

MID-STATE ABSTRACT COMPANY

207 HOOPER AVENUE, P.O. BOX 413, TOMS RIVER, NEW JERSEY 08754 (732) 244-3000
2 EAST MAIN STREET, P.O. BOX 203, FREEHOLD, NEW JERSEY 07728 (732) 431-2333
2227 U.S. HWY. 1, PMB 275, NO. BRUNSWICK, NEW JERSEY 08902 (732) 220-9200
45 PARK PLACE SOUTH, PMB 371, MORRISTOWN, NEW JERSEY 07960 (973) 993-9600
E-MAIL ADDRESS: ken@msabstract.com

PLEASE REPLY TO: TOMS RIVER OFFICE, P.O. BOX 413
TELEFAX NUMBER (732) 244-3924

REPORT OF THE TITLE

FILE NUMBER: **S-29925**

EFFECTIVE DATE: **JANUARY 16, 2016**

THE ESTATE OR INTEREST IN THE LAND DESCRIBED OR REFERRED TO AND COVERED HEREIN IS A FEE SIMPLE AND TITLE TO THE ESTATE OR INTEREST IN SAID LAND IS AT THE EFFECTIVE DATE HEREOF VESTED IN AND CAN BE CONVEYED OR MORTGAGED BY:

OCEAN COUNTY

THE SOURCE OF TITLE BEING:

DEED FROM PARKWAY MALL, A NEW JERSEY PARTNERSHIP, DATED JANUARY 13, 2011 AND RECORDED FEBRUARY 3, 2011 IN DEED BOOK 14815 PAGE 1214. (COPY ATTACHED)

SUBJECT TO THE FOLLOWING MATTERS:

1. THE FOLLOWING MORTGAGES:

MORTGAGE FROM JERSEY SHORE SECURITY, INC., TO N.K. WINSTON CORPORATION, FORMERLY KNOWN AS TOMS RIVER MALL, INC., 711 FIFTH AVENUE, NEW YORK CITY, NEW YORK, DATED APRIL 16, 1973 AND RECORDED APRIL 19, 1973 IN MORTGAGE BOOK 1759 PAGE 265. SECURES \$45,000.00

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2. RESTRICTIVE COVENANTS AND/OR CONDITIONS OF RECORD, AS FOLLOWS: **NONE**

3. EASEMENTS OF RECORD AS FOLLOWS:

SUBJECT TO A JERSEY CENTRAL POWER AND LIGHT COMPANY POWER EASEMENT AND AN OCEAN COUNTY SEWERAGE AUTHORITY EASEMENT AS SHOWN ON THE TOWNSHIP OF TOMS RIVER TAX MAP.

DEED BOOK 880 PAGE 74; DEED BOOK 1386 PAGE 272; DEED BOOK 1442 PAGE 370; DEED BOOK 2133 PAGE 188; DEED BOOK 3569 PAGE 160; DEED BOOK 3830 PAGE 722; DEED BOOK 4711 PAGE 303 AND DEED BOOK 4783 PAGE 57. (COPIES ATTACHED)

4. SET BACK ON FILED MAP: **NONE**

5. LEASES OF RECORD AS FOLLOWS: **NONE**

6. TAXES, ASSESSMENTS AND WATER CHARGES AS FOLLOWS:

TAX SEARCH: **ORDERED**
ASSESSMENT SEARCH: **ORDERED**
WATER AND SEWER SEARCH: **ORDERED**

THIS PROPERTY IS SUBJECT TO CURRENT YEAR'S TAXES LEVIED OR TO BE LEVIED, AND NOT YET CERTIFIED TO BY THE COUNTY BOARD OF TAXATION IN ACCORDANCE WITH CHAPTER 397 LAWS OF 1941, AS AMENDED AND SUPPLEMENTED.

7. SUPERIOR COURT OF NEW JERSEY AND UNITED STATES DISTRICT COURT SEARCHES: **ORDERED**

8. DEFECTS, LIENS ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF.

9. RIGHTS OR CLAIMS BY PARTIES IN POSSESSION NOT SHOWN BY THE PUBLIC RECORDS.

10. EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY THE PUBLIC RECORDS.

11. ENCROACHMENTS, OVERLAPS, BOUNDARY LINE DISPUTES AND OTHER MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY AND INSPECTION OF THE PREMISES.

12. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

- CONTINUED -

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13. RIGHTS, PUBLIC AND PRIVATE, IN THAT PART OF THE PREMISES INCLUDED WITHIN THE BOUNDS OF ALL ROADS, STREETS, AVENUES AND/OR RIGHTS OF WAY WHICH CROSS OR ABUT THE SUBJECT PREMISES.

14. NOTE: THIS REPORT IS TO BE USED FOR INFORMATIONAL PURPOSES ONLY AND NO INSURANCE IS INTENDED OR IMPLIED HEREWITH.

THE COMPANY'S LIABILITY FOR THIS REPORT IS LIMITED TO \$1,000.00. NO LIABILITY IS ASSUMED FOR ITEMS NOT INDEXED OR MIS-INDEXED, NOR FOR MATTERS WHICH WOULD BE DISCLOSED BY AN ACCURATE SURVEY OR INSPECTION OF THE PREMISES. THIS REPORT DOES NOT REPRESENT EITHER A COMMITMENT TO INSURE TITLE, OR AN OPINION AS TO THE MARKETABILITY OF TITLE OF THE PREMISES.

15. **SUBJECT TO THE PROVISIONS OF "THE WETLANDS ACT OF 1970" N.J. LAWS 1970 (ASSEMBLY NO. 505) IF APPLICABLE.**

16. **RIGHTS, PUBLIC AND PRIVATE, TOGETHER WITH FLOODING AND DRAINAGE RIGHTS, IF ANY, APPURTENANT THERETO, IN AND TO ALL WATERWAYS AND WETLAND AREAS TRAVERSING THE LAND.**

17. **SUBJECT TO POSSIBLE ROLL BACK TAXES UNDER THE PROVISIONS OF "THE FARMLAND ASSESSMENT ACT OF 1963" N.J.S.A 54:4-23.1 ET SEQ.**

18. **SLOPE AND DRAINAGE RIGHTS OF THE STATE OF NEW JERSEY, AS SET FORTH IN DEED BOOK 4711 PAGE 303 AND DEED BOOK 4783 PGE 57. (COPIES ATTACHED)**

19. **SUBJECT TO THE RESULTS OF A TIDELANDS CLAIM SEARCH. (ORDERED)**

20. **NOTE: DIRECT ACCESS TO THE GARDEN STATE PARKWAY IS PROHIBITED.**

- END OF EXCEPTIONS -

DEED

INSTR # 2011012171
OR BK 14815 PG 1214
RECORDED 02/03/2011 01:58:00 PM
SCOTT M. COLABELLA, COUNTY CLERK
OCEAN COUNTY, NEW JERSEY

This Deed is made on January 3rd, 2011

Between
Parkway Mall, a New Jersey Partnership

With offices at 8 Madison Avenue, Toms River, NJ 08753

Referred to as the Grantor,

and County of Ocean

Whose address is 33 Washington Street
Toms River, NJ 08754

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of \$550,000.

2. **Tax Map Reference.** (N.J.S.A. 46:15-1.1) Township of Toms River
Block No. 409; Block No. 535 Lot(s) 19.06; 20.02
Qualifier No. * Account No.

() No lot and block or account number is available on the date of this Deed.
(Check Box if Applicable.)

3. **Property.** The Property consists of the land and all the buildings and structures on the land in the Township of Toms River, County of Ocean and State of New Jersey.

The legal description is: Being the same premises conveyed to Parkway Mall, by Deed from Jersey Shore Security, Inc., dated April 16, 1973, recorded March 5, 1974 in Deed Book 3373, Page 349.

(x) Please see attached Legal Description annexed hereto and made a part hereof.
(Check Box if Applicable.)

Prepared by:

Robert V. Paschon, Attorney at Law

(For Recorder's Use Only)

COUNTY OF OCEAN
CONSIDERATION 550,000
REALTY TRANSFER FEE 2,000.00
2/3/11 JCP

BS 14815-1214 R-2-3-11
⑫
NO Fee

O'DONNELL, STANTON & ASSOCIATES, Inc.**ENGINEERS • PLANNERS • SURVEYORS**

Description of
 Tax Lot 19.06 Block 535
 "Amended Minor Subdivision Block 535 Lots 19.01 & 19.02"
 Township of Toms River
 Ocean County New Jersey

Beginning at a point in the southerly line of New Jersey State Highway Route 37 (69 feet from centerline) at the most northwesterly corner of Tax Lot 19.06 in Block 535, said point is further described as being 1,111.67 feet easterly along various courses from the intersection of the extended easterly line of Hospital Drive with the southerly line of New Jersey State Highway Route 37 and running; thence

- 1) Easterly, along the southerly line of New Jersey State Highway Route 37 (69 feet from center line), on a curve bearing to the left having a radius of 29,069.00 feet, an arc distance of 123.72 feet to a point; thence
- 2) North 10 degrees 48 minutes 12 seconds East, 7.00 feet to a point in the southerly line of New Jersey State Highway Route 37 (62 feet from center line); thence
- 3) Easterly, along the southerly line of New Jersey State Highway Route 37 (62 feet from center line), on a curve bearing to the left having a radius of 29,062.00 feet, an arc distance of 475.35 feet to a concrete monument set at a point of compound curvature; thence
- 4) Easterly, continuing along the said southerly line of New Jersey State Highway Route 37, on a curve bearing to the left having a radius of 4,440.00 feet, an arc distance of 129.24 feet to a concrete monument set; thence the following three courses along the common line between Lots 19.05 and 19.06:
- 5) South 11 degrees 06 minutes 17 seconds West, 180.00 feet to a point; thence
- 6) North 88 degrees 45 minutes 24 seconds East, 161.74 feet to a point; thence
- 7) North 11 degrees 06 minutes 17 seconds East, 145.41 feet to a point in the southerly line of New Jersey State Highway Route 37 (62 feet from center line); thence
- 8) South 78 degrees 53 minutes 43 seconds East, along said southerly line, 15.18 feet to a concrete monument set; thence the following two courses along the southwesterly line of an entrance ramp to New Jersey State Highway Route 9 (Section 4 Parkway Section 21):
- 9) South 67 degrees 15 minutes 09 seconds East, 158.81 feet to a concrete monument set; thence
- 10) South 41 degrees 40 minutes 00 seconds East, 997.45 feet to a point in the westerly line of New Jersey State Highway Route 9 (Section 4 Parkway Section 21- width varies); thence the following three courses along the westerly and northwesterly line of said New Jersey State Highway Route 9 (Section 4 Parkway Section 21):
- 11) Southerly, along a curve bearing to the right having a radius of 10,800.00 feet, an arc distance of 1,678.91 feet to a point; thence

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- 12) South 33 degrees 04 minutes 27 seconds West, 121.57 feet to a point; thence
- 13) South 83 degrees 46 minutes 55 seconds West, 527.06 feet to a concrete monument set in the northerly line of Lakehurst Road (60 feet from center line); thence
- 14) North 75 degrees 34 minutes 23 seconds West, 265.19 feet to a point in the easterly line of Lot 32; thence the following five courses along the common line between Lots 19.06 and 32:
- 15) North 36 degrees 04 minutes 22 seconds West, 125.92 feet to a point of curvature; thence
- 16) Northeasterly, along a curve bearing to the right having a radius of 150.00 feet, an arc distance of 95.32 feet to a point of reverse curvature; thence
- 17) Northwesterly, along a curve bearing to the left having a radius of 2,000.00 feet, an arc distance of 566.97 feet to a point of tangency; thence
- 18) North 15 degrees 54 minutes 27 seconds West, 1,049.26 feet to a point of curvature; thence
- 19) Northwesterly, along a curve bearing to the left having a radius of 600.00 feet, an arc distance of 258.47 feet to a point of tangency; thence
- 20) North 40 degrees 35 minutes 24 seconds West, along the common line between Lots 19.04, 19.06 and 32, 412.67 feet to a point of curvature; thence the following two courses along the common line between Lots 19.04 and 19.06:
- 21) Northeasterly, along a curve bearing to the right having a radius of 300.00 feet, an arc distance of 273.29 feet to a point of tangency; thence
- 22) North 11 degrees 36 minutes 15 seconds East, 186.77 feet to a point in the southerly line of New Jersey State Highway Route 37, said point being the point and place of Beginning.

Containing 67.72 acres

Subject to easements and restrictions of record.

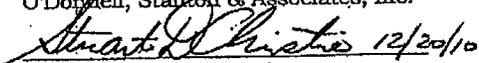
O'DONNELL, STANTON & ASSOCIATES, Inc.

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Being Lot 19.06 in Block 535 as shown on a map entitled "Amended Minor Subdivision Block 535 Lots 19.01 & 19.02", Township of Toms River, Ocean County, New Jersey, dated October 21, 2009, revised to August 30, 2010 and filed in the Ocean County Clerk's Office December 20, 2010 as map number J-3772. Also known as Lot 19.06 in Block 535 as shown on the Township of Toms River Tax Map.

Being more particularly shown on a survey prepared by O'Donnell, Stanton & Associates, Inc., Toms River, New Jersey dated December 20, 2010.

Prepared by:
O'Donnell, Stanton & Associates, Inc.


Stuart D. Christie, P.L.S.
New Jersey License No. GS29345

desac09056.03

O'DONNELL, STANTON & ASSOCIATES, Inc. ENGINEERS • PLANNERS • SURVEYORS

1705 ROUTE 37 EAST, TOMS RIVER, NEW JERSEY 08753 (732) 573-0490 • FAX (732) 573-0499

James F. Stanton, PE, PP, CME
Michael F. O'Donnell, PE, PP, CME
E-mail: osainc@comcast.net

Matthew Smith
John R. Berans, PE
Certificate of Authorization No. GA 276878

DESCRIPTION OF

Tax Lot 20.02 Block 409
Township of Toms River
Ocean County New Jersey

PA

X Beginning at a concrete monument set in the northerly line of New Jersey State Highway Route 37 (width varies) at the common corner of Tax Lots 10 and 20.02 in Block 409 as shown on the Township of Toms River Tax Map and running; thence

- 1) North 14 degrees 42 minutes 00 seconds East, along the easterly line of Tax Lot 10, 1,023.87 feet to a concrete monument found at the terminus of the first course described in Book 3373 of Deeds at page 349; thence
- 2) North 10 degrees 18 minutes 43 seconds West, continuing along the easterly line of Tax Lot 10, 1,071.50 feet to a point to the common corner of Tax Lots 20.01 and 20.02; thence
- 3) North 79 degrees 41 minutes 17 seconds East, along the southerly line of Tax Lot 20.01, 1,011.73 feet to a concrete monument set in the westerly line of New Jersey State Highway Route 9 (Route 4 - Parkway Section 21)(width varies); thence
- 4) South 18 degrees 58 minutes 17 seconds East, along said westerly line, 995.17 feet to a point of curvature; thence
- 5) Southerly, continuing along said westerly line on a curve to the right having a radius of 10,800.00 feet, an arc distance of 1,098.15 feet to a point; thence the following three courses along the northerly line of a parkway exit ramp:
- 6) South 47 degrees 27 minutes 27 seconds West, 170.54 feet to a nail and disk set; thence
- 7) South 34 degrees 27 minutes 11 seconds West, 383.09 feet to a point; thence
- 8) South 87 degrees 21 minutes 56 seconds West, 240.99 feet to a concrete monument set in the northerly line of aforesaid New Jersey State Highway Route 37; thence the following seven courses along said northerly line:
- 9) North 79 degrees 26 minutes 13 seconds West, 274.85 feet to a concrete monument set; thence
- 10) North 78 degrees 35 minutes 53 seconds West, 509.39 feet to a point; thence
- 11) South 11 degrees 24 minutes 07 seconds West, 2.90 feet to a point; thence
- 12) Westerly, along a curve bearing to the right having a radius of 28,931.00 feet, an arc distance of 141.75 feet to a concrete monument set; thence
- 13) South 11 degrees 04 minutes 26 seconds West, 2.00 feet to a concrete monument set; thence
- 14) Westerly, along a curve bearing to the right having a radius of 28,933.00 feet, an arc distance of 174.67 feet to a concrete monument set at a point of tangency, said point being 67.00 feet north of state highway base line station 410+96.93; thence
- 15) North 78 degrees 34 minutes 49 seconds West, 27.02 feet to the point and place of Beginning. X

A little off
From Tax Map

Containing 67.17 Acres

Subject to easements and restrictions of record.

O'DONNELL, STANTON & ASSOCIATES, Inc.

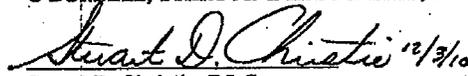
ENGINEERS • PLANNERS • SURVEYORS

Being Lot 20.02 in Block 409 as shown on the Township of Toms River Tax Map.

Being and intended to be a portion of the premises conveyed to Parkway Mall, a Partnership by deed dated April 16, 1973 and recorded in the Ocean County Clerk's Office March 5, 1974 in Book 3373 of Deeds at page 349.

Being more particularly shown on a survey prepared by O'Donnell, Stanton & Associates, Inc., Toms River, New Jersey dated October 5, 2010.

Prepared by:
O'DONNELL, STANTON & ASSOCIATES, INC.


Stuart D. Christie, P.L.S.
New Jersey License No. GS29345

10522.53

STATE OF NEW JERSEY

AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)
BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY } COUNTY <u>OCEAN</u> } SS. County Municipal Code <u>1508</u>	FOR RECORDER'S USE ONLY Consideration \$ <u>550,000</u> RTF paid by seller \$ <u>Exempt</u> † Date <u>2/3/11</u> By <u>Rob</u>
--	--

Municipality of Property Location: Toms River
 † Use symbol "C" to indicate that fee is exclusively for county use.
 (1) **PARTY OR LEGAL REPRESENTATIVE** (Instructions 3 and 4 attached)
 Deponent, Robert V. Paschon, being duly sworn according to law upon his/her oath deposes
 and says that he/she is the Grantor in a deed dated January 13, 2011
(Grantor, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.)
 transferring real property identified as Block No. 409; 535 Lot No. 19.06; 20.02 located at
50/66 Route 37 W. Toms River, NJ 08757 and annexed thereto.
(Street Address, Town)

(2) **CONSIDERATION:** \$ 550,000 (Instructions 1 and 5) no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A is required.

(3A) **REQUIRED CALCULATION of Equalized Valuation for all Class 4A (Commercial) Property Transactions:**
(Instructions 5A and 7)
 Total Assessed Valuation ÷ Director's Ratio = Equalized Assessed Valuation
 \$ _____ ÷ _____ % = \$ _____

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized value.

(4) **FULL EXEMPTION FROM FEE:** (Instruction 8)
 Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004, for the following reason(s). Mere reference to the exemption symbol is insufficient. Explain in detail. (b) By or to the United States of America, this State, or any instrumentality, agency or subdivision conveyed to a municipality.

(5) **PARTIAL EXEMPTION FROM FEE:** (Instruction 9) **NOTE:** All boxes below apply to grantor(s) only. **ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED.** Failure to do so will void claim for partial exemption.
 Deponent claims that this deed transaction is exempt from the State's portion of the Basic Fee, Supplemental Fee and General Purpose Fee, as applicable, imposed by C. 176, P.L. 1975; C. 113, P.L. 2004 and C. 66, P.L. 2004 for the following reason(s):

- A. SENIOR CITIZEN** (Instruction 9)
- | | |
|--|--|
| <input type="checkbox"/> Grantor(s) 62 years of age or over.* | <input type="checkbox"/> Resident of the State of New Jersey. |
| <input type="checkbox"/> Owned and occupied by grantor(s) at time of sale. | <input type="checkbox"/> Owners as joint tenants must all qualify. |
| <input type="checkbox"/> One- or two-family residential premises. | |
- B. BLIND PERSON** (Instruction 9)
- | | |
|---|--|
| <input type="checkbox"/> Grantor(s) legally blind.* | DISABLED PERSON (Instruction 9) |
| <input type="checkbox"/> Owned and occupied by grantor(s) at time of sale. | <input type="checkbox"/> Grantor(s) permanently and totally disabled.* |
| <input type="checkbox"/> One- or two-family residential premises | <input type="checkbox"/> Grantor(s) receiving disability payments.* |
| <input type="checkbox"/> Resident of the State of New Jersey. | <input type="checkbox"/> Grantor(s) not gainfully employed.* |
| <input type="checkbox"/> Owners as joint tenants must all qualify. | <input type="checkbox"/> Owned and occupied by grantor(s) at time of sale. |
| * IN THE CASE OF HUSBAND AND WIFE OR STATUTORY PARTNER, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY. | <input type="checkbox"/> One- or two-family residential premises |
| | <input type="checkbox"/> Resident of the State of New Jersey. |
| | <input type="checkbox"/> Owners as joint tenants must all qualify. |
- C. LOW AND MODERATE INCOME HOUSING** (Instruction 9)
- | | |
|---|--|
| <input type="checkbox"/> Affordable according to HUD standards. | <input type="checkbox"/> Reserved for occupancy. |
| <input type="checkbox"/> Meets income requirements of region. | <input type="checkbox"/> Subject to resale controls. |

(6) **NEW CONSTRUCTION** (Instructions 2, 10 and 12)

<input type="checkbox"/> Entirely new improvement.	<input type="checkbox"/> Not previously occupied.
<input type="checkbox"/> Not previously used for any purpose.	<input type="checkbox"/> "New Construction" printed clearly at top of the first page of the deed.

(7) **RELATED LEGAL ENTITIES TO LEGAL ENTITIES** (Instructions 5, 12 and 14)

<input type="checkbox"/> No prior mortgage assumed or to which property is subject at time of sale.
<input type="checkbox"/> No contributions to capital by either grantor or grantee legal entity.
<input type="checkbox"/> No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce the County Clerk's Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 13th day of January, 2011

Robert V. Paschon
Signature of Deponent Grantor Name
8 Madison Ave., Toms River
Deponent Address Grantor Address at Time of Sale

Jean K. Glass
Notary Public State of New Jersey
My Commission Expires 20 2013
Last 8 digits in Grantor's Soc. Sec. No. XXX-XX-X 870 Name/Company of Settlement Officer

County recording officers shall forward one copy of each Affidavit of Consideration for Use by Seller when Section 3A is completed.

FOR OFFICIAL USE ONLY	
Instrument Number _____	County <u>Ocean</u>
Deed Number _____	Book _____ Page _____
Deed Dated <u>1/13/11</u>	Date Recorded <u>2/3/11</u>

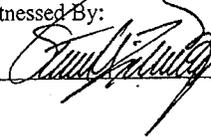
State of New Jersey - Division of Taxation, P.O. Box 251, Trenton, NJ 08695-0251, Attention: Realty Transfer Fee Unit
 The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without the prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at <http://www.state.nj.us/treasury/taxation/lpt/localtax.shtml>.

The street address of the Property is: 50/66 Route 37 W.
Toms River, NJ 08757

4. **Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the Property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights that affect the Property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

5. **Signatures.** The Grantor signs this Deed as of the date at the top of the first page. (Print name below each signature.)

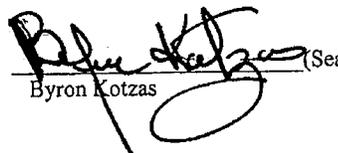
Witnessed By:



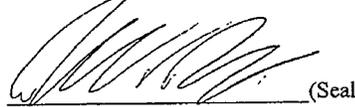

_____ (Seal)
Robert V. Paschon

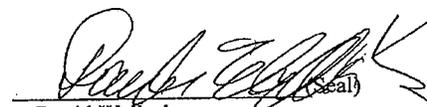
Witnessed by:


_____ (Seal)


_____ (Seal)
Byron Kotzas

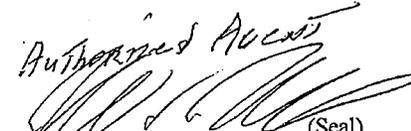
Witnessed by:


_____ (Seal)

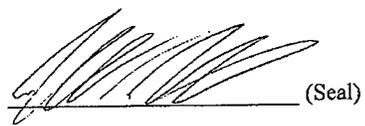

_____ (Seal)
David Wallach

Witnessed by:


_____ (Seal)

Authorized Agent

_____ (Seal)
Perlmutter Family Partnership
Robert V. Paschon

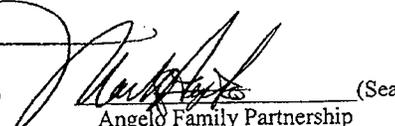
Witnessed by:


_____ (Seal)


_____ (Seal)
Charles Fortunato

Witnessed by:


_____ (Seal)


_____ (Seal)
Angelo Family Partnership
Mark Angelo, Authorized Agent

a Foreign Commissioner of Deeds for the State of New Jersey, residing in the City of Philadelphia, personally appeared IDA B. LESHNER, to me known, who being duly sworn according to law, on her oath saith, that she is the secretary of FIDELITY LAND COMPANY, the Grantor in the foregoing deed mentioned; that the seal affixed to said deed is the corporate seal of said corporation; that it is so affixed by order of said corporation; that JOHN J. KANE is the President of the said corporation; that she saw the said JOHN J. KANE, as such President, execute the said deed, and heard him declare that he signed, sealed and delivered the same as the voluntary act and deed of the said corporation by its order, and the deponent signed her name thereto at the same time as an attesting witness.

Sworn and subscribed to before me this day and year above mentioned.

() Edith W. Smeltzer
(L. S.) A Foreign Commissioner of Deeds
() for New Jersey

Ida B. Leshner,

Secretary

Received and Recorded December 22, 1930: 11.15 A.M.

John A. Ernst, Clerk

\$2.50

Confidential

Lucy R. Anderson & Husband :
To :
Jersey Central Power & Light Co. :

THIS INDENTURE, Made and executed the Eleventh day of December in the year of our Lord One Thousand Nine hundred and Thirty.

BETWEEN Lucy R. Anderson and Emery M. Anderson her husband (the said Lucy R. Anderson being formerly Lucy R. Mallory), of the City of New York, in the County of New York and State of New York, parties of the first part;

AND the Jersey Central Power & Light Company a corporation of the State of New Jersey, party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of ONE DOLLAR and other valuable consideration in lawful money of the United States of America, to them in hand well and truly paid by the said party of the second part, at or before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, and the said parties of the first part being therewith fully satisfied, contented and paid, have granted and conveyed and by these presents do grant and convey unto the said party of the second part, its successors and assigns, forever,

An easement and right of way over, upon and

across the lands owned by the party of the first part, situate, lying and being in the County of Hudson State of New Jersey, together with the right to reconstruct, maintain and operate a line of transmission of electrical energy for light and power, wires, conductors, appliances, fixtures and appurtenances, desirable in connection therewith, together with the right of way, described as follows:

BEING a strip of land, more or less, of a width of ten feet and fifteen feet Westerly measured from the described center line; BEGIN at the center line of the land described in a deed from Benjamin W. DuBuisson and Catherine W. DuBuisson, dated 1870 and recorded in the Ocean County Deeds Book 307 &c. said point is distant about 100 feet from the said third line from the third line and thence running along the center line of the said land over, upon and across the lands of Isabella S. Ammack, his wife, to the center line of the lands of the Federal Power Company dated November 1919 and recorded in the Clerk's Office in Book 803 of Deeds from George H. Holman and others dated March 24, 1919 and recorded in the Clerk's Office on page 231 &c., and lands of Lucy R. Mallory, dated March 1, 1919 and recorded in the Clerk's Office in Book 852 of Deeds on page 188 and thence eight minutes East forty-two hundred and thirty-eight degrees thirty-eight minutes (3) South twelve degrees fifty-five feet to a point; thence West three hundred forty-one feet to the center line of the land leading from Toms River to Lakehurst from Toms River to Lakehurst from the deed from Joseph L. Holman dated 1930 and recorded in the Ocean County Deeds Book 460 &c. The above bearings THE said easement and right of way so much thereof as is described in the deeds from Benjamin W. DuBuisson and Catherine W. DuBuisson, dated 1870 and recorded in the Ocean County Deeds Book 307 &c.; from George H. Holman,

105880-74 a-12-22-30

grants the lands owned by the parties of the first part, hereinafter described, to be, lying and being in the Township of Dover, in the County of Ocean and State of New Jersey, together with the right and privilege forever, to construct, reconstruct, maintain and operate pole lines for the transmission and distribution of electrical energy for light, heat and power, together with such poles, wires, conductors, appliances, fixtures, accessories and appurtenances as may be desirable in connection therewith, over, upon and across the said easement or right of way, described as follows:

BEING thirty feet in width lying fifteen feet Eastwardly and fifteen feet Westerly measured at right angles from the following described center line;

BEGINNING at a point in the third line of a tract of land described in a deed from Benjamin F. Ammack and Isabella S. Ammack, his wife, to George W. DuBuisson and Catherine DuBuisson, his wife, et als, dated May 19, 1870 and recorded in the Ocean County Clerk's Office in Book 54 of Deeds on page 107 &c. said point is distant about two hundred thirty-two feet measured along the said third line from the third corner described in the deed above mentioned, and thence running along the center line of a pole line about to be constructed over, upon and across the lands described in a deed from Benjamin F. Ammack and Isabella S. Ammack, his wife, to George W. DuBuisson and Catherine DuBuisson, his wife, above mentioned; lands described in a deed from Harry B. Apple to the Federal Power Company dated November 7, 1928 and recorded in the Ocean County Clerk's Office in Book 808 of Deeds on page 280 &c.; lands described in a deed from George H. Holman and others to the Ocean County Electric Company, dated March 24, 1919 and recorded in the Ocean County Clerk's Office in Book 522 of Deeds on page 231 &c., and lands described in a deed from Joseph L. Holman, Sheriff to Lucy R. Mallory, dated March 13, 1930 and recorded in the Ocean County Clerk's Office in Book 852 of Deeds on page 460 &c.; (1) South twenty degrees thirty-eight minutes East forty-two hundred twenty-eight feet to a point; thence (2) South twelve degrees thirty-eight minutes East twenty-one hundred feet to a point; thence (3) South twelve degrees fifty-six minutes East thirty-eight hundred fifty-five feet to a point; thence (4) South twenty-six degrees forty-one minutes East three hundred forty-one feet to a point in the center line of the road leading from Toms River to Lakehurst, said point is distant about two hundred ninety-two feet measured Northwesterly along the center line of the road leading from Toms River to Lakehurst from the most Southerly corner of the lands described in the deed from Joseph L. Holman, Sheriff, to Lucy R. Mallory, dated March 13, 1930 and recorded in the Ocean County Clerk's Office in Book 852 of Deeds on page 460 &c. The above bearings are referred to Magnetic North of 1930.

THERE is excepted from the foregoing described easement and right of way so much thereof as lies within the bounds of the premises described in the deeds from Benjamin F. Ammack and Isabella S. Ammack, his wife, to George W. DuBuisson and Catherine DuBuisson, his wife, et als, dated May 19, 1870 and recorded in the Ocean County Clerk's Office in Book 54 of Deeds on page 107 &c.; from George H. Holman, et als, to the Ocean County Electric Company, dated

March 24, 1919 and recorded in the Ocean County Clerk's Office in Book 523 of Deeds on page 231 &c.; and from Harry B. Apple to the Federal Power Company, dated November 7, 1928 and recorded in the Ocean County Clerk's Office in Book 808 of Deeds on page 280 &c.

THE intention of the parties of the first part hereto is to grant and convey an easement and right of way over, upon and across that portion of the foregoing described lands as lies within the bounds of the premises described in the deed from Joseph L. Holman, Sheriff, to Lucy R. Hall dated March 10, 1930 and recorded in the Ocean County Clerk's Office in Book 808 of Deeds, on page 460 &c.

AND over, upon, across and along any roads, streets and highways, adjoining said right of way above described, subject, nevertheless, to the rights of the public therein.

TOGETHER with the right to patrol, inspect, alter, improve, repair, rebuild, increase, decrease or remove such lines, and poles, conductors, wires, cables, attachments, fixtures, equipment and appliances connected or used therewith, together with all the rights and privileges necessary or desirable for the full enjoyment or use thereof, for the purposes above described, including the right to trim, out, remove and keep clear all trees, limbs, undergrowth, structures, buildings and other obstructions on said right of way, and all trees and limbs adjacent thereto that may in any way impede the safe and proper operation of such lines, together also with the right to pass and repass over designated routes across adjoining lands of the parties of the first part during the period of the initial construction of said lines for the purpose of exercising the rights and privileges herein granted.

THE parties of the first part covenant that they will warrant generally the easement, rights, privileges and right of way hereby conveyed; that the same are free from all encumbrances; that they are not lawfully seized thereof; that they have the right to convey the same and to defend for themselves, their heirs, executors, administrators and assigns, at the expense of the said party of the second part, will execute such further assurance of the easement, rights, privileges and right of way as may be requested.

THE said parties of the first part further covenant and agree to and with the said party of the second part, its successors and assigns, that if they, the said parties of the first part, acquire title to the lands traversed by the line hereinabove described, that they, the said parties of the first part, their heirs, executors, administrators or assigns, will, in consideration for the payment for the grant hereinabove made, grant and convey to the Jersey Central Power & Light Company, its successors and assigns, an easement and right of way of the width of thirty feet, over, upon and across said lands so acquired, for the purpose of constructing a pole line for the transmission and distribution of electrical energy.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals, the day and year first above written.

Signed, Sealed and Delivered
in the presence of
Louis S. Freeman

STATE OF NEW JERSEY :
COUNTY OF MIDDLESEX : SS.

Attorney-at-Law of New Jersey, per
ANDERSON, her husband (the said L
who, I am satisfied, are the grant
I first made known the contents th
signed, sealed and delivered the
uses and purposes therein expres

Received and Record

\$2.50

Conf'd

William Rubel, Trustee :
To :
Agnes Donovan :

BETW

State of New Jersey, as Trustee, l
dated November 1, 1928 and record
County of Ocean, State of New Jer
of Deeds, party of the first part
AND
Park, Bergen County, State of New
party of the second part.

WITNE

by virtue of the power and author:
for and in consideration of the st
United States of America, to him :
part and other good and valuable
delivery of these presents, the re
granted, bargained, sold and conv

Company's existing thirty-foot (30') wide right of way (described in grant between the parties hereto dated December 11, 1930 and recorded in Book 880 of Deeds for Cass County page 74) and the arc of a curve having a radius of fifty feet (50') the center of which is a point in the third course of the center line of said right of way and is distant two hundred twenty-five feet (225') eastwardly measured normal to the base line of Route 4 Parkway at Station 168 plus 10 thereof, and running thence (1) northwardly along said easterly side line about ninety-eight feet (98') to the northernmost point of intersection thereof with the said arc of curve; thence (2) eastwardly and southwardly along said arc of curve about one hundred thirty-five feet (135') to the point of beginning.

SAID Parcel UE1B being a triangular parcel bounded (1) on the east by the westerly side line of said existing right of way (2) on the south by a line which is parallel to and distant fifteen feet (15') southwardly from a line parallel to the base line of Route 4 Parkway at Station 168 plus 00 thereof and (3) on the west by the proposed easterly right of way line of State Highway Route 4 Parkway Section 21, P. R. R. at South Toms River to Route 4 Connection at Cassville Road, as laid down on the aforesaid plan, extending from about Station 167 plus 35 on the south to about Station 168 plus 35 on the north as shown on the aforesaid plan.

SAID Parcel UE1C beginning at a point in the existing southerly right of way line of State Highway Route 37 normal to the base line of Route 37 at Station 421 plus 80 thereof and running thence (1) eastwardly along the existing southerly right of way line of State Highway Route 37 about twenty feet (20') to a point in the proposed westerly right of way line of State Highway Route 4 Parkway Section 21, P. R. R. at South Toms River to Route 4 connection at Cassville Road, as laid down on the aforesaid plan thence (2) southwestwardly along said proposed westerly right of way line about two hundred six feet (206') to an angle point therein thence (3) southeastwardly still along said proposed westerly right of way line about one thousand three feet (1,003') to an angle point therein thence (4) southwardly still along said proposed westerly right of way line an arc distance of about one thousand three hundred twenty-five feet the arc next hereinafter described thence (5) westwardly and northwardly along the arc of a curve to the right having a radius of fifty feet (50'), the center of which is two hundred twenty-five feet (225') measured westwardly from and normal to the base line of Route 4 Parkway at Station 167 plus 90, about one hundred seventy-five feet (175') to a point distant one hundred forty feet (140') measured westwardly from and normal to the base line of Route 4 Parkway thence (6) northwardly concentric with and forty feet (40') westwardly from the fourth course of this Parcel UE1C an arc distance of about one thousand two hundred sixteen feet (1,216') to a point distant forty feet (40') measured at right angles southwestwardly from the third course of this Parcel UE1C thence (7) northwestwardly parallel to and distant forty feet (40') southwardly from the said third course about nine hundred forty-two feet (942') to the southernmost point of intersection with the arc next hereinafter described thence (8) westwardly and northwardly along the arc of a curve to the right having a radius of fifty feet (50'), the center of which is distant one hundred feet (100') measured southwardly from and normal to the base line of State Highway Route 37 at Station 423 plus 80 thereof, about one hundred thirty feet (130') to a point

distant twenty feet (20') measured at right angles southerly from the second course of this Parcel UE1C thence (9) northwestwardly parallel to and distant twenty feet (20') southwardly from the second course about one hundred fifty-eight feet (158') to a point which is normal to the base line of Route 37 at Station 421 plus 80 thereof thence (10) northwardly, along a line which is normal to the base line of Route 37 at Station 421 plus 80 thereof, about seventeen feet (17') to the point of beginning.

SAID Parcel UE1D, beginning at a point in the proposed northerly right of way line of State Highway Route 37, as laid down on the aforesaid plan, normal to the base line of Route 37 at Station 421 plus 80 thereof and running thence (1) eastwardly along said proposed northerly right of way line about twenty feet (20') to a point in the proposed westerly right of way line of State Highway Route 4 Parkway Section 21, P. R. R. at South Toms River to Route Connection at Cassville Road, as laid down on the aforesaid plan thence (2) eastwardly along said proposed westerly right of way line about one hundred and two feet (192') to a point in the line which is parallel to and distant fifteen feet (15') measured at right angles southeastwardly from a line between the centers fixed in course 8 of said Parcel UE1C hereof and the center fixed in the following description of said Parcel UE1E hereof thence (3) northeastwardly parallel to the line between said centers about nine hundred eighty-six feet (986') to a point on the existing westerly side line of the aforesaid Jersey Central Power & Light Company thirty foot (30') wide right of way thence (4) northwardly along said existing westerly side line about seventy-eight feet (78') to a point distant thirty feet (30') measured at right angles from the prolongation of the third course of this Parcel UE1D thence (5) southwestwardly parallel to and distant thirty feet (30') northwestwardly from said third course and the prolongation thereof about one thousand forty feet (1,040') to a point distant twenty feet (20') measured northwardly at right angles from the second course of this Parcel UE1D thence (6) westwardly parallel to and distant twenty feet (20') measured northwardly from said second course about one hundred eighty-five feet (185') to a point normal to the base line of Route 37 at Section 421 plus 80 thence (7) southwardly about seventeen feet (17') to the point of beginning.

SAID Parcel UE1E beginning at the southernmost point of intersection of the existing easterly side line of the aforesaid Jersey Central Power & Light Company thirty foot (30') wide right of way and the arc of a curve having a radius of thirty feet (30') the center of which is distant three hundred five feet (305') measured westwardly and normal to the base line of Route 4 Parkway at Station 202 plus 07 thereof and running thence (1) northwardly along said existing easterly side line about fifty-eight feet (58') to the northernmost point of intersection thereof with the last mentioned arc of curve thence (2) southeastwardly, southwardly and southwestwardly along said arc of curve an arc distance of about sixty two feet (62') to the point of beginning.

AND said Parcel UE1F, beginning at the southernmost point of intersection of the existing easterly side line of the aforesaid Jersey Central Power & Light Company thirty foot (30') wide right of way and the arc of a curve having a radius of fifty feet (50') the center of which is distant five hundred ninety-two feet (592') measured eastwardly from and normal to the base line of

Route 4 Parkway at Station 158 plus said right of way described in the northeastwardly along said existing (53') to an angle point therein open still along said existing easterly northernmost point of intersection thence (3) eastwardly, southwardly arc distance of about one hundred s

AND over, upon, and adjoining said right of way above the public therein.

TOGETHER with the repair, rebuild, increase, decrease conductors, wires, cables, attachments connected or sued therewith, together or desirable for the full enjoyment including the right to trim, cut, and growth, structures, buildings and trees and limbs adjacent thereto the operation of such lines, together with designated routes across adjoining the period of the initial construction the rights and privileges herein granted

THE party of the generally the easement, rights, privileges the same are free from all encumbrances they have the right to convey the same administrators and assigns, will exercise rights, privileges and right of way

IN WITNESS WHEREOF set their hands and seals the day of Signed, Sealed and Delivered)

in the Presence of)
Le Roy Grant
LEROY GRANT

STATE OF NEW JERSEY,)
COUNTY OF OCEAN) SS.:

Public of New Jersey personally appeared his wife who, I am satisfied, are together to whom I first made known the contents that they signed, sealed and delivered for the uses and purposes therein expressed

(L.S.
(

Received and Recorded Jan. 17, 1951

Route 4 Parkway at Station 158 plus 71 said center being also the third corner of said right of way described in the aforesaid deed 880/74 and running thence (1) northeastwardly along said existing easterly side line about fifty-three feet (53') to an angle point therein opposite said third corner thence (2) northwestwardly along said existing easterly side line about fifty-five feet (55') to the northernmost point of intersection thereof with the last mentioned arc of curve thence (3) eastwardly, southwardly and southwestwardly along said arc of curve an distance of about one hundred sixty-four feet (164') to the point of beginning.

AND over, upon, across and along any roads, streets and highways adjoining said right of way above described, subject, however, to the rights of the public therein.

TOGETHER with the right to patrol, inspect, alter, improve, repair, rebuild, increase, decrease or remove such lines, and all poles, towers, conductors, wires, cables, attachments, fixtures, equipment and appurtenances connected or used therewith, together with all the rights and privileges necessary and desirable for the full enjoyment or use thereof, for the purposes above described, including the right to trim, cut, remove and keep clear all trees, limbs, undergrowth, structures, buildings and other obstructions on said right of way, and all trees and limbs adjacent thereto that may in any way endanger the safe and proper operation of such lines, together also with the right to pass and repass over designated routes across adjoining lands of the party of the first part during the period of the initial construction of said lines for the purpose of exercising the rights and privileges herein granted.

THE party of the first part covenants that they will warrant generally the easement, rights, privileges and right of way hereby conveyed; that the same are free from all encumbrances; that they are lawfully seized thereof; that they have the right to convey the same and that they for their heirs, executors, administrators and assigns, will execute such further assurance of said easement, rights, privileges and right of way as may be requested.

IN WITNESS WHEREOF, the said party of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Belivered)

in the Presence of)

Le Roy Grant
LEROY GRANT

Lucy R. Anderson
LUCY R. ANDERSON

Emery M. Anderson
EMERY M. ANDERSON

STATE OF NEW JERSEY,)
COUNTY OF OCEAN) SS.:

BE IT REMEMBERED, That on this
thirteenth day of December 1950
before me, the subscriber, a Notary

Public of New Jersey personally appeared Lucy R. Anderson and Emery M. Anderson his wife who, I am satisfied, are the grantors mentioned in the within Instrument to whom I first made known the contents thereof, and thereupon they acknowledged that they signed, sealed and delivered the same as their voluntary act and deed, for the uses and purposes therein expressed.

() LeRoy Grant
(L.S.) LEROY GRANT
() Notary Public of New Jersey

Received and Recorded Jan. 17, 1951 1:32 P.M. SYLVESTER B. MATHIS, CLERK

act and deed of said corporation, in presence of deponent, who thereupon subscribed his name thereto as witness.

Sworn to and subscribed before me,
at Newark, New Jersey
the date aforesaid.

Theodore Smith
THEODORE SMITH

() Lillian R. Lenio
(L.S.) LILLIAN R. LENIO
() NOTARY PUBLIC OF
NEW JERSEY
My Commission Expires
April 12, 1953

Received and Recorded June 25th, 1952

8:55 A. M.
SYLVESTER B. MATHIS, Clerk

a pole is to be erected, all as is
Drawing No. C-16865, and continuing
173.6 feet to said pole no. 391 in
line easement aforesaid, recorded i
of the Clerk of Ocean County, New J

IT IS AGREED that th
pole erected hereunder so that the
shall have the right to trim and ke
tree branches as may be required to
be done with care, and the sidewalk
be restored to a proper and safe co
IN WITNESS WHEREOF w
of May in the year 1952.

RIGHT OF WAY AGREEMENT

Lucy R. Anderson & wife : IN CONSIDERATION of One (\$1.00)
To : Dollar, and other valuable consid
Jersey Central P. & L. Co., et al: ations, paid by Jersey Central
Power & Light Company, body cor

porate of the State of New Jersey, or New Jersey Bell Telephone Company, the receipt
of which is hereby acknowledged, we the undersigned do hereby grant unto said
Jersey Central Power & Light Company, its successors and assigns, and New Jersey
Bell Telephone Company, its associated and allied companies, their successors and
assigns, the right to enter upon a part of the premises now owned by Lucy R.
Anderson, (formerly known as Lucy R. Mallory), one of the grantors herein, in the
Township of Dover, County of Ocean, State of New Jersey, which lies between the
Jersey Central Power & Light Company pole line easement, recorded in Book 880 of
Deeds, page 74&c., in the office of the Clerk of Ocean County, New Jersey, at that
part of said easement now marked by pole no. 391, and the point South 81 degrees 14
minutes East therefrom on that property line of said Lucy R. Anderson which runs
South 33 degrees West as set forth in the deed to Lucy R. Mallory recorded in Book
852 of Deeds, page 460 &c in the office of the Clerk of Ocean County, New Jersey,
to erect, maintain, renew, repair and remove poles, guys, anchors, guy stubs, cross
arms, wires, cables, and appurtenances in perpetuity for the transmission and dis
tribution of electricity, the operation of communication systems, and in addition
thereto to erect and maintain such other wires or appurtenances on said poles and
crossarms as said Companies may deem necessary and proper to be attached thereto
upon, over, across, along and beyond said property, it being understood and agreed
that the course of said pole line is to run, and the erection thereof is to be, as
follows:

BEGINNING at an existing pole, no. 1931, now situated on the South side
of Messenger Street as shown on Jersey Central Power & Light Co. (Asbury Park, N. J.)
Drawing No. C-16865, drawn by R. D. 2-6-52, checked by WHA 2-11-52, W. B. 150, N. J.
37-38, revision no. 1, 5-19-52 by K. K., and running thence North 81 degrees 14 minutes
West 173.6 feet to STK # 1, which marks the place where a pole is to be erected, and
running thence still North 81 degrees 14 minutes West 173.6 feet, and crossing the
mentioned property line of the grantor, Lucy R. Anderson, which runs South 33 degrees
West, to STK # 2, which marks the place on the property of said Lucy R. Anderson

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.

New York, duly authorized to act as
York, personally appeared LUCY R. AN
grantors husband and wife in this in
them the contents thereof, they ackn
delivered this instrument as their v
purposes therein expressed.

()
(L. S.)
()

Received and Recorded July 7, 1952

DS 1442-370 R-7-7-52

pole is to be erected, all as is specifically indicated and delineated on said drawing No. C-16865, and continuing thence still North 81 degrees 14 minutes West 73.6 feet to said pole no. 391 in the Jersey Central Power & Light Company pole line easement aforesaid, recorded in Book 880 of Deeds page 74&c in the office of the Clerk of Ocean County, New Jersey.

IT IS AGREED that the Companies from time to time may renew any pole erected hereunder so that the same shall be kept in proper condition and shall have the right to trim and keep trimmed, or cut and remove, such trees or tree branches as may be required to maintain service at all times; the work shall be done with care, and the sidewalk, street and premises disturbed thereby shall be restored to a proper and safe condition by and at the expense of said Companies.

IN WITNESS WHEREOF we have set our hands and seals this 31st day of May in the year 1952.

Lucy R. Anderson (L.S.)
LUCY R. ANDERSON

Emery M. Anderson (L.S.)
EMERY M. ANDERSON

STATE OF NEW YORK)
) ss.
COUNTY OF WESTCHESTER)

On this 31st day of May, 1952,
before me, the subscriber, a
Notary Public of the State of

New York, duly authorized to act as a Notary Public in Westchester County, New York, personally appeared LUCY R. ANDERSON and EMERY M. ANDERSON who are the grantors husband and wife in this instrument, and I having first made known to them the contents thereof, they acknowledged that they signed, sealed and delivered this instrument as their voluntary act and deed, for the uses and purposes therein expressed.

()
(L. S.)
()

Maurice Clarke
MAURICE CLARKE
NOTARY PUBLIC, STATE OF NEW YORK
No. 60-0656600
Qualified in Westchester County
Term expires March 30, 1953

Received and Recorded July 7, 1952

10:07 A. M.

Sylvester B. Mathis, Clerk

Larrabee-Toms River 34.5 KV and Parcel No. 355 A,B,C-Larrabee-Toms River 230KV

RIGHT OF WAY GRANT FOR ELECTRIC LINES

INDENTURE, made this 27th day of February, 1961, by and between Lucy R. Anderson (nee Mallory) and Emery Anderson, her husband Residing at 22 Chadworth Road,

in the Town of Scarsdale, County of Westchester and State of New Jersey, (hereinafter called Grantors) and JERSEY CENTRAL POWER & LIGHT COMPANY, a New Jersey corporation, having its principal office in Asbury Park, New Jersey (hereinafter called Grantee).

WITNESSETH: That, in consideration of the sum of \$2000 Dollars received from the Grantee and the mutual agreements hereinafter set forth, Grantors hereby grant and convey with general warranty to Grantee, its successors and assigns, an

Twenty (\$20.00) easement and right of way as described below with the right to construct, maintain and operate thereon one or more lines for the transmission or distribution of electric energy consisting of supporting structures, conductors, overhead and underground lightning protective wires, communication wires, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary therefor, upon, over, across and under the lands of Grantors situated in the Township of Ocean, County of Ocean, State of New Jersey.

Being the same premises conveyed to Lucy R. Mallory by deed from Joseph L. Holman, Sheriff, dated March 10, 1930 and recorded in the Ocean County Clerk's Office on March 15, 1930 in Book 852 of Deeds at Page 460; and also being the same premises conveyed to Lucy R. Anderson by deed from Helen M. Gordon and Ernest F. Gordon, her husband, dated May 1, 1950 and recorded May 14, 1959 in Book 1893 of Deeds, Page 391 - Said Right of Way is more fully described on Jersey Central Power & Light Company Drawing Nos. C-33700 dated June 22, 1960; Rev. #1 dated March 7, 1961; D-33779 dated May 21, 1960; Rev. #1 dated October 11, 1960; and D-33780 dated September 6, 1960; Rev. #1 dated March 6, 1961, all attached hereto and made a part hereof. That portion of the said Right of Way which is shown on Drawing #D-33918 (attached above) is more particularly described in Schedule "A" attached hereto and made a part hereof.

SCHEDULE "A"

Being an easement of 50 feet in width as shown on Jersey Central Power & Light Company Drawing No. D-33918 lying 25 feet on each side of the following described center line:

Beginning at a point in the easterly right of way line of the Garden State Parkway, said point being distant 260.20' measured on a course bearing N.22°09'24"E. from the intersection of the center line of Water Street with a line 3 feet southeasterly of and parallel to the northwesterly property line of lands of Jersey Central Power and Light Company, and running thence

- (1) North 22° 09' 24" East 53.86 feet, thence
(2) North 17° 27' 36" West 1100.92 feet to a point in the easterly right of way line of the Garden State Parkway.

The easterly 30 feet of the above described 50 foot right of way is intended to be the same right of way granted to Jersey Central Power and Light Company by Lucy R. and Emery Anderson by an easement dated December 13, 1950 and recorded January 17, 1951 in the Ocean County Clerk's Office in Book 1388 at page 272.

L.R.A.

2133-188 a-3-30-61

including within the side lines of said right-of-way ways bounding or crossing the same, subject, however

Together with the right from time to time to additional lines, apparatus and equipment as Grantee may hereafter install.

Together also with the right from time to time to remove and other obstructions upon said right of way hereafter with or endanger said lines or appurtenances and lands for all of the purposes aforesaid.

Except as provided by law and subject to Grantee, or use the ground within the limits of said right shall not interfere with, limit or obstruct any subsequent building or other structure shall be erected within

L.R.A. E.A.

This Grant of Right of Way void, so much of that contained herein, dated December 13, 1950, as is shown on Drawing #C-33780 dated June 22, 1960.

BOOK 2133 PAGE 189

...within the side lines of said right-of-way and prolongations thereof any roads, rivers, streams, streets or high-
ways bounding or crossing the same, subject, however, to the rights of the public or others therein.

Together with the right from time to time to patrol, inspect, redesign, rebuild or alter said lines and to install such
additional lines, apparatus and equipment as Grantee may at any time deem necessary and the right to remove any line
at any part thereof.

Together also with the right from time to time to remove or clear and keep clear any or all trees, underbrush, struc-
tures and other obstructions upon said right of way, and such trees beyond the same as in the judgment of Grantee may
be necessary with or endanger said lines or appurtenances when erected. Together also with the right of entry upon Grantor's
land herein for all of the purposes aforesaid.

Except as provided by law and subject to Grantee's exercise of the rights granted hereby, Grantors may farm, culti-
vate or use the ground within the limits of said right of way without substantial change of grade, provided that such use
shall not interfere with, limit or obstruct any subsequent exercise of the rights hereby granted, and provided further that
no building or other structure shall be erected within said right of way.

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189

This Grant of Right of Way and Easement supersedes, cancels and renders
void, so much of that certain Grant and Easement from Grantor herein to
Grantee herein, dated December 13, 1950 and recorded in the Ocean County
Clerk's Office in Deed Book 1386 at Page 272 as is shown on Grantee's
Drawing #C-33780 dated June 22, 1960, Rev.#2 dated March 7, 1961.

BOOK 2133 PAGE 190

If Grantors' title to said premises be marketable and all liens prior to this grant have been satisfied or subordinated hereto, Grantee shall tender and Grantors shall accept Grantee's check for thirty nine thousand thirty nine hundred eighty 39,900.00 Dollars in full payment for all rights hereby granted, within 6 months from the date hereof, and if such payment is due and such check is not tendered (either directly to, or by presentation for deposit with _____ N. J., to credit of, the Grantors) within the time specified, the rights and pro-

NAME OF BANK _____
leges herein granted shall, without further act by the parties hereto, cease and determine and Grantee shall record a proper release of the rights granted hereby and be relieved from any further obligation hereunder. Otherwise, Grantee shall, from the date hereof, have and hold the rights hereby granted and conveyed until the construction of the first line hereunder and thereafter so long as any such line is maintained pursuant hereto, subject to its covenant to pay the sum aforesaid without interest upon, and after notice of, Grantors' perfection of title and subordination of liens.

The words "Grantors" and "Grantee" shall include their heirs, executors, administrators, successors and assigns, in the case may be. This indenture contains the entire agreement between the parties with respect to said right of way.

IN WITNESS WHEREOF, Grantors signed and sealed this indenture the day and year first above written.

WITNESS:
Maurice Clark
Maurice Clark
as to both
as to both

Lucy B. Anderson (SEAL)
Lucy B. Anderson, (nee Mallory)
Emerj Anderson (SEAL)
Emerj Anderson, her husband

(SEAL)

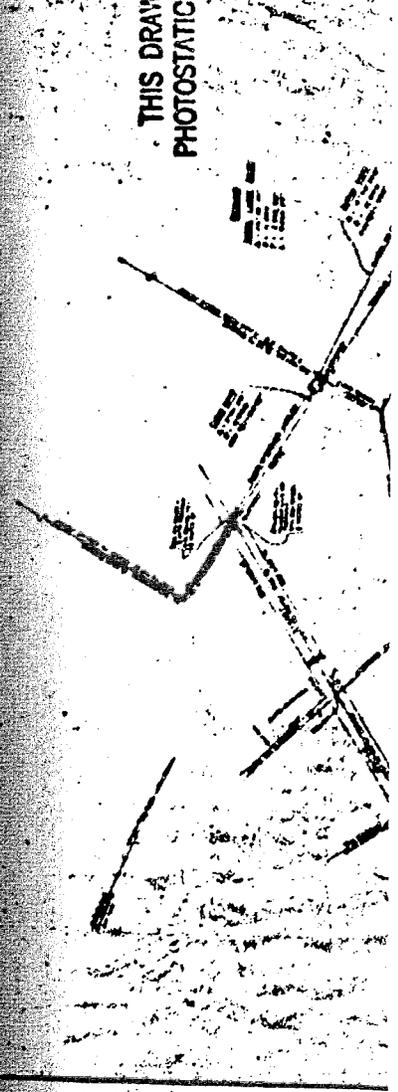
(SEAL) ATTEST:

SECRETARY

By _____
PRESIDENT

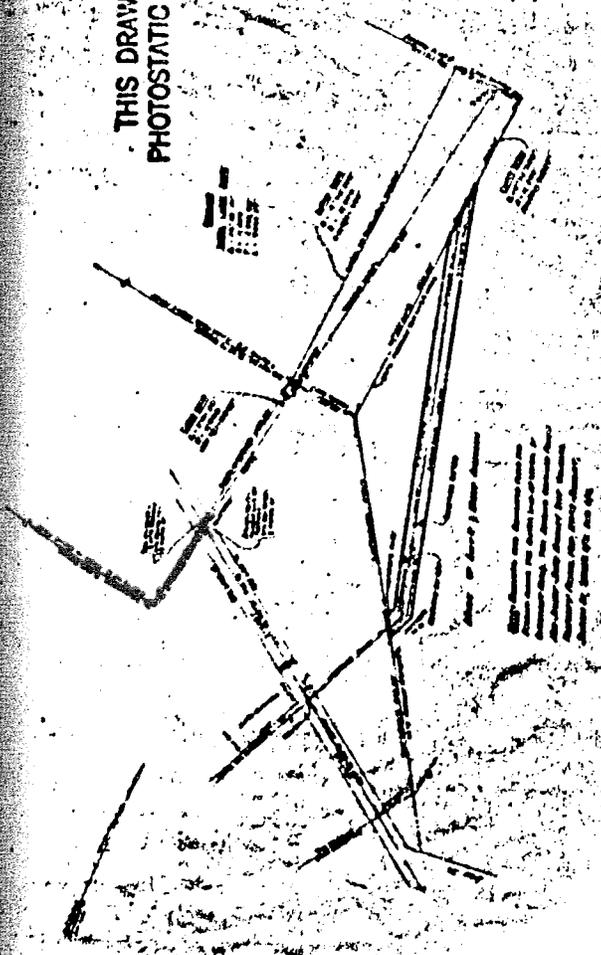
Form 603 Rev.

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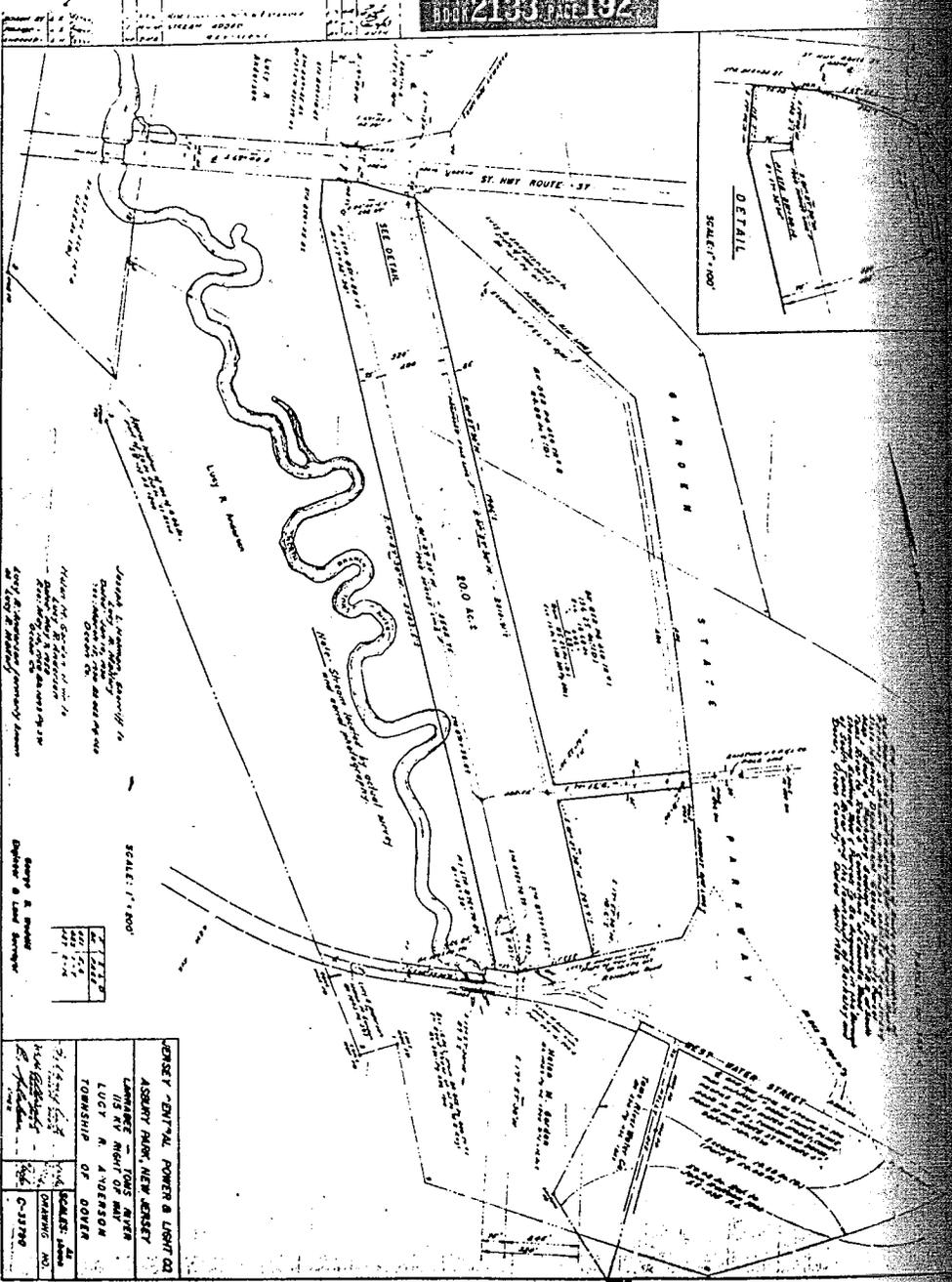


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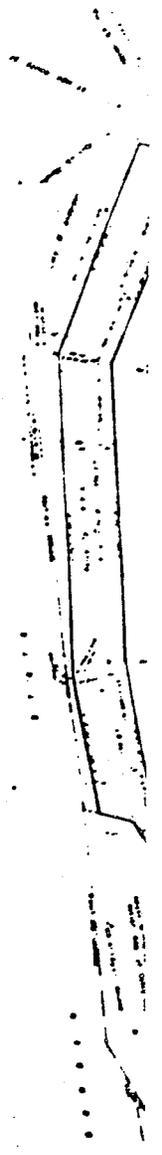


NO. 2193 DATE 192

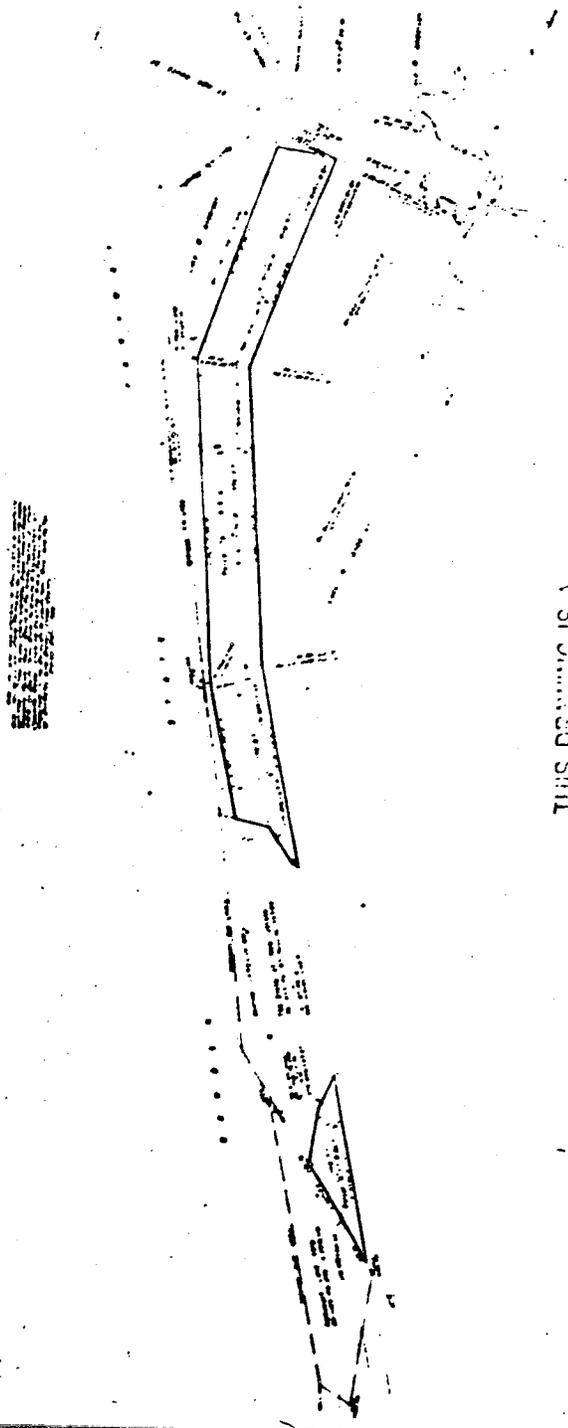


JERSEY TERMINAL, POWER & LIGHT CO.
 ASBURY PARK, NEW JERSEY
 LAYOUT OF GARDEN
 LUCY A. ANDERSON
 TOWNSHIP OF COVER
 SCALE: 1" = 100'
 DRAWING NO. C-11398

This drawing is a reproduction of the original drawing on file in the office of the Surveyor General of the State of New Jersey, at Trenton, New Jersey, under the name of the Surveyor General of the State of New Jersey, and is not to be used for any other purpose without the written consent of the Surveyor General of the State of New Jersey.



DATE	11/11/54
BY	J. H. [unclear]
SCALE	1" = 100'
PROJECT	[unclear]
DESCRIPTION	[unclear]
REVISIONS	[unclear]
APPROVED	[unclear]
CHECKED	[unclear]
DATE	[unclear]



THIS DRAWING IS A
PHOTOSTATIC REPRODUCTION

DATE	11/11/54
BY	J. H. [unclear]
SCALE	1" = 100'
PROJECT	[unclear]
DESCRIPTION	[unclear]

DATE	11/11/54
BY	J. H. [unclear]
SCALE	1" = 100'
PROJECT	[unclear]
DESCRIPTION	[unclear]

040618

RECORDED
OCEAN COUNTY CLERK'S
OFFICE

Nov 10 1 43 PM '76

BOOK 3569 PAGE 160
OF DEEDS CLERK
E. J. ...

M.S. Chy

HIERING, GRASSO, GELZER & KELAHER
A Professional Corporation
HIERING BUILDING
COURT HOUSE SQUARE
TOMS RIVER, NEW JERSEY 08753
(201) 349-1212
ATTORNEYS FOR Plaintiff

OCEAN COUNTY SEWERAGE AUTHORITY, a public
body politic and corporate constituting a
political subdivision of the State of
New Jersey;

Plaintiff

vs.

PARKWAY MALL, A Partnership; N.K. WINSTON
CORPORATION, (formerly known as Toms River
Mall, Inc.), A Delaware Corporation;
TOWNSHIP OF DOVER; JERSEY CENTRAL POWER
& LIGHT COMPANY; and STATE OF NEW JERSEY;

Defendants

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, OCEAN COUNTY

Docket No. L-2443-76

CIVIL ACTION

DECLARATION OF TAKING

Plaintiff, OCEAN
State of New Jersey, f

1. Possession of
filed herein, is being
Authority.

2. The premises
hereto, made a part h
a map marked Exhibit
part hereof, and upon

3. The estate
temporary easement

4. The sum of
be just compensation
which sum is deposite

5. The Ocean C
possession, title and
into and take possess
17 through 20)

6. The names a
Sewerage Authority, t
the nature of their i

PARKWAY MALL,
c/o Robert V.
Paschon & Fet
1027 Hooper /
Toms River, f

9-14-76
etc
TR 4-1.1

3569-160 A-11-10-76

Plaintiff, OCEAN COUNTY SEWERAGE AUTHORITY, a body politic of the State of New Jersey, hereby declares:

1. Possession of the premises described in the Complaint, heretofore filed herein, is being taken by and for the use of the Ocean County Sewerage Authority.
2. The premises hereby taken are described in the exhibit attached hereto, made a part hereof and marked Pages 1 through 4 and "A-1" Exhibit "A", wherein reference is made to a map marked Exhibit "B", a copy of which is also attached hereto and made a part hereof, and upon which map the said lands and premises are designated.
3. The estate or interest hereby taken is permanent easement and temporary easement in the lands and premises hereinafter described.
4. The sum of money estimated by the Ocean County Sewerage Authority to be just compensation for the taking is /permanent easement - \$11,100.00 and temporary easement - \$1,000.00 which sum is deposited with the Clerk of the Superior Court.
5. The Ocean County Sewerage Authority is entitled to the exclusive possession, title and use of the premises aforesaid and will forthwith enter into and take possession of them. (N.J.S.A. 40:14A-7 (5), (11); N.J.S.A. 20:3-17 through 20)
6. The names and addresses of all condemnees known to the Ocean County Sewerage Authority, the condemnor herein, after reasonable investigation, and the nature of their interest in the property, are as follows:

PARKWAY MALL, A Partnership
c/o Robert V. Paschon, Esquire
Paschon & Feurey
1027 Hooper Avenue
Toms River, New Jersey #08753

Is made a party defendant by reason of being record owner under Deed of Conveyance dated April 16, 1973, recorded March 5, 1974 in the Ocean County Clerk's Office in Book 3373 of Deeds at Page 349.

N.K. WINSTON CORPORATION
(formerly known as Toms River
Mall, Inc.), A Delaware
Corporation
711 Fifth Avenue
New York, New York

Is made a party defendant by reason
of being the holder of a mortgage
made by Jersey Shore Security, Inc.
dated April 16, 1973, recorded
April 19, 1973 in the Ocean County
Clerk's Office in Book 1759 of
Mortgages at Page 265.

TOWNSHIP OF DOVER
c/o Township Clerk
33 Washington Street
P.O. Box #728
Toms River, New Jersey #08753

Is made a party defendant by reason
of the following:

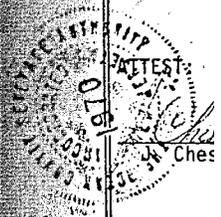
- a) Certain taxes and assessments,
duly levied and assessed and by
reason thereof may claim to have
an interest in the subject premises.
- b) Being the holder of Tax Sale
Certificate #6401 made by Carl F.
Heagey, Collector of Taxes,
Township of Dover, dated
December 16, 1974 and recorded
on March 6, 1975 in the Ocean
County Clerk's Office in Book
1893 of Mortgages at Page 171
(amount of \$3,685.09).

JERSEY CENTRAL POWER &
LIGHT COMPANY
Madison Avenue & Punch
Bowl Road
Morristown, New Jersey

Is made a party defendant by reason
of being the holder of Easement
(Right of Way grant) given by
Lucy R. Anderson, et vir. to Jersey
Central Power & Light Company, dated
February 27, 1961 and recorded on
March 30, 1961 in the Ocean County
Clerk's Office in Book 2133 of
Deeds at Page 188.

STAT
c/o
Stat
Tren

IN
Declarati
of said A
attested



STATE OF NEW JERSEY
c/o Attorney General
State House
Trenton, New Jersey #08625

Is made a party defendant by reason
of any franchise or other corporate
taxes, if any, due and unpaid to it
from the following corporation:

- a) N.K. Winston Corporation, A
Delaware Corporation (formerly
known as Toms River Mall, Inc.)
- b) Jersey Shore Security, Inc.,
a predecessor in title to Parkway
Mall, Inc.

IN WITNESS WHEREOF, the Ocean County Sewerage Authority has caused this
Declaration to be signed by Joseph L. Penn, Chief of Real Estate Department,
of said Authority, thereunto duly authorized, its corporate seal to be affixed,
attested by its Secretary, this 25 day of October, 1976.



Chester Holman
Chester Holman

OCEAN COUNTY SEWERAGE AUTHORITY

By Joseph L. Penn
Joseph L. Penn

FELLOWS, READ & WEBER, INC.
310 Main Street
Toms River, New Jersey 08753

BOOK 3569 PAGE 164

June 18, 1976

DESCRIPTION OF AREA TO BE TAKEN AS EASEMENT BY THE
OCEAN COUNTY SEWERAGE AUTHORITY
TOMS RIVER INTERCEPTOR SECTION 4, PARCEL 1.1
DOVER TOWNSHIP, OCEAN COUNTY, NEW JERSEY

ALL those certain lots, tracts, or parcels of land situate,
lying and being in the Township of Dover, County of Ocean and State of
New Jersey and being herein more particularly bounded and described as
follows:

TRACT 1 - PERMANENT EASEMENT

BEGINNING at a point in the northerly right-of-way line of
N.J. State Highway Route 37, said point being distant 35.01 feet along
a course of South 78° 35' 53" East from a point of intersection formed
by the northerly right-of-way line of Route 37 and the westerly line
of the Jersey Central Power and Light Co. easement (240 feet wide),
and proceeding; thence

- (1) North 10° 05' 12" East, a distance of 937.74 feet to a point;
thence
- (2) South 79° 54' 48" East, a distance of 35.00 feet to a point
in the westerly right-of-way line of the Jersey Central Power
and Light Co. easement; thence
- (3) North 10° 05' 12" East, along the westerly right-of-way line
of the Jersey Central Power and Light Co. easement; a dis-
tance of 100.00 feet to an angle point in said line; thence
- (4) North 15° 13' 01" West, still along the westerly right-of-way
line of the Jersey Central Power and Light Co. easement, a
distance of 1375.37 feet to an angle point in said line;
thence
- (5) North 23° 02' 07" West, still along the westerly right-of-way
line of the Jersey Central Power and Light Co. easement, a
distance of 200.00 feet to a point; thence
- (6) South 66° 57' 53" West, a distance of 35.00 feet to a point;
thence
- (7) North 23° 02' 07" West, a distance of 776.95 feet to a point
in the southerly line of Lot 61, Block 409; thence
- (8) South 71° 08' 02" East, along the southerly line of Lot 61,
Block 409, a distance of 67.18 feet to a point; thence
- (9) South 23° 02' 07" East, a distance of 933.11 feet to a point;
thence
- (10) South 15° 13' 01" East, a distance of 1379.76 feet to a point;
thence

EXHIBIT "A" - Page #1

Desc. area to be ta
D.C.S.A., Toms Rive
Dover Twp., Ocean C

TRACT 1 - PERMANENT

- (11) South 10°
point in
Highway F
- (12) North 78°
line of I
place of
- Said tra

TRACT 2 - PERMANENT

BEGINNING
409, said point be
minus of the seven

- (A) North 71
Block 40
the sout
- (B) North 5°
distnace
ginning
- (1) North 23
in the
- (2) South 41
a dista
- (3) South 2
in the
- (4) South 1
a dista
- (5) South 5
61, a d
- Said tr

10' WIDE TEMPORARY

BEGINNING
tract herein above

- (1) North
herein
thence

TRACT 1 - PERMANENT EASEMENT (cont'd)

- (11) South 10° 05' 12" West, a distance of 1042.25 feet to a point in the northerly right-of-way line of N.J. State Highway Route 37; thence
- (12) North 78° 35' 53" West, along said northerly right-of-way line of Route 37, a distance of 50.01 feet to the point and place of beginning.

Said tract contains 2.522 acres.

TRACT 2 - PERMANENT EASEMENT

BEGINNING at a point in the westerly line of Lot 61, Block 409, said point being distant the following two courses from the terminus of the seventh course herein above described:

- (A) North 71° 08' 02" West, along the southerly line of Lot 61, Block 409, a distance of 328.29 feet to a monument set at the southwest corner thereof; thence
- (B) North 5° 08' 11" West, along the westerly line of Lot 61, a distance of 681.16 feet to the true point and place of beginning
- (1) North 23° 02' 07" West, a distance of 1035.03 feet to a point in the southerly line of Lot 60, Block 409; thence
- (2) South 43° 09' 37" East, along the southerly line of Lot 60, a distance of 145.32 feet to a point; thence
- (3) South 23° 02' 07" East, a distance of 789.78 feet to a point in the westerly line of Lot 61, Block 409; thence
- (4) South 13° 51' 40" West, along the westerly line of Lot 61, a distance of 43.43 feet to an angle point in said line; thence
- (5) South 5° 08' 11" East, still along the westerly line of Lot 61, a distance of 77.84 feet to the point and place of beginning.

Said tract contains 1.035 acres.

10' WIDE TEMPORARY EASEMENT

BEGINNING at the terminus of the second course of the first tract herein above described, and proceeding; thence

- (1) North 79° 54' 48" West, along the second course of Tract 1 herein above described, a distance of 10.00 feet to a point; thence

Desc. area to be taken as easement by
O.C.S.A., Toms River Inter., Sec. 4, Par. 1.1
Dover Twp., Ocean Co., N.J.

10' WIDE TEMPORARY EASEMENT (cont'd)

- (2) North 10° 05' 12" East, running parallel to and 10 feet offset therefrom, the westerly line of the Jersey Central Power and Light Co. easement (240 feet wide), a distance of 97.76 feet to a point; thence
- (3) North 15° 13' 01" West, still running parallel to and 10 feet offset therefrom, the westerly line of said Jersey Central Power and Light Co. easement, a distance of 1372.44 feet to a point; thence
- (4) North 23° 02' 07" West, still running parallel to and 10 feet offset therefrom, the westerly line of said Jersey Central Power and Light Co. easement, a distance of 199.32 feet to a point in the sixth course of Tract 1 herein above described; thence
- (5) North 66° 57' 53" East, along said sixth course of Tract 1, a distance of 10.00 feet to the terminus of the fifth course of Tract 1 described above; thence
- (6) South 23° 02' 07" East, along the westerly line of the Jersey Central Power and Light Co. easement, a distance of 200.00 feet to an angle point in said line; thence
- (7) South 15° 13' 01" East, still along the westerly line of the Jersey Central Power and Light Co. easement, a distance of 1375.37 feet to an angle point in said line; thence
- (8) South 10° 05' 12" West, still along said westerly line of the Jersey Central Power & Light Co. easement, a distance of 100.00 feet to the point and place of beginning.

Said temporary easement contains 0.384 acre (16,724.4 sq. ft.).

25' WIDE TEMPORARY EASEMENT

BEGINNING at the terminus of the tenth course of Tract 1, herein above described, and proceeding; thence

- (1) North 15° 13' 01" West, along the tenth course of Tract 1, a distance of 1379.76 feet to the terminus of the ninth course of Tract 1; thence
- (2) North 23° 02' 07" West, along the ninth course of Tract 1, a distance of 201.03 feet to a point; thence
- (3) North 66° 57' 53" East, a distance of 25.00 feet to a point; thence

Desc. area to be taken as easement by
O.C.S.A., Toms River Inter., Sec. 4, Par. 1.1
Dover Twp., Ocean Co., N.J.

25' WIDE TEMPORARY EASEMENT

- (4) South 23° 02' 07" East, along the westerly line of the Jersey Central Power and Light Co. easement, a distance of 200.00 feet to an angle point in said line; thence
 - (5) South 15° 13' 01" East, still along the westerly line of the Jersey Central Power and Light Co. easement, a distance of 1375.37 feet to an angle point in said line; thence
 - (6) South 10° 05' 12" West, still along said westerly line of the Jersey Central Power & Light Co. easement, a distance of 100.00 feet to the point and place of beginning.
 - (7) North 79° 05' 12" West, still running parallel to and 10 feet offset therefrom, the westerly line of said Jersey Central Power and Light Co. easement, a distance of 1372.44 feet to a point; thence
 - (8) North 10° 05' 12" West, still along said westerly line of the Jersey Central Power & Light Co. easement, a distance of 100.00 feet to the point and place of beginning.
- Said temporary easement contains 0.384 acre (16,724.4 sq. ft.).
- Being in a County Sewer District dated Janu.

AD/nl

25' WIDE TEMPORARY EASEMENT (cont'd)

- (4) South 23° 02' 07" East, a distance of 202.74 feet to a point; thence
- (5) South 15° 13' 01" East, a distance of 1387.08 feet to a point; thence
- (6) South 10° 05' 12" West, a distance of 108.98 feet to a point; thence
- (7) North 79° 54' 48" West, a distance of 25.00 feet to a point in the eleventh course of Tract 1; thence
- (8) North 10° 05' 12" East, along the eleventh course of Tract 1, a distance of 103.37 feet to the point and place of beginning.

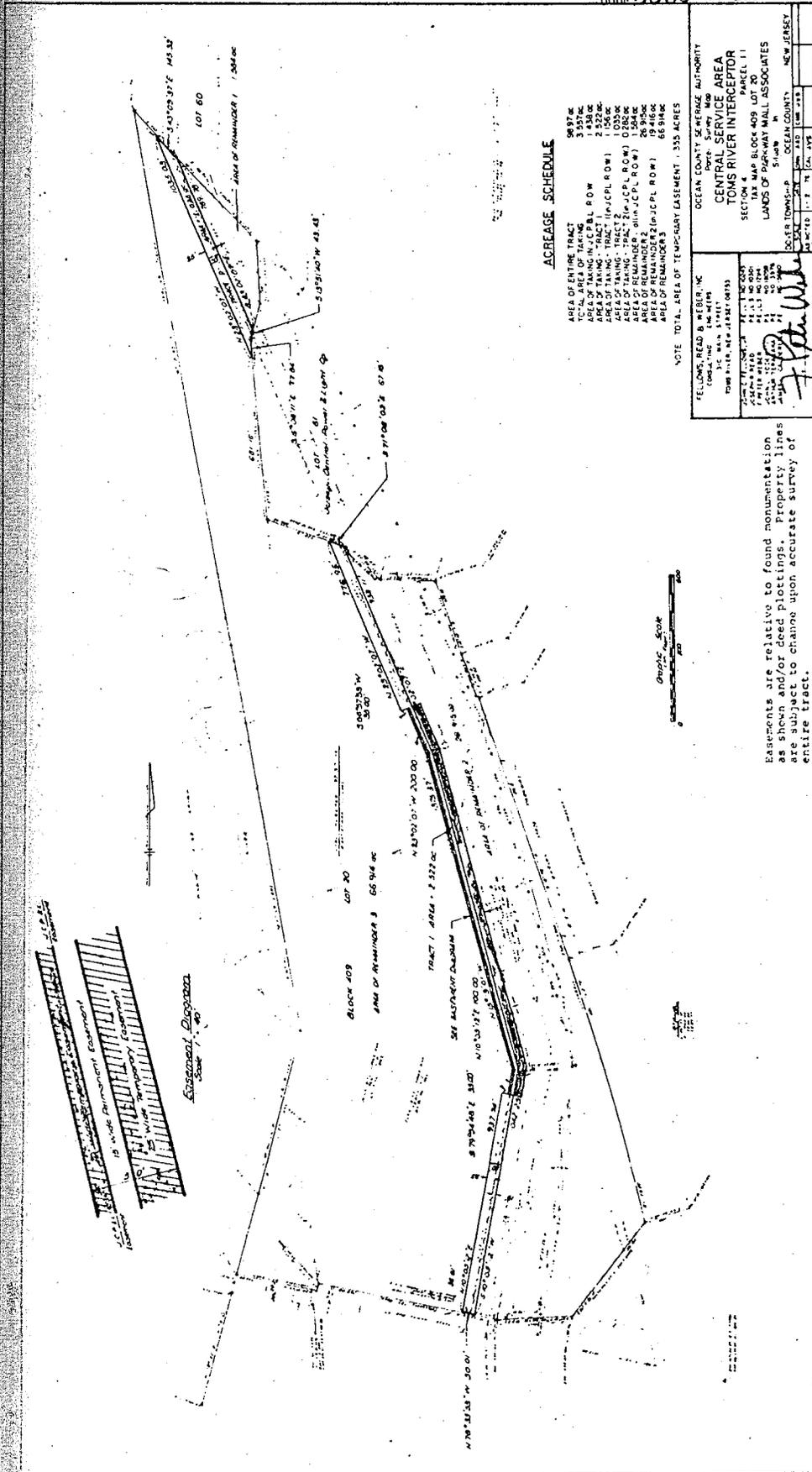
Said temporary easement contains 0.971 acre.

Being in accordance with a map prepared for the Ocean County Sewerage Authority by Fellows, Read & Weber, Inc., dated January 2, 1976.

* * * *

EXHIBIT "A" - Page #4

Temporary Easement is for a term of 11-1-76 or date of filing of Declaration of Taking herein, whichever shall first occur, through 10-31-78.



ACREAGE SCHEDULE

AREA OF ENTIRE TRACT	96.9700
TOTAL AREA OF TAKING	3.3576
AREA OF TAKING IN J.C.P.L. ROW	1.4380
AREA OF TAKING IN TRACT 1 (IN J.C.P.L. ROW)	1.1584
AREA OF TAKING IN TRACT 2 (IN J.C.P.L. ROW)	1.0336
AREA OF TAKING IN TRACT 3 (IN J.C.P.L. ROW)	1.0336
AREA OF REMAINDER 1	1584.00
AREA OF REMAINDER 2	28.9500
AREA OF REMAINDER 3	66.8984
NOTE: TOTAL AREA OF TEMPORARY EASEMENT	333.5 ACRES

DELAN COUNTY SURVEY AUTHORITY
 CENTRAL SERVICE AREA
 TONS RIVER INTERCEPTOR
 SECTION 4 PARCEL 11
 TAX MAP BLOCK 409 LOT 20
 LANDS OF PARKWAY MALL ASSOCIATES
 2008 TOWNSHIP 3 SOUTH RANGE 1 WEST NEW JERSEY
 409-10 409-11 409-12 409-13 409-14 409-15 409-16 409-17 409-18 409-19 409-20

FELLOWS, READ & WEBER, INC.
 CONSULTING ENGINEERS
 1400 WEST 14TH AVENUE
 DENVER, COLORADO 80202
 PHONE 303.733.4444
 FAX 303.733.4444
 E-MAIL: INFO@FELLOWSWEBER.COM
 WWW.FELLOWSWEBER.COM

[Signature]

Easements are relative to found monumentation as shown and/or deed plottings. Property lines are subject to change upon accurate survey of entire tract.

REVISION 6-21-76 ADD CHANGE TEMP EASEMENT STRIP B 150' IN DISTANCE

which is also attached hereto and made a part hereof, and upon which map the said lands and premises are designated.

3. The estate or interest hereby taken is permanent easement in the lands and premises hereinafter described.

4. The sum of money estimated by the Ocean County Sewerage Authority to be just compensation for the taking is \$9,700.00, which sum is deposited with the Clerk of the Superior Court.

5. The Ocean County Sewerage Authority is entitled to the exclusive possession, title and use of the premises aforesaid and will forthwith enter into and take possession of them. (N.J. S.A.40:14A-7 (5), (11); N.J.S.A.20:3-17 through 20).

6. The names and addresses of all condemnees known to the Ocean County Sewerage Authority, the condemnor herein, after reasonable investigation, and the nature of their interest in the property, are as follows:

PARKWAY MALL, A Partnership
c/o Robert V. Paschon, Esquire
Paschon & Feurey
1027 Hooper Avenue
Toms River, N.J. 08753

Is made a party defendant by reason of being record owner under Deed of Conveyance dated 4/16/73, recorded 3/5/74 in the Ocean County Clerk's Office in Book 3373 of Deeds at page 349

N.K. WINSTON CORPORATION
(formerly known as Toms
River Mall, Inc.) a Delaware
Corporation
711 Fifth Avenue
New York, N.Y.

Is made a party defendant by reason of being the holder of a mortgage made by Jersey Shore Security, Inc. dated 4/16/73 recorded 4/19/73 in the Ocean County Clerk's Office in Book 1759 of Mortgages at Page 265.

TOWNSHIP OF DOVER
c/o Township Clerk
33 Washington Street
P. O. Box 728
Toms River, N.J. 08753

Is made a party defendant by reason of the following:

a) Certain taxes and assessments, duly levied and assessed and by reason thereof may claim to have an interest in the subject premises.

b) Being the holder of Tax Sale Certificate #6401 made by Carl F. Heagey, Collector of Taxes, Township of Dover, dated 12/16/74 and recorded on 3/6/75 in the Ocean County Clerk's Office in Book 1893 of Mortgages at page 171 (amount of \$3,685.09)

STATE OF NEW JERSEY
c/o Attorney General
State House
Trenton, N.J. 08625

Is made a party defendant by reason of any franchise or other corporate taxes, if any, due and unpaid to it from the following Corporations:

a) N.K.Winston Corporation, a Delaware corporation (formerly known as Toms River Mall, Inc.)

b) Jersey Shore Security, Inc. a predecessor in title to Parkway Mall, Inc.

IN WITNESS WHEREOF, the Ocean County Sewerage Authority has caused this Declaration to be signed by Kathy Marmur Administrative Assistant of said Authority, thereunto duly authorized, its corporate seal to be affixed, attested by its Secretary this 4th day of April 1979


ATTEST:
Marcus Penn
Assistant Secretary

OCEAN COUNTY SEWERAGE AUTHORITY

By Kathy Marmur

This instrument prepared by Robert V. Carton, Esq.

FELLOWS, READ & WEBER, INC.
310 Main Street
Toms River, New Jersey 0875

DESCRIPTION OF ARE
OCEAN COU
TOMS RIVER INTE
DOVER TOWNSHI

ALL those certain lying and being in the Towns New Jersey and being herein follows:

TRACT 1 - PERMANENT EASEMENT

BEGINNING at a poi N.J. State Highway Route 37, a course of South 78° 35' 53" by the northerly right-of-way of the Jersey Central Power and proceeding; thence

- (1) North 10° 05' 12" thence
- (2) South 79° 54' 48" in the westerly ri and Light Co. ease
- (3) North 10° 05' 12" of the Jersey Cent tance of 100.00 fe
- (4) North 15° 13' 01" line of the Jersey distance of 1375.3 thence
- (5) North 23° 02' 07" way line of the Je a distance of 200.
- (6) South 66° 57' 53" thence
- (7) North 23° 02' 07" in the southerly 1
- (8) South 71° 08' 02" Block 409, a dista
- (9) South 23° 02' 07" thence

FELLOWS, READ & WEBER, INC.
310 Main Street
Toms River, New Jersey 08753

June 18, 1976
Rev. April 27, 1977

DESCRIPTION OF AREA TO BE TAKEN AS EASEMENT BY THE
OCEAN COUNTY SEWERAGE AUTHORITY
TOMS RIVER INTERCEPTOR SECTION 4, PARCEL 1.1
DOVER TOWNSHIP, OCEAN COUNTY, NEW JERSEY

ALL those certain lots, tracts, or parcels of land situate, lying and being in the Township of Dover, County of Ocean and State of New Jersey and being herein more particularly bounded and described as follows:

TRACT 1 - PERMANENT EASEMENT

BEGINNING at a point in the northerly right-of-way line of N.J. State Highway Route 37, said point being distant 35.01 feet along a course of South 78° 35' 53" East from a point of intersection formed by the northerly right-of-way line of Route 37 and the westerly line of the Jersey Central Power and Light Co. easement (240 feet wide), and proceeding; thence

- (1) North 10° 05' 12" East, a distance of 937.74 feet to a point; thence
- (2) South 79° 54' 48" East, a distance of 35.00 feet to a point in the westerly right-of-way line of the Jersey Central Power and Light Co. easement; thence
- (3) North 10° 05' 12" East, along the westerly right-of-way line of the Jersey Central Power and Light Co. easement, a distance of 100.00 feet to an angle point in said line; thence
- (4) North 15° 13' 01" West, still along the westerly right-of-way line of the Jersey Central Power and Light Co. easement, a distance of 1375.37 feet to an angle point in said line; thence
- (5) North 23° 02' 07" West, still along the westerly right-of-way line of the Jersey Central Power and Light Co. easement, a distance of 200.00 feet to a point; thence
- (6) South 66° 57' 53" West, a distance of 35.00 feet to a point; thence
- (7) North 23° 02' 07" West, a distance of 776.95 feet to a point in the southerly line of Lot 61, Block 409; thence
- (8) South 71° 08' 02" East, along the southerly line of Lot 61, Block 409, a distance of 67.18 feet to a point; thence
- (9) South 23° 02' 07" East, a distance of 933.11 feet to a point; thence

Desc. area to be taken as easement by
O.C.S.A., Toms River Inter., Sec. 4, Par. 1.1
Dover Twp., Ocean Co., N.J.

page 2

- (10) South 15° 13' 01" East, a distance of 1379.76 feet to a point; thence
- (11) South 10° 05' 12" West, a distance of 1042.25 feet to a point; thence
- (12) North 78° 35' 53" West, along said northerly right-of-way line of Route 37, a distance of 50.01 feet to the point and place of beginning.
- Said tract contains 2.522 acres.

TRACT 2 - PERMANENT EASEMENT

BEGINNING at a point in the westerly line of Lot 61, Block 409, said point being distant the following two courses from the terminus of the seventh course herein above described:

- (A) North 71° 08' 02" West, along the southerly line of Lot 61, Block 409, a distance of 328.29 feet to a monument set at the southwest corner thereof; thence
- (B) North 5° 08' 11" West, along the westerly line of Lot 61, a distance of 681.16 feet to the true point and place of beginning.
- (1) North 23° 02' 07" West, a distance of 1035.03 feet to a point in the southerly line of Lot 60, Block 409; thence
- (2) South 43° 09' 37" East, along the southerly line of Lot 60, a distance of 145.32 feet to a point; thence
- (3) South 23° 02' 07" East, a distance of 789.78 feet to a point in the westerly line of Lot 61, Block 409; thence
- (4) South 13° 51' 40" West, along the westerly line of Lot 61, a distance of 43.43 feet to an angle point in said line; thence
- (5) South 5° 08' 11" East, still along the westerly line of Lot 61, a distance of 77.84 feet to the point and place of beginning.
- Said tract contains 1.035 acres.

10' WIDE TEMPORARY EASEMENT

BEGINNING at the terminus of the second course of the first tract herein above described, and proceeding; thence

- (1) North 79° 54' 48" West, along the second course of Tract 1 herein above described, a distance of 10.00 feet to a point; thence

Desc. area to be taken as e
O.C.S.A., Toms River Inter.
Dover Twp., Ocean Co., N.J.

10' WIDE TEMPORARY EASEMENT

- (2) North 10° 05' 12" offset therefrom, Power and Light C of 97.76 feet to
- (3) North 15° 13' 01" feet offset there Central Power and feet to a point;
- (4) North 23° 02' 07" feet offset there Central Power and feet to a point i described; thence
- (5) North 66° 57' 53" a distance of 10. of Tract 1 descri
- (6) South 23° 02' 07" Central Power and feet to an angle
- (7) South 15° 13' 01" Jersey Central Po 1375.37 feet to a
- (8) South 10° 05' 12" Jersey Central Po 100.00 feet to th
- Said temporary ea

25' WIDE TEMPORARY EASEMENT

BEGINNING at the herein above described, and

- (1) North 15° 13' 01" a distance of 137 course of Tract 1
- (2) North 23° 02' 07" a distance of 201
- (3) North 66° 57' 53" thence

Desc. area to be taken as easement by
O.C.S.A., Toms River Inter., Sec. 4, Par. 1.1
Dover Twp., Ocean Co., N.J.

BOOK 3830 PAGE 727
page 3

10' WIDE TEMPORARY EASEMENT (cont'd)

- (2) North 10° 05' 12" East, running parallel to and 10 feet offset therefrom, the westerly line of the Jersey Central Power and Light Co. easement (240 feet wide), a distance of 97.76 feet to a point; thence
 - (3) North 15° 13' 01" West, still running parallel to and 10 feet offset therefrom, the westerly line of said Jersey Central Power and Light Co. easement, a distance of 1372.44 feet to a point; thence
 - (4) North 23° 02' 07" West, still running parallel to and 10 feet offset therefrom, the westerly line of said Jersey Central Power and Light Co. easement, a distance of 199.32 feet to a point in the sixth course of Tract 1 herein above described; thence
 - (5) North 66° 57' 53" East, along said sixth course of Tract 1, a distance of 10.00 feet to the terminus of the fifth course of Tract 1 described above; thence
 - (6) South 23° 02' 07" East, along the westerly line of the Jersey Central Power and Light Co. easement, a distance of 200.00 feet to an angle point in said line; thence
 - (7) South 15° 13' 01" East, still along the westerly line of the Jersey Central Power and Light Co. easement, a distance of 1375.37 feet to an angle point in said line; thence
 - (8) South 10° 05' 12" West, still along said westerly line of the Jersey Central Power & Light Co. easement, a distance of 100.00 feet to the point and place of beginning.
- Said temporary easement contains 0.384 acre (16,724.4 sq. ft.).

25' WIDE TEMPORARY EASEMENT

BEGINNING at the terminus of the tenth course of Tract 1, herein above described, and proceeding; thence

- (1) North 15° 13' 01" West, along the tenth course of Tract 1, a distance of 1379.76 feet to the terminus of the ninth course of Tract 1; thence
- (2) North 23° 02' 07" West, along the ninth course of Tract 1, a distance of 201.03 feet to a point; thence
- (3) North 66° 57' 53" East, a distance of 25.00 feet to a point; thence

Desc. area to be taken as easement by
O.C.S.A., Toms River Inter., Sec. 4, Par. 1.1
Dover Twp., Ocean Co., N.J.

25' WIDE TEMPORARY EASEMENT (cont'd)

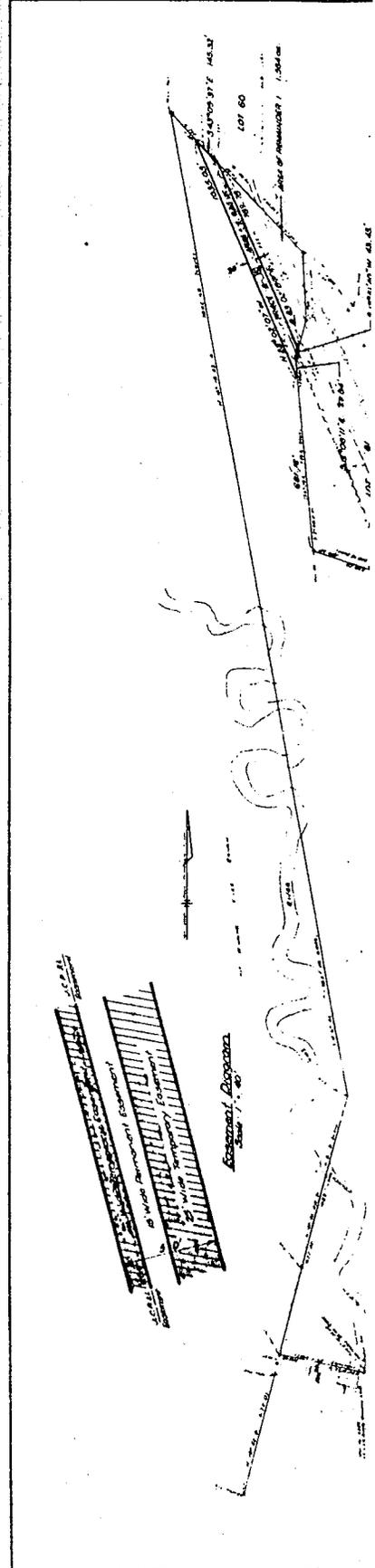
- (4) South 23° 02' 07" East, a distance of 202.74 feet to a point; thence
- (5) South 15° 13' 01" East, a distance of 1387.08 feet to a point; thence
- (6) South 10° 05' 12" West, a distance of 108.98 feet to a point; thence
- (7) North 79° 54' 48" West, a distance of 25.00 feet to a point in the eleventh course of Tract 1; thence
- (8) North 10° 05' 12" East, along the eleventh course of Tract 1, a distance of 103.37 feet to the point and place of beginning.

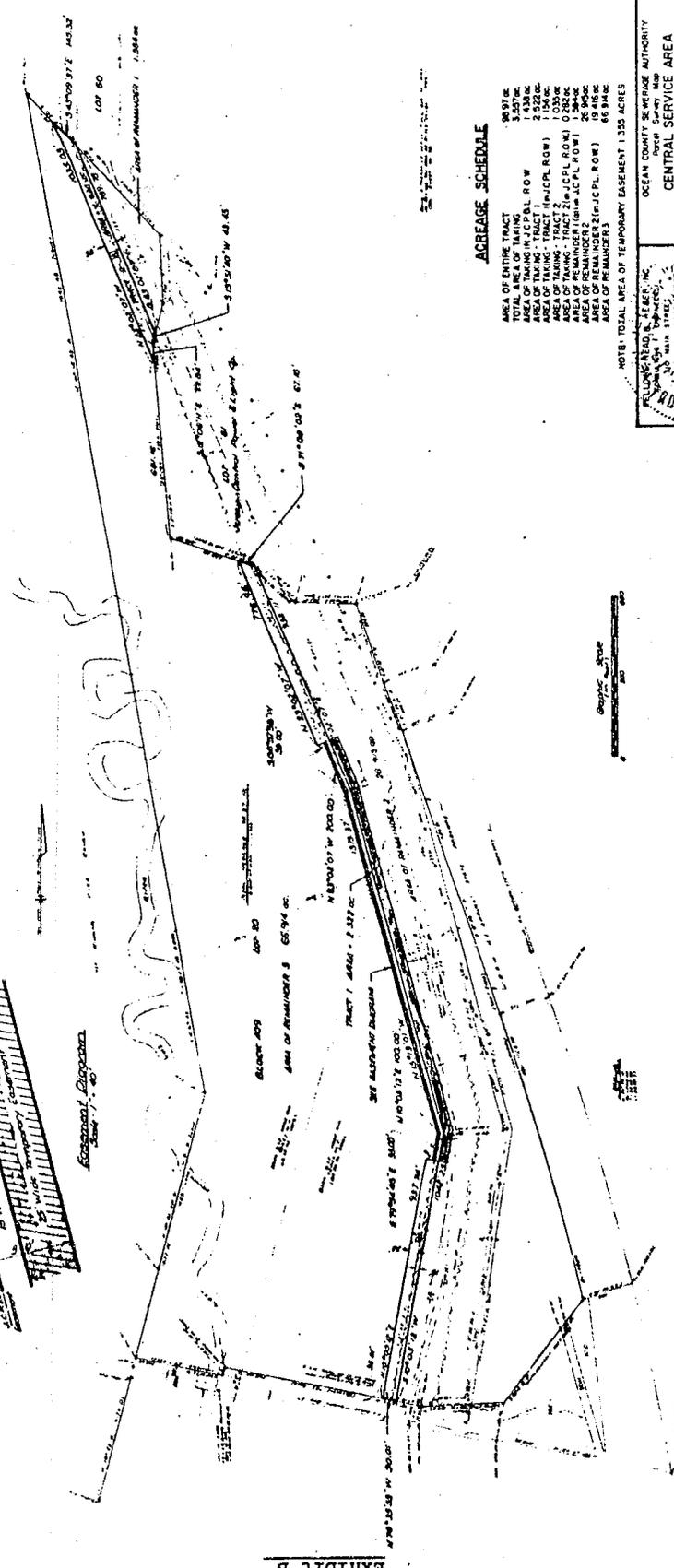
Said temporary easement contains 0.971 acre.

Being in accordance with a map prepared for the Ocean County Sewerage Authority by Fellows, Read & Weber, Inc., dated January 2, 1976.

* * * * *

AD/nl





ACCREAGE SCHEDULE

AREA OF ENTIRE TRACT	98.97 ac
TOTAL AREA OF TAKING	3.25 ac
AREA OF REMAINDER (1st ACPL ROW)	2.22 ac
AREA OF TAKING - TRACT 1 (1st ACPL ROW)	1.06 ac
AREA OF REMAINDER (1st ACPL ROW)	0.28 ac
AREA OF TAKING - TRACT 2 (1st ACPL ROW)	1.99 ac
AREA OF REMAINDER (1st ACPL ROW)	0.28 ac
AREA OF REMAINDER (2nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (3rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (4th ACPL ROW)	0.28 ac
AREA OF REMAINDER (5th ACPL ROW)	0.28 ac
AREA OF REMAINDER (6th ACPL ROW)	0.28 ac
AREA OF REMAINDER (7th ACPL ROW)	0.28 ac
AREA OF REMAINDER (8th ACPL ROW)	0.28 ac
AREA OF REMAINDER (9th ACPL ROW)	0.28 ac
AREA OF REMAINDER (10th ACPL ROW)	0.28 ac
AREA OF REMAINDER (11th ACPL ROW)	0.28 ac
AREA OF REMAINDER (12th ACPL ROW)	0.28 ac
AREA OF REMAINDER (13th ACPL ROW)	0.28 ac
AREA OF REMAINDER (14th ACPL ROW)	0.28 ac
AREA OF REMAINDER (15th ACPL ROW)	0.28 ac
AREA OF REMAINDER (16th ACPL ROW)	0.28 ac
AREA OF REMAINDER (17th ACPL ROW)	0.28 ac
AREA OF REMAINDER (18th ACPL ROW)	0.28 ac
AREA OF REMAINDER (19th ACPL ROW)	0.28 ac
AREA OF REMAINDER (20th ACPL ROW)	0.28 ac
AREA OF REMAINDER (21st ACPL ROW)	0.28 ac
AREA OF REMAINDER (22nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (23rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (24th ACPL ROW)	0.28 ac
AREA OF REMAINDER (25th ACPL ROW)	0.28 ac
AREA OF REMAINDER (26th ACPL ROW)	0.28 ac
AREA OF REMAINDER (27th ACPL ROW)	0.28 ac
AREA OF REMAINDER (28th ACPL ROW)	0.28 ac
AREA OF REMAINDER (29th ACPL ROW)	0.28 ac
AREA OF REMAINDER (30th ACPL ROW)	0.28 ac
AREA OF REMAINDER (31st ACPL ROW)	0.28 ac
AREA OF REMAINDER (32nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (33rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (34th ACPL ROW)	0.28 ac
AREA OF REMAINDER (35th ACPL ROW)	0.28 ac
AREA OF REMAINDER (36th ACPL ROW)	0.28 ac
AREA OF REMAINDER (37th ACPL ROW)	0.28 ac
AREA OF REMAINDER (38th ACPL ROW)	0.28 ac
AREA OF REMAINDER (39th ACPL ROW)	0.28 ac
AREA OF REMAINDER (40th ACPL ROW)	0.28 ac
AREA OF REMAINDER (41st ACPL ROW)	0.28 ac
AREA OF REMAINDER (42nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (43rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (44th ACPL ROW)	0.28 ac
AREA OF REMAINDER (45th ACPL ROW)	0.28 ac
AREA OF REMAINDER (46th ACPL ROW)	0.28 ac
AREA OF REMAINDER (47th ACPL ROW)	0.28 ac
AREA OF REMAINDER (48th ACPL ROW)	0.28 ac
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AREA OF REMAINDER (50th ACPL ROW)	0.28 ac
AREA OF REMAINDER (51st ACPL ROW)	0.28 ac
AREA OF REMAINDER (52nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (53rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (54th ACPL ROW)	0.28 ac
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AREA OF REMAINDER (56th ACPL ROW)	0.28 ac
AREA OF REMAINDER (57th ACPL ROW)	0.28 ac
AREA OF REMAINDER (58th ACPL ROW)	0.28 ac
AREA OF REMAINDER (59th ACPL ROW)	0.28 ac
AREA OF REMAINDER (60th ACPL ROW)	0.28 ac
AREA OF REMAINDER (61st ACPL ROW)	0.28 ac
AREA OF REMAINDER (62nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (63rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (64th ACPL ROW)	0.28 ac
AREA OF REMAINDER (65th ACPL ROW)	0.28 ac
AREA OF REMAINDER (66th ACPL ROW)	0.28 ac
AREA OF REMAINDER (67th ACPL ROW)	0.28 ac
AREA OF REMAINDER (68th ACPL ROW)	0.28 ac
AREA OF REMAINDER (69th ACPL ROW)	0.28 ac
AREA OF REMAINDER (70th ACPL ROW)	0.28 ac
AREA OF REMAINDER (71st ACPL ROW)	0.28 ac
AREA OF REMAINDER (72nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (73rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (74th ACPL ROW)	0.28 ac
AREA OF REMAINDER (75th ACPL ROW)	0.28 ac
AREA OF REMAINDER (76th ACPL ROW)	0.28 ac
AREA OF REMAINDER (77th ACPL ROW)	0.28 ac
AREA OF REMAINDER (78th ACPL ROW)	0.28 ac
AREA OF REMAINDER (79th ACPL ROW)	0.28 ac
AREA OF REMAINDER (80th ACPL ROW)	0.28 ac
AREA OF REMAINDER (81st ACPL ROW)	0.28 ac
AREA OF REMAINDER (82nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (83rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (84th ACPL ROW)	0.28 ac
AREA OF REMAINDER (85th ACPL ROW)	0.28 ac
AREA OF REMAINDER (86th ACPL ROW)	0.28 ac
AREA OF REMAINDER (87th ACPL ROW)	0.28 ac
AREA OF REMAINDER (88th ACPL ROW)	0.28 ac
AREA OF REMAINDER (89th ACPL ROW)	0.28 ac
AREA OF REMAINDER (90th ACPL ROW)	0.28 ac
AREA OF REMAINDER (91st ACPL ROW)	0.28 ac
AREA OF REMAINDER (92nd ACPL ROW)	0.28 ac
AREA OF REMAINDER (93rd ACPL ROW)	0.28 ac
AREA OF REMAINDER (94th ACPL ROW)	0.28 ac
AREA OF REMAINDER (95th ACPL ROW)	0.28 ac
AREA OF REMAINDER (96th ACPL ROW)	0.28 ac
AREA OF REMAINDER (97th ACPL ROW)	0.28 ac
AREA OF REMAINDER (98th ACPL ROW)	0.28 ac
AREA OF REMAINDER (99th ACPL ROW)	0.28 ac
AREA OF REMAINDER (100th ACPL ROW)	0.28 ac

NOTE: TOTAL AREA OF TEMPORARY EASEMENT 1.335 ACRES

OCEAN COUNTY SURVEYING AUTHORITY
 1000 MAIN STREET
 TOMS RIVER INTERCEPTOR
 SECTION 4
 TAX MAP BLOCK 409 LOT 20
 LANDS OF PERMANY HILL ASSOCIATES
 3000 TOWNSHIP
 OCEAN COUNTY NEW JERSEY

DATE: 11/11/11
 BY: [Signature]
 TITLE: [Title]

Easements are relative to found monumentation as shown and/or deed plottings. Property lines are subject to change upon accurate survey of entire tract.

Revised 6-21-76 LAD. Change from standard course to 0.0114 0.0114

FELLOWS, READ & WEBER, INC.
310 Main Street
Toms River, New Jersey 08753

October 28, 1977

DESCRIPTION OF AREA TO BE ACQUIRED AS EASEMENT BY
THE OCEAN COUNTY SEWERAGE AUTHORITY
TOMS RIVER INTERCEPTOR SECTION 4, PARCEL 7
DOVER TOWNSHIP, OCEAN COUNTY, NEW JERSEY

ALL that certain lot, tract or parcel of land lying, situate and being in the Township of Dover, County of Ocean and State of New Jersey and being herein more particularly bounded and described as follows:

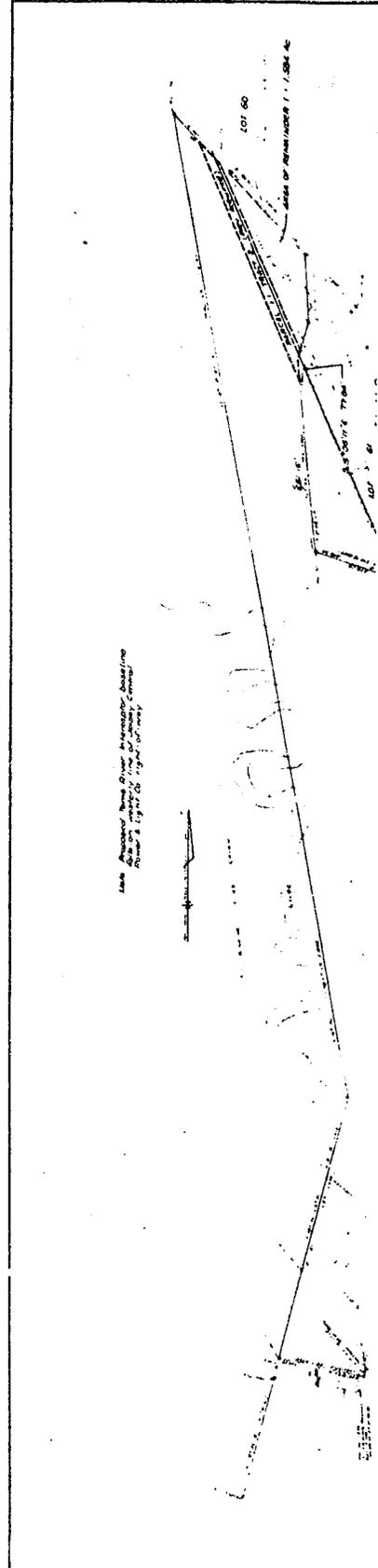
BEGINNING at a point, said point being distant the following two courses and distances from a monument found in the easterly right-of-way line of N.J. State Highway Rte. 37, said monument being the 15th corner of a tract of land conveyed by deed from Lucy R. Anderson to Parkway Mall Associates, said deed dated April 16, 1973, recorded March 1, 1974 in the Ocean County Clerk's office in deed book 3373, page 349

- (A) North 78° 35' 47" East, along said northerly right-of-way line of N.J. State Highway Rte. 37, a distance of 600 feet, more or less, to a point; thence
- (B) North 10° 05' 12" East, a distance of 937.74 feet to the true point and place of beginning; thence
- (1) North 10° 05' 12" East, a distance of 79.46 feet to a point; thence
- (2) North 15° 13' 01" West, a distance of 1365.12 feet to a point; thence
- (3) North 23° 02' 07" West, a distance of 197.61 feet to a point; thence
- (4) South 66° 57' 53" West, a distance of 35.00 feet to a point; thence
- (5) South 23° 02' 07" East, a distance of 200.00 feet to a point; thence
- (6) South 15° 13' 01" East, a distance of 1375.37 feet to a point; thence
- (7) South 10° 05' 12" West, a distance of 100.00 feet to a point; thence
- (8) North 79° 54' 48" West, a distance of 35.00 feet to the point and place of beginning.

Being a portion of Lot 20, Block 409 as shown on the Township of Dover Tax Map, said parcel contains 1.221 acres.

Being in accordance with a parcel survey map prepared for the Ocean County Sewerage Authority by Fellows, Read & Weber, Inc., dated October 25, 1977.

* * * * *



REFER TO BOOK 4783
PAGE 57 OF
10/22

Form DL-40 2/82

28
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Raguel
620

W. Cary Edwards
Attorney General of New Jersey
Attorney for Plaintiff
Division of Law / Transportation
Richard J. Hughes Justice Complex
Market and New Warren Streets
CN 114
Trenton, New Jersey 08625-0114
(609) 292-5520

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COUNTY CLERK
TOWNS RIVER N.J.

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION OCEAN COUNTY
Docket No. L-69634-88

STATE OF NEW JERSEY, by the
COMMISSIONER OF TRANSPORTATION,
Plaintiff,

vs.

Parkway Mall, a partnership; et al
Defendants.

CIVIL ACTION
DECLARATION OF TAKING

Plaintiff, State of New Jersey, by the Commissioner
of Transportation, hereby declares that:

1. Possession of the land and premises described in the complaint, filed herein, is hereby taken by and for the use of the New Jersey Department of Transportation.
2. The New Jersey Department of Transportation is entitled to the exclusive possession and use of the premises aforesaid and will forthwith enter into and take possession

TS 084711-0303
L-11-7-80

of them pursuant to the provisions of N.J.S.A. 20:3-17 et seq., and N.J.S.A. 27:7-22.

3. The premises hereby taken are described in Exhibits "A" and "B" annexed hereto.

4. The estate or interest taken is either a fee simple absolute, or such lesser interest, or both, as are set forth in the Exhibits "A" and "B" annexed hereto.

5. The sum of money estimated by the Plaintiff to be just compensation for the taking is \$17,300.00 which sum is deposited with the Clerk of the Superior Court.

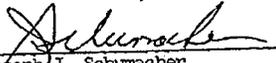
6. The names and addresses of all condemnees known to the Plaintiff and the nature of their alleged interest in said property are as follows: The owner of record of said land and premises is Parkway Mall, a partnership, address, 25 Route 37 East, Toms River, New Jersey;

DB 4711-0304

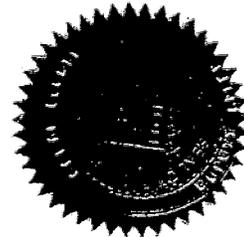
other persons and corporations appearing of record of have an interest in the said land and premises and persons and corporations who have or may claim to have an interest therein as are known to the plaintiff are N.K. Winston Corporation, formerly known as Toms River Mall, Inc., a corporation of Delaware, address, 711 5th Street, New York, New York, which, by reason of a mortgage made to it by Jersey Shore Security, Inc., a corporation of New Jersey, dated April 16, 1973, recorded in the office of the County Clerk of Ocean County on April 19, 1973, in Book 1759 of Mortgages, at page 265, the said N.K. Winston Corporation has or may claim to have an interest therein; Township of Dover, in the County of Ocean, a municipal corporation of New Jersey, address, Clerk, L. Manuel Hirshblond, 33 Washington Street, Toms River, New Jersey, which, by reason of certain taxes and assessments duly levied and assessed, and for the further reason of farmland roll-back taxes assessed, or to be assessed, has or may claim to have an interest therein.

HAZEL FRANK GLUCK
COMMISSIONER OF TRANSPORTATION

BY:


Joseph J. Schumacher
Director, Right of Way
Transportation

DATED: 8/5/82



OB 4711-0305

37-554
(SK:mrs) 7/18/88

All that certain land and premises, situate, lying and being in the Township of Dover, in the County of Ocean and State of New Jersey and particularly described as follows:

Parcels R208A and 2R208C, as indicated on a map entitled: "New Jersey Department Of Transportation, GENERAL PROPERTY PARCEL MAP, ROUTE 37 (1953) SECTION 8, From Route 70 To Garden State Parkway, Showing Existing Right Of Way And Parcels To Be Acquired In The Borough Of Lakehurst And Townships Of Manchester And Dover, County Of Ocean, Scale: As Indicated, June 1986"; and as shown more particularly on a map attached hereto, made a part hereof, marked "Exhibit "B", entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 37 (1953) SECTION 8, FROM ROUTE 70 TO GARDEN STATE PARKWAY, PARCELS R208A & 2R208C, TOWNSHIP OF DOVER, COUNTY OF OCEAN, SCALE: AS INDICATED, JUNE 28, 1988";

Parcel R208A, including specifically all the land and premises located at about Station 412+25 (Base Line Stationing), bounded on the east and south by the existing right of way line of State Highway Route 37 (1953); on the west by lands now or formerly of Township of Dover and on the north, east and north by the proposed right of way line of State Highway Route 37 (1953) Section 8, as laid down on the aforesaid maps; all as shown on the aforesaid maps; containing 0.232 acre more or less;

Parcel 2R208C, including specifically all the land and premises located at about Station 420+35 (Base Line Westbound Stationing), bounded on the south by the existing right of way line of State Highway Route 37 (1953); and on the north by the proposed right of way line of State Highway Route 37 (1953) Section 8, as laid down on the aforesaid maps; all as shown on the aforesaid maps; containing 0.024 acre more or less;

TOGETHER WITH the right to form and maintain slopes for grading the said State Highway as far as the line marked "Slope E" on the aforesaid maps, including the right to topsoil, seed, plant trees, vines and shrubs and to maintain the same so as to stabilize the soil, prevent erosion and/or to improve the aesthetic aspects of the highway; PROVIDED, HOWEVER, that the slope easement may be annulled only after the State has been given sufficient notice to remove the aforementioned stabilizing and landscaping items and by furnishing and maintaining adequate support or protection for the highway so as to make the continuance of the slope right unnecessary;

AND ALSO the right to construct and maintain an open ditch and appurtenances at the location shown on the aforesaid maps;

AND ALSO the right to construct and maintain subsurface drains, headwalls and appurtenances at the locations shown on the aforesaid maps;

EXHIBIT A

DB 4711-0306

Route 37
Section 8
Parcels R208A and 2R208C

Page 2

AND ALSO the right to enter upon the remaining lands of the owner for the purpose of constructing relocated driveways as far as the lines marked "Limit of Grading" on the aforesaid maps; Said right to terminate upon completion of said construction;

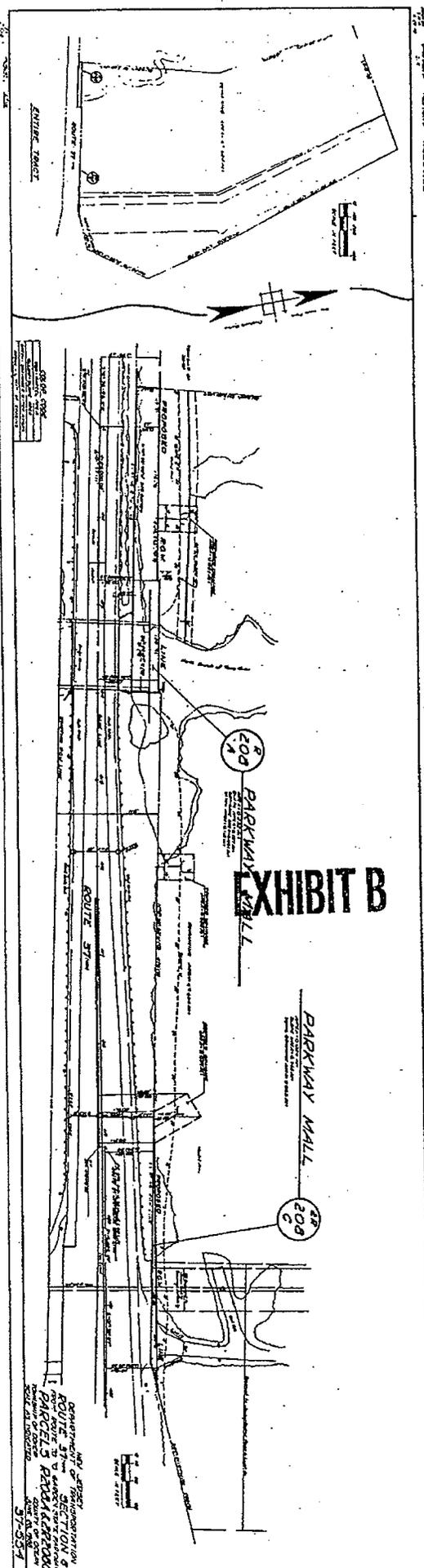
AND ALSO all right, title and interest that the owner may have in State Highway Route 37 (1953), contiguous to the above described premises as shown on the aforesaid maps;

Being also known as part of Lot 20-2 in Block 409 on the tax map of the Township of Dover;

SUBJECT TO the easements of Jersey Central Power & Light Company, Ocean County Sewerage Authority and all other public utility easements, recorded or unrecorded affecting the herein described premises;

The above described premises are color-coded on "Exhibit "B" in the following manner: Red - Parcel Area, Yellow - Slope Area, Green - Drainage & Ditch Areas, Brown - Limit of Grading.

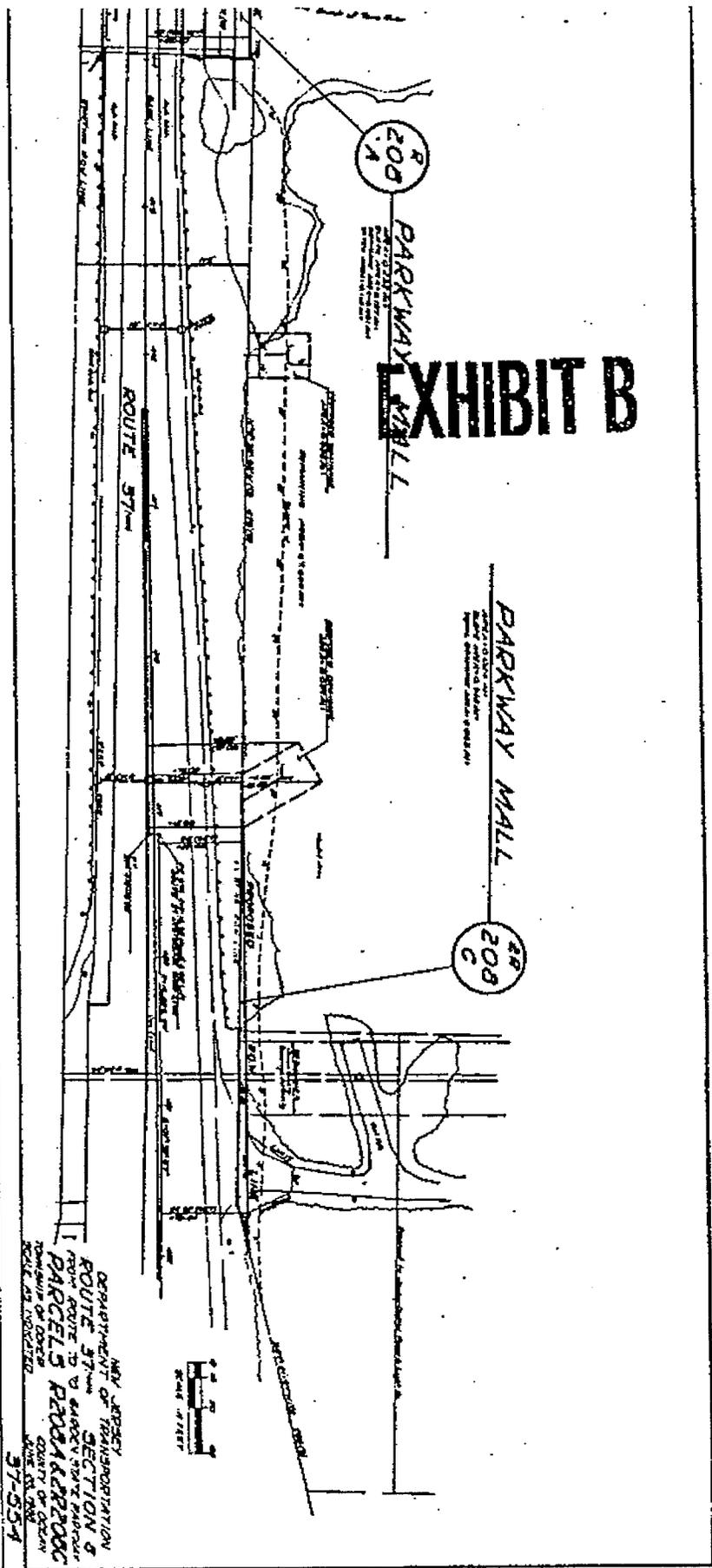
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DB 4711-0308

2004

EXHIBIT B



NEW JERSEY
 DEPARTMENT OF TREASURY AND BUREAU OF REVENUE
 ROUTE 57th SECTION 8
 FROM ROUTE 57 TO MARKET STREET
 PARCELS RECORDED
 COUNTY OF DELEN
 DATE 03/08
 SCALE AS LOCATED
 97-554

DB 4711-0308

JRS:cy 37-8-R208A,2R208C, &E208D Project: 100% State

File # 11149

RJR
26
10/20

Peter N. Perretti, Jr.
Attorney General of New Jersey
Attorney for Plaintiff
Richard J. Hughes Justice Complex
Market and New Warren Streets
CN-114
Trenton, New Jersey 08625-0114
(609) 292-5520

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, OCEAN COUNTY
DOCKET NO. L-69634-88

STATE OF NEW JERSEY, By the)
)
COMMISSIONER OF TRANSPORTATION,)
)
Plaintiff,)
)
vs.)
)
Parkway Mall, a partnership;)
et al,)
)
Defendants.)

CIVIL ACTION
AMENDED
DECLARATION OF TAKING

Plaintiff, State of New Jersey, by the Commissioner of Transportation,
hereby declares that:

1. Possession of the land and premises described in the Complaint,
and any amendments thereto filed herein, has been taken by and for the use of
the New Jersey Department of Transportation.
2. The New Jersey Department of Transportation is entitled to the
exclusive possession and use of the premises aforesaid.

DB 084783-0057
R-9-8-89

3. The premises taken are described in exhibits "D" and "E" annexed hereto.

4. The estate or interest taken is either a fee simple absolute or such lesser interests, or both, as are set forth in the said exhibits.

5. The revised sum of money estimated by the Department of Transportation of the State of New Jersey to be just compensation for the taking is \$18,800.00. The sum of \$17,300.00 was previously deposited with the Clerk of the Superior Court. The additional sum of \$1,500.00, is being deposited herewith.

6. The names and addresses of all condemnees known to the Department of Transportation, and the nature of their alleged interest in said property are set forth in the Complaint filed in this action.

Robert Innocenzi
Commissioner of Transportation

Dated: 8/24/89

By: *J. Schumacher*

Joseph J. Schumacher
Director of Right of Way
Transportation

DB 4783-0058

37-554A
(SA:njb) 6/12/89

All that certain land and premises, situate, lying and being in the Township of Dover, in the County of Ocean and State of New Jersey and particularly described as follows:

Parcels R208A, 2R208C, E208D and E208F, as indicated on a map entitled: "New Jersey Department Of Transportation, GENERAL PROPERTY PARCEL MAP, ROUTE 37 (1953) SECTION 8, From Route 70 To Garden State Parkway, Showing Existing Right Of Way And Parcels To Be Acquired In The Borough Of Lakehurst And Townships Of Manchester And Dover, County Of Ocean, Scale: As Indicated, June 1986"; and as shown more particularly on a map attached hereto, made a part hereof, marked "Exhibit E", entitled: "NEW JERSEY DEPARTMENT OF TRANSPORTATION, ROUTE 37 (1953) SECTION 8, FROM ROUTE 70 TO GARDEN STATE PARKWAY, PARCELS R208A, 2R208C, E208D & E208F, TOWNSHIP OF DOVER, COUNTY OF OCEAN, SCALE: AS INDICATED, JUNE 28, 1988";

Parcel R208A, including specifically all the land and premises located at about Station 412+25 (Base Line Stationing), bounded on the east and south by the existing right of way line of State Highway Route 37 (1953); on the west by lands now or formerly of Township of Dover and on the north, east and north by the proposed right of way line of State Highway Route 37 (1953) Section 8, as laid down on the aforesaid maps; all as shown on the aforesaid maps; containing 0.232 acre more or less;

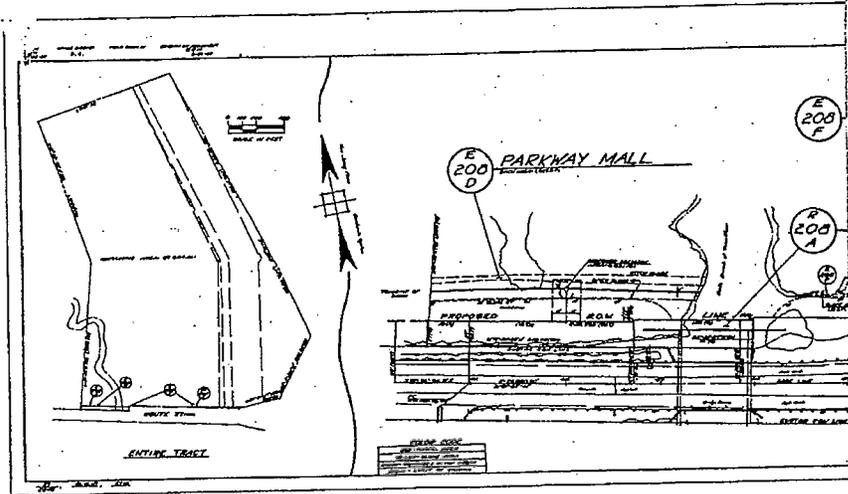
Parcel 2R208C, including specifically all the land and premises located at about Station 420+35 (Base Line Westbound Stationing), bounded on the south by the existing right of way line of State Highway Route 37 (1953); and on the north by the proposed right of way line of State Highway Route 37 (1953) Section 8, as laid down on the aforesaid maps; all as shown on the aforesaid maps; containing 0.024 acre more or less;

Parcel E208D, consisting of the right at about Station 412+00 (Base Line Stationing) to construct and maintain an open ditch, and appurtenances at the location shown on the aforesaid maps;

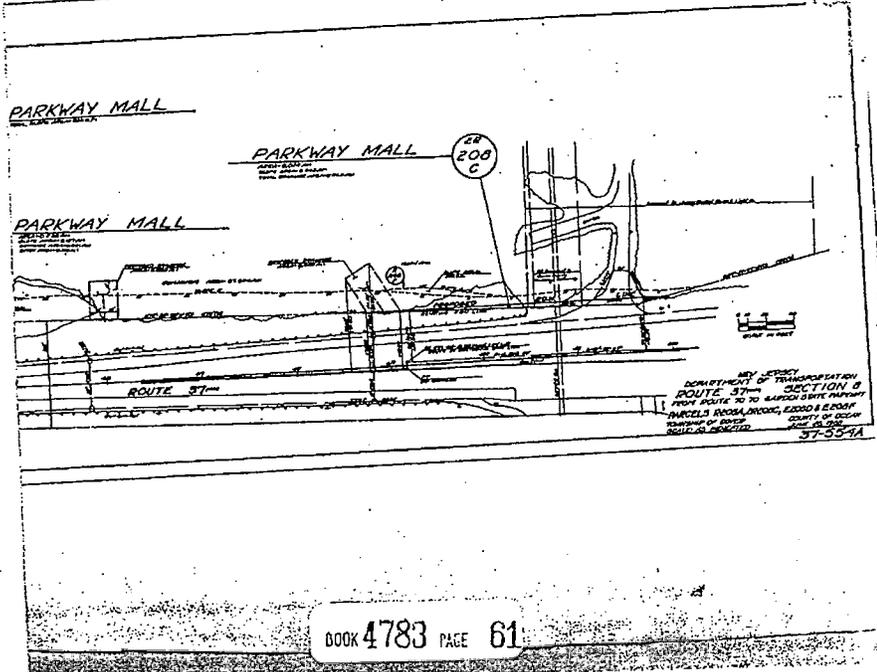
Parcel E208F, consisting of the right at about Station 420+35 (Base Line Stationing) to form and maintain slopes for grading the said State Highway as far as the line marked "Slope E" on the aforesaid maps, including the right to topsoil, seed, plant trees, vines, and shrubs and to maintain the same so as to stabilize the soil, prevent erosion and/or to improve the aesthetic aspects of the highway; PROVIDED, HOWEVER, that the slope easement may be annulled only after that the State has been given sufficient notice to remove the aforementioned stabilizing and land-scaping items and by furnishing and maintaining adequate support or protection for the highway so as to make the continuance of the slope right unnecessary;

TOGETHER WITH the right to form and maintain slopes for grading the said State Highway as far as the line marked "Slope E" on the aforesaid maps, including the right to topsoil, seed, plant trees,

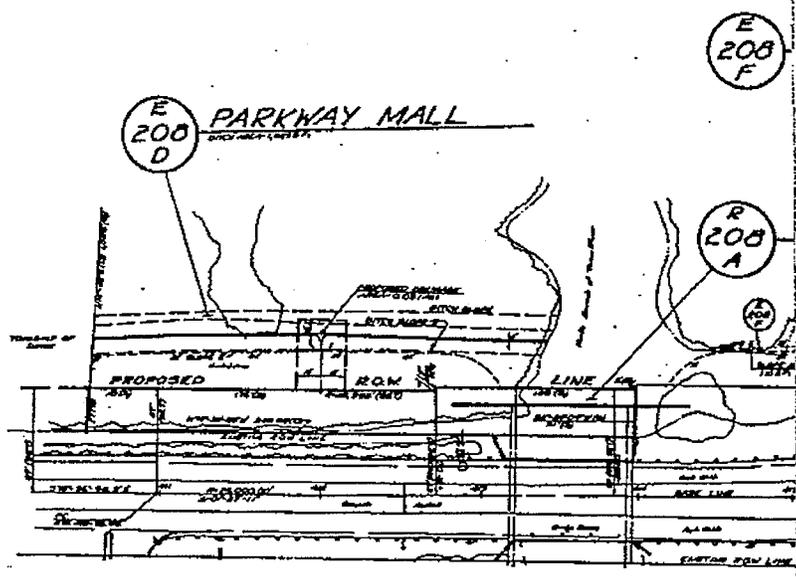
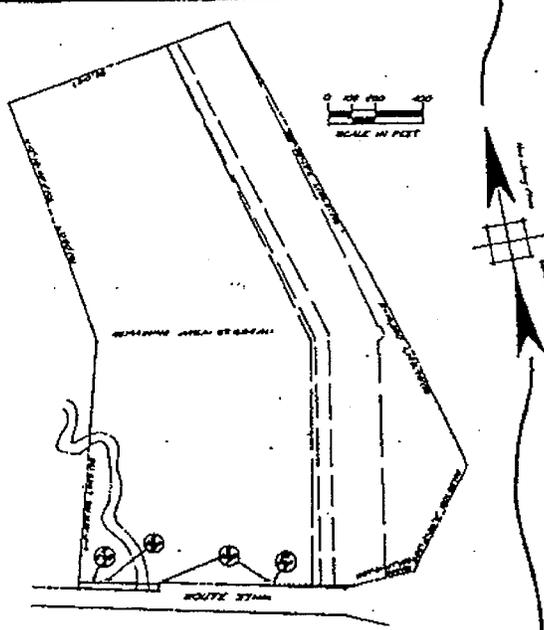
084783-0059



EXHIBITE



DATE: 11-15-66
SCALE: 1" = 100'



SYMBOL	DESCRIPTION
(Symbol)	PROPOSED
(Symbol)	RQM
(Symbol)	LINE
(Symbol)	SIDE LINE
(Symbol)	EXISTING POWER LINE

E
208
F

E
200
D

R
208
A

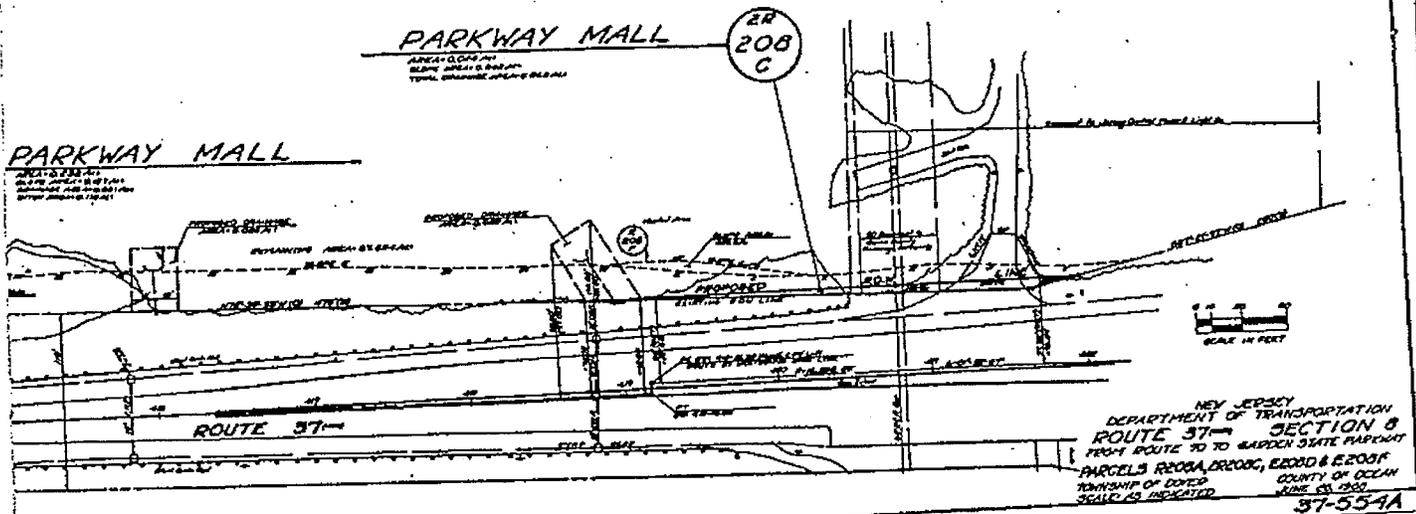
2004

PARKWAY MALL
AREA 0, 0.000 AC.
BLDG. AREA 0.000 AC.
TOTAL AREA 0.000 AC.

PARKWAY MALL

2R
208
C

PARKWAY MALL
AREA 0.000 AC.
BLDG. AREA 0.000 AC.
TOTAL AREA 0.000 AC.



NEW JERSEY
DEPARTMENT OF TRANSPORTATION
ROUTE 57 SECTION 8
FROM ROUTE 70 TO GARDEN STATE PARKWAY
PARCELS RE200A, DR200C, E200D & E200F
TOWNSHIP OF DOVER
COUNTY OF OCEAN
JUNE 28, 1960
37-554A

BOOK 4783 PAGE 61

2008

37-554A

vines and shrubs and to maintain the same so as to stabilize the soil, prevent erosion and/or to improve the aesthetic aspects of the highway; PROVIDED, HOWEVER, that the slope easement may be annulled only after the State has been given sufficient notice to remove the aforementioned stabilizing and landscaping items and by furnishing and maintaining adequate support or protection for the highway so as to make the continuance of the slope right unnecessary;

AND ALSO the right to construct and maintain an open ditch and appurtenances at the location shown on the aforesaid maps;

AND ALSO the right to construct and maintain subsurface drains, headwalls and appurtenances at the locations shown on the aforesaid maps;

AND ALSO the right to enter upon the remaining lands of the owner for the purpose of constructing relocated driveways as far as the lines marked "Limit of Grading" on the aforesaid maps; Said right to terminate upon completion of said construction;

AND ALSO all right, title and interest that the owner may have in State Highway Route 37 (1953), contiguous to the above described premises as shown on the aforesaid maps;

Being also known as part of Lot 20-2 in Block 409 on the tax map on the Township of Dover;

SUBJECT TO all public utility easements of Jersey Central Power & Light Company, Ocean County Sewerage Authority and all other public utility easements, recorded or unrecorded affecting the herein described premises;

The above described premises are color-coded on "Exhibit "E" in the following manner: Red - Parcel Area, Yellow - Slope Area, Green - Drainage & Ditch Area, Brown - Limit of Grading

EXHIBIT D

DB 4783-0062

**SCHEDULE A
DESCRIPTION OF LAND**

ALL THAT CERTAIN PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON IN THE TOWNSHIP OF TOMS RIVER, COUNTY OF OCEAN AND STATE OF NEW JERSEY:

BEGINNING AT A CONCRETE MONUMENT SET IN THE NORTHERLY LINE OF NEW JERSEY STATE HIGHWAY ROUTE 37 (WIDTH VARIES) AT THE COMMON CORNER OF TAX LOTS 10 AND 20.02 IN BLOCK 409 AS SHOWN ON THE TOWNSHIP OF TOMS RIVER TAX MAP AND RUNNING;

- 1. NORTH 14 DEGREES 42 MINUTES 00 SECONDS EAST, ALONG THE EASTERLY LINE OF TAX LOT 10, 1,023.87 FEET TO A CONCRETE MONUMENT FOUND AT THE TERMINUS OF THE FIRST COURSE DESCRIBED IN BOOK 3373 OF DEEDS AT PAGE 349;**
- 2. NORTH 10 DEGREES 18 MINUTES 43 SECONDS WEST, CONTINUING ALONG THE EASTERLY LINE OF TAX LOT 10, 1,071.50 FEET TO A POINT TO THE COMMON CORNER OF TAX LOTS 20.01 AND 20.02;**
- 3. NORTH 79 DEGREES 41 MINUTES 17 SECONDS EAST, ALONG THE SOUTHERLY LINE OF TAX LOT 20.01, 1,011.73 FEET TO A CONCRETE MONUMENT SET IN THE WESTERLY LINE OF NEW JERSEY STATE HIGHWAY ROUTE 9 (ROUTE 4 – PARKWAY SECTION 21) (WIDTH VARIES);**
- 4. SOUTH 18 DEGREES 58 MINUTES 17 SECONDS EAST, ALONG SAID WESTERLY LINE, 995.17 FEET TO A POINT OF CURVATURE;**
- 5. SOUTHERLY, CONTINUING ALONG SAID WESTERLY LINE ON A CURVE TO THE RIGHT HAVING A RADIUS OF 10,800.00 FEET, AN ARC DISTANCE OF 1,098.15 FEET TO A POINT; THENCE THE FOLLOWING THREE COURSES ALONG THE NORTHERLY LINE OF A PARKWAY EXIT RAMP;**
- 6. SOUTH 47 DEGREES 27 MINUTES 27 SECONDS WEST, 170.54 FEET TO A NAIL AND DISK SET;**
- 7. SOUTH 34 DEGREES 27 MINUTES 11 SECONDS WEST, 383.09 FEET TO A POINT;**
- 8. SOUTH 87 DEGREES 21 MINUTES 56 SECONDS WEST, 240.99 FEET TO A CONCRETE MONUMENT SET IN THE NORTHERLY LINE OF AFORESAID NEW JERSEY STATE HIGHWAY ROUTE 37; THENCE THE FOLLOWING SEVEN COURSES ALONG SAID NORTHERLY LINE;**
- 9. NORTH 79 DEGREES 26 MINUTES 13 SECONDS WEST, 274.85 FEET TO A CONCRETE MONUMENT SET;**
- 10. NORTH 78 DEGREES 35 MINUTES 53 SECONDS WEST, 509.39 FEET TO A POINT;**
- 11. SOUTH 11 DEGREES 24 MINUTES 07 SECONDS WEST, 2.90 FEET TO A POINT;**

-CONTINUED-

12. WESTERLY, ALONG A CURVE BEARING TO THE RIGHT HAVING A RADIUS OF 28,931.00 FEET, AN ARC DISTANCE OF 141.75 FEET TO A CONCRETE MONUMENT SET;
13. SOUTH 11 DEGREES 04 MINUTES 26 SECONDS WEST, 2.00 FEET TO A CONCRETE MONUMENT SET;
14. WESTERLY, ALONG A CURVE BEARING TO THE RIGHT HAVING A RADIUS OF 28,933.00 FEET, AN ARC DISTANCE OF 174.67 FEET TO A CONCRETE MONUMENT SET AT A POINT OF TANGENCY, SAID POINT BEING 67.00 FEET NORTH OF STATE HIGHWAY BASE LINE STATION 410 + 96.93;
15. NORTH 78 DEGREES 34 MINUTES 49 SECONDS WEST, 27.02 FEET TO THE POINT AND PLACE OF BEGINNING.

ALSO KNOWN AS LOT 20.02 IN BLOCK 409 ON THE TOWNSHIP OF TOMS RIVER TAX MAP.

AS

MID-STATE ABSTRACT COMPANY, 207 HOOPER AVENUE, P.O. BOX 413, TOMS RIVER, NEW JERSEY 08754
PHONE (732) 244-3000 – FAX (732) 244-3924
TITLE NO. – S-29925
OCEAN COUNTY