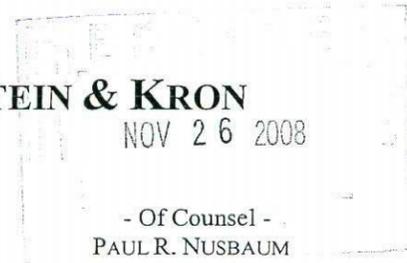


(c)

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CERTIFIED BY THE SUPREME COURT OF
NEW JERSEY AS A
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°Matrimonial Attorney
^Workers' Compensation Attorney
□ Member Florida Bar
◊Member New York Bar
+Member Pennsylvania Bar

November 24, 2008

John H. Dorsey, Esq.
Dorsey & Semrau LLC
PO Box 228; 714 Main St
Boonton, New Jersey 07005



Re: Lemar Road – Block 2000, Lot 23

Dear Mr. Dorsey:

Please recall that I represent John and Elaine Abbott with regard to your October 24, 2008 letter regarding Lemar Road and Lot 23, Block 2000 in Mount Olive Township.

I am enclosing herewith a Survey for Lot 23 and Lemar Road dated October 28, 2008. The Survey depicts Lemar Road as a 33 foot wide paper street. I assume the 33 foot determination is based on the road being a "old right-of-way" which would have been a two rod road, at 16.5 feet per rod.

Lemar Road is an unimproved dirt road, the traveled portion being approximately 6 feet to 8 feet in the centerline of the road and servicing Lots 20, 21 and 17, as well as my client's property on Lot 23. The landscaping, rock walls, stonewall, block curbing and railroad tie walls referenced in your October 24, 2008 letter are behind a natural barrier of trees and are not on the traveled portion of the right-of-way, but on a higher elevation that is not usable for the traveled portion of the road. I would also note that certain of the trees were not installed by my client, but preexisted his ownership of the property. I am enclosing herewith two photographs. Picture No. 1 depicts Lamar Road facing South, with my clients' property the right. Picture No. 2 depicts Lamar Road facing North. As depicted in the photographs none of the improvements interfere with the traveled right-of-way, nor do they create an unsafe condition for the limited use of the traveled portion of the roadway by the adjoining property owners. It should also be noted that one of the property owners is illegally utilizing the property for storage of commercial vehicles.

The current RSIS Standards for a marginal lane would be a 20 to 24 foot roadway. As indicated above, the street is not paved and there are no Township improvements in the street, and it appears unlikely that the Township would ever undertake any improvements to the road based upon its limited use. The Township Manager, Bill Sohl met with my client on the property and advised him there was no reason for him to remove any of the improvements.

My client has maintained the improvements which serve the dual purpose of stabilizing the existing slopes over the right-of-way, as well as providing a pleasing aesthetic buffer. Although we do not contest the legal right of the Township to require the removal of improvements in a public right-of-way, the request with regard to this particular paper street does not serve any public purpose and will cause the unnecessary removal of plants, trees, buffering and stabilizing improvements. There is no practical reason for the Township to require the removal of these improvements. As you are aware, there are many rights-of-way in the Township of Mount Olive with private encroachments that are allowed to exist as long as they do not interfere or limit access to a traveled portion of a roadway.

We therefore request that the Township sell to my clients the approximately 10 feet of Lamar Road which is adjacent to their property. In the alternative, we would request that the Township withdraw the demands in your letter of October 24, 2008 regarding Lemar Road.

In the event that the Township in the future determines to improve Lemar Road, and the existing landscaping conditions interfere with the improvements, my clients would be agreeable to remove same.

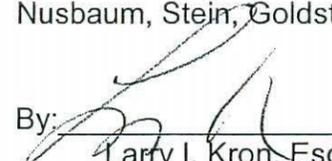
If you wish to call me to discuss this matter, please do not hesitate to contact me.

Thank you for your anticipated cooperation in this matter.

I remain,

Very truly yours,

Nusbaum, Stein, Goldstein, Bronstein & Kron

By:  _____
Larry I. Kron, Esq.

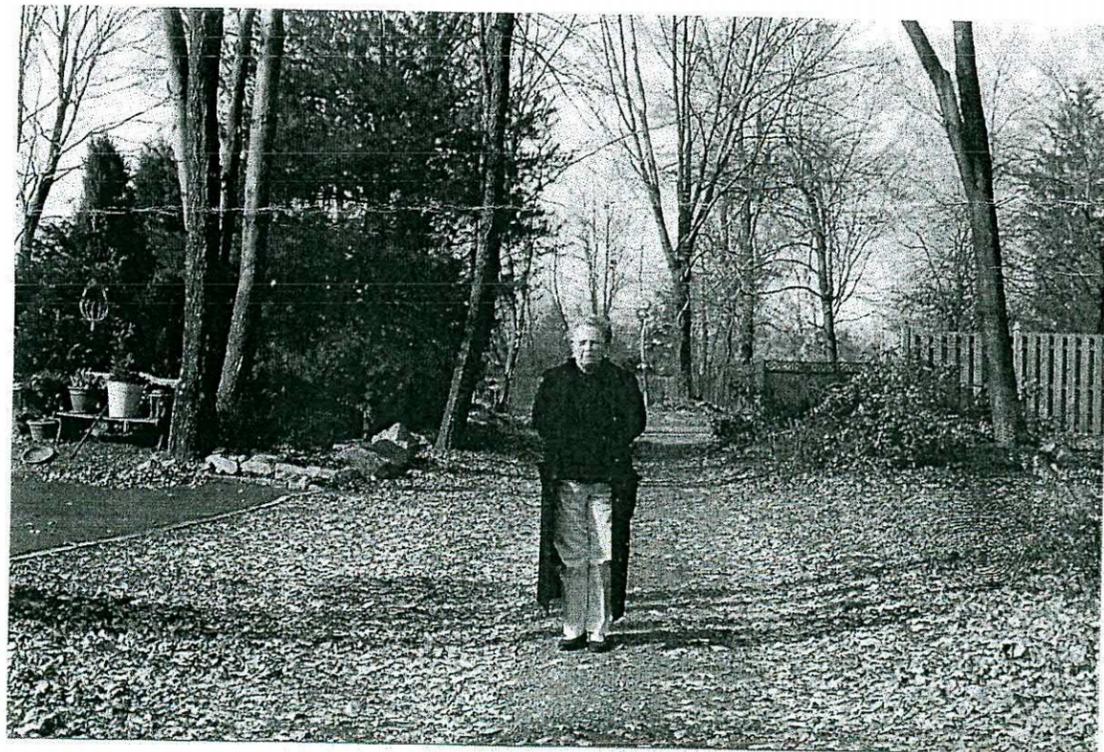
/mjs

cc: David Scapicchio, Mayor and Township Council
Bill Sohl, Business Administrator
Catherine Natafalusy, Land Use Administrator, Mt Olive (w/encl.)
Mr. and Mrs. John Abbott

Picture No. 1



Picture No. 2

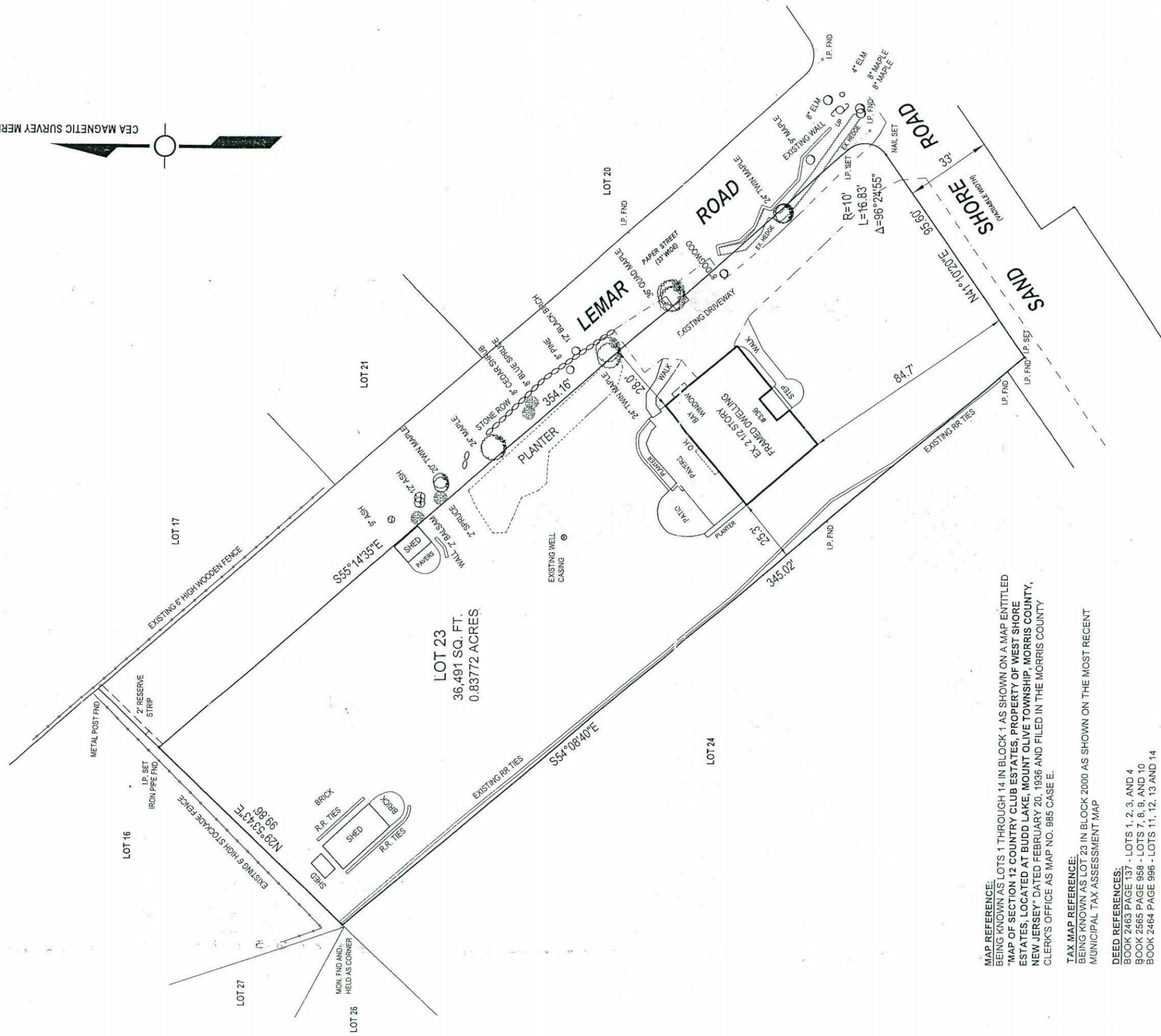


DRAWN BY: MF
CHECKED: NCR

OBJECTS SHOWN HEREON SHOULD NOT BE USED AS A BASIS FOR CONSTRUCTION OF FENCES OR OTHER PERMANENT STRUCTURES.

A WRITTEN WAIVER AND DIRECTION NOT TO SET CORNER MARKERS HAS BEEN OBTAINED FROM THE ULTIMATE USER PURSUANT TO P.L.2003, c. 14 (N.J.S.A. 45:8-36.3) AND N.J.A.C. 13:40-5.1(d).

OWNER OR AGENT HAS AGREED TO OMISSION OF ANY OR ALL ITEMS LISTED UNDER N.J.A.C. CHAPTER 40, 13:40-5.1.



MAP REFERENCE:
BEING KNOWN AS LOTS 1 THROUGH 14 IN BLOCK 1 AS SHOWN ON A MAP ENTITLED "MAP OF SECTION 12 COUNTRY CLUB ESTATES, PROPERTY OF WEST SHORE ESTATES, LOCATED AT BUDD LAKE, MOUNT OLIVE TOWNSHIP, MORRIS COUNTY, NEW JERSEY" DATED FEBRUARY 20, 1936 AND FILED IN THE MORRIS COUNTY CLERK'S OFFICE AS MAP NO. 985 CASE E.

TAX MAP REFERENCE:
BEING KNOWN AS LOT 23 IN BLOCK 2000 AS SHOWN ON THE MOST RECENT MUNICIPAL TAX ASSESSMENT MAP

DEED REFERENCES:
BOOK 2463 PAGE 137 - LOTS 1, 2, 3, AND 4
BOOK 2565 PAGE 958 - LOTS 7, 8, 9, AND 10
BOOK 2464 PAGE 996 - LOTS 11, 12, 13 AND 14

CERTIFIED TO:
JOHN AND ELAINE ABBOTT, HW

THE INFORMATION SHOWN HEREON IS CERTIFIED TO BE CORRECT.

CANGER ENGINEERING ASSOCIATES

Matthew R. Fox

By, N.J. LICENSE NO. 37,587

MATTHEW R. FOX P.E., L.S.

PROFESSIONAL ENGINEER AND LAND SURVEYOR

OCTOBER 28, 2008

Dated

MAP OF PROPERTY

**ABBOTT, JOHN
AND ELAINE HW**

TOWNSHIP OF MOUNT OLIVE, MORRIS COUNTY, N.J.

CANGER ENGINEERING ASSOCIATES
A NEW JERSEY CORPORATION SINCE 1948
CERTIFICATE NO. 24GA27985900

CIVIL ENGINEERS, CONSULTANTS, SURVEYORS
6-20 PLAZA RD., FAIR LAWN, NJ, 07410
JOB NO. 16857

SCALE 1"= 40'

LOTS 1 THRU 14

BLOCK 1

MAP:
SECTION 12 COUNTRY CLUB ESTATES
PROPERTY OF WEST SHORE ESTATES

FILED: FEBRUARY 20, 1936
MAP NO. 985 CASE E