

McLAUGHLIN STAUFFER & SHAKLEE, P.C.

ATTORNEYS AT LAW
MONMOUTH SHORES CORPORATE PARK
4814 OUTLOOK DRIVE, SUITE 112
WALL TOWNSHIP, NEW JERSEY 07753
TELEPHONE: (732) 751-2800
TELEFAX: (732) 751-2598

ROGER J. McLAUGHLIN
DREW A. STAUFFER
RICHARD J. SHAKLEE
DENNIS M. CRAWFORD
SUSAN L. SOLDA DeSIMONE*

*NJ & DC Bar

E-MAIL
rmclaughlin@wall-lawyers.com

World Wide Web
www.wall-lawyers.com

March 24, 2014

C. Keith Henderson, Esq.
C.Keith Henderson & Associates, P.C.
52 Abe Voorhees Drive
P.O. Box 260
Manasquan, NJ 08736

**Re: 2649 Highway Route 70 LLC
Block 893.06, Lot 49**

Dear Mr. Henderson:

Please be advised that this office represents the Four Seasons at Wall Homeowners Association in connection with its objection to the above application.

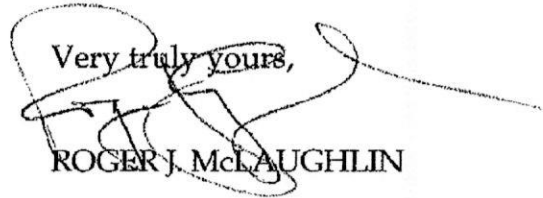
We are in receipt of a copy of your letter dated February 26, 2014 addressed to Suzanne Rose, Planning Coordinator, as well as a copy of the Deed of Easement dated February 18, 1997, between K. Hovnanian at Wall Township VI, Inc. and the Township of Wall.

We have reviewed the Deed of Easement and find that it does not provide for utility availability for Lot 49, which is the subject property of the pending application.

The Easement dated February 19, 1997 pertains to Lots 19, 24, 46, 47, 48, 50 and 51 and, more specifically, to the final major subdivision plat for Four Seasons Phases 1, 2, 3, 4 and 5. The easement was granted to the Township pursuant to "a certain resolution of the Planning Board, granting preliminary and major subdivision approval" for the four hundred (400) age-restricted single-family units comprising the Four Seasons community. By its specific terms contained in paragraph 1 of the Easement document, the Township was granted a non-exclusive utility access ingress and egress easement across all the comment elements of the "premises" for among other purposes the "proper function of any utility system serving the community".

It is, therefore, the position of the Four Seasons At Wall Homeowners Association that the Deed of Easement granted to the Township was not intended nor does it provide for access through or to Four Seasons for utility connections pertaining to Lot 49.

Should you have any questions regarding this matter, please feel free contact me at your convenience.

Very truly yours,

ROGER J. McLAUGHLIN

RJM/geb

cc: Four Seasons At Wall Homeowners Association, Attn: Mr. Robert Wright, President

Christopher D. Ackerman, Esq., Planning Board Attorney
Charles J. Rooney, P.E., Planning Board Engineer
Cheryl Bergailo, P.P., Planning Board Planner