

THIS IS A LEGAL INSTRUMENT AND SHOULD BE EXECUTED UNDER SUPERVISION OF AN ATTORNEY

This Indenture,

Made the TWENTY THIRD day of DECEMBER in the year
One Thousand Nine Hundred and NINETY SIX. COUNTY OF MERCER

Between Joan McBride
residing at: 1001 Lyndale Avenue
Trenton, NJ

CONSIDERATION \$289,000.00
REALTY TRANSFER FEE Exempt
DATE 4-2-97 BY JM

Executrix of the Last Will and Testament of Katherine Johnson Fees

of the Township of Hopewell late
Mercer and State of New Jersey in the County of
And State of New Jersey part of the first part;
Department of Environmental Protection

having its principal place
of business located at: 401 East State Street
Trenton, New Jersey

part y of the second part

Witnesseth, That the said part y of the first part, by virtue of the power and authority to
her given in and by said Last Will and Testament, and for and in consideration of the sum of
TWO HUNDRED EIGHTY NINE THOUSAND AND -----00/100 (\$289,000.00) DOLLARS

lawful money of the United States of America, to her in hand paid by the said part y of the
second part, at, or before the ensembling and delivery of these presents, the receipt whereof is hereby ac-
knowledged, has granted, bargained, sold and conveyed, and by these presents do grant, bar-
gain, sell and convey unto the said part y of the second part, and to its successors
and assigns forever, All

that certain
tract or parcel of land and premises, hereinafter particularly described, situate, lying and being in
the Township of Hopewell in the County of Mercer
and State of New Jersey and being more particularly bounded and described
on the attached Schedule A.

BEING the same lands and premises conveyed to Francis Kenneth Fees
and Katherine Johnson Fees by deed from Joseph Harrison Chamberlin
and Real Estate Finance Company dated February 1, 1950 and recorded
March 8, 1950, in the Mercer County Clerk's Office in Deed Book 1093
page 326; and to Francis Kenneth Fees and Katherine J. Fees by deed
from Lindley L. Reed and Alma E. Reed, dated December 21, 1953 and
recorded December 22, 1953 in the Mercer County Clerk's Office in
Deed Book 1264 page 220; Said Francis Kenneth Fees died on June 6, 1954
leaving Katherine J. Fees as surviving tenant by the entirety; and to
Katherine J. Fees by Deed from Erika L. Witte, widow, dated January 23,
1976 and recorded January 26, 1976 in the Mercer County Clerk's Office
in Deed Book 2008 page 150; and to Katherine J. Fees by deed from
Shunt Corp. dated January 29, 1979 and recorded February 1, 1979, in
the Mercer County Clerk's Office in Deed Book 2094 page 488. Said
Katherine J. Fees died testate on April 22, 1994. Joan McBride qualified
as Executrix of Her Last Will and Testament.

THIS DEED IS BEING RECORDED TO CORRECT A DEED RECORDED ON JANUARY 3, 1997
IN VOLUME 3151 page 046 to set forth the correct consideration

Prepared by: 
Mariellen K. King, Esq.

August 8, 1996

Block 121, Lots 41, 42, 44 & 48
Hopewell Township
Job No. 10261A

All that certain tract or parcel of land situate in the Township of Hopewell, County of Mercer, State of New Jersey, being known as Block 121, Lots 41, 42, 44 & 48, as shown on Sheet 12 of the tax map of Hopewell Township; said tract being more particularly bounded and described as follows:

BEGINNING at a set iron pin with cap in the Northwesterly right-of-way line of Blue Ridge Road (40 feet wide) where intersected by the northeasterly line of Lot 43, in Block 121; said beginning point having the following New Jersey State Plane Coordinates (1929): North 537,203.059, East 1,942,428.993; and running

(1) Along said line of Lot 43, North 51 degrees 20 minutes 00 seconds West, 200.00 feet to a set iron pin with cap corner to same; thence

(2) Along the northwesterly line of said Lot 43 and also Lots 47, 46 and 57, South 38 degrees 59 minutes 40 seconds West, 367.44 feet to a point corner to said Lot 57, in Block 121; thence

(3) Along the southwesterly line of said Lot 57, South 50 degrees 24 minutes 20 seconds East, 41.98 feet to a point corner to same; thence

(4) Along the northwesterly line of said Lot 57 and also along Lots 58, 45 and 25, South 44 degrees 04 minutes 39 seconds West, 672.97 feet to a point in the easterly line of an access right-of-way (25 feet wide); thence

(5) Along said line of access right-of-way, North 08 degrees 19 minutes 18 seconds East, 56.93 feet to an angle point in the same; thence

(6) Still along said access right-of-way, North 18 degrees 20 minutes 53 seconds West, 71.51 feet to a set iron pin corner to Lot 40, in Block 121; thence

(7) Along the southeasterly line of said Lot 41, North 33 degrees 06 minutes 40 seconds East, 183.07 feet to a point of curvature in same; thence

(8) Still along said line of Lot 40, on a curve curving to the left, having a radius of 157.89 feet, an arc distance of 132.18 feet to a set iron pin at a point of reverse curvature in same; thence

(9) Still along said line of Lot 40, on a curve curving to the right, having a radius of 118.68 feet, an arc distance of 116.19 feet to a set iron pin at a point of tangency in same; thence

VOL 3180 PG 278

VOL 3151 PG 047

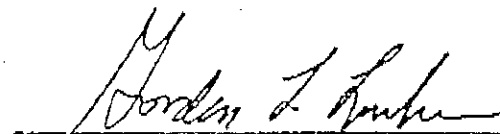
- (10) Still along said line of Lot 40, North 41 degrees 14 minutes 10 seconds East, 191.89 feet to a point corner to same; thence
- (11) Along the northeasterly line of said Lot 40, North 50 degrees 24 minutes 20 seconds West, 272.59 feet to a point corner to Lot 26, in Block 121; thence
- (12) Along the southeasterly line of said Lot 26, North 38 degrees 23 minutes 25 seconds East, 804.43 feet to a found stone corner to Lot 24, in Block 121; thence
- (13) Along the southwesterly line of said Lot 24, South 48 degrees 52 minutes 58 seconds East, 681.12 feet to a set iron pin in corner to same; thence
- (14) Along the southeasterly line of said Lot 24, North 35 degrees 35 minutes 10 seconds East, 33.08 feet to a found iron pin corner to same; thence
- (15) Along the southwesterly line of said Lot 24, South 51 degrees 20 minutes 00 seconds East, 23.02 feet to a set iron pin in the northwesterly right-of-way line of Blue Ridge Road; thence
- (16) Along said line of Blue Ridge Road, South 38 degrees 59 minutes 46 seconds West, 50.01 feet to a set iron pin at an angle point in same; thence
- (17) Still along said line of Blue Ridge Road, South 51 degrees 20 minutes 00 seconds East, 10.00 feet to a set iron pin at an angle point in same; thence
- (18) Still along said line of Blue Ridge Road, South 38 degrees 59 minutes 37 seconds West, 399.04 feet to a point in the *PLACE OF BEGINNING*.

Containing within said bound 13.923 acres.

Being subject to right, privilege and authority granted to New Jersey Power and Light Company and Deed Book 986, page 298.

Subject to the rights of others in an access right-of-way, 25 feet wide, in Deed Book 1018, page 180 and Deed Book 2094, page 488.

Prepared by:



Gordon L. Lenher, LS
NJ License No. 18260

DESCR\AUG\121-41.HPW (96)

10L3180 PG279

10L3151-PG048

The following references are not in any way descriptive, except for tax purposes, of the property described, nor do they establish legal boundaries.

The property is presently designated as part of Block 121 Lot 41, 42, 44 & 48 (or Account No.) in the tax map of the municipality wherein it is situated.

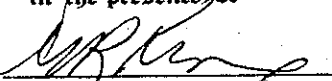
Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

And Also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said part y of the first part, and of the said Testator, of, in, and to the above described premises, and every part and parcel thereof, with the appurtenances. **To Have and to Hold**, all and singular the above mentioned and described premises, together with the appurtenances, unto the said part y of the second part. its successors and assigns forever.

And the said part y of the first part does hereby covenant, promise and agree to and with the said part y of the second part its successors and assigns that she has not, as such executor as aforesaid, done or caused, suffered or procured to be done, any act, matter or thing, whereby the said premises or any part thereof, with the appurtenances are or may be charged or encumbered in estate, title or otherwise.

In Witness Whereof, the said part y of the first part, has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered
in the presence of


Mariellen R. King
Attorney at Law


Joan McBride

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

ALL-STATE LEGAL, A Division of
ALL-STATE[®] International, Inc.
908-272-0800

or
PARTIAL EXEMPTION
(c. 176, 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 Mercer SS.

FOR RECORDER'S USE ONLY	
Consideration \$	<u>289,000.00</u>
Realty Transfer Fee \$	<u>Exempt</u>
Date	<u>4-2-97</u> By <u>ML</u>

* 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 Joan McBride, being duly sworn according to law upon his/her oath
(Name)

deposes and says that he/she is the Grantor
(State whether Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.)

in a deed dated 12/23/97, transferring real property identified as Block No. 121

Lot No. 41, 42, 44 & 48 located at Blue Ridge Road, Hopewell Township, Mercer
(Street Address, Municipality, County)
County, New Jersey 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 \$ 289,000.00

(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.

Deed being recorded to correct a prior deed recorded 1/3/97 in volume 3151 page 046 to reflect the correct consideration of \$289,000

(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 HUD Standards.
 Reserved for Occupancy.
 Meets Income Requirements of Region.
 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 20 day of March 1997
Name of Deponent (sign above line) Joan McBride
Address of Deponent _____

Joan McBride
Name of Grantor (type above line)
1001 Lyndale Avenue
Trenton, NJ
Address of Grantor at Time of Sale

Mariellen R. King
Attorney at Law

FOR OFFICIAL USE ONLY This space for use of County Clerk or Register of Deeds.			
Instrument Number	<u>9577</u>	County	<u>Mercer</u>
Deed Number	_____	Book	<u>3180</u>
Deed Dated	<u>12-23-96</u>	Date Recorded	<u>4-2-97</u>

IMPORTANT - BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE HEREOF. This format is prescribed by the Director, Division of Taxation in the Department of the Treasury, as required by law, and may not be altered 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. 18:16 - 8.12). TRIPLICATE - Pink copy is your file copy.

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

INSTRUCTIONS

1. STATEMENT OF CONSIDERATION AND PAYMENT OF REALTY TRANSFER FEE ARE PREREQUISITES FOR RECORDING OF DEED

No county recording officer shall record any deed evidencing transfer of title to real property unless (a) the consideration therefor is recited therein and in the acknowledgment or proof of the execution thereof, or (b) an Affidavit by one or more of the parties named therein or by their legal representatives declaring the consideration therefor is annexed thereto for recording with the deed, and (c) a fee at the rate of \$1.75 for each \$500.00 of consideration or fractional part thereof [which fee shall be in addition to the recording fees imposed by P. L. 1965, Chapter 123, Section 2 (C. 22A:4-4.1)] shall be paid to the county recording officer at the time the deed is offered for recording. An additional fee at the rate of \$.75 for each \$500 of consideration or fractional part thereof in excess of \$150,000.00 of consideration shall be paid to the county recording officer.

2. WHEN AFFIDAVIT MUST BE ANNEXED TO DEED

- This affidavit must be annexed to and recorded with the deed in the event that the full consideration is not recited in both the deed and in the acknowledgment or proof of the execution thereof.
- This affidavit must also be annexed to and recorded with the deed where exemption from the fee is claimed but the reason for claiming the exemption is not clearly stated in the deed.
- Any claim for exemption from the increased fee must be supported by this affidavit and attached to the deed at the time of recording, in addition to any statement otherwise required by the law with respect to consideration.

3. LEGAL REPRESENTATIVE

"Legal Representative" is to be interpreted broadly to include any person actively and responsibly participating in the transaction, such as but not limited to: an attorney representing one of the parties; a closing officer of a title company or lending institution participating in the transaction; a holder of power of attorney from grantor or grantee.

4. OFFICER OF CORPORATE GRANTOR OR CORPORATE GRANTEE

Where a deponent is an officer of corporate grantor or grantee, the name of the corporation and the officer's title must be stated.

5. OFFICER OF TITLE COMPANY OR LENDING INSTITUTION

Where a deponent is a closing officer of a title company or lending institution participating in the transaction, the name of the company or institution and the officer's title must be stated.

6. CONSIDERATION

"Consideration" means in the case of any deed, 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. (P.L. 1968, c. 49, Sec. 1 as amended.)

7. EXEMPTIONS FROM THE FEE

The fee imposed by this Act shall not apply to a deed:

- For a consideration of less than \$100.00;
- By or to the United States of America, this State, or any instrumentality, agency or subdivision thereof;
- Solely in order to provide or release security for a debt or obligation;
- Which confirms or corrects a deed previously recorded;
- On a sale for delinquent taxes or assessments;
- On partition;
- By a receiver, trustee in bankruptcy or liquidation, or assignee for the benefit of creditors;
- Eligible to be recorded as an "ancient deed" pursuant to R.S. 46:16-7;
- Acknowledged or proved on or before July 3, 1968;
- Between husband and wife, or parent and child;
- Conveying a cemetery lot or plot;
- In specific performance of a final judgment;
- Releasing a right of reversion;
- Previously recorded in another county and full realty transfer fee paid or accounted for as evidenced by written instrument, attested to by the grantee and acknowledged by the county recording officer of the county of such prior recording, specifying the county, book, page, date of prior recording, and amount of realty transfer fee previously paid.
- By an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
- Recorded within 90 days following the entry of a divorce decree which dissolves the marriage between the grantor and grantee.

8. EXEMPTION FROM INCREASED FEE (P.L. 1975, c. 176, Section 4 as amended.)

The following transfers of title to real property shall be exempt from payment of \$1.25 of the fee for each \$500.00 of consideration or fractional part thereof: 1, The sale of any one- or two-family residential premises which are owned and occupied by a senior citizen, blind person, or disabled person who is the seller in such transaction; provided, however, that except in the instance of a husband and wife no exemption shall be allowed if the property being sold is jointly owned and one or more of the owners is not a senior citizen, blind person, or disabled person; 2, The sale of Low and Moderate Income Housing conforming to the requirements as established by this Act.

For the purposes of this Act, the following definitions shall apply:

"Blind person" means a person whose vision in his better eye with proper correction does not exceed 20/200 as measured by the Snellen chart or a person who has a field defect in his better eye with proper correction in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends an angular distance no greater than 20°.

"Disabled person" means any resident of this State who is permanently and totally disabled, unable to engage in gainful employment, and receiving disability benefits or any other compensation under any Federal or State law.

"Senior citizen" means any resident of this State of the age of 62 years or over.

"Low and Moderate Income Housing" means any residential premises, or part thereof, affordable according to Federal Department of Housing and Urban Development or other recognized standards for home ownership and rental costs and occupied or reserved for occupancy by households with a gross income equal to 80% or less of the median gross household income for households of the same size within the housing region in which the housing is located, but shall include only those residential premises subject to resale controls pursuant to contractual guarantees.

9. Transfer of title to real property upon which there is "new construction" shall be exempt from payment of \$1.00 of the \$1.75 fee for each \$500 of consideration or fractional part thereof not in excess of \$150,000.00.

For the purposes of this Act, the following definition shall apply:

"New construction" means any conveyance or transfer of property upon which there is an entirely new improvement not previously occupied or used for any purpose.

10. "REALTY TRANSFER FEE" IS A FEE IN ADDITION TO OTHER RECORDING FEES

The fee imposed under P.L. 1968, c. 49, as amended, is in addition to the usual recording fees imposed under P.L. 1965, c. 123, Sec. 2 (C. 22A:4-4.1). The realty transfer fee is imposed upon grantors at the rate of \$1.75 for each \$500.00 of consideration or fractional part thereof, with an additional fee of \$.75 for each \$500.00 of consideration in excess of \$150,000.00. The fee is required to be collected by the county recording officer at the time the deed is offered for recording.

11. PENALTY FOR WILLFUL FALSIFICATION OF CONSIDERATION

Any person who shall willfully falsify the consideration recited in a deed or in the proof or acknowledgment of the execution of a deed or in the Affidavit declaring the consideration thereof annexed to a deed shall be adjudged a disorderly person (P.L. 1968, c. 49, Section 5).

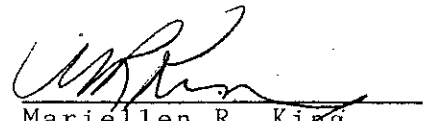


STATE OF NEW JERSEY,
COUNTY OF Mercer } ss.:

BE IT REMEMBERED, that on this 20th day of March 19 97
before me, the subscriber, a Attorney at Law of the State of New Jersey
personally appeared JOAN McBRIDE

who, I am satisfied, is the grantor mentioned in the within Deed, and thereupon she
acknowledged that she signed, sealed and delivered the same as her act and deed,
for the uses and purposes therein expressed.

The full and actual consideration paid or to be paid for the transfer of title to realty evidenced
by the within deed, as such consideration is defined in P.L. 1968, c. 49, Sec. 1(c), is \$ 289,000.00


Mariellen R. King
Attorney at Law

In compliance with the statute I have
presented an abstract of the within
to the Assessor of the taxing district
therein mentioned.

CATHERINE DIOSTANZO
MERCER COUNTY CLERK

Deed

TO

Dated, _____, 19 _____
Received in the Office of
the County of _____ on
the _____ day of _____ A.D.,
19 _____, at _____ o'clock, in the _____ noon
and Recorded in Book _____ of DEEDS
for said County, on page _____

ROBERT P. GRABOWSKI, DAG
Division of Law/Transportation
Hughes Justice Complex
CN 114
Trenton, NJ 08625

RECORDED & RECORDED
MERCER COUNTY CLERK'S OFFICE
97 APR -2 PM 2:50
CATHERINE DIOSTANZO
MERCER COUNTY CLERK

40800 #18