



A PROFESSIONAL REAL ESTATE ORGANIZATION



May 7, 2008

1031 EXCHANGE EFFECTUATED

FOR IMMEDIATE RELEASE

POINT PLEASANT BEACH: An exchange of restaurants is quite rare, especially in the State of New Jersey, where acquiring a liquor license is sometimes more difficult and time consuming than acquiring a fire arms license. But there are exceptions to every rule and an exception took place on May 7, 2008, when the former owners of “Antone’s” in Union County New Jersey exchanged their restaurant for “The Ark,” a restaurant and bar at the New Jersey Shore.

According to *Richard R. Santore of, Bielat Santore & Company, Allenhurst, New Jersey*, the broker for the sale, Anthony and Daniel Bartone who had owned and operated Antone’s, located at 112 South Avenue in Cranford for over 25 years, sold the restaurant as part of a 1031 tax-deferred exchange, and purchased the Ark, located at 401 Highway 35, Point Pleasant Beach, New Jersey.

“We had both moved down to Monmouth and Ocean counties recently, and we have been looking for the right spot at the shore for some time. The stars lined up. We had someone knocking on our door to buy in Cranford, and we found the Ark in Point Pleasant Beach,” state the Bartones. Instead of selling the Cranford location outright, the Bartones designated the Ark as an exchange property, placed their closing proceeds in an escrow account held by an intermediary and subsequently purchased the Ark. By utilizing the exchange, the Bartones deferred any capital gains tax due on the sale of Antone’s, and were able to use such funds to purchase of the Ark.

Section 1031 of the Internal Revenue Code allows a seller to roll-over all of the proceeds received from the sale of a property into the purchase of one or more other like-kind properties without paying capital gains tax. The tax is not forgiven but deferred. In order to qualify for an exchange, the seller must identify a replacement property within forty (45) days from the passing of title of the selling property, and must acquire the replacement property within one hundred eighty (180) days of the closing of the selling property. At closing, proceeds are transferred to a third party, called a facilitator or qualified intermediary, who holds them until they are used to acquire the new property

Bielat Santore & Company has been involved in several 1031 Tax-Deferred Exchanges. Please feel free to contact our office if you are considering selling a restaurant property to see how you may qualify for an exchange.