

B1215 P0257

AA

*[Signature]* 25

Prepared By: MICHAEL S. SELVAGGI, ESQ.

DEED

THIS DEED is made on JULY 8, 1999

BETWEEN: BRASS CASTLE ESTATES, L.P., a New Jersey Limited Partnership, having its principal office c/o Toll Brothers, Inc., 3103 Philmont Avenue, Huntingdon Valley, PA 19006,

referred to as the GRANTOR.

AND: DANA L. DURHAM and KATHRYN L. YAGER, married

whose post office address is about to be 1 Stevens Lane, Pittstown, NJ 08867

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 FOUR HUNDRED FOUR THOUSAND, THREE HUNDRED ELEVEN (\$404,311.00) DOLLARS

The Grantor acknowledges receipt of this money.

**TAX MAP REFERENCE.** (N.J.S.A. 46:15-1.1) Municipality of Township of Union.

Block No. 29 Lot No. 2.23 Account No.

**PROPERTY.** The property consists of the land and all the buildings and structures on the land in the Township of Union, County of Hunterdon, and State of New Jersey. The legal description is as follows:

BEING known and designated as Lot 2.23, Block 29 as shown on a certain map entitled: "Final Plat, Section 2, Brass Castle Estates, Lot 2, Block 29", revised 3/17/98, prepared by The Chester Partnership, and filed in the Hunterdon County Clerk's Office on 9/18/98 as Map No. 1297, Sheets 1 through 3. Being further described in accordance with Schedule "A" attached hereto.

BEING commonly known and designated as 1 Stevens Lane, Pittstown, NJ 08867

BEING also known as TBI Lot No. 25 (Brass Castle Estates II)

BEING a part of the same premises conveyed to BRASS CASTLE ESTATES, L.P., a New Jersey Limited Partnership, by Deed from Brinkerhoff Home Builders, Inc. dated August 29, 1997, and recorded September 18, 1997, in Deed Book 1173, Page 660.

SUBJECT to easements, restrictions and zoning ordinances of record.

SUBJECT to Homeowners Association documents dated March 18, 1998, recorded April 6, 1998, in Deed Book 1184, Page 747.

BEING FURTHER SUBJECT to open space and/or conservation and open space easement per attached Exhibit "L" indicating buildable area.

COUNTY OF HUNTERDON  
CONSIDERATION 404,311.00  
REALTY TRANSFER FEE 1497.50  
DATE 07.18.99 BY SSB

114319

29/2.23

B1-215 P0258

SCHEDULE "A"  
DESCRIPTION  
LOT 2.23 BLOCK 29  
BRASS CASTLE ESTATES  
TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY

BEGINNING at a point on the Southerly Right of Way line of Wyckoff Drive, distant 22.04 feet as measured along said line from the intersection of same extended with the extended Easterly Right of Way line of Stevens Lane, as shown on a map entitled "FINAL PLAT, SECTION 2, BRASS CASTLE ESTATES, LOT 2 BLOCK 29", revised dated 3/17/98, sheets 1 through 3, prepared by The Chester Partnership, and filed in the Hunterdon County Clerk's Office on 9/18/98 as Map No. 1297, sheets 1 through 3; thence

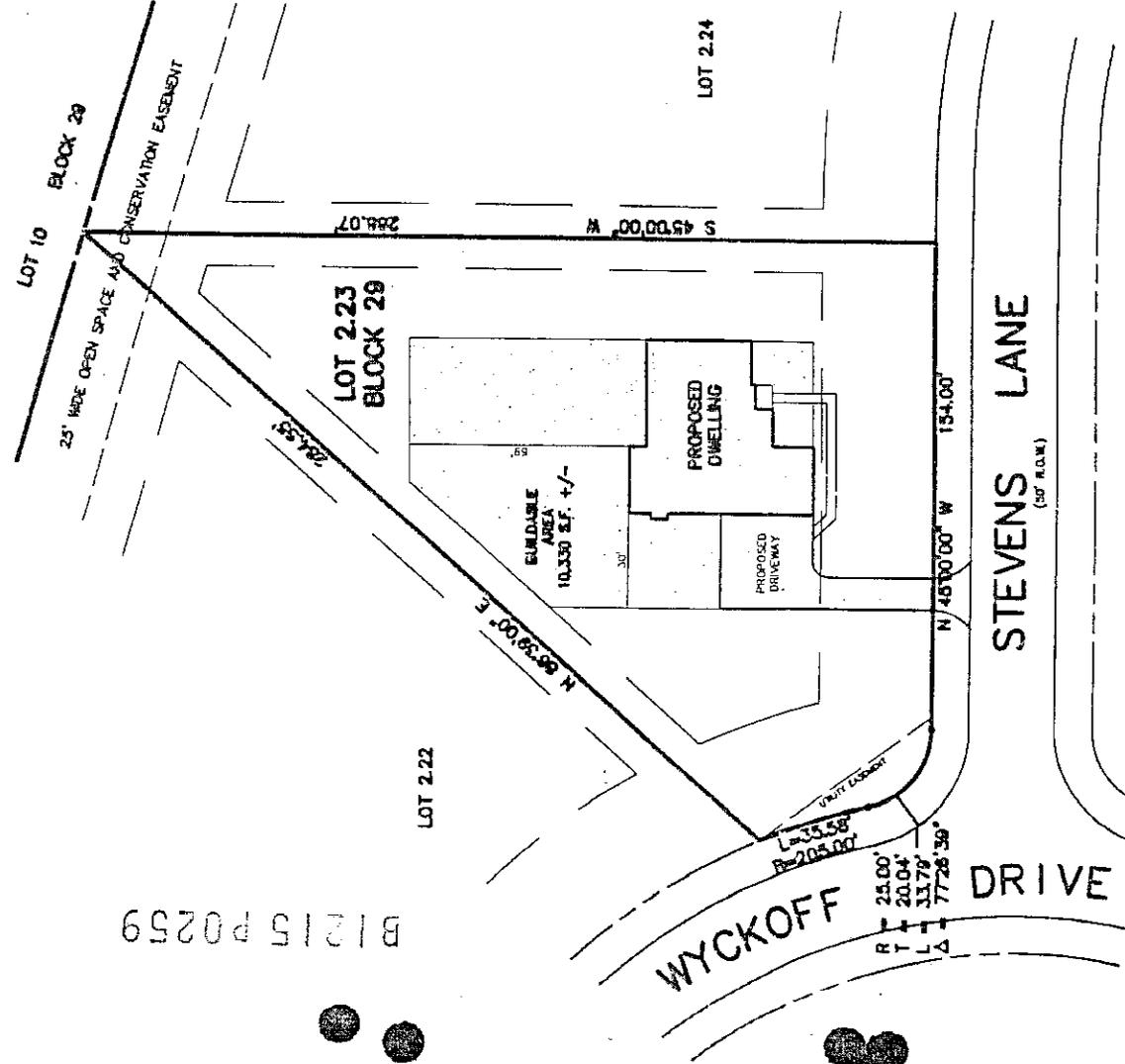
1. Along said right of way line on the arc of a curve to the left having a radius of 205.00 feet, an arc length of 35.58 feet and a central angle of 09 degrees 56 minutes 39 seconds; thence
2. Along a line common to Lots 2.22 and 2.23, North 86 degrees 39 minutes 00 seconds East, 284.55 feet; thence
3. Along a line common to Lots 2.23 and 2.24, South 45 degrees 00 minutes 00 seconds West, 266.07 feet to the aforementioned Easterly Right of Way line of Stevens Lane; thence along said right of way line on the following two (2) courses:
4. North 45 degrees 00 minutes 00 seconds West, 154.00 feet to a point of curvature; thence
5. Along the arc of a curve to the right having a radius of 25.00 feet, an arc length of 33.79 feet and a central angle of 77 degrees 26 minutes 39 seconds to the point of BEGINNING.

Containing 29,681 square feet, more or less.

Subject to restrictions and easements of record, if any.

The above described tract being known and designated as Lot 2.23, Block 29, as it appears on the above mentioned map.

Sv025



THIS EXHIBIT IS SOLELY INTENDED TO DEPICT THE NET BUILDABLE AREA.

EXHIBIT "L"  
 ACKNOWLEDGEMENT OF NET BUILDABLE AREA

*Alfred Decker* BUYER 12/28/88 DATE  
*Robert G. Gyle* BUYER 12/28/88 DATE  
*D. K. Cook* SELLER 12/28/88 DATE

NOTE: BUYER HEREBY ACKNOWLEDGES THAT THIS PLOT PLAN ATTACHED TO THE AGREEMENT OF SALE AS EXHIBIT "L" DOES NOT CONSTITUTE A SURVEY OF THE PREMISES. ALL DIMENSIONS AND AREAS ARE APPROXIMATE AND ARE SUBJECT TO FIELD VARIATIONS. DASHED LINES REPRESENT EASEMENTS. DETAILS OF RESTRICTIONS, AGREEMENTS, EASEMENTS, ETC., TO BE SHOWN BY THE TITLE REPORT WOULD OTHERWISE REVEAL ARE NOT SHOWN FOR CLARITY. ANY CHANGES OR MODIFICATIONS THAT INCREASE THE DWELLING SIZE MAY AFFECT THE COMPENSATION OF THE NET BUILDABLE AREA.

PROPOSED HOUSE  
 CORNELL FEDERAL  
 3-CAR SIDE ENTRY GARAGE - OPT. 001  
 704-SQ-FEET BASEMENT  
 EXPANDED FAMILY ROOM - OPT. 023

EXHIBIT "L"  
 LOT 2.23 BLOCK 29  
 BRASS CASTLE ESTATES  
 TOWNSHIP OF UNION, HUNTERDON COUNTY, NEW JERSEY

SCALE: N.T.S. DATE: 11-25-88 DWG. NO.: EX 025

B1215 P0259

DATE	DESCRIPTION	REVISIONS

**Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber 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 representative as of the date at the top of the first page. Its corporate seal is affixed.

ATTESTED BY:

TOLL LAND CORP. NO. 10,  
A Delaware Corporation, General  
Partner of BRASS CASTLE ESTATES, L.P.,  
a New Jersey Limited Partnership

*Kathryn L. Yates*  
Kathryn L. Yates  
Assistant Secretary

BY: *Bernard P. Anderson*  
Bernard P. Anderson  
Vice President

STATE OF PENNSYLVANIA :  
SS:  
COUNTY OF MONTGOMERY :

I CERTIFY that on July 8, 1999, Kathryn L. Yates

personally came before me and this person acknowledged under oath to my satisfaction, that:

- (a) this person is the Asst. Secretary of TOLL LAND CORP. NO. 10, General Partner of BRASS CASTLE ESTATES, L.P., a New Jersey Limited Partnership, the Grantor named in this Deed;
- (b) this person is the attesting witness to the signing of this Deed by the proper corporate officer who is Bernard P. Anderson, the Vice President of the corporation, who is authorized by the Board of Directors to sign on behalf of said corporation;
- (c) this Deed was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;
- (d) this person knows the proper seal of the corporation which was affixed to this Deed;
- (e) this person signed this proof to attest to the truth of these facts; and
- (f) the full and actual consideration paid or to be paid for the transfer of title is \$ 404,311.00

(Such consideration is defined in N.J.S.A. 46:15-5.)

*Kathryn L. Yates*  
Kathryn L. Yates, Assistant Secretary

Signed and sworn to before me on  
July 8, 1999,

*Beverly D. Vargo*

NOTARIAL SEAL  
BEVERLY D. VARGO, Notary Public  
Lower Moreland Twp., Montgomery Co.  
My Commission Expires Nov. 19, 2001

RECORDED  
JUL 12 12 36 PM '99  
HUNTERDON COUNTY  
DORTHY K. TIRPOK  
CLERK

of Consideration

STATE OF NEW JERSEY
AFFIDAVIT OF CONSIDERATION OR EXEMPTION
(c. 49, P.L. 1968)
or
PARTIAL EXEMPTION
(c. 176, P.L. 1975)

ALL-STATE\*Legal
A Division of ALL-STATE International, Inc.
908-272-0800 Page 1

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 WARREN

SS:

FOR RECORDER'S USE ONLY
Consideration \$ 404,311.00
Realty Transfer Fee \$ 1497.50
Date 07-12-99 By S&B

\* 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 MICHAEL S. SELVAGGI, being duly sworn according to law upon his/her oath

(Name)

deposes and says that he/she is the LEGAL REPRESENTATIVE in a deed dated 7/8/99

(State whether Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.)

transferring real property identified as Block No. 29 Lot No. 2.23

located at 1 Stevens Lane, Union Township, Hunterdon County

(Street Address, Municipality, County)

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 \$ 404,311.00

(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.

(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.)
B) BLIND (See Instruction #8.)
C) LOW AND MODERATE INCOME HOUSING (See Instruction #8.)
D) NEW CONSTRUCTION (See Instruction #9.)

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

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 8th day of July, 1999

Jean Ebnetter
A Notary Public of New Jersey
My Commission Expires Oct. 25, 2002

MICHAEL S. SELVAGGI, ESQ.
1001 Route 517
Hackettstown, NJ 07840

BRASS CASTLE ESTATES, L.P.
3103 Philmont Avenue
Huntingdon Valley, PA 19006

FOR OFFICIAL USE ONLY This space for use of County Clerk or Register of Deeds.
Instrument Number 114319 County Hunterdon
Deed Number 114319 Book Page
Deed Dated 07-08-99 Date Recorded 07-12-99

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.

END OF DOCUMENT