

PUBLIC NOTICE
UNION COUNTY BOARD OF CHOSEN FREEHOLDERS
ORDINANCE NO 646-2007
INTRO 3/29/2007
FINAL ADOPT 4/19/2007

was introduced and passed on first reading by the Board of Chosen Freeholders at a REGULAR MEETING on March 29th 2007, and said Ordinance has been published with Notice of Introduction thereof and of the time and place fixed for its further consideration and the Board has duly held a hearing thereof and has given all persons interested an opportunity to be heard. NOW, THEREFORE, BE IT RESOLVED, by the Board of Chosen Freeholders that said Ordinance be and the same hereby is finally passed and adopted, and be it FURTHER RESOLVED, that the Ordinance published herewith has been finally adopted on April 19th 2007, and the 20 day period of limitations within which a suit, action or proceeding questioning the validity of such Ordinance can be commenced has begun to run from the date of first publication of this statement.

Nicole L. DiRado Clerk of the Board of Chosen Freeholders
ORDINANCE OF THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF UNION, NEW JERSEY AUTHORIZING THE EXECUTION OR ACKNOWLEDGMENT AND DELIVERY BY THE COUNTY OF UNION OF CERTAIN AGREEMENTS IN CONNECTION WITH THE UNION COUNTY IMPROVEMENT AUTHORITY'S REVENUE BONDS, SERIES 2007 (ACQUISITION OF 10 CHERRY STREET) IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$1,275,000.

WHEREAS, the Union County Improvement Authority (the "Authority") has been duly created by an ordinance of the Board of Chosen Freeholders (the "Board of Freeholders") of the County of Union, New Jersey (the "County"), as a public body corporate and politic of the State of New Jersey (the "State") pursuant to in accordance with the County Improvement Authorities Law, constituting Chapter 183 of the Pamphlet Laws of 1960 of the State, as amended and supplemented from time to time (the "Act"); and

WHEREAS, the Authority is authorized under the provisions of the Act to acquire real estate within the County by lease or purchase and to construct, reconstruct and rehabilitate improvements thereon; and

WHEREAS, the Authority has previously authorized ARD Appraisal Company to undertake an appraisal of 10 Cherry Street, Elizabeth, New Jersey (the "Property") in order to ascertain the market value of said Property; and

WHEREAS, the Authority has received a copy of the appraisal for the Property and determined that it is in the best interest of the Authority to acquire the Property (the "Project"); and

WHEREAS, the Authority has determined that in order to acquire the Property the Authority will issue not to exceed \$1,275,000 of its "Revenue Bonds, Series 2007" (Acquisition of 10 Cherry Street) (the "2007 Bonds"), and to induce the prospective purchasers of the 2007 Bonds of the Authority issued for the Project to purchase the same, it will be necessary that payment of the principal of (including sinking fund installments, if any) and interest on the herein defined 2007 Bonds be secured by a full faith and credit, unconditional and irrevocable guaranty of the County in accordance with a guaranty ordinance to be finally adopted by the governing body of the County and a guaranty certificate executed on the face of each Bond upon the issuance thereof by an authorized officer of the County (the "Guaranty"), all in accordance with Section 37 ("Section 37") of the Act (N.J.S.A. 40:37A-80) and other applicable law; and

WHEREAS, the Authority will issue its "Revenue Bonds, Series 2007" (Acquisition of 10 Cherry Street) to provide financing for the acquisition and improvement of the Property; and

WHEREAS, the 2007 Bonds have such other terms as shall be set forth in that certain Resolution authorizing the issuance of the "Union County Improvement Authority Revenue Bonds, Series 2007 (Acquisition of 10 Cherry Street) of the Union County Improvement Authority and any Additional Bonds or Notes of the Union County Improvement Authority" adopted by the Authority prior to the issuance of the Bond (the "Initial Bond Resolution") and any amendments or supplements thereto in accordance with the terms thereof may be collectively referred to as the "Bond Resolution"; and

WHEREAS, the payment of the principal of and interests on the 2007 Bonds are secured by a Deficiency Agreement by and among the County, the Trustee for the 2007 Bonds and the Authority ("the Acquisition of 10 Cherry Street Deficiency Agreement, Series 2007 Bonds"); and

WHEREAS, the Authority has made application, on behalf of the County, to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the State (the "Local Finance Board") for the Local Finance Board's review of the financing, including, *inter alia*, the Acquisition of 10 Cherry Street Deficiency Agreement and the Guaranty; and

WHEREAS, in accordance with the terms of Section 37 of the Act (N.J.S.A. 40:37A-80) and the Guaranty, the County shall be obligated, if necessary, to levy *ad valorem* taxes upon all the taxable property within the County without limitation as to rate or amount to make the timely payment of the principal of (including mandatory sinking fund installments, if any) and interest on the 2007 Bonds; and

WHEREAS, in order to market and sell the 2007 Bonds, (i) the Authority shall issue a Preliminary Official Statement (the "POS") and a final Official Statement (the "OS"), (ii) the Authority shall enter into a negotiated sale of the 2007 Bonds with one or more underwriters (collectively, the "Underwriter") pursuant to the terms of a bond purchase agreement (the "BPA"), (iii) the Authority, the County and the trustee for the 2007 Bonds, or any successor thereto in accordance with the terms of the Bond Resolution (the "Trustee") shall enter into a Continuing Disclosure Agreement (the "Continuing Disclosure Agreement") upon the issuance of the 2007 Bonds if necessary, convenient, useful or desirable in connection with Rule 15c2-12 promulgated by the Securities and Exchange Commission Act of 1934, as amended, or any successor rule or regulation thereto ("Rule 15c2-12"), and (iv) the County and the Authority shall take such actions and shall authorize, execute or acknowledge, as the case may be, and deliver such documents, instruments or certificates as Bond Counsel to the Authority and to the County deem necessary, convenient, useful or desirable in order to issue the 2007 Bonds (collectively, the "Certificates"); and

WHEREAS, in order to induce the prospective purchasers of the 2007 Bonds to purchase same, the 2007 Bonds shall otherwise be secured by a guaranty ordinance of the County, unconditionally and irrevocably guaranteeing the principal of and interest on the 2007 Bonds, all pursuant to Section 37 of the Act (N.J.S.A. 40:37A-80); and

WHEREAS, the Authority has made application to the Local Finance Board in the Division of Local Government Services of the Department of Community Affairs of the

State (the "Local Finance Board") for the Local Finance Board's review of the Project; and

WHEREAS, the Authority believes: (i) it is in the public interest to accomplish such purpose; (ii) said purpose is for the health, wealth, convenience or betterment of the inhabitants of the County; (iii) the amounts to be expended for said purpose are not unreasonable or exorbitant; and (iv) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the County and will not create an undue financial burden to be placed upon the Authority or the Participants.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE COUNTY OF UNION, NEW JERSEY (not less than two-thirds of the full membership thereof affirmatively concurring) as follows:

Section 1. The Project and the financing of the Project through the Financing Documents (hereinafter defined) is hereby approved.

Section 2. The County Manager, Chief Financial Officer, County Treasurer, Assistant Treasurer or such other authorized officer of the County (each an "Authorized Officer") are hereby each severally authorized and directed, upon the satisfaction of all the legal conditions precedent to the execution or acknowledgment and delivery by the County, of the Acquisition of 10 Cherry Street Deficiency Agreement, Series 2007 Bonds, the County Guaranty and the Continuing Disclosure Agreement and all other financing documents (collectively the "Financing Documents") to be so executed or acknowledged by the County, to execute or acknowledge and deliver such documents in substantially the forms presented hereto, with such changes thereto as the Authorized Officer, after consultation with counsel to the County, and other professional advisors to the County and the Authority (the "Consultants"), deems their sole discretion to be necessary, desirable or convenient for the execution thereof and to consummate the transactions contemplated hereby, which execution thereof shall conclusively evidence the Authorized Officer's approval of any changes to the forms thereof that will result from the sale of the Bonds, which financing terms shall be limited only by those financing term parameters set forth in the application of the Authority filed with the State Local Finance Board relating to the Bonds and the parameters set forth herein.

Section 3. The Clerk of the Freeholder Board (the "Clerk of the Board") is hereby authorized and directed, upon the execution or acknowledgment of the documents set forth in Section 2 hereof in accordance with the terms of Section 2 hereof, to attest to the Authorized Officer's execution or acknowledgment of such documents and is hereby further authorized and directed to thereupon affix the seal of the County to such documents.

Section 4. Upon the execution or acknowledgment and attestation of and, if required, the affixing of the seal on the documents set forth in Section 2 hereof as contemplated by Sections 2 and 3 hereof, the Authorized Officer is hereby authorized and directed to (i) deliver the fully executed or acknowledged, attested and sealed documents to the other parties thereto and (ii) perform such other actions as the Authorized Officer deems necessary, desirable or convenient in relation to the execution and delivery thereof.

Section 5. The Freeholder Board hereby authorizes the preparation and the distribution of financial statements and demographic and other information concerning the County, the Project, the Financing Documents and the transactions contemplated thereby contained in the Preliminary Official Statement and the Official Statement to be issued in connection with the marketing of the Bonds. In furtherance of such authorization, the Freeholder Board hereby directs the Authorized Officer to take such action and execute such certificates, documents or instruments as the Authorized Officer, after consultation with the Consultants deems in their discretion to be necessary, desirable or convenient in connection with the preparation and distribution of the Preliminary Official Statement and the Official Statement to market the Bonds at the most efficient economical cost to the County, including without limitation, the execution and delivery of the County Letter in such form as is required by the Authority, the Underwriter and the Consultants to market the Bonds.

Section 6. The Freeholder Board hereby authorizes the performance of any act, the execution or acknowledgment and delivery of any other document, instrument or closing certificate, including without limitation, bring down certificates concerning the County Letter, which the Authorized Officer, after consultation with the Consultants, deems necessary, desirable or convenient in connection with this contemplated transaction, and the Board of Freeholders hereby directs the Authorized Officer to execute or acknowledge, attest and affix the seal to any such documents, instruments or closing certificates, the authorization of which actions shall be conclusively evidenced by the execution or acknowledgment, attestation, affixation and delivery, as the case may be, thereof by such persons. Such closing certificates shall include, without limitation, (a) a determination that any information provided by the County in connection with the preparation and distribution of the (i) Preliminary Official Statement is "deemed final" for the purposes and within the meaning of Rule 15c2-12 and (ii) Official Statement constitutes a final Official Statement for the purposes and within the meaning of Rule 15c2-12, (b) a determination that the Continuing Disclosure Agreement complies with Rule 15c2-12, (c) a determination that any information provided by or on behalf of the County or relating to the County, the Project, the Financing Documents or the transactions contemplated thereby in connection with the preparation and distribution of the Preliminary Official Statement and the Official Statement complies with Section 10 and Rule 10b-5 thereunder, of the Securities Exchange Act of 1934, and (d) any representations, warranties, covenants, certificates or instruments required by any issuer of a municipal bond insurance policy or any other form of credit enhancement securing all or a portion of the Bonds or the issuer of a rating on all or a portion thereof.

Section 7. Notwithstanding anything contained herein to the contrary, it is expressly agreed and understood that the Authority may issue the Bonds in one or several series, accordance with one or more Preliminary Official Statement(s) and Official Statement(s), Continuing Disclosure Agreement(s), Guaranty(s), County Letter(s), Acquisition of 10 Cherry Street Deficiency Agreement, Series 2007 Bonds and Financing Document(s) and in accordance with one or more plans of financing.

Section 8. This ordinance shall take effect at the time and in the manner prescribed by law.

Section 9. A public hearing shall be held on this ordinance on April 19, 2007, at 7 P.M. at the Administration Building, 6th Floor, Elizabeth, New Jersey.

Section 10. The Clerk of the Board is hereby directed to publish and post notice of this ordinance as required by law.

Section 11. Upon the adoption hereof, the Clerk of the Board of Freeholders shall forward certified copies of this ordinance to the County Manager, County Counsel, Executive Director of the Authority, and the Law Office of John G. Hudak, Esq., LLC, Bond Counsel to the Authority.

1 T - 4/26/07, The Leader Fee: \$303.96

Legal Advertising

PUBLIC NOTICE
TOWN OF WESTFIELD
ZONING BOARD OF ADJUSTMENT
NOTICE OF HEARING

PLEASE TAKE NOTICE that on Monday, May 14, 2007 at 7:30 p.m., Coldwater Creek, Inc. (the "Applicant") will appear before the Town of Westfield Board of Adjustment at the Municipal Building, 425 East Broad Street, Westfield, New Jersey for a public hearing concerning its application for bulk variance approval pursuant to N.J.S.A. 40:55D-70(c) relating to property designated as Block 3116, Lot 9 on the Town tax maps, which is also known as the 126 Central Avenue, Westfield, New Jersey (the "Property") as hereinafter described. The Property is located at the corner of Central Avenue and Quimby Street and is located in the CBD Central Business District.

The Applicant is proposing to install the following wall-mounted signage: Above the main entrance which is located at the corner of the Property at the intersection of Central Avenue and Quimby Street, the Applicant is proposing to install an approximately 9.1 square foot (9 feet-1 1/4 inches wide by 1 foot high) wall sign. On the front elevation (along Central Avenue), the applicant is proposing to install an approximately 20.5 square foot (13 feet-7 1/8 inches wide by 1 foot-6 inches high) wall sign. On the side elevation (along Quimby Street), the applicant is proposing to install an approximately 20.5 square foot (13 feet-7 1/8 inches wide by 1 foot-6 inches high) wall sign. All three proposed signs will state the words "Coldwater Creek", the name of the retail store which the Applicant intends to operate at the property. The lettering will be dark green, and the signs will have halo-type lighting, as permitted by ordinance.

In connection with the foregoing, the Applicant shall seek the following bulk variances from Section 16.04(E) of the Zoning Ordinance: (i) The Applicant proposes to install the three wall signs described above, where the Zoning Ordinance at Section 16.04(E) permits one wall sign over a main entrance for a non-residential use and a second sign where a building is located on a corner lot (for a maximum of two signs). (ii) The Applicant proposes to install the wall sign along Central Avenue at a height of 12.5 feet to the bottom of the sign, where the Zoning Ordinance at Section 16.04(E)(2)(b) requires that the installation height not exceed 12 feet. The wall signs to be installed along Central Avenue and Quimby Street facades are proposed to be approximately 13 feet-7 1/8 inches in width where the Zoning Ordinance at Section 16.04(E)(2)(c) limits the horizontal dimension of the signs to 10 feet or 75% of the width of the facade, whichever is less. The Applicant shall also seek any additional variances or waivers as may be deemed necessary in connection with this application.

The application and plans for which approval is being sought are available for public inspection in the Office of the Town Engineer, 959 North Avenue West, Westfield, New Jersey, and are available for inspection Monday through Friday, during normal municipal business hours. This notice is given pursuant to N.J.S.A. 40:55D-1 et seq. All interested persons may attend and be heard at the aforesaid hearing.

DAY PITNEY LLP
 Attorneys for Applicant
 1 T - 4/26/07, The Leader Fee: \$69.36

PUBLIC NOTICE
SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
UNION COUNTY
DOCKET NO. F-9755-07
FILE NO. XWZ 74052-R1

NOTICE TO ABSENT DEFENDANTS
(L.S.) STATE OF NEW JERSEY TO:
HUGO ALVES ARAUJO, HIS
HEIRS, DEVISEES, AND PERSONAL REPRESENTATIVES,
AND HIS, THEIR OR ANY OF
THEIR SUCCESSORS IN
RIGHT, TITLE AND INTEREST

YOU ARE HEREBY SUMMONED AND REQUIRED to serve upon ZUCKER, GOLDBERG & ACKERMAN, ESQS., plaintiff's attorneys, whose address is 200 Sheffield Street, Suite 301, Mountainside, New Jersey 07092-0024, telephone number 1-908-233-8500, an Answer to the Complaint filed in a civil action, in which Federal Home Loan Mortgage Corporation is plaintiff, and Hugo Alves Araujo, et al., are defendants, pending in the Superior Court of New Jersey, Chancery Division, Union County, and bearing Docket F-9755-07 within thirty-five (35) days after 04/26/2007 exclusive of such date, or if published after 04/26/2007, (35) days after the actual date of such publication, exclusive of such date. If you fail to do so, judgment by default may be rendered against you for the relief demanded in the Complaint. You shall file your Answer and proof of service in duplicate with the Clerk of the Superior Court of New Jersey, Hughes Justice Complex - CN 971, Trenton, New Jersey 08625, together with your check in the sum of \$135.00 representing the filing fee in accordance with the rules of civil practice and procedure.

This action has been instituted for the purpose of (1) foreclosing a Mortgage dated 05/12/2004 made by Hugo Alves Araujo and Flavia Franca, husband and wife as mortgagors, to Wells Fargo Bank, N.A. recorded on 05/19/2004 in Book 10671 of Mortgages for Union County, Page 0847 which Mortgage was assigned to the plaintiff, Federal Home Loan Mortgage Corporation by Assignment Of Mortgage which is unrecorded at this time; and (2) to recover possession of, and concerns premises commonly known as 814 Summit Avenue, Westfield, New Jersey 07090.

If you are unable to obtain an attorney, you may communicate with the New Jersey Bar Association by calling 732-249-5000. You may also contact the Lawyer Referral Service of the County of venue by calling 908-353-4715. If you cannot afford an attorney, you may communicate with the Legal Services office of the County of venue by calling 908-354-4340.

Hugo Alves Araujo, his heirs, devisees, and personal representatives, and his, their or any of their successors in right, title and interest are made party defendants to this foreclosure action because executed plaintiff's obligation and mortgage being foreclosed herein and may be liable for any deficiency and because the owners of record of the mortgaged premises being foreclosed herein and for any lien, claim or interest may have in, to or against the mortgaged premises.

THEODORE J. FETTER, Clerk
 Superior Court of New Jersey
ZUCKER, GOLDBERG & ACKERMAN
 Attorneys At Law
 200 Sheffield Street, Suite 301
 P.O. Box 1024
 Mountainside, New Jersey 07092-0024
 1 T - 4/26/07, The Leader Fee: \$70.38

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