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**FW: BELMAR FROM BELMAR FAS**

1 message

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**Ken Pringle** <kpringle@pringle-quinn.com>

Tue, Jun 8, 2021 at 10:05 AM

To: Fran hines <franny@belmarfirstaid.com>, Jeannie Hines <jhines.belmarfirstaid@gmail.com>

Cc: John Haulenbeek <jhauenbeek@pringle-quinn.com>

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**From:** Jerry Dasti <JDasti@dmmlawfirm.com>

**Sent:** Tuesday, June 8, 2021 10:03 AM

**To:** Ken Pringle <kpringle@pringle-quinn.com>; Mark Walsifer <mwalsifer@belmar.com>; Edward Kirschenbaum (ekirschenbaum@belmar.com) <ekirschenbaum@belmar.com>; Bridget Dudas <bdudas@belmar.com>; April Claudio (aclaudio@belmar.com) <aclaudio@belmar.com>; Patrick Varga <pvarga@dmmlawfirm.com>

**Subject:** BELMAR FROM BELMAR FAS

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Mr. Pringle

Thank you for your 6/7. This letter/email is provided to you w/o prejudice in the event that litigation results. Belmar rejects the deed restrictions set forth on Page Two of your letter (mistakenly referred to as "Page Three), specifically paragraphs 1 (A) (i) and (ii).

There is no legitimate reason for your client to attempt to impose those deed restrictions. You client would not have tried to impose them upon the developer, Down to Earth, who submitted and then withdrew the bid. That bid clearly, if accepted, would have resulted in the building being demolished, homes being built, etc. There would have been no deed restrictions for the benefit of the Belmar historical Society, Inc., either.

Therefore we cannot understand why your client would try to impose those restrictions on Belmar.

Also, any appliances affixed to the building such as generators, range/stove, refrigerator, etc., are part of the building and should be included in the sale of the building.

Belmar intends to acquire the property, without those restrictions. Now that a p/p has been determined (certainly the FMW of the highest and best use is resolved by the bid from Down to Earth), if we do not receive an adequate response from your client, I believe that Belmar will adopt an ordinance authorizing condemnation of the property.

Please discuss this with your client and advise asap. Thank You.