

23-29-2298



**CITY OF SUMMIT - Department of Community Services (DCS)**  
**Application for Development - Worksheet**

- ☒ ORIGINAL FILING  
☐ RESUBMITTAL OF "INCOMPLETE"

- ☐ MODIFICATION OF PRIOR APPROVAL  
☐ AMENDED PLAN(S)

Address: 23 Baltusrol Place  
Block(s) 4201 Lot(s) 5 Zone(s) R-5  
How the property is used (one-family, offices, etc.). Single Family  
Property Owner Evan and Lauren Nisenson Phone [REDACTED]  
Email: [REDACTED]  
Owner Address: 23 Baltusrol Place  
Applicant: Evan and Lauren Nisenson Phone: [REDACTED]  
Email: [REDACTED]

FILL IN ITEMS 1 THROUGH 5 - MARK EACH BOX ☒ OR CIRCLE ☐ AS APPROPRIATE FOR YOUR APPLICATION.

1 TYPE PROPERTY: ☒ RESIDENTIAL ☐ OTHER

2 Type application:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Appeal            | <input type="checkbox"/> Interpretation    | <input checked="" type="checkbox"/> C - Bulk variance |
| <input type="checkbox"/> D - Use variance  | <input type="checkbox"/> Conditional use   | <input type="checkbox"/> D - Floor area ratio (FAR)   |
| <input type="checkbox"/> Minor subdivision | <input type="checkbox"/> Major subdivision | <input type="checkbox"/> Site plan                    |
| <input type="checkbox"/> Other _____       |  |   |

☐ CONCEPT PLAN

☐ PRELIMINARY

☐ FINAL

3 Number of lots: 1 Existing 1 Proposed  
4 Number of dwelling units: 1 Existing 1 Proposed  
5 Building area: 1,275 Existing  
333 Proposed new \*  
1,608 Total site building area

\*-NEW INCLUDES ADDITIONS AND EXPANDED AREAS AS WELL AS NEW STRUCTURES, BUT DOES NOT INCLUDE AREAS ALTERED WITHIN THE EXISTING BUILDING FOOTPRINT

6 Comments: \_\_\_\_\_

7 Signature Lauren Date 5/1/25



APPENDIX E-2  
ZONING BOARD APPLICATION CHECKLIST  
City of Summit, Union County, NJ



Name of applicant Evan and Lauren Nilsen Date 4/15/25

Address of property 23 Baltusrol Place Block 4201 Lot 5

Approval requested: ☐ Appeal zoning officer decision ☐ Interpret Ordinance or Map  
☒ Bulk variance ☐ Use variance

**NOTE:** This checklist is not a substitute for the specific requirements of the Development Regulations (zoning) Ordinance. See the Ordinance for detailed requirements.

**NOTE:** You must collate many of the items on this checklist into separate packages – please refer to the *Procedure for Filing Applications to the Zoning Board of Adjustment* for instructions.

	Applicant	City
1. Original and 12 copies of application form	<u>X</u>	<u>      </u>
2. Original and 12 copies of narrative description of project	<u>X</u>	<u>      </u>
3. Original and 12 copies of plat/property survey, showing the existing and proposed building setbacks	<u>X</u>	<u>      </u>
4. Original and 12 copies of proposed structure, including interiors	<u>X</u>	<u>      </u>
5. Grading plan	<u>NA</u>	<u>      </u>
6. Thirteen copies of the zoning officer's decision (If applicable)	<u>NA</u>	<u>      </u>
7. Thirteen copies of the area map of properties within 200 feet, showing each of the following items: a. <u>street numbers</u> c. <u>north arrow</u> b. <u>date and graphic scale</u> d. <u>Zone district</u> e. <u>uses of each property within 200 ft.</u>	<u>X</u>	<u>      </u>
8. Original and 12 copies of the certified list of owners of property within 200 feet.	<u>X</u>	<u>      </u>
9. Original copy of evidence of paid property taxes	<u>X</u>	<u>      </u>
10. Original copy of the proposed notice to owners within 200'	<u>X</u>	<u>      </u>
11. Original copy of the proposed advertisement	<u>X</u>	<u>      </u>
12. Subdivision submittal (If applicable)	<u>NA</u>	<u>      </u>
13. Site plan submittal (If applicable)	<u>NA</u>	<u>      </u>
14. Original copy of this completed checklist	<u>X</u>	<u>      </u>
15. Application fee and escrow deposit	<u>X</u>	<u>      </u>
16. Electronic copies of all submissions shall be submitted by CD, USB drive or other means acceptable to the Summit Department of Community Services staff.	<u>X</u>	<u>      </u>

*Applicant - Please do not write below this line*

On \_\_\_\_\_, this submittal was deemed complete \_\_\_\_\_ incomplete \_\_\_\_\_.

\_\_\_\_\_  
Administrative Office

# Application to Zoning Board of Adjustment of Summit, New Jersey

Summit, N. J. April 1, 20 25

In the matter of the petition of Evan and Lauren Nisen for relief from the strict application of the provisions of the Development Regulations Ordinance of the City of Summit.

Petitioner Evan and Lauren Nisen  
residing at 23 Baltusrol Place, Summit NJ 07901 says:

I Petitioner is the Owner of property located at 23 Baltusrol Place, Summit NJ 07901  
Block 4201, Lot(s) 5 on the Tax Map located in the R-5 Zone.

2a.) With respect to said property petitioner desires a variance, special exception, or other relief from the bulk requirements of the Zoning Ordinance of the City of Summit to permit the use of the property in the following manner: Proposed two-story addition at the rear of the house.

2b.) The proposed use described above requires the following variance(s): Building coverage, Lot (Impervious) coverage

3. The premises affected are more particularly described as follows:

Area of Plot 5,407 square feet

Area of existing structures which will remain 1,275 square feet

Total area of plot to be occupied by structures 1,608 square feet

Percentage of lot to be occupied by structures 29.7 percent

Proposed set-back, front line 17.7 feet;

Proposed sidelines (specify if corner E 7.7, W 7.9 feet;

Proposed rear yard 60.1 feet.

Year house built 1926.

Other pertinent characteristics None

4. There has been no previous petition for relief involving these premises except:

None to our knowledge

5. The reasons which support petitioner's claim of the right to relief are as follows:

The lot sizes in the R-S zone are smaller and often require variance requests to bring older homes such as 23 Baltusrol Place up to modern standards for use and living.

6. Attached hereto and made a part hereof are the following:

- (a) Complete set of plans of any proposed building alteration or extension including schematic floor plans and elevations with sufficient notations to clearly establish the extent and character of the proposed structure;
- (b) Plot plan showing size of plot bounding streets; compass point, size, type and location of all existing buildings and improvements on the plot; size and location of proposed building and improvements; distance of all property lines from buildings and improvements including the proposed building or buildings.

By signing this section, the petitioner hereby gives consent for City Officers and Board Members to enter upon this property for the purpose of reasonable inspections to investigate representations made herein.

Evan and Lauren Nisenson  
Petitioner

Petitioner's Phone Number

Petitioner's Email

Attorney's name, address, phone, email and fax numbers.

State of New Jersey  
County of Union

Evan and Lauren Nisenson being duly sworn, says that she/he is the petitioner, or one of the petitioners, in the above action; that permission of the owner has been obtained if the petition is filed by a party other than the owner; and that all of the matters and things set forth herein are true.

Evan Nisenson / Lauren Nisenson  
Petitioner's printed name

[Signature]  
Petitioner's signature

Sworn and subscribed before me this

14<sup>th</sup> day of March, 2025

[Signature]  
Notary Public

☐ Check here if additional pages are attached.

ANNETTE BRENNAN  
NOTARY PUBLIC OF NEW JERSEY  
Commission # 50022064  
My Commission Expires 8/28/2025

**April 1, 2025**

**City of Summit  
Department of Community Services (DCS)  
512 Springfield Ave, 2nd Fl  
Summit, NJ 07901**

**Re: 23 Baltusrol Place | Block 4201, Lot 5  
Narrative Description of Planned Home Improvements**

**Dear Members of the Board,**

We are applying for a bulk variance to construct a two-story addition on the back of our home, located at Block 4201, Lot 5, in Zone R-5. This addition is necessary to address the challenges and hardships posed by our current home layout, which has only one bathroom located upstairs. This layout makes it difficult for our aging parents to visit comfortably and, more significantly, prevents our grandparents from visiting altogether due to their mobility limitations. Recently, pipe issues lead to our having to move out of the house and relocate to a hotel for over a month because of the one bathroom. This addition will also allow our growing family to remain in this house.

Our proposed addition will provide additional bathrooms and living space. The existing structure occupies 1,275 square feet, and with the addition, the total area of structures on the lot will be 1,608 square feet, which constitutes 29.7% of the lot. While this exceeds the permitted coverage, the addition is essential to making our home more functional and inclusive for our family.

The following variances are requested to accommodate this necessary addition:

- **Maximum Lot (Impervious) Coverage:**
  - **Permitted:** 45%
  - **Existing:** 51.6% (pre-existing nonconforming)
  - **Proposed:** 53.5%
- **Maximum Building Coverage:**
  - **Permitted:** 20%
  - **Existing:** 23.6% (pre-existing nonconforming)
  - **Proposed:** 29.7%

The requested variances stem from a genuine need to make our home more functional for our family, not from a desire for excessive expansion. Our proposal seeks to balance the needs of our family while respecting the character of the neighborhood. Given the pre-existing nonconformities and the modest increase in coverage, we believe our request is reasonable and necessary to improve the functionality of our home.

We respectfully request the Board's consideration and approval of these variances so that we can create a more accessible and accommodating home for our family.

Thank you very much,

Evan and Lauren Nisenson





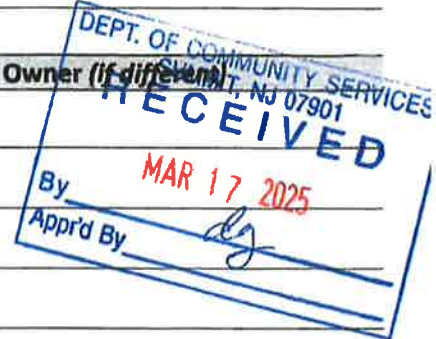
## Application for a Certified List of Property Owners within 200 feet of the following:

PROPERTY INFO: Evan and Lauren Nisenon

Address: <u>23 Baltusrol Place</u>	Date:
City, State, Zip Code: <u>Summit, NJ 07901</u>	Block: <u>4201</u> Lot: <u>5</u>

## APPLICANT INFO:

Applicant		Owner (if different)
Name:	<u>Evan and Lauren Nisenon</u>	
Address:	<u>23 Baltusrol Place, Summit NJ 07901</u>	
Email: (required)		
Phone:		

PAYMENT INFO: ☒ WITH Map (\$11) ☐ WITHOUT Map (\$10) \* Applicant must attach their own map if selected.

Fee Paid: <input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> Check	<input type="checkbox"/> Cash
Date: ____/____/____ Emp.: ____	Check #: ____	

## Zoning/Planning Board Secretary

Date

To Eng: \_\_\_\_/\_\_\_\_/\_\_\_\_ : \_\_\_\_ am/p

Block	Lot(s)	Block	Lot(s)	Block	Lot(s)
4201	1-4, 6-10, 30-34				
4405	14, 16-23	4405/9	Additional to lot 18		
4501	27, 29-33, 43				

Notes:

**NOTE: In addition to the owners on the above list, the following entities MUST also be notified if checked:**

- ☒ UTILITY: NJ American Water Co., Inc. Attn: Donna Short, GIS Supervisor ~ 1025 Laurel Oak Road - Voorhees, NJ 08043
- ☒ UTILITY: PSE&G, Attn: Manager -Corporate Properties ~ 80 Park Plaza, T6B - Newark, NJ 07102
- ☐ OTHER MUNICIPALITY: ☐ Property owner(s) in an adjacent municipality ☐ Clerk in an adjacent municipality
- ☐ COUNTY: County Planning Board if the property is on a county road
- ☐ STATE: Commissioner of Transportation if on/adjacent to state highway/property ~ P.O. Box 600 Trenton, NJ 08625-06

Engineer/Assistant Engineer

Date

3/18/25

I certify that the attached/above is an accurate &amp; complete list of property owners and addresses from the Tax Assessor records

Tax Assessor / Staff Assessor

Date

3/18/25



# OWNER & ADDRESS REPORT

SUMMIT

4201-5 23 BALTUSROL PL - NISENSEN, EVAN & LAUREN  
EVAN & LAUREN NISENSEN

03/18/25 Page 1 of 2

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
4201	1		2	DEL SONTRO, PETER 31 HUGHES PL SUMMIT, NJ 07901	31 HUGHES PL	
4201	2		2	TALBOT, D.W. & J.D. & ALEXIS, B.S. 17 BALTUSROL PLACE SUMMIT, NJ 07901	17 BALTUSROL PL	
4201	3		2	KULKARNI, VIKRAM V. & ANNA YARMAK 19 BALTUSROL PL SUMMIT, N J 07901	19 BALTUSROL PL	
4201	4		2	ROMERO, RAUL & GRACE, SABRINA 21 BALTUSROL PL SUMMIT, NJ 07901	21 BALTUSROL PL	
4201	6		2	MORSE, TYLER & KATHRYN 25 BALTUSROL PL SUMMIT, NJ 07901	25 BALTUSROL PL	
4201	7		2	FITZPATRICK, CEALAGH & THOMPSON, C 60 GLENSIDE AVE SUMMIT, NJ 07901	60 GLENSIDE AVE	
4201	8		2	JOSHI, KETAN A & ANTONY, ANNIE S 56 GLENSIDE AVE SUMMIT, NJ 07901	56 GLENSIDE AVE	
4201	9		2	KHATCHADOURIAN, MARC & NORDIN, J 52 GLENSIDE AVE SUMMIT, NJ 07901	52 GLENSIDE AVE	
4201	10		2	SZACHARA, GERRY & URRUTIA, REGINA M 48 GLENSIDE AVE SUMMIT, NJ 07901	48 GLENSIDE AVE	
4201	30		2	BYRNE, WILLIAM T JR 29 DOGWOOD RD W ORANGE, NJ 07052	19 HUGHES PL	
4201	31		2	PROVANZANA, BETH M & ARIATHURAI, A 21 HUGHES PL SUMMIT, NJ 07901	21 HUGHES PL	
4201	32		2	RODRIGUEZ, ALVARO, & FLORI G. 23 HUGHES PL SUMMIT, N J 07901	23 HUGHES PL	
4201	33		2	VENUTOLO, JOHN H. 25 HUGHES PL SUMMIT, N J 07901	25 HUGHES PL	
4201	34		2	CHUNG, KAI YU & CHAN, KWAI F 27 HUGHES PL SUMMIT, NJ 07901	27 HUGHES PL	
4405	14		2	CANDELA, VINCENT & ELIZABETH D. 8 VALEMONT WAY SUMMIT, N J 07901	8 VALEMONT WAY	
4405	16		2	KAES, PATRICIA B 70 GLENSIDE AVE SUMMIT, NJ 07901	70 GLENSIDE AVE	
4405	17		2	CABRERA, DANNY & ARIEL W 68 GLENSIDE AVE SUMMIT, NJ 07901	68 GLENSIDE AVE	
4405	18		2	BENDER, PATRICIA S. 66 GLENSIDE AVE SUMMIT, N J 07901	64-66 GLENSIDE AVENUE	19
4405	20		2	MASELLI, MICHAEL J & WOOD, AMELIA E 24 BALTUSROL PL SUMMIT, NJ 07901	24 BALTUSROL PL	

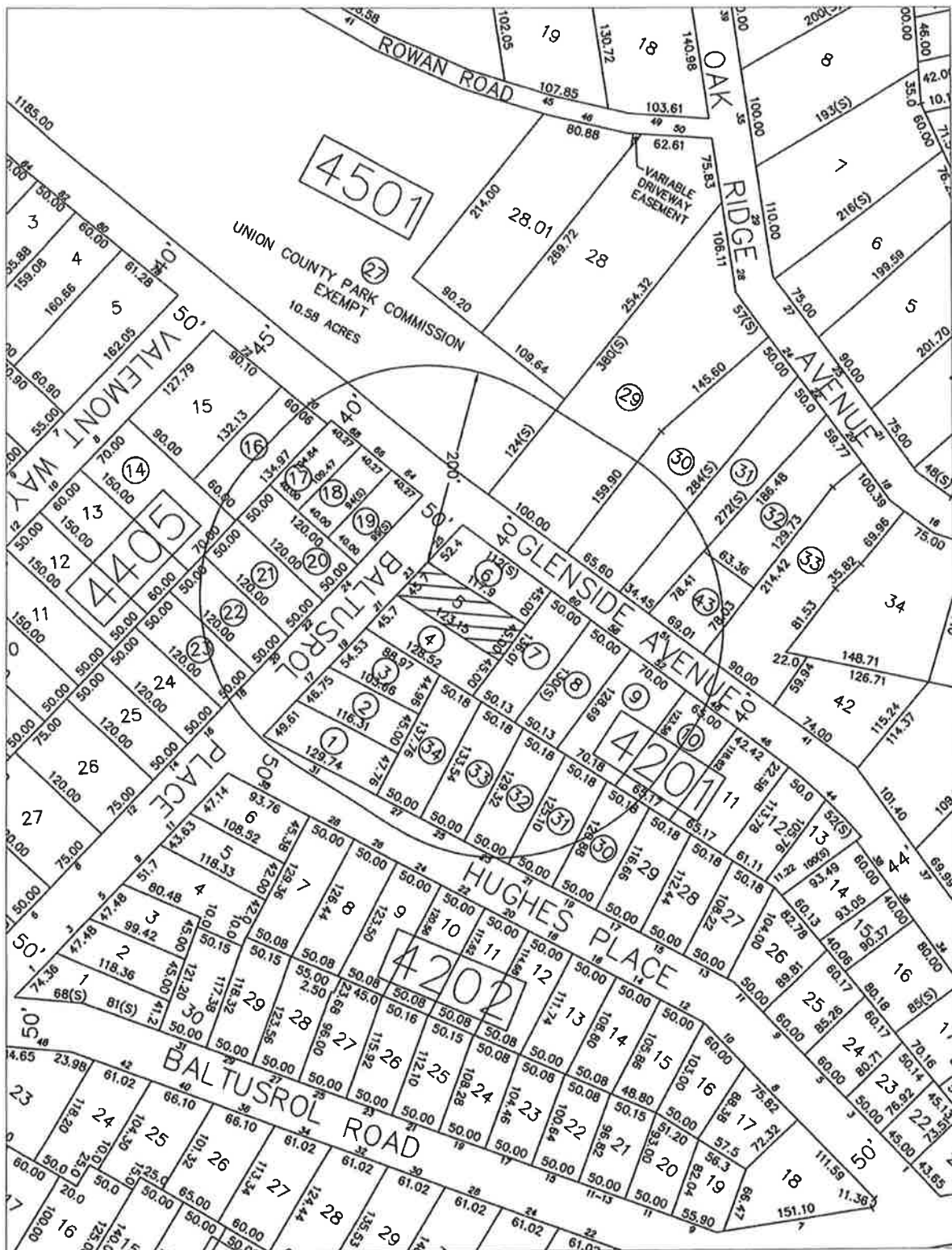
## OWNER &amp; ADDRESS REPORT

SUMMIT

03/18/25 Page 2 of 2

4201-5 23 BALTUSROL PL - NISENSEN, EVAN & LAUREN  
EVAN & LAUREN NISENSEN

BLOCK	LOT	QUAL	CLA	PROPERTY OWNER	PROPERTY LOCATION	Add'l Lots
4405	21		2	HURLEY, SUZANNE E. 22 BALTUSROL PLACE SUMMIT, NJ 07901	22 BALTUSROL PL	
4405	22		2	WALSH, MICHAEL P. & COOHILL, LISA M 20 BALTUSROL PLACE SUMMIT, N J 07901	20 BALTUSROL PL	
4405	23		2	LONERGAN, DENNIS 18 BALTUSROL PLACE SUMMIT, N J 07901	18 BALTUSROL PL	
4501	27		15C	DIV. OF PARKS & RECREATION ADMIN.BLDG., E TOWN PLAZA ELIZABETH, NJ 07207	99 GLENSIDE AVENUE	
4501	29		2	GOTTESMAN, ANDREW K. & CHRISTINE H. 28 OAK RIDGE AVE SUMMIT, NJ 07901	28 OAK RIDGE AVE	
4501	30		2	FRIDEL, FRANK A. & MAY ABRAHAM 24 OAK RIDGE AVE SUMMIT, NJ 07901	24 OAK RIDGE AVE	
4501	31		2	HYBL, GREGORY A. & MARY D. 22 OAK RIDGE AVENUE SUMMIT, NJ 07901	22 OAK RIDGE AVE	
4501	32		2	RICHARDSON, CHRISTOPHER A & NELA T 20 OAK RIDGE AVE SUMMIT, NJ 07901	20 OAK RIDGE AVE	
4501	33		2	GRATES, SUSAN E. 18 OAK RIDGE AVENUE SUMMIT, NJ 07901	18 OAK RIDGE AVE	
4501	43		2	ROBINSON, HERMELINDA A. 51 GLENSIDE AVE SUMMIT, NJ 07901	51 GLENSIDE AVE	



# THE CITY OF SUMMIT

N E W J E R S E Y

City Hall

512 Springfield Avenue

Summit NJ 07901

Patricia R. Dougherty  
Collector of Taxes

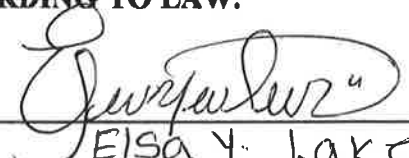
Telephone (908) 273-6403  
Fax (908) 608-1214

ADDRESS: 23 Baltusrol Pl, Summit NJ 07901 DATE: 5/01/25

OWNER(S): Evan and Lauren Nisenon

BLOCK: 4201 LOT(S): 5

PURSUANT TO THE PROVISIONS OF THE MUNICIPAL LAND USE LAW, N.J.S.A. 40:55D-1 ET. SEQ. PERTAINING TO THE ZONING BOARD OF ADJUSTMENT AND/OR PLANNING BOARD APPLICATIONS. I, HEREBY CERTIFY THAT THE TAXES OR ASSESSMENTS FOR PUBLIC IMPROVEMENTS, OR BOTH, ARE NOT DUE OR DELINQUENT ON THE ABOVE PARCEL(S), AND HAVE BEEN PAID TO DATE ACCORDING TO LAW.

  
Elsa Y. Lakt  
Dep. Collector of Taxes

## For Office Use Only:

Department of Community Services

Date filed: \_\_\_\_\_

File ZB/PB# \_\_\_\_\_

Received by: \_\_\_\_\_

NOTICE OF HEARING FOR PUBLICATION

The Union County Local Source  
1291 Stuyvesant Avenue  
Union, NJ 07083

Tel: 908-686-7700

TAKE NOTICE THAT the Zoning Board of Adjustment of the City of Summit, New Jersey, will hold a hearing on \_\_\_\_\_, 20\_\_\_\_ at 7:30 p.m. in the City Hall Council Chambers, 512 Springfield Avenue, Summit, New Jersey, to consider an application affecting the property whose street address is known as

23 Baltusrol Place, Block 4201, Lot 5.

The conditions affecting this property and the reason for the application being heard are as follows:

The applicant requests variance relief for  
building and lot coverage for a two-story addition  
at the rear of the house on a pre-existing  
nonconforming lot.

Applicant requests any other waivers or variances as may be required by the Board or its professionals at the time of the hearing.

The application forms and supporting documents are on file in the Department of Community Services, 512 Springfield Avenue, and may be inspected on any workday during business hours, 8:30 a.m. to 4:00 p.m. Any Interested party may appear at the hearing and participate therein, subject to the rules of the Board.

Evan and Lauren Nisenson

Applicant's printed name

## NOTICE OF HEARING

DATE: \_\_\_\_\_

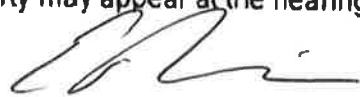
TO \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

YOU ARE HEREBY NOTIFIED, as provided in the Municipal Land Use Law, that the Zoning Board Board of Adjustment of the City of Summit, New Jersey, will hold a hearing on \_\_\_\_\_, 20\_\_ at 7:30 p.m. in the City Hall Council Chambers, 512 Springfield Avenue, Summit, New Jersey, to consider an application affecting the property whose street address is known as 23 Baltusol Place, Summit NJ 07901

The conditions affecting this property and the reasons for the application being heard are as follows: The applicant requests variance relief for building coverage and lot coverage for a two-story addition at the rear of the house located on an existing non-conforming lot.

Applicant requests any other waivers or variances as may be required by the Board or its professionals at the time of the hearing.

The application forms and supporting documents are on file in the Department of Community Services, 512 Springfield Avenue, and may be inspected any workday between the hours of 8:30 a.m. and 4:00 p.m. Any interested party may appear at the hearing and participate therein, subject to the rules of the Board.



Applicant's signature

Evan and Lauren Nisensoy

Applicant's printed name

**SCHEDULE B – SECTION II  
EXCEPTIONS**

File No.: **ST-8398**

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

1. Notwithstanding any provision of the policy to the contrary, any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
2. Rights or Claims or interest of parties in possession of the land not shown by the public record.
3. Easements, or claims of easements, not shown by the public record.
4. Any liens or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Subsurface conditions and/or encroachments not disclosed by an instrument of record. (Fee Policy only).
6. Subject to added or omitted assessments pursuant to N.J.S.A. 54:4-63.1 et seq.

7. **Taxes, Assessments and Water Charges as follows:**

Property Tax Search dated June 2, 2017 shows municipal property taxes paid through the 2nd Quarter of 2017.

WATER ACCOUNT # PRIVATE - NJ AMERICAN WATER CO.  
FINAL READING & SETTLEMENT AMOUNT DUE REQUIRED  
SEWER ACCOUNT # 25565-0 2016: \$229.00 PAID IN FULL  
BILLED ANNUALLY; CONTACT:

Note: Final Water/Sewer Reading must be obtained prior to closing.

This property is subject to current year's taxes levied or to be levied, and not yet certified to by the County Board of Taxation in accordance with Chapter 397 Laws of 1941, as amended and supplemented.

8. Amount of calculated acreage or quantity of land is not insured.
9. Driveway easement agreement as in Deed Book 3473, page 289.

NOTE: Loan policy will insure that the mortgage set forth under Schedule A is a valid first lien on the premises described herein.

NOTE: Loan policy to issue will include an ALTA 8.1-06, ALTA 9.10-06, and Secondary Mortgage Market Endorsement.

**End Schedule B – Section II**





33410

AGREEMENT FOR DRIVEWAY BASEMENT

This agreement made and entered into this 30th day of September, 1986, by and between James Charles Kilduff and Marianne Carlton, his wife of the City of Summit in the County of Union and State of New Jersey, parties of the first part and Frederick J. Fleming, Married, and Robert E. Fleming, Married, of the City of Summit, County of Union and State of New Jersey and Mark W. Miller, Single, of the Borough of Mountainside, County of Union and State of New Jersey and Wendy Miller, Single, of the Borough of North Plainfield, County of Somerset and State of New Jersey, parties of the second part,

WITNESSETH:

Whereas, parties of the first part are the owners of, and in possession of, the following described real estate located in the City of Summit, County of Union and State of New Jersey and more particularly described as follows:

BEGINNING at a point on the northeasterly side line of Baltusrol Place as shown on hereinafter mentioned map which is one hundred ninety-six and fifty nine hundredths feet north forty degrees forty one minutes west from its intersection with the north forty degrees forty one minutes west from its intersection with the north line of Hughes Place; thence (1) North thirty eight degrees twenty seven minutes east one hundred twenty three and fifteen hundredths feet to a point; thence (2) North forty seven degrees twenty three minutes west forty-five feet to a point; thence (3) South thirty eight degrees twenty-seven minutes west one hundred seventeen and ninety hundredths feet to the northeasterly line of Baltusrol Place; thence (4) South forty degrees forty

RECEIVED & RECORDED  
UNION COUNTY, N.J.

OCT 6 11 54 AM '86

JOANN F. LORBER  
REGISTER

Properly  
Signed &  
Sealed  
in Presence of  
Me, Notary Public  
for the State of New Jersey  
JOSEPH E. GREGG, ESQ.  
NOTARY PUBLIC  
ATTESTED AT CITY OF NEW JERSEY

one minutes east forty five and seventy hundredths feet  
along Baltusrol Place to the place of BEGINNING.

BEING Lot 5 in Block 31 on the Tax Map of the City of  
Summit.

BEING known as 23 Baltusrol Place, Summit, New Jersey.

Whereas, Frederick J. Fleming and Robert E. Fleming are  
the owners of and in possession of and Mark W. Miller and  
Wendy Miller, are purchasers under Contract of the following  
described real estate located in the City of Summit, County of  
Union and State of New Jersey and more particularly described  
as follows:

BEGINNING at a point on the northeast side of Baltusrol  
Place as the same is laid down on a map of property  
belonging to Helms and Hughes, Summit, Union County,  
N.J., dated February 24, 1914, made by Sailer and  
Kentz, which point is north forty degrees forty one  
minutes west one hundred and fifty feet and eighty  
nine hundredths of a foot from the northwest line of  
Hughes Place; thence (1) north forty degrees forty  
one minutes west along Baltusrol Place forty five  
feet and seventy hundredths of a foot to a point;  
thence (2) north thirty eight degrees twenty seven  
minutes east one hundred and twenty three feet and  
fifteen hundredths of a foot to a point; thence (3)  
south forty seven degrees twenty three minutes east  
forty five feet to a point; thence (4) south thirty  
eight degrees twenty seven minutes west one hundred  
and twenty eight feet and fifty two hundredths of a  
foot to the point and place of BEGINNING. Being  
designated as Lot No. 19 on said map.

BEING Lot 4 in Block 31 on the Tax Map of the City of  
Summit.

BEING known as 21 Baltusrol Place, Summit, New Jersey.

Whereas, said properties adjoin so that the east line of  
said Lot 5, Block 31 on the Tax Map of the City of Summit, New

Jersey coincides with the west line of said Lot 4, Block 31 on the Tax Map of the City of Summit, New Jersey; and

Whereas, said parties in consideration of the sum of One Dollar in hand paid each to the other have agreed to grant to each other an easement for driveway purposes along said adjoining lot line, upon the terms and conditions hereinafter set forth;

Now, Therefore, it is hereby agreed by and between the parties hereto, as follows:

(1) Parties of the first part hereby grant unto parties of the second part, their heirs and assigns and their agents, servants, tenants and occupants of the premises at 21 Baltusrol Place, Summit, New Jersey an easement and right-of-way eight feet along the east line of said Lot 5, Block 31 as and for driveway purposes, and for ingress and egress to the rear entrance of the dwelling of said second parties and the garage located on said Lot 4, Block 31.

(2) Parties of the second part hereby grant unto parties of the first part, their heirs and assigns and their agents, servants, tenants and occupants of the premises at 23 Baltusrol Place, Summit, New Jersey, an easement and right-of-way eight feet along the west line of said Lot 4, Block 31 as and for driveway purposes, and for ingress and egress to the rear entrance of the dwelling of said first parties and the garage located on said Lot 5, Block 31.

3. It is further understood and agreed by and between the parties hereto that the said driveway is to be improved by gravel, paving or otherwise, as may be determined by the parties, and is to be maintained in good condition at the expense of said parties, share and share alike; and that said easement shall continue and remain in effect as long as said properties, or either of them, are used for residential purposes.

(4) This agreement shall be binding upon the heirs, executors and assigns of the parties hereto.

In witness whereof the parties have hereunto set their hands and seals the day and year first above written.

In the presence of:

James C. Kilduff  
As to James Charles Kilduff

James C. Kilduff  
JAMES CHARLES KILDUFF

Marianne Carlton  
As to Marianne Carlton

Marianne Carlton  
MARIANNE CARLTON

Frederick J. Fleming  
As to Frederick J. Fleming

Frederick J. Fleming  
FREDERICK J. FLEMING

Robert E. Fleming  
As to Robert E. Fleming

Robert E. Fleming  
ROBERT E. FLEMING

Mark W. Miller  
As to Mark W. Miller

Mark W. Miller  
MARK W. MILLER

Wendy Miller  
As to Wendy Miller

Wendy Miller  
WENDY MILLER

STATE OF NEW JERSEY:  
ss:  
COUNTY OF ESSEX


BE IT REMEMBERED, that on this 30<sup>th</sup> day of September  
1986, before me, the subscriber, personally appeared, JAMES CHARLES  
KILDUFF, who, I am satisfied, is the person mentioned in the  
within instrument, to whom I first made known the contents  
thereof, and thereupon he acknowledged that he signed, sealed  
and delivered the same as his voluntary act and deed, for the  
uses and purposes therein expressed.

*Donna L. Ditzel*



STATE OF NEW JERSEY;  
COUNTY OF ESSEX '88'

BE IT REMEMBERED, that on this 30<sup>th</sup> day of September, 1986, before me, the subscriber, personally appeared, MARIANNE CARLTON, who, I am satisfied, is the person mentioned in the within instrument, to whom I first made known the contents thereof, and thereupon she acknowledged that she signed, sealed and delivered the same as her voluntary act and deed, for the uses and purposes therein expressed.

  
CONNA L. DITZEL  
A Notary Public of New Jersey  
My Commission Expires Feb. 4, 1989

STATE OF NEW JERSEY:  
COUNTY OF Union ss:

BE IT REMEMBERED, that on this 22<sup>nd</sup> day of September, 1986, before me, the subscriber, personally appeared, FREDERICK J. FLEMING, who, I am satisfied, is the person mentioned in the within instrument, to whom I first made known the contents thereof, and thereupon he acknowledged that he signed, sealed and delivered the same as his voluntary act and deed, for the uses and purposes therein expressed.

Gilbert Dwan  
An Attorney at Law of N.J.



STATE OF NEW JERSEY;  
COUNTY OF UNION ss:

BE IT REMEMBERED, that on this 22<sup>nd</sup> day of September,  
1986, before me, the subscriber, personally appeared, ROBERT E.  
FLEMING, who, I am satisfied, is the person mentioned in the  
within instrument, to whom I first made known the contents  
thereof, and thereupon he acknowledged that he signed, sealed  
and delivered the same as his voluntary act and deed, for the  
uses and purposes therein expressed.

Gilbert Dwyer

Gilbert Dwyer  
Attorney at Law at N.J.

STATE OF NEW JERSEY:  
COUNTY OF UNION ss:

BE IT REMEMBERED, that on this 22<sup>nd</sup> day of September, 1986, before me, the subscriber, personally appeared, MARK W. MILLER, who, I am satisfied, is the person mentioned in the within instrument, to whom I first made known the contents thereof, and thereupon he acknowledged that he signed, sealed and delivered the same as his voluntary act and deed, for the uses and purposes therein expressed.

Michael J. Kwan  
Michael J. Kwan  
An attorney at law in N.J.

STATE OF NEW JERSEY:  
COUNTY OF UNION ss:

BE IT REMEMBERED, that on this 22<sup>nd</sup> day of September, 1986, before me, the subscriber, personally appeared, WENDY MILLER, who, I am satisfied, is the person mentioned in the within instrument, to whom I first made known the contents thereof, and thereupon she acknowledged that she signed, sealed and delivered the same as her voluntary act and deed, for the uses and purposes therein expressed.

*Michael J. Grieco*  
Michael J. Grieco  
Att. atty. at law  
of N. J.

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END OF DOCUMENT

BOOTH, BATE AND GRIECO  
COUNSELORS AT LAW  
31 PARK STREET  
MONTCLAIR, NEW JERSEY 07042

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