Boundary Dispute Docket: C-194-18

Complaint: T18

Response: T19

From 110 year (1906-2016), there were zero discrepancy regarding the boundary line between property owners of Lot 2 and Lot 3 of Block 202 of Point Pleasant of Beach. During that time, we currently know of 5 different surveys that all indicated the building on Lot 3 encroaches Lot 2. Those surveys were commissioned by multiple parties including both property owners and multiple potential buyers of both properties. The surveys were performed by various different surveyors for various different parties and reasons. Exhibits: T1, T2, T3, T4, T14

In June 2017, when real estate developer, broker, and owner of Cara Realtors purchased the adjoining lot to defendant’s lot an alleged boundary dispute appeared & disappeared multiple times to meet the plaintiff’s various needs when negotiating a purchase price(T1, T9, T13), obtain title insurance policies (T12-title policy), obtain bank loan (T12-Gibraltar Bank), obtain access to the courts (T16,T18, T23), leverage in mediation (T23), terminate litigation (T21), and then to increase the sales price (T30).

Oct 19, 1961, Elbert Morris of Morris & Glasgow Inc. performed a survey of Lot 3-Block 202 for Michael Gottlieb the owner of Lot 3-Block 202 that indicated the plaintiff’s building encroaches on the defendant’s property. (In favor of defendant) T1

Nov 24, 2001, Elbert Morris of Morris & Glasgow Inc. performed a survey of Lot 2-Block 202 for Kevin McLaughlin the owner of Lot 2-Block 202 that indicated the plaintiff’s building encroaches on the defendant’s property. (In favor of defendant) T2

Feb. 7 2014, Stanley Hans of R.C Burdick performed a survey of Lot 2-Block 202 for Scott Dolan for a site plan of Lot 2-Block 202 that indicated the plaintiff’s building encroaches on the defendant’s property. (In favor of defendant) T3

Dec 15, 2015, Robert Morris of Morris Surveyors Inc. performed a survey of Lot 2-Block 202 for Scott Dolan a potential buyer of Lot 2-Block 202 that indicated the plaintiff’s building encroaches on the defendant’s property. (In favor of defendant) T4

June 2, 2017, Stanley Hans of R.C Burdick performed a survey of Lot 3-Block 202 for Joe Carannante a potential buyer of Lot 3-Block 202 that indicated no encroach existed. (In favor of plaintiff) T7

May 5, 2018, Robert Morris of Morris Surveyors Inc. performed a survey of Lot 2-Block 202 for Scott Dolan the owner of Lot 2-Block 202 that indicated the plaintiff’s building encroaches on the defendant’s property. (In favor of defendant) T14

Sept 12, 2018, Stanley Hans of R.C Burdick performed a survey of Lot 3-Block 202 for Joe Carannante the owner of Lot 3-Block 202 that indicates an encroachment existed. (In favor of plaintiff) T16

Jan 23, 2019, David Von. Steenburg of Morgan Engineering and Surveying performed a survey of Lot 3-Block 202 for Joe Carannante the owner of Lot 3-Block 202 that indicated no encroach existed. (In favor of plaintiff) T23

Jan 29, 2019, Stanley Hans of R.C Burdick performed a survey of Lot 3-Block 202 for Joe Carannante the owner of Lot 3-Block 202 that indicated the defendant’s building encroaches on the plaintiff’s property. (In favor of plaintiff) T21