



LEGACY

COMMERCIAL REALTY_{LLC}

Land Available for Sale or Lease



545 US 130 North, East Windsor, NJ 08520

PROPERTY DETAILS:

- ◆ 700 SF Freestanding Building located on .96 AC of land. Underutilized property with upside potential for a 2,500+/- SF Freestanding Drive Through location.
- ◆ DQ Business is not included in this transaction.
- ◆ Sale Price - \$1,200,000.00
- ◆ Land Lease Rate - \$100,000 / year NNN
- ◆ Property Dimensions - 200' frontage x 208.56 depth.
- ◆ Located on highly traveled Route 130 near the intersection of route 33 and 130. Ideal for Retail, Medical, Banks, Fast Food with Drive Through, Restaurant, or General Office Professionals.
- ◆ \$19,325.60 (Property Tax 2016)
- ◆ Current Zoning: HC—Highway Commercial (See Attached Zoning Ordinance.)
- ◆ Deeded cross access easement for North and South Route 130 Access. (See Attached)

Seth Katz, Broker of Record

Derin Goodman, Sales Associate

Legacy Commercial Realty, L.L.C.

510 Route 9 N. 2nd Floor - Manalapan, NJ 07726

www.LegacyRealtyNJ.com

P: 732.333.6380

F: 732.333.6381

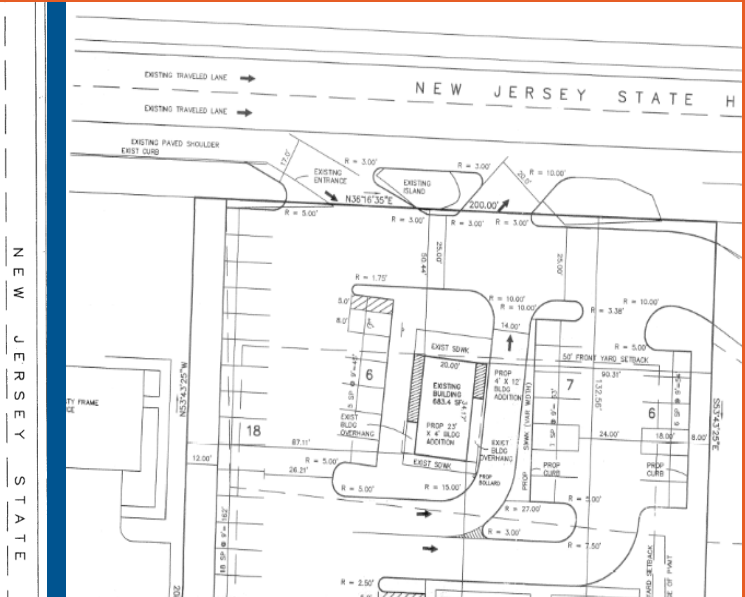
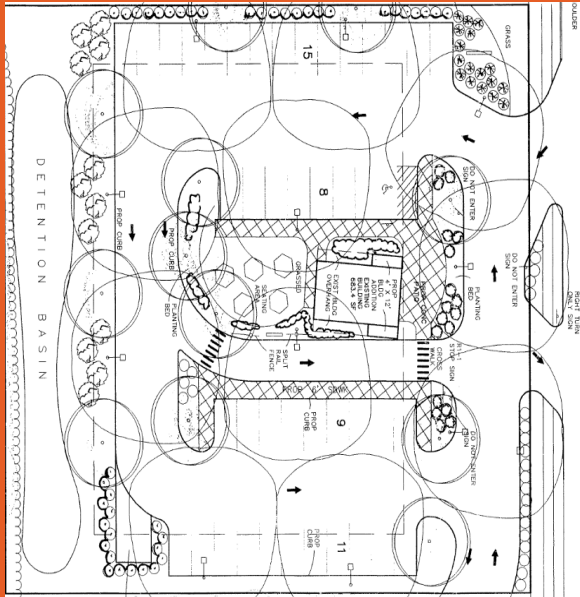
All information furnished regarding property for sale, rental, or financing is from sources deemed reliable but no warranty or representation is made as to the accuracy there of and same is submitted subject to errors, omissions, change of price, rental or withdrawal without notice.



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PAVED SHOULDER

RIGHT TURN ONLY SIGN

GRASS

PROPOSED SIGN

PLANTING

DO NOT ENTER SIGN

DO NOT ENTER SIGN

PLANTING BED

PROP CONC PATIO

STOP SIGN

CROSS WALK

DO NOT ENTER SIGN

8

15

9

11

PROP 4' X 12' BLDG ADDITION EXISTING BUILDING 683.4 SF
EXIST BLDG OVERHANG

SPLIT RAIL FENCE

SEATING AREA

PROP CONC

PROP CURB

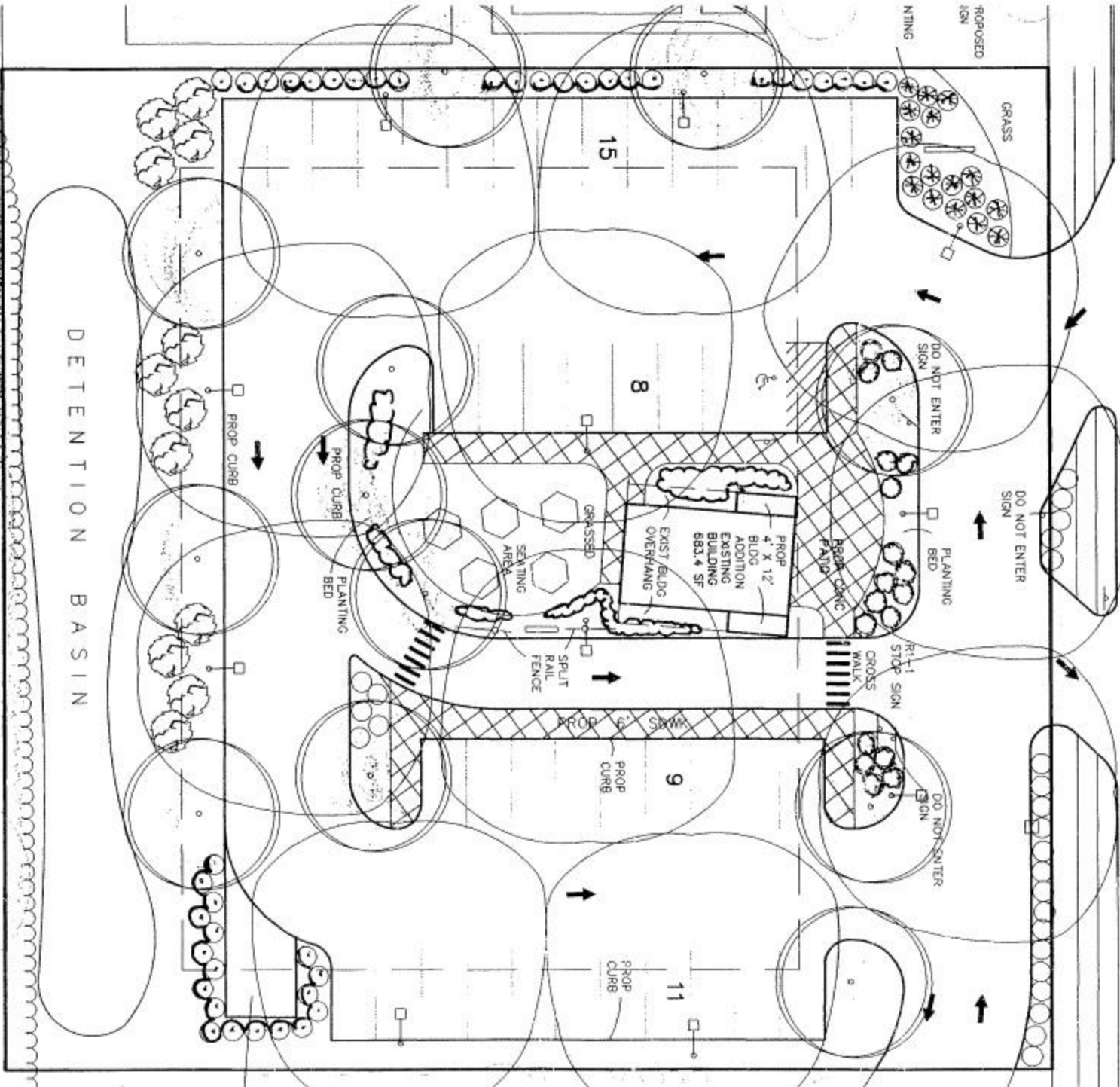
PROP CURB

PROP CURB

PROP CURB PLANTING BED

DETENTION BASIN

WOODED



20-16 HC Highway Commercial.

20-16.1 *Principal Uses.* All of the following uses require frontage on Route 130 or on a street which intersects with Route 130. Lots which do not fall in either category shall be limited to the uses in paragraphs d. and g. below.

- a. Retail sales of goods. Preparation, processing, storage, warehousing or manufacturing shall be permitted only if accessory to the retail sale of goods on the premises.
- b. Business establishments having as their primary function the rendering of personal services within a building. Preparation, processing, storage, warehousing or manufacturing shall be permitted only if accessory to the services rendered on the premises.
- c. Restaurants, including cocktail lounges and taverns.
- d. Offices and office buildings, including medical professional.
- e. Hotels and motels.
- f. Banks and financial institutions.
- g. Mortuaries and funeral homes.
- h. Lumber yard.
- i. Movie theater, bowling alley and similar recreation or cultural facilities within a fully enclosed building.
- j. Commuter parking facilities.
- k. Day care centers, child care centers, and nursery schools.

20-16.2 *Accessory Uses.*

- a. Off-street parking and loading facilities.
- b. Private garages or storage buildings.

20-16.3 *Conditional Uses.*

- a. Houses of worship on lots of two acres or larger with a minimum of one parking space for each three seats, with the parking areas located in the side or rear yard only and adequately buffered from adjoining residential properties.
- b. Automobile service stations with a minimum lot area of 30,000 square feet, a minimum lot frontage of 250 feet, a minimum building setback of 75 feet from the street line, a minimum side and rear yard of 40 feet, and a maximum improvement coverage of 80 percent. The fuel dispensers shall be located a minimum of 20 feet from the street line and 35 feet from any side or rear lot line. Driveways shall not be wider than 30 feet, and must be at least five feet from any side lot line and a sufficient distance from a street intersection to assure the safe and efficient movement of traffic. The entire area of a site traversed by motor vehicles shall be paved and drained in a manner approved by the planning board. All precautions shall be taken to prevent gasoline, oil, and other petroleum products from entering any storm drain. A minimum 15 foot wide strip across all unpaved street frontages and property lines shall be landscaped as set forth in the Technical Standards. Appropriate and visually effective planting buffer screens shall be provided alongside

and rear property lines which abut private property in residential use or zoned for such use. Any repair of motor vehicles is permitted in a fully enclosed building. No motor vehicle shall be displayed for sale on the site, and no motor vehicle shall be stored on the site for a period of longer than 90 days.

A canopy shall be permitted as a separate accessory structure or as an attachment to the principal building. The height of the canopy shall be no greater than 18 feet, and the canopy shall provide a minimum clearance of 14 feet six inches. The length and width of the canopy shall be no longer than that necessary to provide shelter to the vehicles receiving service at the pump islands. The canopy may be extended to the building from the pump islands, with no greater canopy mass permitted than that which is required to provide shelter between the pump islands and the building. Roof drains shall be provided and no canopy shall be approved which allows direct runoff of storm water from the edge of the canopy. Lighting shall be permitted under the canopy provided the light source is not visible from the street or adjoining properties, and provided further that the lighting is directed downward to provide illumination of the fuel dispensing area under the canopy.

c. Motor vehicle sales and other uses having as their primary function the sale or rental of retail goods displayed outdoors, provided no goods shall be displayed, stored or sold within 50 feet of a front lot line. No goods shall be displayed in a manner which will impede access by fire-fighting or other emergency equipment to any structure or other goods on the premises. No goods shall be displayed, stored or sold within 20 feet of a rear or side lot line. A landscape strip or a landscape buffer at least 15 feet wide shall be provided along each lot line.

d. Carwash establishments shall be permitted provided all washing activities are conducted within a fully enclosed building. All vehicle entrances to the building shall be from the rear or side of the building and all parked and waiting vehicles shall be accommodated on the lot. All of the area, yard, building coverage and height requirements of the **HC** district shall be met.

e. Auto body shops and other automotive repair shops which do not sell gasoline shall be permitted provided all repair activities are conducted within a fully enclosed building. Any motor vehicle awaiting repair may be located on the premises provided that said vehicle is located in the rear or side yard and is screened from view such that no stored vehicle is visible from the front of the premises or from any adjacent premises. No motor vehicle shall be displayed for sale on the site. No motor vehicle shall be stored on the site for a period longer than 90 days. All of the area, yard, building coverage and height requirements of the **HC** district shall be met.

20-16.4 *Bulk and Area Requirements.*

a. Notwithstanding any provision of this chapter to the contrary, the following minimum front yard setbacks shall be provided for development within the **HC** Highway Commercial zoning district:

1. When parking is excluded from the front yard, a minimum 50-foot front yard principal building setback shall be provided, and when parking is included in the front yard, a minimum 80-foot front yard setback shall be provided; except that

2. For properties zoned **HC** west of Lanning Boulevard along Route 571, the front yard principal building and parking area setback from Route 571 shall be 75 feet and the front yard principal building and parking area setback from One Mile Road shall be 50 feet.

b. See the "Schedule of District Regulations" table of this chapter for additional requirements.

20-16.5 *Other Requirements.*

a. Notwithstanding any provision of this chapter to the contrary, the following minimum front yard landscaped buffer setback areas shall be provided for developments within the **HC** zoning district in order to mitigate against the appearance of buildings and paved areas from the street and from abutting residential properties:

1. A minimum 15-foot landscaped setback area shall be provided along any street, except that, for **HC** zoned lands west of Lanning Boulevard along Route 571, the minimum front yard landscaped setback shall be 75 feet along Route 571 and 50 feet along One Mile Road; and

2. A minimum 25-foot landscaped buffer setback shall be provided along any property line which abuts a residential zoning district or any existing residential use.

b. Driveways shall not be wider than 36 feet at any point and must be at least ten feet from any side lot line and 100 feet from intersecting street lines.

c. Efforts shall be made to secure cross-access easements between adjoining commercial properties to provide convenient access.

d. For properties zoned **HC** west of Lanning Boulevard along Route 571 and One Mile Road, freestanding signs, except for directional signs, shall be ground-mounted on a solid base with no visible poles, columns or other upright supports. Freestanding signs shall not exceed eight feet in height and shall not be more than 100 square feet in size.

DEED OF EASEMENT

This Deed is made on **February 20, 2003**

BETWEEN:

DAVECO INDUSTRIAL, L.L.C., a State of New Jersey Limited Liability Company, having its principal offices at **160 Mt. Bethel Road, Warren, New Jersey 07059**, referred to as the Grantor,

AND

MGV PROPERTIES, LLC

whose post office address is **c/o Dairy Queen, 545 Route 130 North, East Windsor, New Jersey 08520**, referred to as the Grantee. The word "Grantee" shall mean all Grantees listed above.

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

One Dollar (\$1.00).

The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Township of East Windsor
Block No. 53.04, lots formerly a portion of lot 12 and portion of lot 13 now known as Lot 13.01 or as determined by the East Windsor Tax Assessor.

Property. The property consists of the land and all the buildings and structures on the land in the **Township of East Windsor, County of Mercer, and State of New Jersey**. The legal description is :

**SEE EXHIBIT PLAN A AND EXHIBIT PLAN B "ACCESS EASEMENT"
ATTACHED HERETO AND MADE A PART HEREOF.**

Grantor hereby grants to the Grantee, its successors and assigns, a perpetual easement for the benefit of Grantee's lands known as lot 12.02 in Block 53.04 over, upon, under and across Grantor's lands and premises as hereinafter more particularly described on the attached Legal Description, together with such other rights as may be necessary or convenient for the full enjoyment or use of the rights herein granted. The Grantee shall be permitted to utilize the easement area for access to and from Grantee's property. Grantee shall not be required or obligated to restore the surface of the ground of any disturbed area within the easement area to its pre-existing condition unless such disturbance was caused by the Grantee, and Grantee shall not be obligated or required to repair or replace any building, improvement, structure, obstruction or item of personal property belonging to another within the easement area. All of the covenants of Grantor herein shall apply to and run with the land.

BEING a portion of the same premises conveyed to Grantor herein by Deed from George Vardakis and Helen Vardakis, his wife, dated May 17, 1999 and recorded June 11, 1999 in Deed Book 3611, pages 259, 260, 261, 262, in the Clerk's Office of Mercer County.

This deed is intended to comply with a Resolution of Approval for a site plan entitled "Preliminary and Final Site Plans for Proposed Self Storage Facility Title Sheet" adopted by the East Windsor, Mercer County, New Jersey, Zoning Board of Adjustment on December 16, 1999 and Memorialized on January 20, 2000 as Resolution No 2000-2 and conforms to that resolution. All requirements of the Resolution are hereby incorporated by reference into this deed.

EXHIBIT PLAN A



Richard V. Kenderian, PE, PP
Michael G. Zilinski, PLS, PP
Stephen P. Atkins, PE
Robert F. Yuro, PE, PP

Daniel L. Miller, CLA
John R. Martinez, PE, PP
Daniel W. Busch, PE

**Legal Description
Of an
Access Easement
Situate on a Portion of
Lot 13.01, Block 53.04
Township of East Windsor
County of Mercer, New Jersey**

BEGINNING AT A POINT in the southeasterly line of N J State Highway Route No. 130 (120' ROW). Said point being S 36° 16' 35" W a distance of 15.00 feet from the common corner of Lots 13.01 & 14, Block 53.04; and running thence

1. S 53° 43' 25" E through a portion of Lot 13.01, Block 53.04 a distance of 57.00 feet to an angle point; thence
2. S 36° 16' 35" W still through a portion of Lot 13.01, Block 53.04 a distance of 107.52 feet to an angle point; thence
3. S 65° 55' 03" W still through a portion of Lot 13.01, Block 53.04 a distance of 31.61 feet to a point in the northeasterly line of Lot 12.02, Block 53.04; thence
4. N 53° 43' 25" W along the common line of Lots 13.01 & 12.02, Block 53.04 a distance of 34.52 feet to a point; thence
5. N 65° 55' 03" E through a portion of Lot 13.01, Block 53.04 a distance of 40.75 feet to an angle point; thence
6. N 36° 16' 35" E still through a portion of Lot 13.01, Block 53.04 a distance of 62.17 feet to an angle point; thence
7. N 08° 43' 25" W still through a portion of Lot 13.01, Block 53.04 a distance of 10.49 feet to an angle point; thence
8. N 53° 43' 25" W still through a portion of Lot 13.01, Block 53.04 a distance of 19.58 feet to a point in the aforesaid southeasterly line of N J State Highway Route No. 130; thence
9. N 36° 16' 35" E along the aforesaid southeasterly line of N J State Highway Route No. 130 a distance of 30.00 feet to **THE POINT AND PLACE OF BEGINNING.**

Containing 5,030 square feet or 0.115 acre

EXHIBIT PLAN A CONTINUED

Legal Description
Access Easement
Lot 13.01, Block 53.04
Township of East Windsor, Mercer County
Our Project No. 97-0509

November 6, 2000
Revised February 22, 2002

Subject to easements and restrictions of record, if any

Being more particularly shown on a map entitled "Exhibit Access, Sanitary, Sewer and Water Supply Easements, On a Portion of Tax Map Lot 13.01, Block 53.04, Township of East Windsor, Mercer County, New Jersey." Prepared by Michael G. Zilinski, Professional Land Surveyor for the firm of Kenderian-Zilinski Associates. Dated 2-20-02 and last revised 3-21-02.

Prepared by:

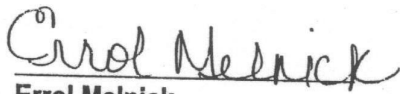
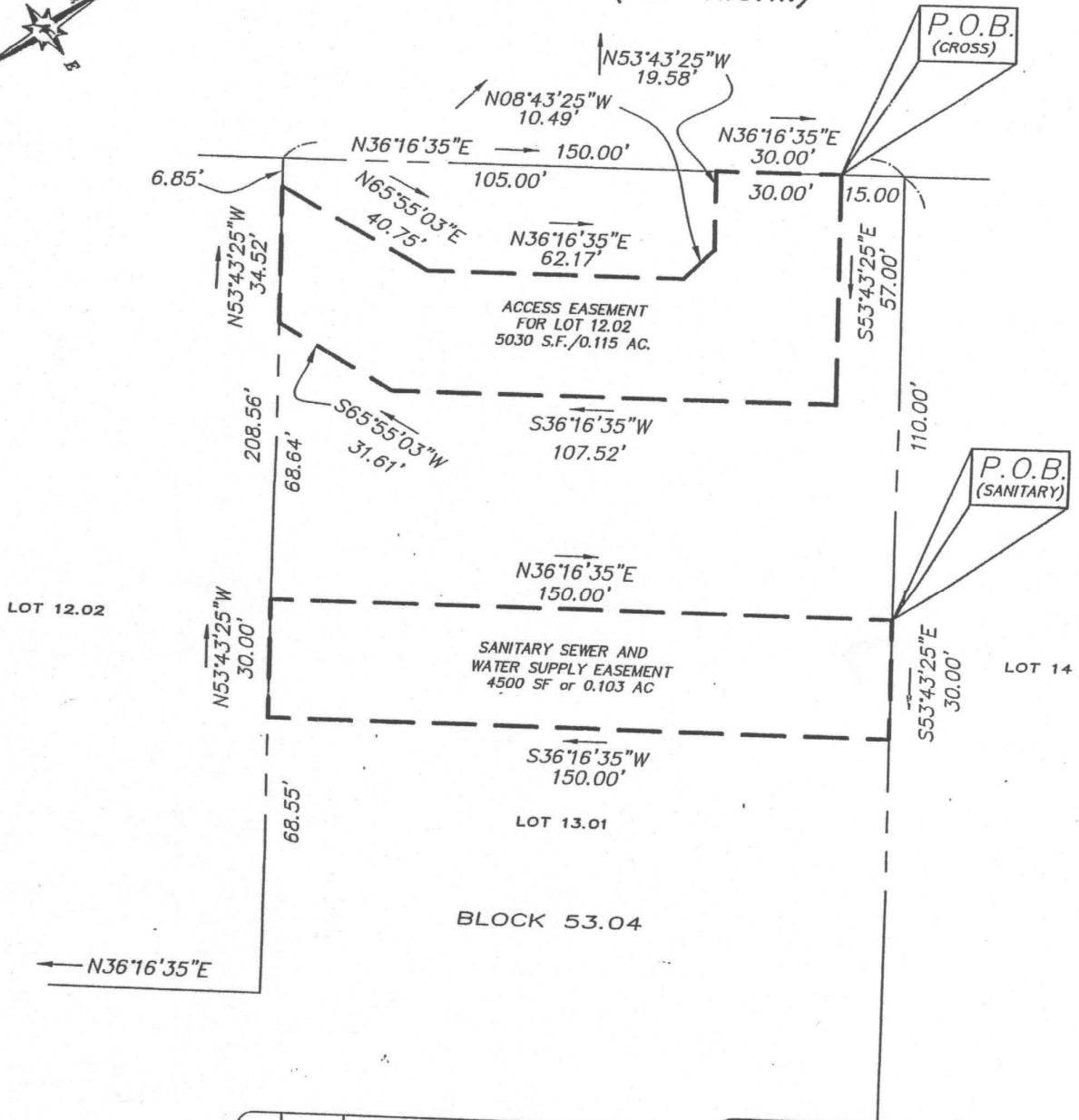

Errol Melnick
Professional Land Surveyor
New Jersey License No. 34013

EXHIBIT PLAN B

EASEMENT DETAIL
SCALE: 1"=40'

NEW JERSEY STATE HIGHWAY
ROUTE No.130 (120' R.O.W.)



REV.	DATE	DESCRIPTION	BY
2.	3/21/02	REVISED BEARING DIRECTION	EM
1.	3/14/02	REVISED DIMENSION	JTO
1.	3/14/02	DESCRIPTION	JTO

EXHIBIT

ACCESS, SANITARY SEWER AND WATER SUPPLY EASEMENTS
ON A PORTION OF
TAX MAP LOT 13.01, BLOCK 53.04
TOWNSHIP OF EAST WINDSOR
MERCER COUNTY, NEW JERSEY

KENDERIAN • ZILINSKI associates
Consulting Engineers • Land Surveyors • Planners
1966 Highway 34 • Building 1-A
Wall, N.J. 07719
Tel. (732)-282-2200 • Fax. (732)-282-2210

Michael H. Zilinski
MICHAEL G. ZILINSKI
PROFESSIONAL LAND SURVEYOR
NEW JERSEY LICENSE No. 30408

DRAWN | CALC'D | CHK'D | TLD. BOOK | SCALE | DATE | PROJ. | DRAW. No.

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION OR EXEMPTION
(P.L. 1968, c. 49)
or
PARTIAL EXEMPTION
(P.L. 1975, c. 176)

To be recorded with Deed pursuant to P.L. 1968, c. 49, as amended by P.L. 1991, c. 308 (N.J.S.A. 46:15-5 et seq.)

STATE OF NEW JERSEY
COUNTY OF MIDDLESEX

SS:

FOR RECORDER'S USE ONLY	
Consideration \$	_____
Realty Transfer Fee \$	_____*
Date	_____ By _____

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

(1) PARTY OR LEGAL REPRESENTATIVE

(See Instructions #3, 4 and 5 on reverse side.)

Deponent Daveco Industrial, L.L.C., being duly sworn according to law upon his/her oath
(Name)
deposes and says that he/she is the Grantor in a deed dated 2/20/03,
(State whether Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.)
transferring real property identified as Block No. 53.04 Lot No. 13.01
located at Route 130, East Windsor Township, Mercer County, State of New Jersey
(Street Address, Municipality, County)

and annexed hereto.

(2) CONSIDERATION (See Instruction #6.)

Deponent states that, with respect to deed hereto annexed, the actual amount of money and the monetary value of any other thing of value constituting the entire compensation paid or to be paid for the transfer of title to the lands, tenements or other realty, including the remaining amount of any prior mortgage to which the transfer is subject or which is to be assumed and agreed to be paid by the grantee and any other lien or encumbrance thereon not paid, satisfied or removed in connection with the transfer of title is \$ _____

(3) FULL EXEMPTION FROM FEE Deponent claims that this deed transaction is fully exempt from the Realty Transfer Fee imposed by P.L. 1968, c. 49 for the following reason(s): Explain in detail. (See Instruction #7.) Mere reference to exemption symbol is not sufficient.

(a) For a consideration of less than \$100.00

(4) PARTIAL EXEMPTION FROM FEE

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. (See Instructions #8 and #9.)

Deponent claims that this deed transaction is exempt from the increased portion of the Realty Transfer Fee imposed by P.L. 1975, c. 176 for the following reason(s):

A) **SENIOR CITIZEN** (See Instruction #8.)
☐ Grantor(s) 62 yrs. of age or over.*
☐ One- or two-family residential premises.
spouse.

☐ Owned and occupied by grantor(s) at time of sale.
☐ Owners as joint tenants must all qualify except in the case of a

B) **BLIND** (See Instruction #8.)
☐ Grantor(s) legally blind.*
☐ One- or two-family residential premises.
☐ Owned and occupied by grantor(s) at time of sale.
☐ No owners as joint tenants other than spouse or other qualified exempt owners.

DISABLED (See Instruction #8.)
☐ Grantor(s) permanently and totally disabled.*
☐ One- or two-family residential premises.
☐ Receiving disability payments.
☐ Owned and occupied by grantor(s) at time of sale.
☐ Not gainfully employed.
☐ No owners as joint tenants other than spouse or other qualified exempt owners.

* IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEED QUALIFY

C) **LOW AND MODERATE INCOME HOUSING**
☐ Affordable According to HUD Standards.
☐ Meets Income Requirements of Region.

(See Instruction #8.)
☐ Reserved for Occupancy.
☐ Subject to Resale Controls.

D) **NEW CONSTRUCTION** (See Instruction #9.)
☐ Entirely new improvement.
☐ Not previously used for any purpose.

☐ Not previously occupied.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of P.L. 1968, c. 49.

Subscribed and sworn to before me this Twentieth day of February, 2003

Ellen T. Smith
ELLEN T. SMITH

Daveco Industrial, L.L.C.
Name of Deponent (sign above line)
Daveco Industrial, L.L.C.

Address of Deponent

David Lackland
Name of Grantor (type above line)
David Lackland
Daveco Industrial, L.L.C./
160 Mt. Bethel Road
Warren, NJ 07059

Signatures. This Deed is signed and attested to by the Grantor's proper member as of the date of the top of the first page.

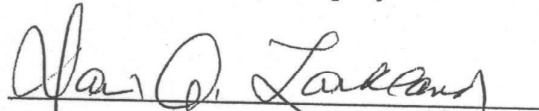
STATE OF NEW JERSEY, COUNTY OF MIDDLESEX

SS.:


I CERTIFY that on February 20, 2003,

DAVID A. LACKLAND

personally came before me and he acknowledged under oath, to my satisfaction, that he is the member of **DAVECO INDUSTRIAL, L.L.C.**, a Limited Liability Company, that he is the person named in and who executed the within instrument, that he signed and delivered this document as the voluntary act and deed of the said limited liability company.



DAVID A. LACKLAND



Notary

ELLEN T. SMITH
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires Jan. 26, 2006

RECORD & RETURN TO:

BOB SMITH & ASSOCIATES
216 STELTON ROAD, SUITE B-1
PISCATAWAY, NEW JERSEY 08854