Property Analysis – After

Land Description and Analysis - After

After the acquisition there will be no changes in the physical features and characteristics of the subject land. The easement will not modify, alter or change the availability of utilities or property services. There will be no impact on the conformance with land use regulations or zone compliance.

Easements, Encroachments and Restrictions:

In an after condition the property will be encumbered with a deep subsurface easement that is located at an average depth of 253 Ft below the surface grade of the property. The construction and use of this easement area will not impinge or encroach on the current or any reasonably probable use potential for the real estate. There are no access, construction, or entry rights to the surface or subsurface areas above the easement average depth.

Conclusion of Land Analysis - After

Overall, characteristics of the site after results in functional utility suitable for uses identical to the before condition of the land. There are no restrictions on development of typical or reasonably probable surface and subsurface areas as a result of the acquisition.

Based on interviews with staff geologist the stability and characteristics of the typically useable subsurface areas will not be impacted as a result of the deep subsurface easement.

Vibration monitoring reports have concluded the proposed use of the easement area will not create vibration levels greater than typical ambient levels and well below federal regulatory requirements.

The Integra Detrimental Condition Study concluded that the existence of comparable deep subsurface easements does not impact the current use, utility or foreseeable potential uses for the property.

Improvements Description and Analysis - After

After the acquisition there will no changes to the physical characteristics of improvements located on the property.

The construction proposed within the easement area will not encumber or inconvenience the current or any reasonable prospective use of the improvements.

Real Estate Tax Analysis After

After the acquisition it is highly unlikely that any modification to the local assessment for the subject property will take place. It would be anticipated that the assessment and taxing levels in an after condition would be identical to the before condition.

Before and After Comparative Matrix

The following table summarizes major property conditions, attributes, and zoning compliance issues based upon the described before and after conditions:

Property Before And After Conditions		
Parcel E230 (410 37, LLC)		
	Before	After
Tract Size (SF)	1,237 s.f.	1,237 s.f.
Shape	Irregular Rectangle	Irregular Rectangle
Frontage (FF) #1	20.00 f.f.	20.00 f.f.
Street Name #1	14th Street	14th Street
Zone Conformance	No	No
Highest & Best Use	Residential Development with variance relief	Residential Development with variance relief
Building Size	1,920 SF	1,920 SF
Property Type	Two Family Residential	Two Family Residential
Building Type	Wood Frame	Wood Frame
Number of Buildings	1	1
Construction Quality	Average	Average
Age of Improvements (Actual)	119	119
Property Condition	Average	Average
Highest & Best Use	Continued Use as Improved	Continued Use as Improved

There are no changes in the real estate use, utility, or physical characteristics
 Source: Acquisition Maps, Site Inspection and Analysis



Highest and Best Use Analysis - After

As Though Vacant

The current zoning of the property is classified as R, Low-Density Residential District. Permitted uses within this zone include; one, two and three-family dwellings; municipal uses; public parks and playgrounds. The zone requires 2,500 square foot lots for one, two and three-family development and 5,000 square foot lots for all other uses. The subject property land area does not conform to the minimum bulk requirements within the zone and variance relief would be required 'as-vacant'.

There do not appear to be any physical limitations that would prohibit development of the site with any of these uses excepting for the bulk standards of the zone.

Current market conditions are favorable for development of the property with residential uses. A newly constructed residential use would have a value commensurate with its cost.

Accordingly, it is our belief that no reasonably probable use of the site that would generate a higher residual value 'as-vacant' than residential development with variance relief, likely a two or three-family dwelling.

As Improved

As of the date of value after the acquisition, the subject property is improved with a two family use. This use is generally in conformance with permitted uses within the zone and surrounding land use trends.

Our inspection of the property indicated that there are no physical limitations resulting from the acquisition that would prohibit continued use of the site as improved.

Present market conditions would indicate that the current use is economically viability. It is our opinion that the current use represents the most maximally productive use of the site after the acquisition.

Acquisition Effect on the Remainder

After the acquisition, there is no effect on the current, on-going, or reasonably probable uses of the subject real estate.

Conclusions

Based on the following analysis, the most reasonably probable highest and best use of the property after would be identical to the highest and best use before.

Valuation

Valuation Methodology

Appraisers usually consider three approaches to estimating the market value of real property. These are the cost approach, sales comparison approach and the income capitalization approach. The applicability of each of these approaches is dependent upon the nature and character of the subject property and the manner in which the typical market for these properties interacts.

In the case of public acquisitions, the “before and after” method is a process whereby the value of the subject property before an acquisition is estimated by use of the most applicable approach(es) and the value of the property “after the acquisition” is estimated, the difference is considered to represent the market value of the acquisition and any damages that may accrue to the remainder.

In the instant case, the subject property is a two family residential dwelling and the most appropriate appraisal approach has been determined to be the sales comparison approach.

In an active market where there is a sufficient body of comparable sales and a homogenous character of social, political, and environmental forces, the sales comparison approach is considered the most relevant valuation method.

Valuation Before

On the following page, we have presented a comparative analysis grid which summarizes the most comparable sales for the valuation process of estimating a market value for the subject property “before” the proposed acquisition.

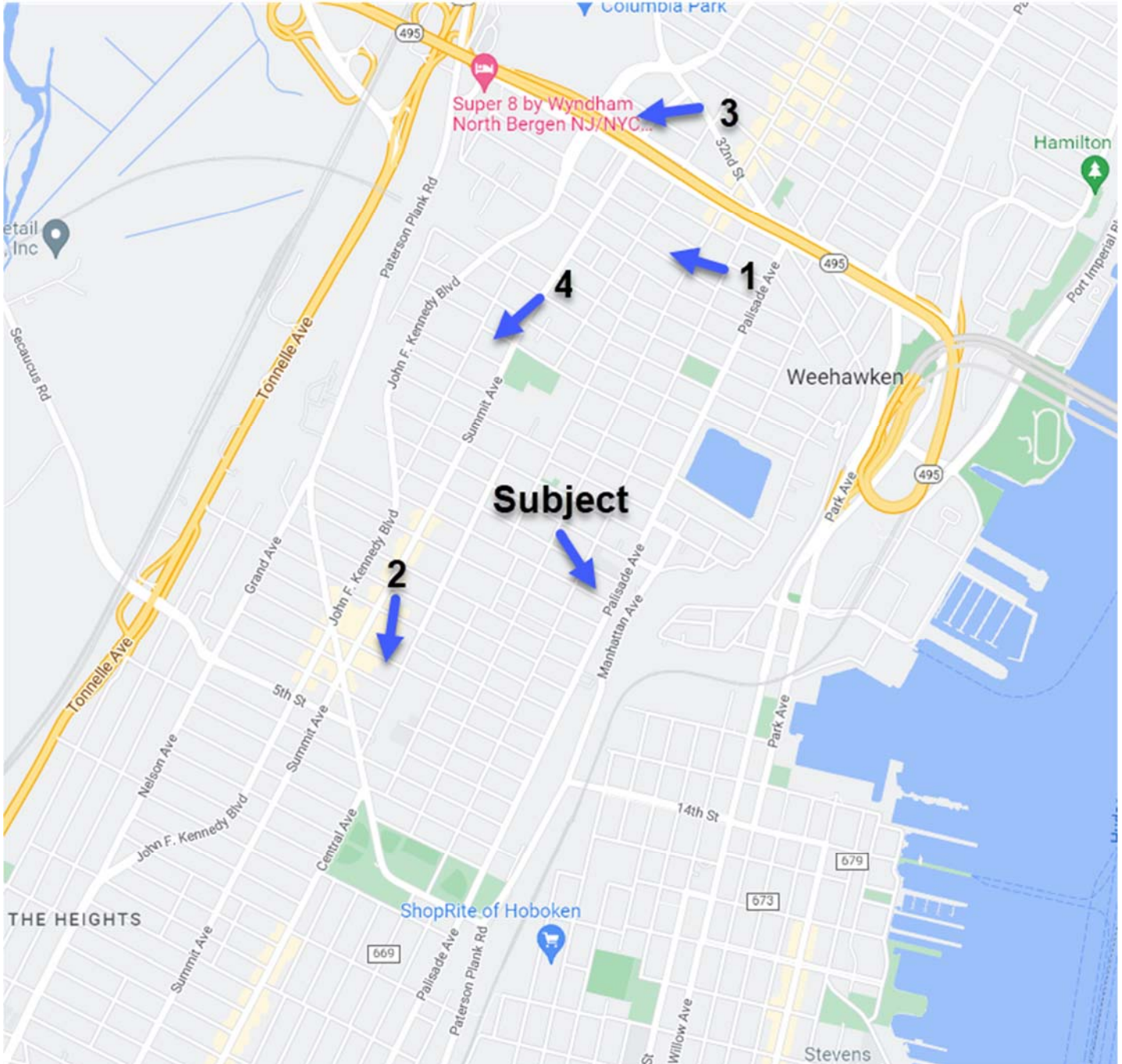
The adjusting process has been presented in a quantified fashion to account for the varied positive and negative attributes of the sale properties when compared to the subject. The development of the adjusting factors has been based on a review of numerous properties within the subject market area and consideration of key factors which impact on property values.

In the addendum section of the report, we have provided expanded detail relating to each of the comparable sales used in the analysis.

In the instant case, we find the following comparable sales most relevant in assisting in developing a final opinion of value for the subject. Equal weight was applied to all comparables as they generally bracket the subject in terms of location and overall characteristics.

Based on this analysis, the market value of the property “before” the acquisition as of the effective date of this report is estimated at \$585,000

Comparable Sales Map



Comparative Grid

RESIDENTIAL INCOME PROPERTY GRID (2-4 Family)
SALES COMPARISON ANALYSIS

ITEM	SUBJECT	COMPARABLE #1		COMPARABLE #2		COMPARABLE #3		COMPARABLE #4	
ADDRESS	314 14th. Street	526 27th St		709 8th st		815A Sip St		2010 Kerrigan Ave	
CITY/ COUNTY	Union City, NJ	Union City, NJ 07087		Union City, NJ 07087		Union City, NJ 07087		Union City, NJ 07087	
BLOCK/LOT	Block 74, Lot 24	154 / 13		33/24		172/25		107/19	
TOTAL UNITS	2	2		2		2		2	
PROXIMITY TO SUBJECT		0.68 +/-miles		0.43 +/-miles		0.94 +/-miles		0.53 +/-miles	
SALES PRICE		\$585,000	\$585,000	\$550,000	\$550,000	\$540,000	\$540,000	\$650,000	\$650,000
SALES PRICE PER G.B.A.		\$260/s.f.		\$390/s.f.		\$308/s.f.		\$317/s.f.	
GROSS MONTHLY RENT		\$4,150		\$0		\$2,900		\$3,150	
PRICE PER UNIT		\$292,500		\$275,000		\$270,000		\$325,000	
PRICE PER ROOM		\$58,500		\$68,750		\$67,500		\$72,222	
PRICE PER BEDROOM		\$97,500		\$137,500		\$135,000		\$130,000	
RENT CONTROL (Y/N)		N		N		N		N	
DATA SOURCE	Exterior Inspection	MLS		MLS		MLS/Deed		MLS/Deed	
VERIFICATION SOURCES	Field Inspection (Gross&Diario)	al unsuccessful attempts w ere made to c		Andres Ospina, Seller Broker		Julio Perez, Seller Broker		Danny Rojo, Seller Broker	
VALUE ADJUSTMENTS	DESCRIPTION	DESCRIPTION	ADJUST	DESCRIPTION	ADJUST	DESCRIPTION	ADJUST	DESCRIPTION	ADJUST
SALES OR FINANCING CONCESSIONS		\$0	\$0	\$0	\$0	\$5,000	\$0	\$0	\$0
DATE OF SALE/TIME	> 5 years	April 30, 2022	\$0	June 10, 2022	\$0	December 30, 2021	\$0	February 1, 2022	\$0
SITE (Lot Size)	0.03 acres	0.06 acres	\$0	0.06 acres	\$0	0.04 acres	\$0	0.05 acres	\$0
VIEW	None	None	\$0	None	\$0	None	\$0	None	\$0
DESIGN (Style)	Two-Family	Two-Family	\$0	Two-Family	\$0	Two-Family	\$0	Two-Family	\$0
QUALITY OF CONSTRUCTION	Average	Average	\$0	Average	\$0	Average	\$0	Average	\$0
AGE	119	122	\$0	119	\$0	119	\$0	114	\$0
CONDITION	Average	Average	\$0	Average	\$0	Average	\$0	Average	\$0
ABOVE GRADE - UNITS	Total/Bdrms/Baths	Total/Bdrms/Baths		Total/Bdrms/Baths		Total/Bdrms/Baths		Total/Bdrms/Baths	
ROOM COUNTS									
UNIT 1	5 / 2 / 1	5 / 3 / 2	(\$5,000)	4 / 2 / 1	\$0	4 / 2 / 1	\$0	4 / 2 / 1	\$0
UNIT 2	5 / 2 / 1	5 / 3 / 2	(\$5,000)	4 / 2 / 1	\$0	4 / 2 / 1	\$0	5 / 3 / 1	\$0
GROSS LIVING AREA	1,920 s.f.	2,250 s.f.	(\$19,800)	1,412 s.f.	\$30,480	1,752 s.f.	\$10,080	2,048 s.f.	(\$7,680)
BASEMENT & FINISHED RMS	Yes / Yes	Yes / Yes	\$0	Yes / Yes	\$0	Yes / Yes	\$0	Yes / No	\$25,000
FUNCTIONAL UTILITY	Average	Average	\$0	Average	\$0	Average	\$0	Average	\$0
HEATING/COOLING	Baseboard / Central Air	Gas, Baseboard / Window AC	\$5,000	Gas, Baseboard / Window AC	\$5,000	Gas, Baseboard / Window A/C	\$5,000	Electric / Baseboard / Window AC	\$5,000
ENERGY EFFICIENT ITEMS	None Specified	None Specified	\$0	None Specified	\$0	None Specified	\$0	None Specified	\$0
GARAGE/PARKING	No On-Site Parking	None		None	\$0	None		2 Car Garage / 1 Drive Way	(\$40,000)
NET ADJUSTMENT (TOTAL)			(\$24,800)		\$35,480		\$15,080		(\$17,680)
ADJUSTED VALUES OF COMPARABLES		Net -4.24% Gross 5.95%	\$560,200	Net 6.45% Gross 6.45%	\$585,480	Net 2.79% Gross 2.79%	\$555,080	Net -2.72% Gross 11.95%	\$632,320
<p>Note: Our adjustments to the sales recognize that the subject has a finished basement with a rec room and half bath and this square footage is not included within the Gross Living Area. Sale #1, 2 & 3 also have finished basements with the square footage not included in the GLA. Comparable #4 does not have a finished basement and was considered inferior.</p>									
INDICATED VALUE BY SALES COMPARISON APPROACH									\$585,000
Indicated Value per Unit	\$292,500/Unit	x	2 Units =	\$585,000	Indicated Value per GBA	\$304.69/s.f.	x	1,920 s.f. =	\$585,000
Indicated Value per Room	\$58,500/Rm.	x	10 Rms =	\$585,000	Indicated Value per BR	\$146,250/BR.	x	4 BR =	\$585,000

VALUE BY SALES COMPARISON APPROACH.....

\$585,000



Valuation After

The valuation of the property “after” has considered the impact of the proposed acquisition on the use, utility and attributes of the property as impacted by the subject easement. This analysis has specifically recognized:

1. There will be no change in the physical character or attributes of the surface land, shallow land areas (less than 75 feet) and property improvements.
2. The effects of this acquisition will not modify or change in any way zoning compliance of the current use and improvements located thereon.
3. There is no change in the current reasonably probable or potential highest and best use of the property after the proposed acquisition.
4. The construction techniques to be utilized within the easement area will not change, interrupt or modify in any fashion the ongoing continued use or reasonably probable potential use of the property.
5. There are no access, construction or trespass rights to the surface or sub-surface areas above the average easement depth.

Considering these and other described elements, we have concluded that the acquisition will have no effect on the current or reasonably probable utilization of the subject real estate after.

Integra completed a Detrimental Condition Study in 2009 and an update in June of 2018. The study evaluated the impacts of deep subsurface easements within Union City, North Bergen and Weehawken. Our study also evaluated comparable reports from various urban and suburban areas throughout the United States. The study further considered local traditions, customs, regulatory standards and particularly the highest and best use for properties within the subject market area. Based on our studies, we have considered the following:

1. A detailed market overview and paired sales analysis of a control group of properties within the market area that were developed over the operating North River Tunnel right-of-way. The control sales experienced no impact on the property values as a result of their location over the existing Tunnel.
2. As part of our study, a multiple regression analysis was completed evaluating hundreds of residential transactions and found no measurable difference between homes located over the existing North River Tunnel and homes not over the Tunnel.
3. A Vibration Monitoring Report has indicated that anticipated vibration levels over the proposed route (the easement area) will be below vibration criteria as established by the Federal Transit Administration. It was further concluded within this report that vibration levels anticipated within the subject acquisition area will be below the ambient vibration levels of the existing North River Tunnel that bisects Weehawken and Union City between 23rd and 24th Street.

4. Our Detrimental Condition Study further examined and interviewed participants in numerous acquisition projects throughout the United States regarding deep subsurface right-of-ways. In essentially all cases, the findings consistently found that no change in highest and best use is brought about as a result of similar deep subsurface easements.

We have further concluded that the subject deep subsurface easement is of such a remote location in deep underground areas (greater than 75 feet), that the easement area offers no reasonable or practical utility to the subject property.

Our analysis of the subject property “after” has concluded no foreseeable impact on the current use, utility, highest and best use, or reasonably probable highest and best use of the property as a result of the proposed acquisition.

We have considered the body of information and analysis within this and referenced reports and found no basis to estimate a monetary impact on the subject property value “after” as a result of the proposed acquisition.

We have accordingly concluded that an analysis of the subject property “after” by use of a sales comparative grid would provide no additional adjustments that would modify in any way the value indications as developed by the sales comparative approach in the valuation “before”.

We therefore conclude that the market value “after” of the fee simple interest as encumbered by the subject easement, as of the effective date would be identical to the market value of the real estate before the acquisition at \$585,000.

Before and After Conclusion

As considered by essentially all appraisal text and the majority of court decisions, the before and after methodology is the most appropriate technique in estimating the market value of a proposed acquisition. In the instant case, we have presented our analysis and valuation of the subject property both before and after the acquisition. Within the following table we present the results of the analysis and the indicated market value of this acquisition by use of the before and after technique.

Value Reconciliation and Conclusions	
Sales Comparison Approach	
Before Value	\$585,000
After Value	\$585,000
Indication by Sales Comparison Approach	\$0
Final Value Indication	\$0

Accordingly, it is our opinion by Before and After methods, the indicated “value of the subject acquisition” (just compensation) would be **zero (\$0.00)**.



Conclusions – Final Value of Acquisition

Our analysis of the subject real estate before and after the acquisition warrants a restatement of the most relevant facts;

- 1) There will be no change in the physical character or attributes of the surface land, shallow land areas (less than 75 feet) or real estate improvements.
- 2) The effects of this acquisition will not modify or change in any way zoning compliance of the current use or the improvements located thereon.
- 3) There is no change in the current or reasonably probable highest and best use or potential uses of the real estate.
- 4) The construction techniques to be utilized within the easement area will not disturb, change or modify in any fashion the ongoing continued use or reasonably possible potential use of the real estate.
- 5) There are no access, construction or trespass rights to the surface or sub-surface areas above the average easement depth.

Consistent with the results of this report, the Integra Detrimental Conditions Study and other similar studies, the before and after analysis has indicated **zero compensation (\$0.00)** for the partial interest proposed for acquisition.

Our research and specific understanding of real property rights would indicate that the acquisition of an easement which runs with the land is the taking of a real property interest (bundle of rights) of any specific property parcel. In the instant case, the deep subsurface easement rights as defined are nominal in nature particularly when viewed against the real estate use and reasonably probable prospective use.

The valuation of easement rights in a conventional market between individual parties is traditionally negotiated on a basis of the easement limitations on the use and utility to the servient estate¹ weighted by the beneficial rights conveyed to the dominant estate.²

A typical measure of limitations imposed on a servient estate by an easement acquisition is a process of evaluating the legally permissible, physically possible, financially feasible and maximally productive changes to the property resulting from the easements placement. These are essentially all elements common to the reasonably probable highest and best use of a property. In the instant case, our analysis has concluded that placement of this easement will not impact the highest and best use after.

¹ A property burdened by an easement; also known as the servient tenement. The servient estate is the opposite of the dominant estate.

² A property that is served or benefitted by an easement. The opposite of servient estate, which granted the easement.

In many cases, easements may not materially impact the highest and best use, such as a shallow subsurface or a telephone pole easement located within required building setback areas. The impact is minimal to the long-term rights of the servient estate; however, there is disruption of the use and enjoyment during construction and typically maintenance rights are included within these type easements. In the instant case, none of these factors come to bear. Construction and maintenance activity will take place greater than 75 feet below the surface area and not impact on use or enjoyment of the real estate.

It is recognized that the areas of this deep easement are of a remote location in deep underground (greater than 75 feet) essentially offering no reasonable or practical utility to the owner of the real property.

The valuation of real estate is a formalized process that relies heavily on a comparison of market facts, customs and transactions. The deep easement rights proposed by this acquisition are of such a unique character that in essentially all similar acquisitions they are associated with a large scale public project. These types of transactions in essentially all cases are accomplished under a threat of eminent domain action. Thus, as a body of data, these deep easement acquisitions are not considered arms-length sales, a requisite benchmark for application of comparative approaches.

As part of our detrimental conditions study, we completed research through interviews of numerous professionals involved in the valuation and acquisition of deep subsurface easements. Our research has demonstrated common themes and practices (customs) in projects throughout the United States.

- In essentially all cases real estate professionals interviewed found no evidence of any impact on the use, utility or value of the real estate subject to a deep subsurface easement.
- In essentially all cases, application of before and after techniques reflected a similar finding of **zero** impact on the property value.
- To the extent that there was an estimate for compensation, it was more linked to the principle of encumbering a property right.

Considering the facts of this proposed acquisition as explained in detail above, we find no readily ascertainable value based on market data or the application of the before and after approach. We do recognize the easement will represent a conveyance of a property right. Any right conveyed justifies some level of payment. It is, therefore, our opinion that the appropriate compensation for the proposed acquisition would be a nominal sum at best.

Based on the analysis as presented we have concluded that the compensation for the proposed acquisition as described as of August 9, 2022 is best estimated as a nominal sum.

**Market Value of the Proposed Acquisition
as of August 9, 2022**

\$2,000



Certification

We certify that, to the best of our knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
4. We have previously appraised the property that is the subject of this report for the current client on January 7, 2020. We have provided no other services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.
5. We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
6. Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
7. Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
8. Our analyses, opinions, and conclusions were developed, and this report has been prepared, in compliance with the requirements of the *Code of Professional Ethics and Standards of Professional Appraisal Practice* of the Appraisal Institute, in conformity with the *Uniform Standards of Professional Appraisal Practice (USPAP)* and The Uniform Relocation Assistance and Real Property Acquisitions Policy Act of 1970 (The "Uniform Act").
9. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
10. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
11. Thomas J. Grouss, MAI, and Kyle P. Diiorio made a personal inspection of the property that is the subject of this report. Anthony S. Graziano, MAI, CRE has also personally inspected the subject.
12. Significant real property appraisal assistance was provided by Kyle Diiorio.
13. We have not relied on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familiar status, age, receipt of public assistance



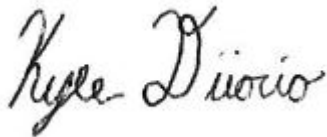
- income, handicap, or an unsupported conclusion that homogeneity of such characteristics is necessary to maximize value.
14. It is our opinion that the subject does not include any enhancement in value as a result of any natural, cultural, recreational or scientific influences retrospective or prospective.
 15. We have experience in appraising properties similar to the subject and are in compliance with the Competency Rule of USPAP.
 16. As of the date of this report, Thomas J. Grouss, MAI, and Anthony S. Graziano, MAI, CRE have completed the continuing education program for Designated Members of the Appraisal Institute.



Thomas J. Grouss, MAI
New Jersey Certified General Real Estate
Appraiser #42RG00205300



Anthony S. Graziano, MAI, CRE
New Jersey Certified General Real Estate
Appraiser #42RG00046600



Kyle Diiorio
New Jersey Certified Residential Real
Estate Appraiser #42RC00282000

Assumptions and Limiting Conditions

This appraisal and any other work product related to this engagement are limited by the following standard assumptions, except as otherwise noted in the report:

1. The title is marketable and free and clear of all liens, encumbrances, encroachments, easements and restrictions. The property is under responsible ownership and competent management and is available for its highest and best use.
2. There are no existing judgments or pending or threatened litigation that could affect the value of the property.
3. There are no hidden or undisclosed conditions of the land or of the improvements that would render the property more or less valuable. Furthermore, there is no asbestos in the property.
4. The consideration placed on any deeds referenced herein to indicate the sale prices are in correct relation to the actual dollar amount of the transaction.
5. The property is in compliance with all applicable building, environmental, zoning, and other federal, state and local laws, regulations and codes.
6. The information furnished by others is believed to be reliable, but no warranty is given for its accuracy.

This appraisal and any other work product related to this engagement are subject to the following limiting conditions, except as otherwise noted in the report:

1. An appraisal is inherently subjective and represents our opinion as to the value of the property appraised.
2. The conclusions stated in our appraisal apply only as of the effective date of the appraisal, and no representation is made as to the effect of subsequent events.
3. No changes in any federal, state or local laws, regulations or codes (including, without limitation, the Internal Revenue Code) are anticipated.
4. No environmental impact studies were either requested or made in conjunction with this appraisal, and we reserve the right to revise or rescind any of the value opinions based upon any subsequent environmental impact studies. If any environmental impact statement is required by law, the appraisal assumes that such statement will be favorable and will be approved by the appropriate regulatory bodies.
5. Unless otherwise agreed to in writing, we are not required to give testimony, respond to any subpoena or attend any court, governmental or other hearing with reference to the property without compensation relative to such additional employment.
6. We have made no survey of the property and assume no responsibility in connection with such matters. Any sketch or survey of the property included in this report is for illustrative purposes only and should not be considered to be scaled accurately for size. The appraisal

- covers the property as described in this report, and the areas and dimensions set forth are assumed to be correct.
7. No opinion is expressed as to the value of subsurface oil, gas or mineral rights, if any, and we have assumed that the property is not subject to surface entry for the exploration or removal of such materials, unless otherwise noted in our appraisal.
 8. We accept no responsibility for considerations requiring expertise in other fields. Such considerations include, but are not limited to, legal descriptions and other legal matters such as legal title, geologic considerations such as soils and seismic stability; and civil, mechanical, electrical, structural and other engineering and environmental matters. Such considerations may also include determinations of compliance with zoning and other federal, state, and local laws, regulations and codes.
 9. The distribution of the total valuation in the report between land and improvements applies only under the reported highest and best use of the property. The allocations of value for land and improvements must not be used in conjunction with any other appraisal and are invalid if so used. The appraisal report shall be considered only in its entirety. No part of the appraisal report shall be utilized separately or out of context.
 10. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraisers, or any reference to the Appraisal Institute) shall be disseminated through advertising media, public relations media, news media or any other means of communication (including without limitation prospectuses, private offering memoranda and other offering material provided to prospective investors) without the prior written consent of the persons signing the report.
 11. Information, estimates and opinions contained in the report and obtained from third-party sources are assumed to be reliable and have not been independently verified.
 12. Any income and expense estimates contained in the appraisal report are used only for the purpose of estimating value and do not constitute predictions of future operating results.
 13. If the property is subject to one or more leases, any estimate of residual value contained in the appraisal may be particularly affected by significant changes in the condition of the economy, of the real estate industry, or of the appraised property at the time these leases expire or otherwise terminate.
 14. Unless otherwise stated in the report, no consideration has been given to personal property located on the premises or to the cost of moving or relocating such personal property; only the real property has been considered.
 15. The current purchasing power of the dollar is the basis for the values stated in the appraisal; we have assumed that no extreme fluctuations in economic cycles will occur.
 16. The values found herein are subject to these and to any other assumptions or conditions set forth in the body of this report but which may have been omitted from this list of Assumptions and Limiting Conditions.
 17. The analyses contained in the report necessarily incorporate numerous estimates and assumptions regarding property performance, general and local business and economic

- conditions, the absence of material changes in the competitive environment and other matters. Some estimates or assumptions, however, inevitably will not materialize, and unanticipated events and circumstances may occur; therefore, actual results achieved during the period covered by our analysis will vary from our estimates, and the variations may be material.
18. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the property to determine whether the physical aspects of the improvements meet the ADA accessibility guidelines. We claim no expertise in ADA issues, and render no opinion regarding compliance of the subject with ADA regulations. Inasmuch as compliance matches each owner's financial ability with the cost to cure the non-conforming physical characteristics of a property, a specific study of both the owner's financial ability and the cost to cure any deficiencies would be needed for the Department of Justice to determine compliance.
 19. The appraisal report is prepared for the exclusive benefit of you, your subsidiaries and/or affiliates. It may not be used or relied upon by any other party. All parties who use or rely upon any information in the report without our written consent do so at their own risk.
 20. No studies have been provided to us indicating the presence or absence of hazardous materials on the subject property or in the improvements, and our valuation is predicated upon the assumption that the subject property is free and clear of any environment hazards including, without limitation, hazardous wastes, toxic substances and mold. No representations or warranties are made regarding the environmental condition of the subject property. IRR - Coastal, NJ, Integra Realty Resources, Inc., and their respective officers, owners, managers, directors, agents, subcontractors or employees (the "Integra Parties"), shall not be responsible for any such environmental conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because we are not experts in the field of environmental conditions, the appraisal report cannot be considered as an environmental assessment of the subject property.
 21. The persons signing the report may have reviewed available flood maps and may have noted in the appraisal report whether the subject property is located in an identified Special Flood Hazard Area. However, we are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property, and the value conclusion is predicated on the assumption that wetlands are non-existent or minimal.
 22. We are not a building or environmental inspector. The Integra Parties do not guarantee that the subject property is free of defects or environmental problems. Mold may be present in the subject property and a professional inspection is recommended.
 23. The appraisal report and value conclusions for an appraisal assume the satisfactory completion of construction, repairs or alterations in a workmanlike manner.
 24. IRR - Coastal, NJ is an independently owned and operated company. The parties hereto agree that Integra shall not be liable for any claim arising out of or relating to any appraisal report or any information or opinions contained therein as such appraisal report is the sole and exclusive responsibility of IRR - Coastal, NJ. In addition, it is expressly agreed that in any action

- which may be brought against the Integra Parties arising out of, relating to, or in any way pertaining to the engagement letter, the appraisal reports or any related work product, the Integra Parties shall not be responsible or liable for any incidental or consequential damages or losses, unless the appraisal was fraudulent or prepared with intentional misconduct. It is further expressly agreed that the collective liability of the Integra Parties in any such action shall not exceed the fees paid for the preparation of the assignment (unless the appraisal was fraudulent or prepared with intentional misconduct). It is expressly agreed that the fees charged herein are in reliance upon the foregoing limitations of liability.
25. IRR - Coastal, NJ is an independently owned and operated company, which has prepared the appraisal for the specific intended use stated elsewhere in the report. The use of the appraisal report by anyone other than the Client is prohibited except as otherwise provided. Accordingly, the appraisal report is addressed to and shall be solely for the Client's use and benefit unless we provide our prior written consent. We expressly reserve the unrestricted right to withhold our consent to your disclosure of the appraisal report or any other work product related to the engagement (or any part thereof including, without limitation, conclusions of value and our identity), to any third parties. Stated again for clarification, unless our prior written consent is obtained, no third party may rely on the appraisal report (even if their reliance was foreseeable).
26. The conclusions of this report are estimates based on known current trends and reasonably foreseeable future occurrences. These estimates are based partly on property information, data obtained in public records, interviews, existing trends, buyer-seller decision criteria in the current market, and research conducted by third parties, and such data are not always completely reliable. The Integra Parties are not responsible for these and other future occurrences that could not have reasonably been foreseen on the effective date of this assignment. Furthermore, it is inevitable that some assumptions will not materialize and that unanticipated events may occur that will likely affect actual performance. While we are of the opinion that our findings are reasonable based on current market conditions, we do not represent that these estimates will actually be achieved, as they are subject to considerable risk and uncertainty. Moreover, we assume competent and effective management and marketing for the duration of the projected holding period of this property.
27. All prospective value opinions presented in this report are estimates and forecasts which are prospective in nature and are subject to considerable risk and uncertainty. In addition to the contingencies noted in the preceding paragraph, several events may occur that could substantially alter the outcome of our estimates such as, but not limited to changes in the economy, interest rates, and capitalization rates, behavior of consumers, investors and lenders, fire and other physical destruction, changes in title or conveyances of easements and deed restrictions, etc. It is assumed that conditions reasonably foreseeable at the present time are consistent or similar with the future.
28. We have not been provided with any evidence or documentation as to the presence or location of any floodplain areas and/or wetlands. Wetlands generally include swamps, marshes, bogs, and similar areas. We are not qualified to detect such areas. The presence of floodplain areas and/or wetlands may affect the value of the property, and the value conclusion is predicated on the assumption that wetlands are non-existent or minimal.

Addendum A

Appraiser Qualifications

Thomas J. Grouss, MAI

Experience

Thomas J. Grouss is a Director at - INTEGRA REALTY RESOURCES-COASTAL, NJ office, a full-service real estate organization with offices in Toms River and 56 metro markets throughout the United States.

Since joining the firm in May of 2003, Mr. Grouss has completed appraisal and consulting assignments on vacant land, retail, office, industrial and special purpose properties throughout New Jersey, with a concentration in the Central and Southern part of the State. These assignments have been completed for corporate clients, financial institutions, and private clients, for use in financing, evaluation of sale/purchase decisions, estate planning, and property tax appeals.

Mr. Grouss has provided primary research, analysis and report writing for valuation relating to condemnation and eminent domain projects throughout Monmouth and Ocean County.

Residential experience includes the valuation of large-scale subdivision tracts, conventional and subsidized multi-family projects, and various single-family residential waterfront and non-waterfront properties throughout the region.

Mr. Grouss has also participated in the valuation and consulting of special purpose properties along the Jersey Shore, including amusement piers, water parks, marinas and restaurants.

Professional Activities & Affiliations

Appraisal Institute Member (MAI)

Member: International Right of Way Association (IRWA) NJ Chapter 15

Member: Toms River Township Planning Board 2019-2021

Licenses

New Jersey, Certified General Real Estate Appraiser, 42RG00205300, Expires December 2023

New Jersey, Real Estate Commission - Salesperson, 0572381

Education

Completed Real Estate Appraisal Courses sponsored by the Appraisal Institute:
 Appraisal Principles (Metro NJ Chapter-Rutgers University)
 Appraisal Procedures (Maryland Chapter-Johns Hopkins)
 Basic Income Capitalization (Long Island Chapter)
 General Applications (Virginia Commonwealth Chapter)
 Advanced Income Capitalization (Massachusetts Chapter)
 General Appraiser Report Writing & Case Studies (New York Chapter)
 General Market Analysis and Highest and Best Use (Central Pennsylvania Chapter)
 Advanced Sales Comparison & Cost Approaches (Chicago Chapter)
 Completed Real Estate Appraisal Courses sponsored by the Business Learning Center

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Parcel E230 (410 37, LLC)



Thomas J. Grouss, MAI

Education (Cont'd)

Uniform Standards of Professional Appraisal Practices

Undergraduate Studies:

Fairleigh Dickinson University-Florham Madison Campus, Madison, New Jersey

Degree: Bachelor Science in Finance

Graduation Date: May 2002

Qualified Before Courts & Administrative Bodies

Qualified Expert before the Ocean County Commissioners

Qualified Expert before the Superior Court of New Jersey

Qualified Expert before the Ocean County Tax Board

Appeared before Monmouth County Tax Board

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Anthony S. Graziano, MAI, CRE

Experience

Anthony S. Graziano is the Executive Director and Director of Litigation Services for INTEGRAL REALTY RESOURCES COASTAL, NJ, a full-service real estate organization with offices located in Toms River, NJ.

Mr. Graziano has been actively engaged in the real estate industry since the late 1960's. Over the years, he has completed valuation and consulting assignments on all classes of investment grade properties including; shopping centers, office buildings and parks, industrial buildings, large-scale manufacturing complexes, hotels, motels and mixed use properties. Residential experience is national in scope, including large-scale housing development tracts, conventional and subsidized multi-family properties, and manufactured housing developments. The coastal nature of the practice has presented an opportunity to complete numerous resort-related assignments such as marinas, boardwalk and pier amusement properties, casino resort hotels, commercial beaches and preservation properties.

Valuation and consulting practice includes market studies, urban renewal, rehabilitation, reuse and proposed construction studies. This broad-based practice includes assignments for financing, purchase, condemnation, property tax appeal, public and private equity placement.

As of this date, Anthony S. Graziano, MAI, CRE, has completed the requirements of the continuing education program of the Appraisal Institute and the New Jersey Real Estate Appraisal Boards.

Professional Activities & Affiliations

Appraisal Institute, Member (MAI)
Counselor of Real Estate (CRE)

National Association of Realtors
Appraisal Institute Faculty (1998 - 2008)
International Right of Way Association
Lambda Alpha International

Licenses

New Jersey, Certified General Real Estate Appraiser, RG00466, Expires December 2023

Education

American Institute of Real Estate Appraisers (AIREA) and Appraisal Institute (AI):
Studies Completed: I, II, IV, VIII, Cap 1B-A, 1B-B, and Market Feasibility Studies
New Jersey License Course Salesperson and Broker
Realtor Institute Courses

Mr. Graziano has lectured at numerous workshops, conventions and conferences sponsored by:
Appraisal Institute

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Parcel E230 (410 37, LLC)



Anthony S. Graziano, MAI, CRE

Education (Cont'd)

The Counselors of Real Estate
 New Jersey Builders Association
 New Jersey Tax Assessors Association
 New Jersey Association of Realtors
 New Jersey Mortgage Bankers Association
 American BAR Association (BAR)
 American Institute of Certified Public Accountants (AICPA)
 Uniform Appraisal Standards for Federal Land Acquisition (2006; 2012; 2017)

Mr. Graziano has taught Appraisal Institute Capitalization Series and the Subdivision Seminar Course on numerous occasions throughout the northeast.

Qualified Before Courts & Administrative Bodies

Federal Bankruptcy Court, Superior Court of the State of NJ, NJ State Tax Court, federal and state legislative committees, numerous county and local boards and commissions.

Miscellaneous

Anthony S. Graziano has served the Appraisal Institute at various local, regional and national levels since the early 1980's including; local chapter President 1988, Regional Committee Representative 1987 to 1996, National Board of Directors 1989, 1995-1998, Regional Chair 1996, National Chair of Government Relations and National Executive Committee 1995. Chair of the National Appraisal Standards Committee of the Appraisal Institute (1999 & 2000) and past Chairman of the New Jersey Chapter of Counselors of Real Estate.

Since 1999, Mr. Graziano has served on the Executive Committee and Board of Directors of Integra Realty Resources (1999 - 2011), and served as Chairman of Board (2010 & 2011), 11 Times Square, 640 Eighth Avenue, 15th Floor, Suite A, New York, NY.

For his distinguished service to the Appraisal Industry in 2000, Mr. Graziano received the National President's Award from the Appraisal Institute. In 2001, he was honored by the Philadelphia Chapter of the Appraisal Institute with the Harrison-Winder Memorial Award. In 2005, he was awarded a Lifetime Achievement Award from the Appraisal Institutes Metro New Jersey Chapter.

In 2012, Mr. Graziano's case study in equitable distribution was included in the Appraisal Institute text "Applications in Litigation Valuation", A Pragmatist's Guide.

Mr. Graziano is an approved and certified review appraiser by; Integra Realty Resources, Ocean County, New Jersey Department of Transportation, New Jersey Transit plus various local and regional lending institutions.

Integra Realty Resources
Coastal NJ

1415 Hooper Ave.
 Suite 306
 Toms River, NJ 08753

T 732.244.7000
 F 732.505.9498

irr.com

agraziano@irr.com - 732.244.7000 x101

Parcel E230 (410 37, LLC)



Kyle Diiorio

Experience

Kyle Diiorio is an analyst at - INTEGRA REALTY RESOURCES-COASTAL, NJ office, a full-service real estate organization with offices in Toms River and 56 metro markets throughout the United States.

Kyle has been actively engaged in research and valuation of real property in the state of New Jersey since 2020. Kyle has conducted primary research and performed market analysis for residential and commercial properties throughout Monmouth, Ocean and Atlantic County.

Education

Undergraduate Studies:
Kean University – Union, New Jersey
Degree: Bachelor of Science in Finance
Graduation: August 2019

Completed the following qualifying educational courses:

Basic Appraisal Procedures
Basic Appraisal Principles
Uniform Standards of Professional Appraisal Practices
Residential Market Analysis & Highest and Best Use
Residential Appraiser Site Valuation and Income Approaches
Residential Sales Comparison and Income Approaches
Residential Report Writing and Case Studies
Statistics, Modeling & Finance
Advanced Residential Applications and Case Studies
Appraisal Subject Matter Electives

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Parcel E230 (410 37, LLC)



About IRR

Integra Realty Resources, Inc. (IRR) provides world-class commercial real estate valuation, counseling, and advisory services. Routinely ranked among leading property valuation and consulting firms, we are now the largest independent firm in our industry in the United States, with local offices coast to coast and in the Caribbean.

IRR offices are led by MAI-designated Senior Managing Directors, industry leaders who have over 25 years, on average, of commercial real estate experience in their local markets. This experience, coupled with our understanding of how national trends affect the local markets, empowers our clients with the unique knowledge, access, and historical perspective they need to make the most informed decisions.

Many of the nation's top financial institutions, developers, corporations, law firms, and government agencies rely on our professional real estate opinions to best understand the value, use, and feasibility of real estate in their market.

Local Expertise...Nationally!

irr.com



Addenda

Addendum B

Definitions



Addenda

DEFINITIONS-GENERAL

These definitions have been extracted, solely or in combination, from definitions and descriptions printed in:

Uniform Standards of Professional Appraisal Practice, 2001 Edition (USPAP);

The Dictionary of Real Estate Appraisal, Fourth Edition, Appraisal Institute, Chicago, Illinois, 2002 (Dictionary);

The Appraisal of Real Estate, Twelfth Edition, Appraisal Institute, Chicago, Illinois, 2001 (Twelfth Edition);

Marshall Valuation Service, Marshall & Swift, Los Angeles, California, (MVS);

Detrimental Conditions Study, Trans Hudson Express (THE) Tunnel, Integra Realty Resources, New Jersey October 1, 2009.

Affirmative Easement

The right to perform a specific action on a property owned by another; also called the Dominant Estate.

Appraisal

The act or process of developing an opinion of value; an opinion of value. (USPAP)

Appraiser

One who is expected to perform valuation services competently and in a manner that is independent, impartial and objective. (USPAP)

Deep Subsurface Easement

As evaluated within this report, a deep subsurface easement.

A deep subsurface easement is a right-of-way for the construction maintenance and operation of a rail tunnel in the subterranean areas of a property located at a minimum of 75 feet below the surface grade. The deep subsurface easement is essentially constructed by way of boring or a mining process which does not disturb the surface or market based subsurface uses of the property during construction, maintenance and operation of the rail service.

Unless otherwise noted, all references throughout this report to “deep subsurface easements” relates to those underground 75 feet or greater, which are bored without surface disturbance or penetration. This report is not intended to address subsurface easements which require surface boring, penetration, open trenching, surface use or disturbance, or subsurface easements which are less than 75’ in depth.

Addenda

Dominant Estate (a/k/a Easement Holder)

The owner of limited property rights (typically by way of an easement) for use of property owned in fee by another (a/k/a affirmative easement).

Easement

An easement is "an interest in real property that conveys use, but not ownership, of a portion of an owner's property." (Dictionary)

Fee Simple Estate

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat. (Dictionary)

Floor Area Ratio (FAR)

"The relationship between the above-ground floor area of a building, as described by the building code, and the area of the plot on which it stands; in planning and zoning, often expressed as a decimal, e.g., a ratio of 2.0 indicates that the permissible floor area of a building is twice the total land area; also called *building-to-land ratio*. See also *land-to-building ratio*." (Dictionary)

Gross Building Area (GBA)

The total floor area of a building, measured from the exterior of the walls, including below-grade and basement space but excluding unenclosed areas. (*Twelfth Edition*)

Highest and Best Use

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum profitability. (Dictionary)

Intended Use

The use of uses of an appraiser's reported appraisal, appraisal review, or appraisal consulting assignment opinions and conclusions, as identified by the appraiser based on communication with the client at the time of the assignment. (USPAP)

Land-to-Building Ratio

"The proportion of land area to gross building area; one of the factors determining comparability of properties." (Dictionary)

Larger Parcel

In condemnation, that tract of tracts of land which are under beneficial control of a single individual or entity and have the same, or an integrated, highest and best use. Elements for consideration by the appraiser in making a determination in this regard are contiguity, or proximity, as it bears on the highest and best use of the property, unity of ownership, and unity of highest and best use.



Addenda

Market Value

A type of value, stated as an opinion, that presumes the transfer of a property (i.e., a right of ownership or a bundle of such rights), as of a certain date, under specific conditions as set forth in the definition of the term identified by the appraiser as applicable in an appraisal. (USPAP)

Market Value (As considered in this report)

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- buyer and seller are typically motivated;
- both parties are well informed or well advised, and acting in what they consider their best interests;
- a reasonable time is allowed for exposure in the open market;
- payment is made in terms of cash in United States dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale. (USPAP, according to the Federal Register, CFR 34.43(F)) [See also; USPAP Advisory Opinion 22 (AO-22 pp 192)]

Negative Easement

Property that is burdened by an easement; also called Subservient Estate.

Price

The amount asked, offered, or paid for a property. (USPAP)

Real Estate

An identified parcel or tract of land, including improvements, if any. (USPAP)

Real Property

The interests, benefits, and rights inherent in the ownership of real estate. (USPAP)

Scope of Work

The type and extent of research and analyses in an assignment. (USPAP)

Servient Estate (a/k/a Encumbered Fee)

That portion of a fee owned property which has conveyed limited property rights (typically by way of an easement) to another entity (a negative easement).



Addenda

Addendum C

Property Information



revised January 14, 2022, CR /cr (Gateway Trans Hudson Partnership)

An easement in certain lands and premises, situate, lying and being in the City of Union City, County of Hudson, and State of New Jersey and being more particularly described as follows:

Parcel E230, as indicated on a certain map entitled "HUDSON TUNNEL PROJECT, GENERAL PROPERTY PARCEL MAP", dated July 2017, revised January 14, 2022, being at approximately Station T4 4713 + 85 of the proposed track alignment and as shown more particularly on a map attached hereto and made a part hereof, entitled "HUDSON TUNNEL PROJECT, INDIVIDUAL PROPERTY PARCEL MAP 22D, PARCELS E222 to E230, Block 74, Lot 24, City of Union City, County of Hudson, State of New Jersey," dated July 2017, revised January 14, 2022, and being further described as follows:

Beginning at the point formed by the intersection of the northerly right of way line of 14th Street and the common line dividing Block 74, Lots 23 and 24; thence,

1. Along said common line, N25° 05' 49"E, a distance of 62.70 feet to a point; thence,
2. Along the common line dividing Block 74, Lots 24 and 11, S58° 48' 03"E, a distance of 2.45 feet to a point; thence
3. Through Block 74, Lot 24, on a curve curving to the left, not tangent to the preceding course, having a radius of 2,413.29 feet, a length of 19.67 feet, a chord bearing of S37° 45' 43"E, and a chord length of 19.67 feet to a point; thence,
4. Along the common line dividing Block 74, Lots 24 and 25, S25° 02' 51"W, a distance of 54.13 feet to a point; thence,
5. Along the aforesaid northerly right of way line of 14th Street, N63° 00' 59"W, a distance of 20.00 feet to the point of beginning.

Containing 1,175 square feet or 0.027 acres more or less.

The basis of bearing in this description is the Universal Trans-Mercator datum, Zone 18 North (UTM18N).

PARCEL E230, being a permanent sub-surface easement consisting of the right in perpetuity to construct, operate, maintain, reconstruct, repair, replace, and relocate sub-surface rail and fixed guideway systems facilities and appurtenances (including, but not limited to, tunnel, liner, rail, fixed guideway and such forms of passenger transportation as may result from future technology, electrical, mechanical, rail and fixed guideway signal systems, and any other systems appurtenant thereto) within the area specifically shown on the aforesaid maps, along with the right to operate passenger rail and fixed guideway vehicles and systems and appurtenances within the area specifically shown on the aforesaid maps, and the right to enter upon said easement with personnel, vehicles, equipment, and materials for the maintenance and operation of the rail and fixed guideway systems.

AND ALSO the right in perpetuity to utilize, for the above described purposes, any ownership, reversionary or associated right, title and interest that the owner or assigns may have in the right of way of 14th Street, as shown on the aforesaid maps.

Said rights shall extend from the lower limiting horizontal plane at elevation 206 +/- to the upper limiting horizontal plane at elevation 266 +/-, said upper limiting horizontal plane being approximately 252 feet below the average existing ground surface elevation of the subject property. All elevations expressed herein are based on the “Hudson Tunnel Project Specific Vertical Datum”.

Being also known as part of Block 74, Lot 24, City of Union City, Hudson County, N.J. as referenced in Deed Book 8286 Page 282.

SUBJECT TO such easements and restrictions as may be disclosed by a current title search.

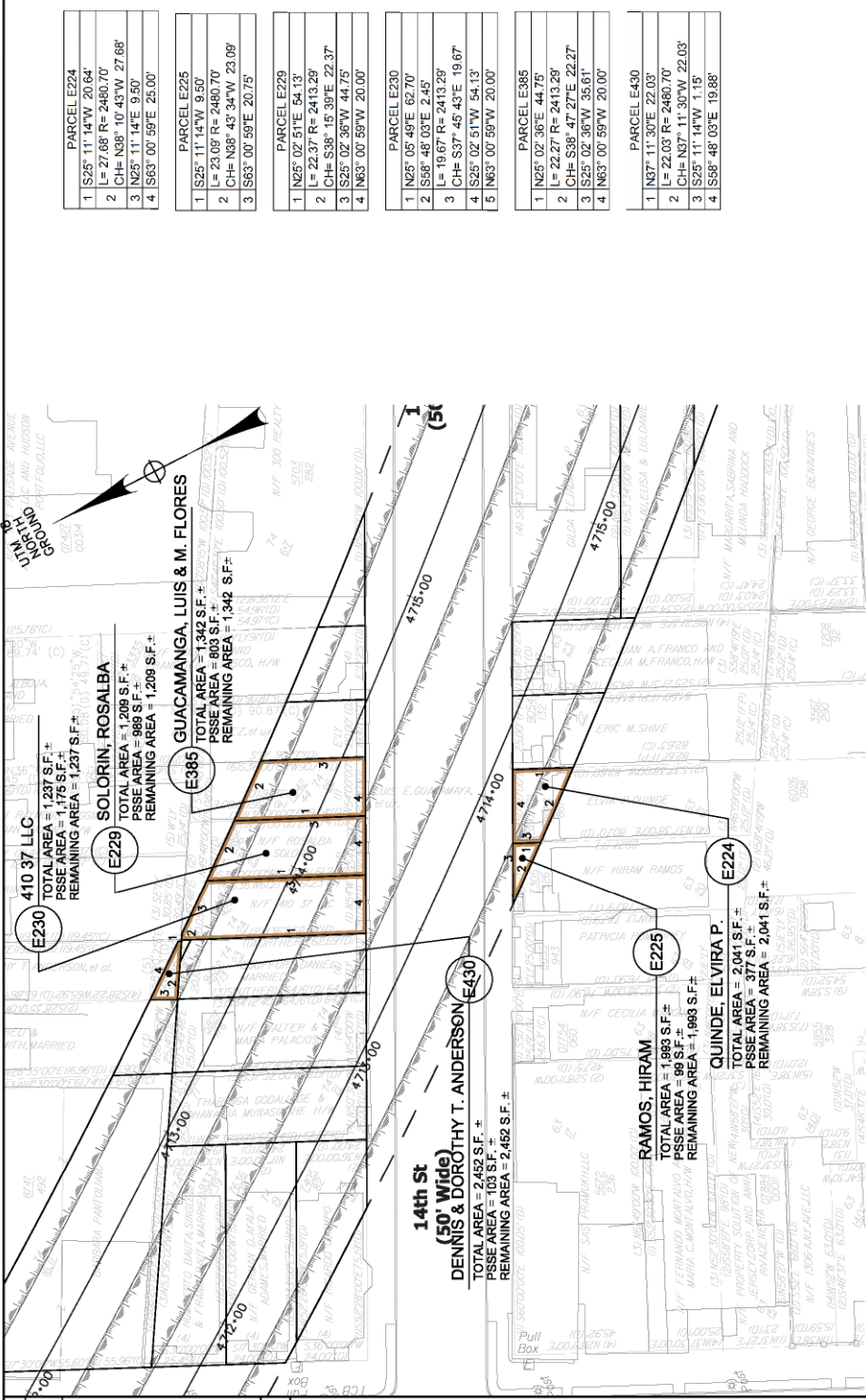
The above-described premises are color coded in the following manner:

Brown - Permanent Sub-Surface Easement (PSSE)

This map and description have been prepared in the office of GTS Consultants, Inc., Freehold, NJ.

_____ Date
James F. Steere, P.L.S.
New Jersey Professional Land Surveyor
License No. 24GS03540400

CITY OF UNION CITY
COUNTY OF HUDSON



NO.	REVISION	DATE	BY	DESCRIPTION
1	ISSUED	12/22/23
2	UPDATED OWNER NAMES	1/1/24
3	UPDATED MAPS AND EXISTING COMMENTS	1/1/24

PARCEL	DESCRIPTION
PARCEL E224	1 S25° 11' 14"W 20.64' 2 L= 27.68' R= 2460.70' 3 CH= N89° 40' 43"W 27.68' 4 N25° 11' 14"E 9.50' 5 S63° 00' 59"E 25.00'
PARCEL E225	1 S25° 11' 14"W 9.50' 2 L= 23.09' R= 2460.70' 3 CH= N88° 43' 34"W 23.09' 4 S63° 00' 59"E 20.75'
PARCEL E229	1 N25° 02' 51"E 54.13' 2 L= 22.37' R= 2413.29' 3 CH= S38° 15' 39"E 22.37' 4 S25° 02' 56"W 44.75' 5 N63° 00' 59"W 20.00'
PARCEL E230	1 N25° 05' 49"E 62.70' 2 S58° 48' 03"E 2.45' 3 L= 19.67' R= 2413.29' 4 CH= S37° 45' 43"E 19.67' 5 N63° 00' 59"W 20.00'
PARCEL E385	1 N25° 02' 56"E 44.75' 2 L= 22.27' R= 2413.29' 3 CH= S38° 47' 27"E 22.27' 4 S25° 02' 56"W 35.61' 5 N63° 00' 59"W 20.00'
PARCEL E430	1 N37° 11' 30"E 22.03' 2 L= 22.03' R= 2460.70' 3 CH= N37° 11' 30"W 22.03' 4 S25° 11' 14"W 1.15' 5 S58° 48' 03"E 19.88'

PARCELS SHOWN IN
OPPIN 22

COLOR / LINE CODE
BROWN/SOLID - REMAINT SUBSURFACE EASEMENT

INDIVIDUAL PROPERTY PARCEL MAP
HUDSON TUNNEL PROJECT
PARCELS: E130, E385, E230, E229, E225, E224
BLOCKS: 63, 74
LOTS: 20, 21, 12, 24-26

AT CERTAIN LOCATIONS CROSS PASSES BETWEEN THE TUNNELS WILL BE CONSTRUCTED.

THE TUNNEL LOCATION WITHIN THE ENVELOPE FOR INFORMATIONAL PURPOSES AND REFERENCE.

The Gateway
Tunnel Partnership
ATCOM - a wpi | com - gateway

GTS
GTS CONSULTANTS

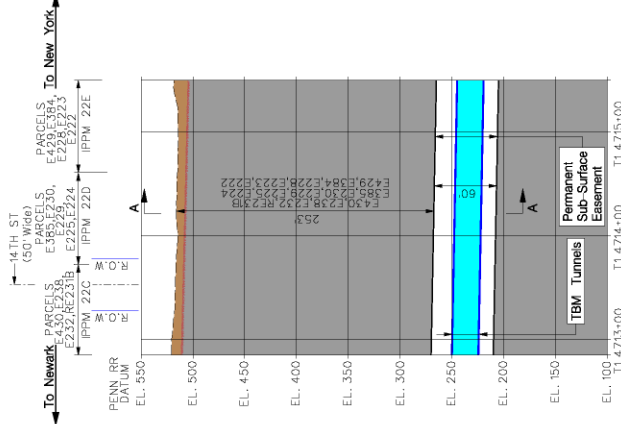
James F. Steere, P.L.S.
NJ PROFESSIONAL LAND SURVEYOR LICENSE NO. JAL00000400

- NOTES AND REFERENCES:
- THE EXISTING PROPERTY INFORMATION SHOWN HEREON DOES NOT REPRESENT A CURRENT BOUNDARY SURVEY.
 - EXISTING PROPERTY LINES SHOWN HEREON ARE BASED UPON ONE OR MORE DOCUMENTS, INCLUDING BUT NOT LIMITED TO RECORDED DEEDS, FILED MAPS, RAILROAD VALUATION MAPS, EXISTING BOUNDARY SURVEYS AND MUNICIPAL TAX MAPS.
 - SUBJECT TO ANY AND ALL RIGHTS AND INTERESTS THAT A CURRENT TITLE SEARCH, SUBSEQUENT TITLE REPORT AND FULL TITLE REVIEW MAY DISCLOSE.
 - THIS MAP IS BASED UPON PRELIMINARY ENGINEERING PLANS.
 - BEARINGS, DESCRIPTIONS AND COORDINATES SHOWN HEREON ARE BASED ON THE HUDSON TUNNEL PROJECT COORDINATE SYSTEM 107N - 18 NORTH.



CITY OF UNION CITY
COUNTY OF HUDSON

No.	Revision	Date	By



CROSS-SECTION A-A

THIS EXHIBIT IS INTENDED TO BE ILLUSTRATIVE OF THE ATTACHED DESCRIPTIONS (ATTACHMENT 'A'). HOWEVER, WHERE A CONFLICT MAY EXIST BETWEEN THE DESCRIPTION AND DIAGRAM, THE DESCRIPTION IS TO CONTROL. MOREOVER, THE DEPICTION OF THE PLACEMENT OF THE TUNNELS AND THE LOCATION OF THE PERMANENT SUB-SURFACE EASEMENT MAY VARY WITHIN THE LIMITS OF THE DESCRIPTION OF THE EASEMENT AS SET FORTH IN THE ATTACHMENT 'A'.

THIS DRAWING CORRESPONDS TO IPPM SHEETS 22D.

AT CERTAIN LOCATIONS, CROSS PASSAGES BETWEEN THE TUNNELS WILL BE CONSTRUCTED.

THE TUNNEL LOCATION WITHIN THE ENVELOPE MAY DIFFER IN THE FIELD AND IS SHOWN FOR INFORMATIONAL PURPOSES AND REFERENCE.

- LEGEND**
- Water
 - Soil
 - Rock
 - Tunnel
 - Permanent Subsurface Easement




The Gateway Transit Authority
GTS CONSULTANTS
AECOM - a wfl group

INDIVIDUAL PROPERTY PARCEL MAP
HUDSON TUNNEL PROJECT
PARCELS: E385, E230, E229, E225, E224
BLOCKS: 74
BLOCKS: 63
LOTS: 24-26
LOTS: 20, 21

James F. Steere, P.L.S.
NJ PROFESSIONAL LAND SURVEYOR LICENSE NO. 286808040

NOTE: N.G.V.D. (1929) ELEVATION 0.00 - GATEWAY (HUDSON) TUNNEL DATUM 297.275 (PENNSYLVANIA RAIL ROAD DATUM)



<p>Hudson County Recording Data Page Honorable Diane Coleman Hudson County Register</p> 	<p><i>Official Use Only - Barcode</i> 20210419010030590 1/6 04/19/2021 10:02 AM DEED Bk: 9551 Pg: 309 DIANE COLEMAN Hudson County, Register of Deeds Receipt No. 97336</p> <p>20210419010030590 04/19/2021 10:02:53 am Consideration: \$1.00 Exempt Code: Exempt County:\$0.00 State:\$0.00 NJAHTF:\$0.00 PHPF:\$0.00 EAA:\$0.00 General:\$0.00 Buyer's Fee: \$0.00 Total RTF: \$0.00</p>
<p>Record & Return To: Capital Abstract Co 204 Powderhorn Dr Lakewood, NJ 08701</p>	<p><i>Official Use Only - Reality Transfer Fee</i></p>

<p>Date of Document: 10/28/2020</p>	<p>Type of Document: DEED</p>
<p>First Party Name: BENDEL PROPERTIES LLC</p>	<p>Second Party Name: 41037 LLC</p>
<p>Additional Parties:</p>	

THE FOLLOWING SECTION IS REQUIRED FOR DEEDS ONLY

<p>Block: 74</p>	<p>Lot: 24</p>
<p>Municipality: Union City</p>	
<p>Consideration: \$1.00</p>	
<p>Mailing Address of Grantee: 1401 55TH STREET, #1B, BROOKLYN , NY 11219</p>	

<p>THE FOLLOWING SECTION IS FOR ORIGINAL MORTGAGE BOOKING & PAGING INFORMATION FOR ASSIGNMENTS, RELEASES, SATISFACTIONS, DISCHARGES, AND OTHER ORIGINAL MORTGAGE AGREEMENTS ONLY</p>	
<p>Original Book: Instrument No:</p>	<p>Original Page:</p>

HUDSON COUNTY RECORDING DATA PAGE

DO NOT DETACH THIS PAGE FROM THE ORIGINAL DOCUMENT AS IT CONTAINS IMPORTANT RECORDING INFORMATION AND IS PART OF THE PERMANENT RECORD.

Deed-Warranty (With Statutory Covenants)

Prepared by: (print signer's name below signature)

Benjamin Lowy

DEED

This Deed is made on 10-28-2020

BETWEEN

Bendel Properties LLC

whose address is: 1401 55th Street, #1B, Brooklyn, NY 11219

referred to as the **Grantor**.

AND

410-37 LLC

whose address is: 1401 55th Street, #1B, Brooklyn, NY 11219 referred to as the **Grantee**.

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

Transfer and Ownership. The grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of **\$1.00**.

The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Union City, Block No. 74, Lot No. 24; , Account No.

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

Property. The property consists of the land and all the buildings and structures on the land in the City of Union City, County of Hudson, State of New Jersey, and State of New Jersey. The legal description is:

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Union, County of Hudson, State of New Jersey.

BEGINNING at a point in the northeasterly line of 14th Street distant 185.00 feet northwesterly from the intersection of the northeasterly line of 14th Street and the northwesterly line of Palisade Avenue; thence

1. Northwesterly and along the northeasterly line of 14th Street having a bearing of North 54 degrees West for a distance of 20.00 feet to a point; thence
2. Northeasterly and along a line having a bearing of North 36 degrees East for a distance of 62.69 feet to through and beyond a party wall to a point; thence
3. Southeasterly and along a line having a bearing of South 49 degrees 48 minutes East for distance of 20.05 feet to a point; thence
4. Southwesterly and along a line having a bearing of South 36 degrees West for a distance of 61.21 feet to, through and beyond a party wall to the northeasterly line of 14th street being the point or place of BEGINNING.

BEING THE SAME PREMISES CONVEYED TO THE GRANTOR HEREIN BY DEED from Gloria V. Torres, Unmarried, dated 10/07/2019, recorded 10/31/2019 in the Hudson County Clerk's/Register's Office in Deed Book 9446, Page 424.

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

**State of New Jersey
Seller's Residency Certification/Exemption**

Seller's Information

Name(s) Bendel Properties LLC
 Current Street Address 1401 55th Street, 1B
 City, Town, Post Office Brooklyn State NY ZIP Code 11219

Property Information

Block(s) 74 Lot(s) 24 Qualifier _____
 Street Address 314 14th Street
 City, Town, Post Office Union City State NJ ZIP Code 07087-421
 Seller's Percentage of Ownership 50% Total Consideration 1.00 Owner's Share of Consideration 50 Closing Date 10-28-20

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.

10/27/2020 Date Shimon Mandel Signature (Seller) Shimon Mandel Indicate if Power of Attorney or Attorney in Fact

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

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

**State of New Jersey
Seller's Residency Certification/Exemption**

Seller's Information

Name(s) Bendel Properties LLC
 Current Street Address 1401 55th Street, #B
 City, Town, Post Office Brooklyn State NY ZIP Code 11219

Property Information

Block(s) 74 Lot(s) 24 Qualifier _____
 Street Address 314 14th Street
 City, Town, Post Office Union City State NJ ZIP Code 07087-421
 Seller's Percentage of Ownership 50% Total Consideration 1.00 Owner's Share of Consideration .50 Closing Date 10-28-20

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.

10/28/20 Date [Signature] Signature (Seller) Indicate if Power of Attorney or Attorney in Fact

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

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. 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 }
COUNTY York }
MUNICIPALITY OF PROPERTY LOCATION Union City }
SS. County Municipal Code 0910

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, Benjamin Lowy, being duly sworn according to law upon his/her oath,
(Name)
deposes and says that he/she is the Grantor, member in a deed dated 10-28-2020 transferring
(Grantor; Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)
real property identified as Block number 74 Lot number 24 located at
314 14th Street, Union City and annexed thereto.
(Street Address, Town)

(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.
less than \$1.00

(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)
 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)
 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)

- 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 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 October, 2020

S. J. J.
Signature of Deponent

Bendel Properties LLC
Grantor Name

D. F.

401 55th St #1B
Brooklyn, NY 11219
Deponent Address

1401 55th St
Brooklyn, NY 11219
Grantor Address at Time of Sale

XXX-XX- Name/Company of Settlement Officer

DAVID FRIEDMAN
Notary Public, State of New Jersey
No. 01176346321
Qualified in Sullivan County
Commission Expires 08/08/2024

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 www.state.nj.us/treasury/taxation/rtf/localtax.htm

FILED
20210419010030590
04/19/2021 10:02 AM
DEED
NUMBER OF PAGES : 6
JCHAMBERS

Deed-Warranty (With Statutory Covenants)

Promises by Grantor. The Grantor's promises are listed below. Each promise is expressed in the language of a New Jersey law (with a reference to the law) and is followed by an explanation in plain language.

The Grantor promises that:

- (a) the Grantor is lawfully seized of said land (N.J.S.A. 46:4-3) - the Grantor is the legal owner;
- (b) the Grantor has the right to convey said land to the Grantee (N.J.S.A. 46:4-4) - the Grantor has the right to convey (sell) this property.
- (c) the Grantee shall have quiet possession of the land (N.J.S.A. 46:4-5) - the Grantee will not be disturbed by others with claims against this property.
- (d) the Grantor will execute such further assurances of the said land (N.J.S.A. 46:4-10) - the Grantor will comply with the Grantees reasonable requests to correct any title defect; and
- (e) the Grantor will warrant generally the property hereby conveyed (N.J.S.A. 46:4-7) - the Grantor guarantees the Grantee's ownership of the property.

Who is Bound: The promises made in this Deed are legally binding upon the Grantor and all who lawfully succeed to the Grantor's rights and responsibilities. These promises can be enforced by the Grantee and all future owners of the property.

Signatures. The Grantor signs this Deed as of date at the top of the first page. If the Grantor is a corporation, this Deed is signed and attested by its proper corporate officers and its corporate seal is affixed.

Witnessed or Attested by:

Bendel Properties LLC
By: Shimon Mandel (SEAL)
Shimon Mandel, member

By: Benjamin Lowy (SEAL)
Benjamin Lowy, member

STATE OF NEW YORK, COUNTY OF Rockland SS:

I CERTIFY that on October 28, 2020 Shimon Mandel and Benjamin Lowy, personally came before me and acknowledged under oath to my satisfaction, that this person (or if more than one, each person):

- (a) was the maker of the attached instrument;
- (b) was authorized to and did execute this instrument as members of Bendel Properties LLC, the entity named in the instrument; and
- (c) executed this instrument as the act of the entity named in the instrument.
- c) made this Deed for \$1.00 as full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:17-5.)

(Print name and title below signature)

DAVID FRIEDMAN
Notary Public, State of New York
No. 01FR6346321
Qualified in Sullivan County
Commission Expires 08/08/2024

DEED	DATED <u>October 28</u> , 2020
<p><i>Bendel Properties LLC,</i></p> <p style="text-align: center;"><i>Grantor,</i></p> <p style="text-align: center;">TO</p> <p><i>410 37 LLC,</i></p> <p style="text-align: center;"><i>Grantee</i></p>	<p style="text-align: center;"><i>Record and return to:</i></p> <p style="text-align: center;">Capital Abstract Co. 204 Powderhorn Drive Lakewood, NJ 08701</p>

Addenda

Addendum D

Special Studies



UPDATE DETRIMENTAL CONDITIONS STUDY

Deep Subsurface Transit Easements

Union City, Weehawken Township and North Bergen
Hudson County, New Jersey

PREPARED FOR:

Stuart M. Lederman, Esq.
Riker, Danzig, Scherer, Hyland & Perretti
Headquarters Plaza
One Speedwell Avenue
Morristown, NJ 07962-1981

DATE OF THE REPORT:

June 20, 2018

REPORT FORMAT:

Consultant's Report

**INTEGRA REALTY RESOURCES –
COASTAL NEW JERSEY**

File Number: IRR-CNJ 2018-0002



EXECUTIVE SUMMARY AND CONCLUSIONS

The purpose of this report is to update and supplement our 2009 detrimental conditions report to study of the impact on property values that might result from the proposed construction of a deep subsurface rail tunnel under the Hudson River.

The current project proposed by New Jersey Transit Corporation (NJT) will require acquisition of numerous deep subsurface easements (greater than 100 feet below grade) beneath various improved and vacant properties.

As part of our study, Integra identified a **control group study area** within Union City, North Bergen and Weehawken Townships. Our study area was principally focused with an area of the three towns traversed by the existing rail tunnel known as the North River Tunnel. The study included various properties located over and near the North River Tunnel right of way. This area was the focus of valuation techniques to measure the impact, if any, of the existing deep subsurface right-of-way.

Within the general information section we overview the area, property rights issues purpose of this report and the scope of work.

The **Detrimental Conditions Analysis** portion is divided into multiple sections as follows:

Section I

We present an overview of the study area including social, economic and political characteristics. The section further identifies the study area and relevant forces.

Section II

This section provides an overview of area real estate development patterns and we provide inferential analysis of the residential market.

Section III

We have a prepared comparable sale analysis (4) of “impaired properties” (subject to comparable deep surface easements) and unimpaired properties (not impacted by deep subsurface easements) within the study subject area.

Section IV

We use multiple regressions as a methodology to analyze through a statistical model, bulk transactions, uninfluenced by human subjectivity to measure the degree of impact on residential property values resulting from the influence of a deep sub-surface easement.

Section V

This section includes research and updated literature, journal articles and similar relating to the analysis and valuation of deep subsurface easements. Through

interviews and meetings we have compiled information regarding comparable acquisitions by various public and private agencies

CONTROL GROUP OVERVIEW²

As part of our market study, we completed an analysis of various two and three family transactions within the communities of Union City and Weehawken. Our analysis of transactions, when compared to neighborhood and control group transactions, demonstrated no measurable impact on sale prices resulting from the location of these properties over or proximate the existing subsurface right-of-way.

Residential properties were selected as the control group bench mark of the real estate market. If the tunnel does not affect residential prices there is little likelihood that it would impact customary retail, multi-family or industrial.

PAIRED SALES ANALYSIS

We identified four (4) improved residential properties which had recently sold and were located above the existing rail tunnel. By application of a sales comparison approach methods, we developed market value estimates which were compared to the actual sale price. As demonstrated by this analysis, there is no evidence of a significant pricing difference between the actual sale prices and the value indications. The existing subsurface right-of-way located below the control group properties has no impact on their use, use potential, value.

HIGHEST AND BEST USE

As part of our study, we completed a highest and best use analysis of the control group properties as if vacant and as improved. Our analysis confirmed that all of the properties were developed after the tunnel construction and consistent with the nature and character of essentially all area properties.

We found no evidence that the existence of a deep subsurface easement affects in anyway the current or potential highest and best use of a property.

INDUSTRY WIDE RESEARCH

As part of this study, we completed a comprehensive study of published text, articles, special reports and interviews of professionals experienced with deep subsurface easements. The purpose of this research was to identify whether any reasonable or sound basis exists to measure the financial impact on a property's value resulting from a deep subsurface easement. As concluded by consensus of all professionals interviewed and articles referenced, where a deep subsurface easement does not materially impact the highest and best use of a property (current or reasonably probable future), no technique will demonstrate a measurable value impact on the servient estate.

VALUATION INDUSTRY INTERVIEWS

Within the body of the report, we highlight and discuss the results of our numerous interviews with various real estate valuation professionals throughout the country who have had experience with the acquisition of deep subsurface easements. The results of our

² As defined within this report "control group properties" are improved properties located above the existing North River Tunnel.

EXECUTIVE SUMMARY AND CONCLUSIONS

research confirmed, through various examples, that the acquisition of most deep subsurface easements are priced by appraisers or administratively at nominal sums. In most cases, the consideration included a non-compensable component to administratively deal with the formality of the basic easement document. In all cases, our interview process confirmed that essentially no damages or residual loss is experienced due to the imposition of a deep subsurface easement as defined within the context of the report.

REPORT CONCLUSIONS

The conclusions and evidence presented within this updated detrimental conditions study and our 2009 study is clear and consistent;

“there is no material impact on the use, utility and value of a property within the subject communities that may be affected by the existence of a deep subsurface railway easement”

The following summarizes a comparative of conclusions from our 2009 and 2018 reports.

Comparison Summary Detrimental Conditions Report (2009) and Update (2018)		
Analysis Conclusions Summary	2009 DCS Report	2018 DSC Report Update
Market area description and overview.	<i>Relatively stable primarily residential areas with a fairly dense concentration of 1, 2 and 3 family housing. Median home values were fairly well balanced in the \$320,000 (1-F) to \$540,000 (2-F) range. Weehawken pricing was slightly higher than Union City.</i>	<i>Relatively stable primarily residential areas with a fairly dense concentration of 1, 2 and 3 family housing. Median home values were fairly well balanced in the \$320,000 (1-F) to \$540,000 (2-F) range. Weehawken pricing was slightly higher than Union City.</i>
Paired Sale Analysis	<i>By comparative analysis techniques there was no measurable value difference from dwellings located above the existing rail tunnel. Variance range -3% to + 8%.</i>	<i>By comparative analysis techniques there was no measurable value difference from dwellings located above the existing rail tunnel. Variance range -2% to +3.64%.</i>
Multiple Regression Analysis	<i>There was no evidence of value impact reflected by the homes above the existing rail tunnel.</i>	<i>Based on a custom designed Hedonic regression model there was no measurable impact or pricing differential for dwellings located above the existing rail tunnel.</i>
Deep Easement Research	<i>Industry wide consensus that the subject easement will not effect the before and after highest and best use. Application of appropriate valuation techniques will not provide quantified value or damage indicator nor value of a taking or damages. There are many similar acquisitions where compensation was nominal, essentially for personal or business inconvenience.</i>	<i>Industry wide consensus that the subject easement will not effect the before and after highest and best use. Application of appropriate valuation techniques will not provide quantified value or damage indicator nor value of a taking or damages. There are many similar acquisitions where compensation was nominal, essentially for personal or business inconvenience.</i>
Report Conclusions	<i>The ARC Tunnel easements will not impact property use, utility, highest and best use or value of properties subject to the easement rights as defined.</i>	<i>The Hudson Tunnel easements will not impact property use, utility, highest and best use or value of properties subject to the easement rights as defined.</i>

Based upon the results and conclusions of this report and our 2009 study, we conclude with a high level of professional confidence that the property rights proposed for acquisition as defined herein have a nominal, unquantifiable market value.

We further conclude that the subject easement rights will not affect the highest and best use or Market Value.

GENERAL INFORMATION

IDENTIFICATION OF STUDY AREA

The study area of this detrimental conditions study will focus on a 10-city block area of essentially fully-developed land areas located within the City of Union City, North Bergen and Weehawken Townships, Hudson County, New Jersey. The selected area as described in this report as the “control study area” is about ½ mile in length and is developed with primarily residential uses. The area also includes commercial, multi-family and other real estate uses generally consistent with local zoning. For over 100 years, the area has been traversed by an existing subsurface railway easement (corridor) almost 100 feet below the surface grade.

The selection of this control study area recognizes that a significant number of properties subject to this “corridor” are comprised of real property interests that are severed by way of a bargain sale deed which conveyed a “subsurface ownership” to the Pennsylvania, New Jersey and New York Railroad Company³ (PNJNY) for the development of a trans Hudson rail line from New Jersey to the City of New York, Circa 1910. The conveyed fee rights begin below grade to the center of the earth and the rail line was constructed 100± feet below grade (the North River Tunnel).

PROJECT BACKGROUND

Historically, NJT and Amtrak have operated rail service under the Hudson River through the existing rail linkage (North River Tunnel), which includes a deep subsurface right-of-way developed by PNJNY (now known by other names) through the southern portions of the New Jersey Palisades affecting the “control group.” The North River Tunnel handles over 170,000 daily passengers with peak morning trips in excess of 45,000 daily passengers.

Deep subsurface transit and other types of easements are fairly typical in densely developed and populated urban areas of the country. Integra had recommended that a detailed study of the value impact (detrimental conditions) to the surface properties resulting from the existing North River Tunnel would serve as the best evidence of potential value damages that might occur from development of the proposed new tunnel (The Hudson Tunnel) through portions of North Bergen, Union City and Weehawken.

In 2009 we completed and delivered our detrimental conditions study. This report is an update of the original study and includes analysis of some recently acquired easement rights.

³ PNJNY also referred to as Penn Central; and North River Tunnel.

**HUDSON RIVER TUNNEL
PROJECT**

**Vibration Assessment Report
Proposed Tunnels through the
Palisades, New Jersey**

Contract # 9500001023

April 26, 2018 | Revision 1

Submitted to:



Submitted by:

**The Gateway
Trans-Hudson
Partnership**



EXECUTIVE SUMMARY

As part of NJ TRANSIT's (NJT's) acquisition of deep sub-surface easements for the proposed Hudson Tunnel Project (Hudson Tunnel), a vibration assessment was conducted to evaluate the potential for impacts at residences above the proposed new tunnel tubes under the Palisades area of Hudson County, New Jersey. The basis for this assessment are the vibration measurements conducted as part of the Trans Hudson Express Tunnel Project (THE Tunnel a.k.a. Access to the Region's Core or ARC Project) in 2009 to document existing train operations in the North River Tunnels¹. Using information from these measurements, future vibration levels from the Hudson Tunnel Project could be estimated.

Traditionally referred to as the North River Tunnels, these twin, single track tunnels (completed by the Pennsylvania Railroad in 1910) extend from New York City under the Hudson River west and carry both NJ TRANSIT commuter and Amtrak Northeast Corridor intercity rail service along a one-mile stretch under the Palisades. Ground-borne vibration from existing train operations was measured at six outdoor locations from North Bergen to Weehawken in Hudson County. Measurements were conducted primarily during day-time periods that would minimize interference from other non-transit related sources. The monitoring was conducted in accordance with the Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment* guidelines [FTA, 2006].

Average vibration levels measured along the North River Tunnels alignment range from 65 VdB in the vicinity of Ellsworth Park in Union City (Site M4), approximately 235 feet above top of rail (TOR), to 75 VdB at the NJTRANSIT Bus Facility in Weehawken (Site M6), only approximately 70 feet above TOR. The highest average vibration level of 80 VdB was measured at residences along Park Avenue in Weehawken (Site M5), approximately 118 feet above TOR. The elevated vibration levels measured at Site M5 indicate a gap or other rail discontinuity (such as a weld) since it is approximately 10 decibels higher than expected based on the observed results at the other sites. The measured vibration levels were used to develop a ground transmission curve that describes the relationship between the source-receptor distances and the vibration levels at the surface receptors. The data collected in 2009 are still valid based on the assumption that the tunnel system characteristics (including track type, rail condition, train types and train speeds) are essentially the same. Additionally, these 2009 measurements reflect the ground propagation characteristics of the Palisades between the existing North River Tunnels tracks and the surface receptors. These ground propagation characteristics are expected to be similar if not the same as between the proposed Hudson Tunnel and the surface receptors along the new alignment.

Therefore, based on the observed vibration levels measured along the North River Tunnels, vibration levels from future train activity along the proposed Hudson Tunnel corridor were estimated using conservative operating conditions (such as maximum train speeds of 60 mph and no adjustments for individual building foundations). The predicted vibration levels range from 51 VdB (18th Street and Manhattan Avenue in Union City) to 73 VdB (1600 Park Avenue in

¹ "Final Vibration Monitoring Report for Measurements at the North River Tunnels through the Palisades, NJ", THE ARC Project, THE Partnership, August 25, 2009.

Weehawken). These levels reflect the new revised alignment that shifted to the north. Furthermore, the FTA threshold of perception of 65 VdB is conservative and well below the threshold of annoyance of 72 VdB.

The vibration assessment indicates that the electrically-powered NJT and Amtrak trains, traveling at 60 miles per hour in the Hudson Tunnel, are expected to generate vibration levels well below the FTA threshold of annoyance or impact of 72 VdB for residential receptors. The vibration results reflect the latest track alignment that is reflected in design file: 187738A_TKTA0004_UTM18.dgn (02/12/18).

Additionally, the Hudson Tunnel would represent a marked improvement over the current track technology utilized in the North River Tunnels. The following vibration control measures are proposed by Amtrak as part of the new track design to further reduce vibration along the project corridor:

- Rails would be fastened using resilient tie blocks (RTB), which consist of two individual concrete blocks set in a rubber boot on top of a ¾-inch thick resilient pad.
- Concrete slabs, which would be installed rather than the ballast and tie track, will provide a rigid support. This proposed design guarantees optimum vibration isolation performance of the proposed resilient tie blocks.
- Although moveable point frogs are proposed west of the freight tracks just west of the Tonnelle Avenue Portal, no switches or gaps are proposed anywhere inside the new Hudson Tunnel. Therefore, excessive vibration is eliminated using continuously welded rail track throughout the proposed tunnel under the Palisades.
- The Hudson Tunnel would be bored deeper with a maximum depth of 270 feet compared to 250 feet for the existing North River Tunnels.

Details of the predicted vibration levels for each parcel are both listed and shown graphically in the **Appendix**. Details of the vibration levels are also shown as profile views.

Addenda

Addendum E

Comparable Data



SALE 1 - 526 27th St

Sale Price \$585,000 **Price Per GBA:** \$260
Number of Units 2
Price Per Unit \$292,500
Price Per Room \$58,500
Price Per Bedroom \$97,500
Rent Control (Y/N) N

Sale Date April 30, 2022
Grantor: 40 Lake Management, LLC
Grantee: Jhony Alban & Jumelles Glenis

Deed BK/PG
Concessions: \$0

Address: 526 27th St
 Union City, NJ 07087
Abbrev Legal 154 / 13

Style: Two-Family
Garage/Parking None
Views None

Units: 2
Size: 2,250 square feet
Avg Size/Unit: 1,125 square feet
Bedrooms 6
Baths 4
Rooms 10
Basement Yes
Finished Yes
Year Built 1900
Age (TOS) 122

	Unit 1	Unit 2
Bedrooms	3	3
Baths	2	2
Rooms	5	5

Condition Average
Quality Average
Functional Average

Lot Features: 0.06 acres

Heating/Cooling Gas, Baseboard / Window AC
Energy Efficient None Specified

Comments Two-Family building with a full finished basement. Current rent is \$4,150 which would reflect a GRM of 141 and an after adjusted GRM of 137. The sale date was obtained from the MLS due to the deed not being certified and available to the public yet.

Verification Several unsuccessful attempts were made to confirm
Source MLS
Verified Verified with MLS & Public Records



SALE 2 - 709 8th st

Sale Price \$550,000 **Price Per GBA:** \$390
Number of Units 2
Price Per Unit \$275,000
Price Per Room \$68,750
Price Per Bedroom \$137,500
Rent Control (Y/N) N
Sale Date June 10, 2022
Grantor: Kyle Fries
Grantee: Sendrella Issa
Deed BK/PG 9677/022
Concessions: \$0

Address: 709 8th st
 Union City, NJ 07087
Abbrev Legal 33/24

Style: Two-Family
Garage/Parking None
Views None

Units: 2
Size: 1,412 square feet
Avg Size/Unit: 706 square feet
Bedrooms 4
Baths 2
Rooms 8
Basement Yes
Finished Yes

	Unit 1	Unit 2
Bedrooms	2	2
Baths	1	1
Rooms	4	4

Year Built 1903
Age (TOS) 119

Condition Average
Quality Average
Functional Average

Lot Features: 0.06 acres

Heating/Cooling Gas, Baseboard / Window AC
Energy Efficient None Specified

Comments Two family building with a finished basement. MLS indicates there is updated electric, plumbing, siding and flooring. Arms-Length transaction verified with listing broker Andres Ospina. Tax records indicate the property has 1,912 sq ft of GLA however 500 sq ft of that can be attributed to the finished basement. This 500 sq ft has been deducted from the GLA and has been given credit on the basement / finished rooms line.

Verification Andres Ospina, Seller Broker
Source MLS
Verified 7/26/2022



SALE 3 - 815A Sip St

Sale Price	\$540,000	Price Per GBA:	\$308
Number of Units			2
Gross Monthly Rent			\$2,900.00
Gross Rent Multiplier			\$186.00
Price Per Unit			\$270,000
Price Per Room			\$67,500
Price Per Bedroom			\$135,000
Rent Control (Y/N)			N
Sale Date	December 30, 2021		
Grantor:	Carlos Reyes		
Grantee:	Yolanda Bracero		
Deed BK/PG	9633/174		
Concessions:	\$5,000		
Address:	815A Sip St Union City, NJ 07087		
Abbrev Legal	172/25		

Style:	Two-Family
Garage/Parking	None
Views	None

Units:	2
Size:	1,752 square feet
Avg Size/Unit:	876 square feet
Bedrooms	4
Baths	2
Rooms	8
Unit Rent/Mo:	\$2,900
Avg Mo. Rent:	\$1,450.00
Basement	Yes
Finished	Yes
Year Built	1903
Age (TOS)	119

Unit 1	Unit 2
2	2
1	1
4	4
\$1,500	\$1,400

Condition	Average
Quality	Average
Functional	Average

Lot Features: 0.04 acres

Heating/Cooling	Gas, Baseboard / Window A/C
Energy Efficient	None Specified

Comments Two-Family building with a finished basement. Current rent is \$2,900 which would reflect a GRM of 186 and an adjusted GRM of 191. Arms-Length transaction verified with seller's broker who stated there was a \$5,000 seller's concession.

Verification Source Verified
 Julio Perez, Seller Broker
 MLS/Deed
 7/22/2022



SALE 4 - 2010 Kerrigan Ave

Sale Price \$650,000 **Price Per GBA:** \$317
Number of Units 2
Price Per Unit \$325,000
Price Per Room \$72,222
Price Per Bedroom \$130,000
Rent Control (Y/N) N
Sale Date February 1, 2022
Grantor: Luis Ruiz Jr & Maribel Ruiz
Grantee: Segundo P Acosta & Jose Hernandez
Deed BK/PG 9648/824
Concessions: \$0

Address: 2010 Kerrigan Ave
 Union City, NJ 07087
Abbrev Legal 107/19

Style: Two-Family
Garage/Parking 2 Car Garage / 1 Drive Way
Views None

Units: 2
Size: 2,048 square feet
Avg Size/Unit: 1,024 square feet
Bedrooms 5
Baths 2
Rooms 9
Unit Rent/Mo: \$3,150
Avg Mo. Rent: \$1,575.00
Basement Yes
Finished No

	Unit 1	Unit 2
Bedrooms	2	3
Baths	1	1
Rooms	4	5
Unit Rent/Mo	\$1,500	\$1,650

Year Built 1908
Age (TOS) 114

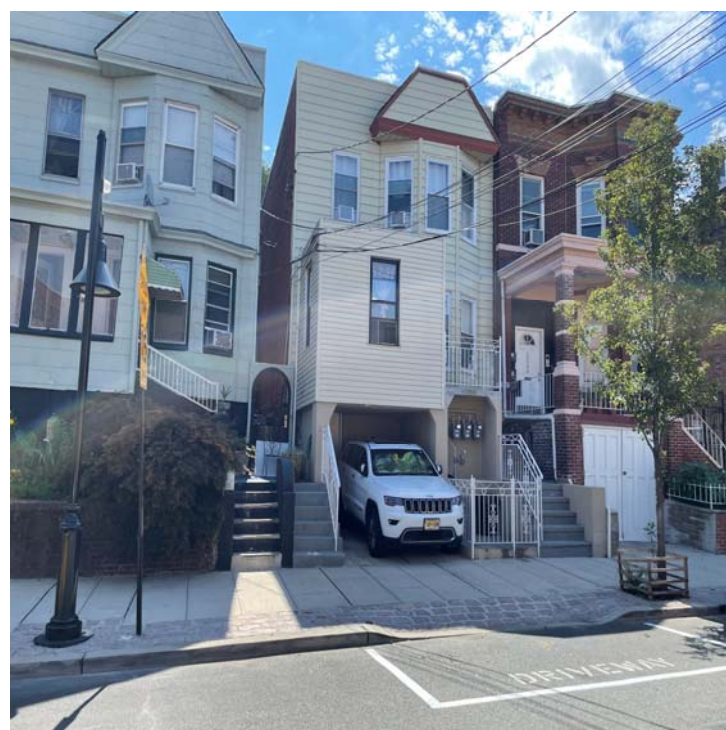
Condition Average
Quality Average
Functional Average

Lot Features: 0.05 acres

Heating/Cooling Electric / Baseboard / Window AC
Energy Efficient None Specified

Comments Two-Family dwelling in avergae condition with an unfinished basement a 2 car garage and 1 car parking. Current rent is \$3,150 which would reflect a GRM of 206 and an adjusted GRM of 200. Arms-Length transaction verified with sellers broker Danny Rojo.

Verification Danny Rojo, Seller Broker
Source MLS/Deed
Verified 7/22/2022



Addenda

Addendum F

Owner Notification Letter



Integra Realty Resources
Coastal New Jersey

1415 Hooper Avenue
Suite 306
Toms River, NJ 08753

T 732.244.7000
F 732.505.9498
www.irr.com



July 19, 2022

410 37, LLC
1401 55th Street, #1B
Brooklyn, NY 11219

RE: Trans Hudson Express (THE) Tunnel Project
Parcel #: E230
Tax Block 24, Lot 74
314 14th Street
IRR File #: 109-2022-0183

Dear Property Owner(s):

In connection with the Trans-Hudson Express rail tunnel project, an appraisal regarding the above-captioned property has been requested on behalf of New Jersey Transit Corporation (NJT). The purpose of the appraisal is to estimate the fair market value for the potential acquisition of a deep subsurface easement below portions of the above-captioned property.

We would like to offer you the opportunity to accompany our appraiser on their inspection of your property. If you would like to be present, please contact Kathy at our office at (732) 244-7000 or email at kstanton@irr.com to confirm if you or a representative would like to be present for an inspection. It is beneficial for you to join us during our inspection. If you choose not to be available, please advise us by calling or emailing our office at the number and-or email address listed above. If we do not hear from you, we will be conducting an exterior inspection only.

Very truly yours,

INTEGRA REALTY RESOURCES - COASTAL, NJ

A handwritten signature in black ink, appearing to read "Anthony S. Graziano". The signature is fluid and cursive, written over a white background.

Anthony S. Graziano, MAI, CRE

ASG/kas
Certified Mail, R/R/R & Regular Mail

cc: Stuart Lederman, Esq.

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August 5, 2022

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Tracking History

August 5, 2022

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July 22, 2022, 1:01 pm

Notice Left (No Authorized Recipient Available)

BROOKLYN, NY 11219

July 21, 2022, 6:45 pm

Departed USPS Regional Facility

BROOKLYN NY DISTRIBUTION CENTER

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<input type="checkbox"/> Certified Mail Restricted Delivery	\$	
<input type="checkbox"/> Adult Signature Required	\$	
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	
Postage	\$	
Total Pos	\$	
Sent To	410 37, LLC	
Street an	1401 55 th Street, #1B	
City, Stat	Brooklyn, NJ 11219	

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PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions