

**DEED**

Prepared by: (Print signer's name below signature)

J. PETER JOST, Esq.

This Deed is made on August 11, 1995

BETWEEN

Segal & Morel at Union Township, L.L.C., A New Jersey Limited Liability Company

a corporation of the state of New Jersey  
having its principal office at 991 Route 22 West, Bridgewater, New Jersey, 08807  
referred to as the Grantor,

AND

Township of Union, in the County of Hunterdon, State of New Jersey, a municipal corporation of the State of New Jersey

whose post office address is 140 Perryville Road, Hampton, New Jersey, 08827  
referred to as the Grantee.

The word "Grantee" shall mean all Grantees listed above.

**Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of no consideration.

The Grantor acknowledges receipt of this money.

**Tax Map Reference.** (N.J.S.A. 46:15-2.1) Municipality of Township of Union  
Block No. 5 Lot Nos. 3 and 3.02 Account No.  
 No property tax identification number is available on the date of this Deed: (Check box if applicable.)

**Property.** The property consists of the land and all the buildings and structures on the land in the Township of Union and State of New Jersey. The legal description is:

Being more particularly described in Schedule A (Block 5, Lot 3.02) and Schedule B (Block 5, Lot 3) attached hereto.

Being a portion of same lands and premises conveyed to Segal & Morel at Union Township, L.L.C. by deed of Toll Land IV Limited Partnership date 3/30/95 and recorded on 4/3/95 in Book 1123, Page 0935 of Deeds in the Hunterdon County Clerk's office.

Being also a portion of lands shown on the Final Plat for Village Square, by C. Douglas Cherry, P.E., filed in the Hunterdon County Clerk's office on June 7, 1995 as Map No. 1189.

Subject also to the terms of the Rider attached hereto.

COUNTY OF HUNTERDON  
CONSIDERATION - 0 -  
REALTY TRANSFER FEE  
DATE 8/11/95 BY 013

092204

RIDER TO DEED FROM SEGAL & MOREL AT UNION TOWNSHIP, L.L.C.  
TO THE TOWNSHIP OF UNION, A MUNICIPAL CORPORATION IN THE  
STATE OF NEW JERSEY

1. The within conveyance is made pursuant to an Agreement Regarding Open Space dated June 3, 1987, between Auriema Associates, Inc., the predecessor developer of the grantor, and the Township of Union, covering the open space located in the development formerly known as Jackson Square, now known as Village Square, in the Township of Union, Hunterdon County, New Jersey, and pursuant to subdivision and variance approvals granted by the Union Township Board of Adjustment on December 14, 1989.
2. The land subscribed in Schedule "A" and Schedule "B" attached hereto are hereby permanently dedicated and conveyed in fee to the Township of Union as open space for the purposes set forth herein.
3. The lands described in Schedule "A" attached hereto, being Block 5, Lot 3.02 on the Union Township tax map, consisting of  $9.889 \pm$  Acres, may be utilized by the Township of Union for active and passive recreational and similar purposes as set forth herein, and as it shall regulate. Among the permitted activities shall be all of the uses described herein as "active," as well as all activities described hereinafter as "passive." The activities described herein are for descriptive purposes only and are not intended to be an exhaustive list. Active activities shall include group and individual sports such as golf, tennis, soccer, baseball, football, basketball, volleyball and such similar sports as may be permitted by the Township of Union. The Township of Union shall also have the right to construct, erect and maintain suitable permanent improvements for such recreational and sports use such as parking facilities, storage buildings and offices, recreational facilities such as tennis courts and playing fields, sidewalks and driveways, and similar improvements.
4. The following activities which shall be characterized as "passive" activities shall be permitted in both Block 5, Lot 3.02 and in the parcel described in Schedule "B" hereinafter being a Block 5, Lot 3 on the Union Township tax map, being  $9.085 \pm$  acres: picnicking in small groups, jogging, walking, kite flying, hunting, agricultural and horticultural activities such as the raising of crops, trees and shrubs in accordance with accepted agricultural practices. It is the intention of the parties that Block 5, Lot 3 shall be restricted to those activities which will not cause excessive noise or disturb the peace and tranquility of the residents of the development. The construction of suitable improvements such as jogging paths, nature trails and similar improvements shall be permitted in the discretion of the Township of Union.
5. It is understood that the list of permitted active and passive activities is permissive as between the grantor and grantee. All such activities may in the Township of Union's discretion be regulated, restricted or even prohibited. The Township of Union may in its discretion and at its option allow both parcels to be kept in open space without any use or maintenance, whatsoever.
6. It is understood that any use of the lands described in Schedule "A" (Block 5, Lot 3.02) are subject to the terms and restrictions of the Transcontinental Gas Pipeline easement(s) of record.

urider.s&u

June 2, 1995

BLOCK 5, LOT 3.02

BOOK 1132 PAGE 0571

All that certain tract or parcel of land and premises hereinafter described, situate, lying and being in the Township of Union, County of Hunterdon, State of New Jersey, and more particularly described as follows:

Beginning at a point the most southerly corner to lands now or formerly Frederick Plushanski, Block 5, Lot 3.03, and the northerly right-of-way line of Mill Brook Lane, and the most westerly corner to Block 5, Lot 3.02 and running, thence;

1) Along Block 5, Lot 3.03, north fifty-nine degrees, ten minutes, eight seconds east (N. 59°-10'-08"E.) a distance of four hundred twenty and six hundredths feet (420.06') to an iron pipe, thence;

2) Along the same, south seventy-five degrees, thirty-six minutes, two seconds east (S. 75°-36'-02"E.) a distance of eight hundred ninety-six and forty-six hundredths feet (896.46') to an iron pipe being a common corner to Block 5, Lots 3.03 and 4.03 and in line of Block 5, Lot 16, thence;

3) Along Block 5, Lot 16, lands now or formerly, John M. Zalewski, south ten degrees, forty-two minutes, fifty-six seconds east (S. 10°-42'-56"E.) a distance of two hundred eighteen and twenty-four hundredths feet (218.24') to a point being a common corner to Block 5, Lot 16, Block 5.01, Lot 40 and a detention basin easement in Block 5.01, Lot 40, thence;

4) Along Block 5.01, Lot 40 and said detention basin

- 1 -

easement, north seventy-one degrees, fifty-four minutes, forty-two seconds west (N.  $71^{\circ}-54'-42''$ W.) a distance of four hundred ninety-four and twenty-two hundredths feet (494.22') to a point, thence;

5) Still along Block 5.01, Lot 40 and said detention basin easement, south forty-two degrees, fourteen minutes, eight seconds west (S.  $42^{\circ}-14'-08''$ W.) a distance of one hundred twenty-four and sixty-six hundredths feet (124.66') to a point on the northeasterly line of the Transcontinental Gas Pipeline Corp. easement, thence;

6) Still along Block 5, Lot 3.04 and said detention basin easement and also along the northeasterly line of the Transcontinental Gas Pipeline Corp. easement, south fifty-three degrees, one minute, twenty-four seconds east (S.  $53^{\circ}-01'-24''$ E.) a distance of thirty-five and zero hundredths feet (35.00') to a point, thence;

7) Still along Block 5, Lot 3.04 and said detention basin easement and also the same northeasterly line of Transcontinental Gas Pipeline Corp., south forty-seven degrees, forty-five minutes, fifty-two seconds east (S.  $47^{\circ}-45'-52''$ E.) a distance of six hundred forty-two and sixty-eight hundredths feet (642.68') to a point on the northerly right-of-way line of Mill Brook Lane (future extension), thence;

8) Along the northerly right-of-way line of Mill Brook Lane (future extension) by a curve to the right with a radius of nine hundred thirty feet (930') an arc of three hundred thirty-six and forty eight hundredths feet (336.48') whose chord bears north

seventy-two degrees, twenty-five minutes, thirty-one seconds west (N.  $72^{\circ}-25'-31''$ W.) a distance of three hundred thirty-four and sixty-five hundredths feet (334.65') to a point of tangency, thence;

9) Along the same north sixty-two degrees, three minutes, thirty-seven seconds west (N.  $62^{\circ}-03'-37''$ W.) a distance of two hundred thirty-two and thirteen hundredths feet (232.13') to a point on a temporary cul-de-sac on Mill Brook Lane, thence;

10) Along the temporary cul-de-sac, by a curve to the left with a radius of fifty-four feet (54'), an arc of one hundred fifty-nine and fifteen hundredths feet (159.15') whose chord bears north fifty-two degrees, thirteen minutes, forty-two seconds west (N.  $52^{\circ}-13'-42''$ W.) a distance of one hundred seven and forty-nine hundredths feet (107.49') to a point of reverse curvature, thence;

11) By a curve to the right with a radius of twenty-five feet (25') an arc of thirty-two and fifty-four hundredths feet (32.54') whose chord bears south eighty degrees, thirty-eight minutes, fifty-two seconds west (S.  $80^{\circ}-38'-52''$ W.) a distance of thirty and twenty-nine hundredths feet (30.29') to a point of tangency on the northerly line of Mill Brook Lane, thence;

12) Along the same north sixty-two degrees, three minutes, thirty-seven seconds west (N.  $62^{\circ}-03'-37''$ W.) a distance of four hundred thirty-five and forty-three hundredths feet (435.43') to a point of curvature, thence;

13) By a curve to the right with a radius of nine hundred thirty feet (930') an arc of two hundred forty-one and twenty-one

hundredths feet (241.21') whose chord bears north fifty-four degrees, thirty-seven minutes, forty-eight seconds west (N. 54°-37'-48"W.) a distance of two hundred forty and fifty-three hundredths feet (240.53') to the point and place of beginning.

Containing an area of nine and eight hundred eighty-nine thousandths acres, more or less (9.889 AC±).

Subject to a 60 foot wide Transcontinental Gas Pipeline Corp. easement. Subject to two (2) drainage easements along course 2, a drainage easement along course 4 and a drainage easement along course 7.

As shown on plan entitled "Final Plat for Village Square (Formerly Jackson Square), Union Township, Hunterdon County, New Jersey", prepared by C. Douglas Cherry, P.E., P.L.S., Cherry, Mace, Weber & Associates, P.C., sheet 1 of 1, dated July 1989, last revised May 24, 1995, to be filed in the Hunterdon County Clerk's Office.

May 16, 1995

## BLOCK 5, LOT 3

All that certain tract or parcel of land and premises hereinafter described, situate, lying and being in the Township of Union, County of Hunterdon, State of New Jersey, and more particularly described as follows:

Beginning at an iron pin being the southerly most corner to Block 5, Lot 3.01, now or formerly Catherine & Antonio Jannuzzi, thence;

1) Along the southeasterly line of Jannuzzi, north fifty-one degrees, twelve minutes, fifty-nine seconds east (N. 51°-12'-59"E.) a distance of two hundred sixty-six and sixty-six hundredths feet (266.66') to a point on the southerly right-of-way line of Mill Brook Lane, passing over an iron pin two hundred twenty and three hundredths feet (220.03') from beginning point, thence;

2) Along the southerly right-of-way line of Mill Brook Lane by a curve to the left with a radius of nine hundred eighty feet (980'), an arc of seventy-six and four hundredths feet (76.04'), whose chord bears south, forty-eight degrees, ten minutes, twenty-nine seconds east (S. 48°-10'-29"E.) a distance of seventy-six and two hundredths feet (76.02') to a point being a corner common to Block 5.01, Lot 40, thence;

3) Along Block 5.01, Lot 40 the following ten courses south fifty-one degrees, twelve minutes, fifty-nine seconds west (S. 51°-12'-59"W.) a distance of sixty-five and zero hundredths

feet (65.00') to a point of curvature, thence;

4) By a curve to the right with a radius of three hundred fifty feet (350'), an arc of one hundred forty-nine and sixty-six hundredths feet (149.66') whose chord bears south sixty-three degrees, twenty-seven minutes, fifty-nine seconds west (S. 63°-27'-59"W.) a distance of one hundred forty-eight and fifty-two hundredths feet (148.52') to a point of reverse curvature, thence;

5) By a curve to the left with a radius of three hundred feet (300') an arc of seven hundred eighty-five and forty-one hundredths feet (785.41') whose chord bears south zero degrees, forty-two minutes, fifty-nine seconds west (S. 00°-42'-59"W.) a distance of five hundred seventy-nine and fifty-six hundredths feet (579.56') to a point of tangency, thence;

6) South seventy-four degrees, seventeen minutes, one second east (S. 74°-17'-01"E.) a distance of seventy-two and seventy-nine hundredths feet (72.79') to a point of curvature, thence;

7) By a curve to the right with a radius of one hundred feet (100') an arc of one hundred sixty-six and fifty-six hundredths feet (166.56') whose chord bears south twenty-six degrees, thirty-four minutes, eight seconds east (S. 26°-34'-08"E.) a distance of one hundred forty-seven and ninety-six hundredths feet (147.96') to a point of tangency, thence;

8) South twenty-one degrees, eight minutes, forty-four seconds west (S. 21°-08'-44"W.) a distance of one hundred eighteen and three hundredths feet (118.03') to a point of curvature, thence;

9) By a curve to the left with a radius of one hundred feet (100') an arc of one hundred twenty-one and forty-one hundredths feet (121.41') whose chord bears south thirteen degrees, thirty-eight minutes, twelve seconds east (S. 13°-38'-12"E.) a distance of one hundred fourteen and nine hundredths feet (114.09') to a point of curvature, thence;

10) By a curve to the right with a radius of one hundred fifty feet (150') an arc of one hundred sixty-seven and fifty-five hundredths feet (167.55') whose chord bears south sixteen degrees, twenty-five minutes, seven seconds east (S. 16°-25'-07"E.) a distance of one hundred fifty-eight and ninety-eight hundredths feet (158.98') to a point of tangency, thence;

11) South fifteen degrees, thirty-four minutes, fifty-three seconds west (S. 15°-34'-53"W.) a distance of fifteen and zero hundredths feet (15.00') to a point, thence;

12) South fifty degrees, nineteen minutes, fifty-three seconds west (S. 50°-19'-53"W.) a distance of one hundred twenty-five and zero hundredths (125.00') feet to a point in line of lands now or formerly Frederick Plushanski, Block 5, Lot 1.02, said point being north thirty-nine degrees, forty minutes, eight seconds west (N. 39°-40'-08"W.) a distance of two hundred eighty-six and fifteen hundredths feet (286.15') from an iron pipe at the most southerly corner to Block 5, Lot 3, thence;

13) Along the line of Block 5, Lot 1.02 north thirty-nine degrees, forty minutes, eight seconds west (N. 39°-40'-08"W.) a distance of one thousand eighty and zero hundredths feet (1080.00') to a T-Bar, being also the most southerly corner to

lands now or formerly Cecile Kirk, Block 5, Lot 2, thence;

14) Along Block 5, Lot 2, the following three courses, north forty-four degrees, twenty-six minutes, three seconds east (N. 44°-26'-03"E.) a distance of one hundred sixty-one and thirty-four hundredths feet (161.34') to an iron pipe, thence;

15) North forty-eight degrees, thirty-seven minutes, fifty-seven seconds east (N. 48°-37'-57"E.) a distance of two hundred fifty and eight hundredths feet (250.08') to an iron pipe, thence;

16) North forty-five degrees, twenty-two minutes, fifty-seven seconds east (N. 45°-22'-57"E.) a distance of two hundred forty-five and three hundredths feet (245.03') to an iron pipe in line of lands now or formerly, Catherine & Antonio Jannuzzi, Block 5, Lot 3.01, thence;

17) Along Block 5, Lot 3.01, south thirty-eight degrees, forty-five minutes, three seconds east (S. 38°-45'-03"E.) a distance of one hundred twenty and forty-four hundredths feet (120.44') to the point and place of beginning.

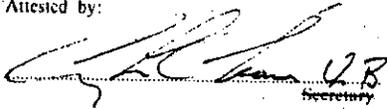
Containing an area of nine and eighty-five thousandths acres, more or less (9.085 AC±).

As shown on plan entitled "Final Plat for Village Square (Formerly Jackson Square), Union Township, Hunterdon County, New Jersey", prepared by, C. Douglas Cherry, P.E., P.L.S., Cherry, Mace, Weber & Associates, P.C., sheet 1 of 1, dated July 1989, last revised May 24, 1995, to be filed in the Hunterdon County Clerk's Office.

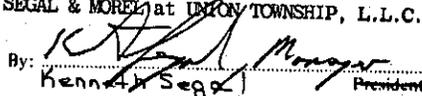
**Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such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

**Signatures.** This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page. ~~Its corporate seal is affixed.~~

Attested by:

  
Secretary

SEGAL & MOREL at UNION TOWNSHIP, L.L.C.

By:   
Kenneth Segal, President

STATE OF NEW JERSEY :  
: SS  
COUNTY OF HUNTERDON :

BE IT REMEMBERED, that on this 11<sup>th</sup> day of August 1995 before me, the subscriber a notary public, Susan Champion, personally appeared Kenneth Segal who, I am satisfied is the person named in and who executed the within Instrument, as Manager of Segal & Morel at Union Township, L.L.C. and thereupon he acknowledged that he signed, sealed and delivered the same as his act and deed on behalf of Segal & Morel at Union Township, L.L.C.

RECORDED

AUG 29 10 22 AM '95

HUNTERDON COUNTY  
DOIN' CLERK

  
Notary Public of New Jersey  
My Commission Expires 4-1-97

STATE OF NEW JERSEY  
AFFIDAVIT OF CONSIDERATION OR EXEMPTION  
(c. 49, P.L. 1968)

D O C U M E N T

PARTIAL EXEMPTION  
(c. 178, P. L. 1975)

To Be Recorded With Deed Pursuant to c. 49, P.L. 1968, as amended by c. 225, P.L. 1985 (N.J.S.A. 46:15-5 et seq.)

STATE OF NEW JERSEY }  
COUNTY OF SOMERSET } ss.

FOR RECORDER'S USE ONLY	
Consideration \$	-0-
Realty Transfer Fee \$	E
Date	8/29/95
By	MC

\*Use symbol "C" to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3, 4 and 5 on reverse side)

Deponent, RICHARD S. COHEN, being duly sworn according to law upon his/her oath deposes and says that he/she is the legal representative of Grantor

in a deed dated August 11, 1995, transferring real property identified as Block No. 5  
Lot No. 3 & 3.02 located at Township of Union, County of Hunterdon and annexed hereto.

(2) CONSIDERATION (See Instruction #6)

Deponent states that, with respect to deed hereto annexed, the actual amount of money and the monetary value of any other thing of value constituting the entire compensation paid or to be paid for the transfer of title to the lands, tenements or other realty, including the remaining amount of any prior mortgage to which the transfer is subject or which is to be assumed and agreed to be paid by the grantee and any other lien or encumbrance thereon not paid, satisfied or removed in connection with the transfer of title is \$ -0-

(3) FULL EXEMPTION FROM FEE Deponent claims that this deed transaction is fully exempt from the Realty Transfer Fee imposed by c. 49, P.L. 1968, for the following reason(s): Explain in detail. (See Instruction #7.) Mere reference to exemption symbol is not sufficient.

NO CONSIDERATION. CONSIDERATION IS LESS THAN \$100.00.

Conveyance to subdivision of the State of New Jersey

(4) PARTIAL EXEMPTION FROM FEE 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. (See Instructions #8 and #9)

Deponent claims that this deed transaction is exempt from the increased portion of the Realty Transfer Fee imposed by c. 176, P.L. 1975 for the following reason(s):

- a) SENIOR CITIZEN (See Instruction #8)
  - Grantor(s) 62 yrs. of age or over.\*
  - One or two-family residential premises.
  - Owned and occupied by grantor(s) at time of sale.
  - No joint owners other than spouse or other qualified exempt owners.

- b) BLIND (See Instruction #8)
  - Grantor(s) legally blind.\*
  - One or two-family residential premises.
  - Owned and occupied by grantor(s) at time of sale.
  - No joint owners other than spouse or other qualified exempt owners.

- DISABLED (See Instruction #8)
  - Grantor(s) permanently and totally disabled.\*
  - One or two-family residential premises.
  - Receiving disability payments.
  - Owned and occupied by grantor(s) at time of sale.
  - Not gainfully employed.
  - No joint owners other than spouse or other qualified exempt owners.

\*IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEED QUALIFY.

- c) LOW AND MODERATE INCOME HOUSING (See Instruction #8)
  - Affordable According to H.U.D. Standards.
  - Meets Income Requirements of Region.
  - Reserved for Occupancy.
  - Subject to Resale Controls.

- d) NEW CONSTRUCTION (See Instruction #9)
  - Entirely new improvement.
  - Not previously used for any purpose.
  - Not previously occupied.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c. 49, P.L. 1968.

Subscribed and Sworn to before me this 14th day of August, 19 95

RICHARD S. COHEN  
P.O. Box 547  
Somerville, NJ 08876

SEGAL & MOREL AT UNION TOWNSHIP, L.L.C.  
991 Route 22 West  
Bridgewater, NJ 08807

JEAN MARTINS  
A Notary Public of New Jersey  
My Commission Expires April 18, 1999

FOR OFFICIAL USE ONLY This space for use of County Clerk or Register of Deeds.			
Instrument Number	<u>92204</u>	County	<u>Hunterdon</u>
Deed Number	<u>92204</u>	Book	
Deed Dated	<u>8/11/95</u>	Date Recorded	<u>8/29/95</u>

IMPORTANT - BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE HEREOF. This form is prescribed by the Director, Division of Taxation in the Department of the Treasury, as required by law, and may not be altered or amended without the approval of the Director.

ORIGINAL - White copy to be retained by County.  
DUPLICATE - Yellow copy to be forwarded by County to Division of Taxation on partial exemption from fee (N.J.A.C. 18:18-8.12).  
TRIPPLICATE - Pink copy is your file copy.

END OF DOCUMENT

WHITE AND YELLOW COPIES MUST BE SUBMITTED WITH DEED TO COUNTY RECORDING OFFICE