



Borough of Fair Lawn
POST OFFICE BOX 376, FAIR LAWN, NEW JERSEY • 07410

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One Bergen County Plaza, Room 580
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Re: 0-65 Saddle River Road, Fair Lawn, NJ
(Owners: Rod Shepard and Iris Cooper)

Dear Ms. McCloud:

In response to your telephone call to my office concerning the above captioned matter, which was referred to you by Mayor/Freeholder Ganz, please find the following documents:

1. Survey map of property at 0-65 Saddle River Road, Fair Lawn, NJ.
2. Letter from Iris Cooper to the County of Bergen Department of Parks, dated August 18, 2001. (We do not have in our files the letter from the County dated August 6th that Ms. Cooper references.)
3. Letter from the County Department of Parks to Ms. Iris Cooper, dated August 28, 2001.
4. Letter from the County Department of Parks to Rod Shepard, dated April 23, 2002.

Please be advised that our local Construction Official brought a complaint against Rod Shepard and Iris Cooper which, ultimately, was heard at the County Construction Board of Appeals on January 9, 2003. It is my understanding this was brought locally at the request of County officials.

201-794-5343
FAX (201) 703-4257

February 13, 2003

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Cassandra A. McCloud, Esq.
Assistant County Counsel

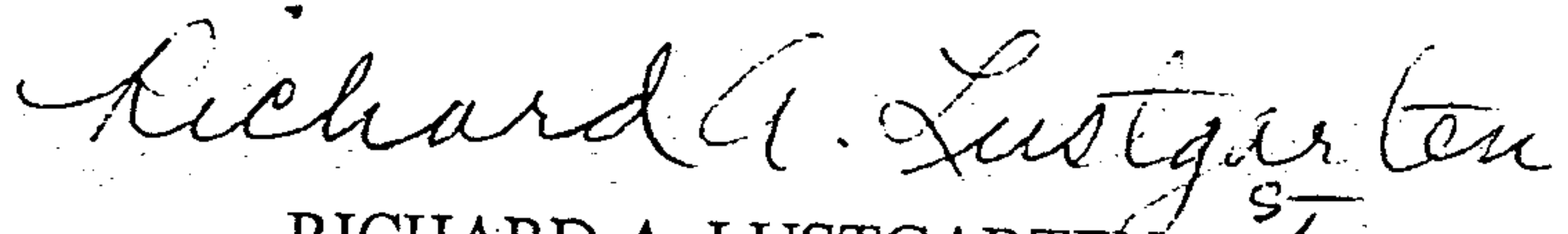
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Since we could not establish when the cabana and shed were constructed, (although, presumably, based on the evidence that preceded the enactment of the Uniform Construction Code, the Borough's action was dismissed. Nevertheless, the cabana and shed encroach on County parkland. It appears that this encroachment had existed for over 35 years inasmuch as the property was subdivided around 1953 with construction and amenities some time in the early 1960s.

These Fair Lawn residents are concerned about any cloud on title, and they have indicated that they have had estimates of over \$25,000 to take these items down.

Would you kindly consider deeding over the small portion on which they are encroaching? The attorney representing them is James Segreto, Esq., and I am copying him on this letter.

Very truly yours,


RICHARD A. LUSTGARTEN
Borough Attorney

RAL:st

Enc.

cc: James V. Segreto, Esq.

Mayor/Freeholder David L. Ganz