COOPER LEVENSON
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NICHOLAS F. TALVACCHIA
Also Admitted to PA Bar
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FILE NO. 61455/00002

March 17, 2023

Via Hand Delivery

Robert Reid
Land Use Regulation Enforcement Officer
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Re: AC Ocean Walk LLC dba Ocean Casino Resort
Block 1, Lots 162 to 175 and part of Lot 176
Beach Lots 39 and 40, located south of 500 Boardwalk

Dear Mr. Reid:

We are the attorneys for the Applicant, AC Ocean Walk LLC, with respect to an application for amended site plan approval to permit approximately ten (10) 8 ft. x 8 ft. x 8 ft. sun shelters (cabanas), to permit the use of two beach chair/umbrella storage sheds and allow retail sales of sundries and beach-related items from the storage sheds on the above-referenced property.

We are providing the following to the CRDA and its professionals:

1. Original and one (1) copy of the CRDA Land Use Application including Project Narrative and Corporate Disclosure;

2. Two (2) copies each of the Minor Site Plan Checklists (Form #5);

3. Two (2) copies of the "Site Plan Amendment" prepared by Arthur W. Ponzio, Jr., P.P. and P.L.S. dated March 17, 2023 which contains one (1) page;

4. Two (2) copies of a sample picture of the proposed sun shelters;

5. Two (2) copies of the redacted Second Amendment to Lease between Applicant and City of Atlantic City;

6. One (1) copy of correspondence dated March 16, 2023 to Atlantic City Tax Assessor requesting Property Owners List within 200 feet of the subject property;

7. One (1) copy of the Certificates of Payment of Taxes for the subject property;

8. One (1) copy of the Escrow Setup Information form;

9. Flash drive with a digital copy of the submission; and

10. Checks in the amount of $300.00 and $2,000.00 for the application and escrow fees, respectively.

Please review the enclosed information and contact me if you require additional information.

Thank you for your kind attention to this matter.

Very truly yours,
Cooper Levenson, P.A.

Nicholas F. Talvacchia

NFT/ln
Enclosures
cc: Scott G. Collins, Esquire *(w/Enclosures, via E-mail)*
Christine A. Nazzaro-Cofone, PP, AICP, Cofone Consulting Group, LLC *(w/ Enclosures, via E-mail)*
Justin Auciello, PP, AICP, Cofone Consulting Group, LLC *(w/ Enclosures, via E-mail)*
Carolyn Feigin, PE, PP, ARH Associates *(w/Enclosures, via E-mail)*
Atlantic City Planning Dept. (*w/ Enclosures, via Hand Delivery*)
Atlantic City Engineering Department (*w/ Enclosures, via Hand Delivery*)
Joseph Muskett, Esquire, Ocean Casino Resort (*w/ Enclosures, via E-mail*)
Arthur W. Ponzio, Jr., P.P. and P.L.S. (*w/ Enclosures, via E-mail*)

City of Atlantic City
LAND USE APPLICATION

City of Atlantic City: (Check where applicable)

☐ **AC Planning Division Jurisdiction**
City of Atlantic City Planning Board
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
609-347-5404

CRDA: (Check where applicable)

☑ **NJ CRDA LURED Jurisdiction**
Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
609-347-0500

To be completed by staff only.

Date Filed_____ Application No._____
Application Fees: _____ Escrow Deposit_____

Scheduled for:
Review for Completeness _____ Hearing: _____

==========

1. SUBJECT PROPERTY

Location: Beach Lots 39 and 40, immediately south of Ocean Casino at 500 Boardwalk

Tax Map Page _____ Block 1 Lot(s) 162 to 175 and po176
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage _____ Depth _____ Total Area 16,550 sq. ft. useable per NJ DEP GP 22 requirements.

Zoning District B

2. APPLICANT

Name AC Ocean Walk, LLC
Email c/o Nicholas F. Talvacchia, Esquire ntalvacchia@cooperlevenson.com
Address 500 Boardwalk, Atlantic City, NJ 08401
Telephone Number c/o NFT 609-572-7544
Applicant is a: Corporation ☐ Partnership ☑ Individual ☐

3. If Owner is other than the applicant, provide the following information on the Owner(s):
Owner's Name City of Atlantic City
Email _____
Address 1301 Bacharach Boulevard, Atlantic City, NJ 08401
Telephone Number 609-347-5510

4. DISCLOSURE STATEMENT

Pursuant to N.J.S 40:55D-48.1 [Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.] Disclosure of owners of organization and property subject to application. [A corporation or partnership applying to a governing body of a municipality]Any organization making an application for development under this act [for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes] shall list the names and addresses of all members, stockholders or individual partners (collectively, "interest holders")[owning at least 10% of its stock of any class or at least 10% of the interest in the partnership], including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property [as the case may be]. In accordance with 40:55D-48.2 [Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership.] Listing of names and addresses of interest holders of applicant and owner organization. If [a corporation or partnership] an organization owns an interest equivalent to 10% or more of another organization the stock of a corporation, or 10% or greater interest in a partnership, subject to the disclosure requirements hereinabove described, [pursuant to section 1 of this act that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the [partnership, as the case may be, and] organization. [This requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.] In accordance with recently added 40:55D-48.3 Disclosure of all officers and trustees of a non-profit organization. A non-profit organization filing an application for development under this act shall list the names and addresses of all officers and trustees of the non-profit organization. In accordance with 40:55D-48.4 [Failure to comply with act; disapproval of application.] Approval of application. *a.* No municipal planning board, board of adjustment or [municipal] governing body shall approve the application of any [corporation or partnership] organization or non-profit organization which does not comply with this act. Any approval not in compliance with this act shall be voidable in a proceeding in lieu of prerogative writ in the Superior Court. b. Any party, including any member of the public, may institute a proceeding in lieu of prerogative writ in the Superior Court to challenge any PROPOSED AMENDMENTS TO MUNICIPAL LAND USE LAW approval granted by a municipal planning board, board of adjustment or governing body on the grounds that such action is void for the reasons stated in subsection a. of this section, and if the court shall find that the approval was not in compliance with this act, the court may declare the approval to be void. In accordance with 40:55D-48.5 [Concealing names of owners;] Organization or non-profit organization failing to disclose; fine. Any [corporation or partnership which conceals] organization or nonprofit organization failing to disclose in accordance with this act, [the names of stockholders owning 10% or more of its stock, or of individual partners owning a 10% or greater interest in the partnership, as the case may be,] shall be subject to a fine of $1,000 to $10,000, which shall be [recovered] recoverable in the name of the municipality in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.).

Name See attached Disclosure Statement Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____

5. PROPERTY INFORMATION:
Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes [attach copies]_____ No___X_____ Proposed_____
Present use of the premises: Lounge/beach chairs and umbrellas, two (2) storage sheds, a beach volleyball court and public beach.

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

6. **Applicant's Attorney** Nicholas F. Talvacchia, Esquire
Email ntalvacchia@cooperlevenson.com
Address Cooper Levenson, P.A., 1125 Atlantic Avenue, Third Floor, Atlantic City, NJ 08401
Telephone Number 609-572-7544
FAX Number 609-572-7545

7. **Applicant's Engineer** Arthur W. Ponzio, Jr., P.P and P.L.S.
Email aponzio@aponzio.com
Address 400 Dover Avenue, Atlantic City, NJ 08401
Telephone Number 609-344-8194
FAX Number_____

8. Applicant's Planning Consultant Same as # 7 above.
Email _____
Address _____
Telephone Number _____
FAX Number_____

9. **Applicant's Traffic Engineer** N/A
Email _____
Address _____
Telephone Number _____
FAX Number_____

10.List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name ____N/A_____

Field of Expertise_____

Email _____

Address _____

Telephone Number _____

FAX Number_____

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

_____ Administrative Review of Minor Subdivision Plan

_____Administrative Review of Major Subdivision Plan

_____ Minor Subdivision Approval

_____ Major Subdivision Approval [Preliminary]

_____ Major Subdivision Approval [Final]

Number of lots to be created _____ Number of proposed dwelling units _____ (including remainder lot) (if applicable)

SITE PLAN:

_____Administrative Review of Minor Site Plan

_____ Administrative Review of Major Site Plan

___X___ Minor Site Plan Approval

_____ Major Preliminary Site Plan Approval [Phases (if applicable) ___]

_____ Major Final Site Plan Approval [Phases (if applicable) ___]

_____ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet) _____

Total number of proposed dwelling units _____

_____Request for Waiver From Site Plan Review and Approval

Reason for request: _____

_____

MISC:

_____ Administrative Review

_____ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]

_____ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]

_____ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]

_____ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]

_____ Variance Relief (use) [N.J.S. 40:55D-70d]

_____ Conditional Use Approval [N.J.S. 40:55D-67]

_____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]

_____ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a **variance is requested and justification for said request**: [attach additional pages as needed] N/A

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.
Requirements: [attach additional pages as needed] N/A

14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.
The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. **Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:**
[attach pages as needed] See Project Narrative attached.

16. Is a public water line available? N/A
17. Is public sanitary sewer available? N/A
18. Does the application propose a well and septic system? No
19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? N/A
20. Are any off-tract improvements required or proposed? N/A
21. Is the subdivision to be filed by Deed or Plat? N/A
22. What form of security does the applicant propose to provide as performance and maintenance guarantees? N/A

23. Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority		X	
Atlantic County Health Department		X	
Atlantic County Planning Board		X	
Atlantic County Soil Conservation Dist.		X	
NJ Department of Environmental Protection	X		Permit expires in 2024
Sewer Extension Permit		X	
Sanitary Sewer Connection Permit		X	
Stream Encroachment Permit		X	
Waterfront Development Permit		X	
Wetlands Permit		X	
Tidal Wetlands Permit		X	
Potable Water Construction Permit		X	
Other		X	
NJ Department of Transportation		X	
Public Service Electric & Gas Company		X	

24. Certification from the Tax Collector that all taxes due on the subject property have been paid. To be provided.

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Quantity	Description of Item
2	"Site Plan Amendment" prepared by Arthur W. Ponzio, Jr., dated March 17, 2023

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:
Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional Reports Requested All

Attorney

Engineer

CERTIFICATIONS

27. I Nicholas F. Talvacchia, Esquire certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.
[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
17th day of March, 20 23

LAURA M NEWTON
A Notary Public of New Jersey
My Commission Expires 06/29/2025

NOTARY PUBLIC

SIGNATURE OF APPLICANT Nicholas F. Talvacchia, Esquire
Attorney for Applicant

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.
[If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

Sworn to and subscribed before me this
_____ day of _____, 20 _____

NOTARY PUBLIC

SIGNATURE OF OWNER

29. I understand that the sum of $2,000.00 has been deposited in an escrow account (Builder's Trust Account). In accordance with Land Use Fees and Escrow Deposit Requirements, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

March 17, 2023
Date

SIGNATURE OF APPLICANT Nicholas F. Talvacchia, Esquire
Attorney for Applicant

PROJECT NARRATIVE

AC Ocean Walk, LLC dba Ocean Casino Resort
Block 1, Lots 162-175 and part of 176
also referred to as Beach Lots 39 and 40

March 17, 2023

AC Ocean Walk, LLC dba Ocean Casino Resort ("Applicant") requests approval to permit approximately ten (10) 8 ft. x 8 ft. x 8 ft. two-chair sun shelters (cabanas) and also seeks to permit retail sales of sundries and beach-related items from the two existing seasonal storage sheds on the beach in front of its casino resort property. Applicant has had a beach chair/umbrella concession with two sheds since opening pursuant to the City beach license. The property it leased from the City of Atlantic City and consists of Block 1, Lots 162-175 and part of Lot 176, also referred to as Beach Lots 39 and 40 (the "Property").

The Applicant requests amended site plan approval to permit the sun shelters (cabanas), sheds and retail sales. The Property is located within the B zoning district where the uses are permitted.

Applicant also requests any variances, waivers, exceptions or other relief that the Land Use Board deems necessary and/or appropriate.

DISCLOSURE STATEMENT

LIST OF NAMES AND ADDRESSES OF OFFICERS, DIRECTORS, AND INDIVIDUALS OR ENTITIES OWNING 10% OR MORE INTEREST IN THE APPLICANT (N.J.S.A. 40:50D-48.1)

AC Ocean Walk, LLC

The persons or entities with a 10% or greater interest in applicant, AC Ocean Walk, LLC. ("Applicant"):

AC Beachfront, LLC
500 Boardwalk
Atlantic City, NJ 08401

Ownership of AC Beachfront, LLC

Ten RE AC NJ, LLC
500 Boardwalk
Atlantic City, NJ 08401

Ownership of Ten RE AC NJ, LLC over 10%

Luxor Venture Partners, LP
1114 Avenue Of The Americas 28th Fl, New York, NY 10036

Luxor Capital Partners, LP
1114 Avenue Of The Americas 28th Fl, New York, NY 10036

Ocean 2, Inc
1114 Avenue Of The Americas 28th Fl, New York, NY 10036

The ownership of the above entities in a percentage of 10% or greater is Luxor Capital Group, LLC, an investment manager.

15 South Pennsylvania Avenue

Atlantic City, NJ 08401

NJ CRDA – City of Atlantic City - Minor Site Plan Checklist (Form # 5)

(An Application for Development that does not exceed one acre in size, maximum building gross floor area of 10,000 square feet, a maximum of three stories and no more than twenty-five parking spaces)

REQUIRED APPLICATION ITEMS

Project Name: AC Ocean Walk, LLC Application # _____

Prepared by: Arthur W. Ponzio, Jr. Title P.P and P.L.S. date 03/17/2023

Note : Five (5) copies of plans and supporting documents are required as the initial submission. Ten (10) copies of plans are required for final sign-off and distribution.

Item #	Description	REQUIRED	SUBMITTED	WAIVER REQUESTED BY APPLICANT	Waiver Recommended by Reviewer
1	Completed Land Use Application Form	X	X		
2	Payment of Required Application and Escrow Fees (19:66-3.4)	X	X		
3	Name and address, email address of property owner and applicant.	X	X		
4	Proof of real estate taxes and other assessments paid.		X		
5	Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.	X	X		
6	Project narrative describing existing conditions, surrounding uses and the proposed development including list of variance and design waiver relief sought, if any.	X	X		
7	Title block denoting type of application, tax map sheet, project address, block and lot, and street location.	X	X		
8	Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk's Office, affidavit or other documentation evidencing ownership.)	X	X		
9	Consent of property owner to applicant to development project.	X	X		

10	FOR ADMINISTRATIVE REVIEW AND APPROVAL: Certification from Applicant's licensed professional that the development proposed meets all requirements and no variance or design waivers are requested. (19:66-4.6)	X	N/A		
11	Zoning Schedule listing: Use, lot area, lot width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each.	X	N/A		
12	Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.	X	X		
13	Public Notice in compliance with NJSA 40:55D-12.	X	TO BE SUBMITTED		
14	North arrow, scale and graphic scale.	X	X		
15	Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.	X	X		
16	Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.	X	X		
17	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X	N/A		
18	List of development stages or phases, if any.	X	N/A		
19	List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.	X	X		

20	Land Title Survey and topographic survey depicting existing conditions prepared by New Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, site lighting/fixtures, fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings.	X		X	
21	Stormwater management plans and drainage calculations. (19:66-7.5)	X	N/A		
22	Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, lighting / fixtures, lighting intensity, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.	X	X		
23	Grading plan depicting direction of flow of surface run-off, spot elevations, contours within 1 foot intervals, stormwater management structures	X	N/A		
24	Landscaping Plan, details and plant schedule (19:66-7.6)	X	N/A		
25	Lighting plan and details (19:66-7.10)	X	N/A		
26	Soil Erosion and Sediment Control Plan. (Required for soil disturbance of 5,000 sq. ft. or greater)	X	N/A		

27	Plans of proposed utility layouts including sanitary sewer, water, gas, telephone, cable and electricity and showing proposed connections to existing or any proposed utility systems.	X	N/A		
28	Road and paving cross-sections and profiles.	X	N/A		
29	Solid and liquid waste management plan.	X	N/A		
30	Vehicular and pedestrian circulation patterns, Traffic control signs, directional signs and Sight triangles	X	N/A		
31	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X		X	
32	Estimate of costs of on-site and off-site improvements [19:66-3.4 (b)]	X		X	
33	Electronic copy of the full application including: application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB.	X	X		
34	Performance guarantee [19:66-3.4 (b)]	X		X	
35	Maintenance guarantee (19:66-16.3)	X		X	
36	Inspection Fees (19:66-16.1)	X		X	

SAMPLE SUN SHELTER (CABANA)

A 599/22
(EW)

[SECOND] AMENDMENT TO LEASE

AC Ocean Walk, LLC t/a Ocean Resort Casino

By and between:
Landlord: **City of Atlantic City, and**
Tenant: **AC Ocean Walk, LLC t/a Ocean Resort Casino**

Regarding:
Leased Beach Lot(s): **Beach Lot 39 ("Beach Lot") New Jersey to Metropolitan Ave.; and**
Beach Lot 40 ("Beach Lot") Metropolitan to Vermont Ave. (as further identified on the attached Map of Beach Leases)

[redacted]

1. **Lease Term**: The original Lease term began on May 1, 2020 and expired on April 30, 2021 ("Original Term"). By First Amendment to Lease effective May 1, 2021 Landlord and Tenant agrees to extend the Lease term for an additional one (1) year which extended Lease term expired on April 30, 2022 ("First Extended Term"). Landlord and Tenant now agree to extend the Lease term for an additional term of One (1) Year from May 1, 2022 to April 30, 2023. During the Second Extended Term, all of the terms and provisions of the Lease shall apply, except as modified by this Amendment.

[redacted]

IN WITNESS WHEREOF, and intending to be legally bound, the parties hereto have caused this Amendment to be duly executed and delivered on the date appearing with their signature.

Landlord:

Attest:

Paula Geletei

Paula Geletei, City Clerk

Date 5/27/2022

City of Atlantic City

Marty Small, Sr., Mayor

Tenant:

AC Ocean Walk, LLC t/a Ocean Resort Casino

Attest/Witness:

Joseph Muskett, SVP & General Counsel

Date **May 20, 2022**

Laura Palazzo, SVP & CFO

Date: May 20, 2022

[SIGNATURE PAGE TO FIRST AMENDMENT TO LEASE [LOTS 39 & 40]

Approved as to form and execution.

Date: 5/26/22

~~Matthew Sykes~~ Karl Timbers, ESQ.
Assistant City Solicitor

Ocean Resort Lots 39/40
One Year Extension (Second Amendment to Lease)

COOPER LEVENSON
ATTORNEYS AT LAW

1125 Atlantic Avenue – 3rd Floor
Atlantic City, NJ 08401
Phone (609) 344-3161
Toll Free (800) 529-3161
Fax (609) 344-0939
www.cooperlevenson.com

NICHOLAS F. TALVACCHIA
Also Admitted to PA Bar
EMAIL: ntalvacchia@cooperlevenson.com

Direct Phone: (609) 572-7544
Direct Fax: (609) 572-7545

FILE NO. 61455/00002

March 16, 2023

Via E-mail and Hand Delivery

Lisa M. D'Alessandro, Board Secretary
Planning & Development Offices
City of Atlantic City
City Hall, Suite 508
1301 Bacharach Boulevard
Atlantic City, New Jersey 08401

Re: AC Ocean Walk LLC
Block 1, Lots 162 to 175 and part of 176; Block 62, Lots 1 and 2;
and Block 68, Lot 3.02

Dear Ms. D'Alessandro:

We represent AC Ocean Walk LLC in support of a land use application with regard to the above-captioned property and therefore request that you provide this office with a Certified List of Property Owners and Registered Utilities within a 200-foot radius of the subject property.

Enclosed please find our firm check in the amount of $10.00 for the cost of the list. For your convenience, we enclose a self-addressed stamped envelope to send us the requested information.

Please feel free to contact us with any questions.

Thank you for your attention to this matter.

Very truly yours,

Cooper Levenson, P.A.

Nicholas F. Talvacchia

NFT/ln
Enclosures
CLAC 7391232.2

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
ATTORNEY BUSINESS ACCOUNT

641336

CHECK #

Fulton Bank

60-142/313

DATE
03-16-23

AMOUNT
$10.00

PAY THE AMOUNT OF TEN AND 00/100

PAY TO

CITY OF ATLANTIC CITY
1301 BACHARACH BLVD

ATLANTIC CITY, NJ 08401

AUTHORIZED SIGNATURE

Details on back

⑈641336⑈ ⑆031301422⑆ 0008307393⑈

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
(609) 344-3161

641336

2831 CITY OF ATLANTIC CITY

INVOICE	INV. DATE	DESCRIPTION	VOUCHER I.D.	NET AMOUNT
CR-031623	03-16-23	61455.00002	374029	10.00

PRODUCT FJ/350 MCSEE To Reorder: 1-800-662-2331 or www.mcbeeinc.com

13071923001

CITY OF ATLANTIC CITY
OFFICE OF TAX COLLECTOR
1301 BACHARACH BLVD, STE #126
ATLANTIC CITY, NEW JERSEY 08401
(609) 347-5630 FAX # 347-5621

CERTIFICATION OF PAYMENT

March 17, 2023

City of Atlantic City

This certifies that the taxes on Block: 62 Lot: 2

Location: 601 BOARDWALK

Property Owner : ACWORE LLC

are paid up to date as of 2/10/2023* .**

Taxes are Delinquent as of N/A .

There is a lien on this property as of N/A .

*****CASINO PILOT *****

Kacey B. Johnson, CTC, CPM
Collector of Taxes
KACEY B. JOHNSON, CTC, CPM

CITY OF ATLANTIC CITY
OFFICE OF TAX COLLECTOR
1301 BACHARACH BLVD, STE #126
ATLANTIC CITY, NEW JERSEY 08401
(609) 347-5630 FAX # 347-5621

CERTIFICATION OF PAYMENT

March 17, 2023

City of Atlantic City

This certifies that the taxes on Block: 68 Lot: 3.02

Location: 117 S MASSACHUSETTS AVE

Property Owner : ACWORE LLC

are paid up to date as of 2/10/2023* .**

Taxes are Delinquent as of N/A .

There is a lien on this property as of N/A .

*****CASINO PILOT*****

Kacey B. Johnson, CTC, CPM
Collector of Taxes
KACEY B. JOHNSON, CTC, CPM

ESCROW SETUP INFORMATION

The Information below is necessary to initially set up your Escrow Account.

Applicant's Name: AC Ocean Walk, LLC

Applicant's Address: 500 Boardwalk, Atlantic City, NJ 08401

*Applicant's Signature: _____
Nicholas F. Talvacchia, Esquire, Attorney for Applicant

Applicant's Phone No.: c/o NFT 609-572-7544

Applicant's Email Address: c/o NFT ntalvacchia@cooperlevenson.com

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: 82-2361693

Assigned Escrow #: _____

Should you require assistance or have any questions, please do not hesitate to contact:

Atlantic City Planning:

Lisa D'Alessandro, Board Secretary
City of Atlantic City Planning
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
Email: LDAlessandro@cityofatlanticcity.org
609-347-5404

CRDA:

Loreta Acevedo, Project Officer
Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
Email: lacevedo@njcrda.com
609-347-0500

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
ATTORNEY BUSINESS ACCOUNT

641343

CHECK #

Fulton Bank N.A.

60-142/313

DATE 03-17-23

AMOUNT $300.00

PAY THE AMOUNT OF THREE HUNDRED AND 00/100

PAY TO

CRDA
15 SO. PENNSYLVANIA AVE.

ATLANTIC CITY, NJ 08401

AUTHORIZED SIGNATURE

Details on back.

⑈641343⑈ ⑆031301422⑆ 0008307393⑈

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
(609) 344-3161

641343

11135CASINO REINVESTMENT DEVELOPMENT AUTHORITY

INVOICE	INV. DATE	DESCRIPTION	VOUCHER I.D.	NET AMOUNT
LKN/A/0316	03-16-23	61455.00002	374042	300.00

PRODUCT FLV559 MCBEE To Reorder: 1-800-662-2331 or www.mcbeeinc.com

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
ATTORNEY BUSINESS ACCOUNT

641344

CHECK #

Fulton Bank N.A.

60-142/313

DATE 03-17-23

AMOUNT $2,000.00

PAY THE AMOUNT OF TWO THOUSAND AND 00/100

PAY TO

CRDA
15 SO. PENNSYLVANIA AVE.

ATLANTIC CITY, NJ 08401

AUTHORIZED SIGNATURE

Details on back.

⑈641344⑈ ⑆031301422⑆ 0008307393⑈

COOPER LEVENSON, P.A.
1125 ATLANTIC AVENUE • THE THIRD FLOOR
ATLANTIC CITY, NEW JERSEY 08401
(609) 344-3161

641344

11135CASINO REINVESTMENT DEVELOPMENT AUTHORITY

INVOICE	INV. DATE	DESCRIPTION	VOUCHER I.D.	NET AMOUNT
LKN/B/0316	03-16-23	61455.00002	374043	2,000.00

PRODUCT FLV550 MCBEE To Reorder: 1-800-662-2331 or www.mcbeeinc.com

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