

STATE AGRICULTURE DEVELOPMENT COMMITTEE

**Department of Agriculture
Market and Warren Streets
1st Floor Auditorium
Trenton, NJ 08625**

REGULAR MEETING

March 22, 2012

Acting Chairperson Purcell called the meeting to order at 9:10 a.m. Ms. Payne read the notice indicating the meeting was held in compliance with the Open Public Meetings Act.

Roll call indicated the following:

Members Present

Monique Purcell, Acting Chairperson
Fawn McGee (rep. DEP Commissioner Martin)
Jim Requa (rep. DCA Acting Commissioner Constable)
Ralph Siegel (rep. State Treasurer Sidamon-Eristoff)
Jane R. Brodhecker
Alan A. Danser
James Waltman (Arrived at 9:23 a.m.)
Torrey Reade
Brian Schilling (rep. Executive Dean Goodman)
Denis C. Germano

Members Absent

None

Susan E. Payne, Executive Director
Alison Reynolds, Deputy Attorney General

Others present as recorded on the attendance sheet: Heidi Winzinger, Brian Smith, Timothy Brill, Jessica Uttal, Paul Burns, Ed Ireland, Bryan Lofberg, Stefanie Miller, Dave Kimmel, Hope Gruzlovic, Steven Bruder, Patricia Riccietello, Sandy Giambrone, SADC staff; Barbara Ernst, Cape May CADB; Dan Pace, Mercer County Agriculture Development Board, Ryan Allen, Ocean County Agriculture Development Board, Nicki Goger, New Jersey Farm Bureau; Amy Hanson, New Jersey Conservation Foundation.

Minutes

A. SADC Regular Meeting of February 23, 2012 (Open and Closed Session)

It was moved by Ms. Reade and seconded by Mr. Danser to approve the open session minutes and the closed session minutes of the SADC regular meeting of February 23, 2012. The motion was unanimously approved.

REPORT OF THE CHAIRPERSON

Ms. Purcell discussed the following with the Committee

- State Planning Commission

The State Planning Commission met yesterday (March 21st) after a series of six public hearings were held on the State Strategic Plan. The State Planning Commission is looking to adopt the State Strategic Plan on April 25th. At the same time the Steering Committee is meeting to develop guidelines for every state agency to develop their own strategic plans so every agency that sits on the Steering Committee will develop a plan that would implement the State Strategic Plan. Gradually rule amendments will take place that will change the State Planning Rules that will phase out the State Planning Act and move to a more flexible, fluid type of mapping process that will center on priority investment areas for the state. The goal currently is to focus on economic development and targeting strategic state investments. The state only has so much funding and is looking to strategize around priority growth areas as well as priority preservation areas.

REPORT OF THE EXECUTIVE DIRECTOR

Ms. Payne discussed the following with the Committee:

- New SADC Personnel

New SADC staff person Jessica Uttal was introduced to the Committee. Ms. Uttal is the SADC's new Real Estate Assistant and her position was one of four positions that the Governor's Office gave approval to fill. At this time the other three positions have been approved by the Civil Service Commission and the Governor's Office as of yesterday. Staff will be notifying those candidates that were not selected. Ms. Uttal has been very helpful since her arrival. She is working with the SADC's closers to try and resolve title issues and get various areas cleaned up so that staff can expedite the closing review process.

- New Jersey Conservation Foundation – Land Trust Rally

Ms. Payne and Mr. Brill attended the NJ Conservation Foundation's Land Trust Rally two weekends ago. There was a very good turnout at the farmland preservation section of the event. There was a session on hot topics in farmland preservation that covered many issues and there was a good turnout for that session.

- Draft Letters of Comments – Bill A323 – Special Events on Preserved Farmland

The Committee was sent a draft letter of comments on Assembly Bill A323, sponsored by Assemblyman Danser. This is to allow special events, including weddings, on preserved farmland. That bill cleared the Assembly with a vote of 79-0 and it does not have a Senate sponsor as of yet. The letter that staff drafted did go out under signature of the Office of Secretary Fisher. Both Houses have been notified about what some of the concerns were in that bill by the Department of Agriculture.

Ms. Reade stated that she was at a farmer gathering last evening and they were enraged by the bill. Ms. Payne stated that this is an important piece of legislation that could have profound impacts on farmland preservation and people should contact their legislator and let their opinions be known. Mr. Schilling is concerned that the bill is relatively vague in some areas. Mr. Danser stated that he was at a recent meeting with the county board of agriculture members and they were upset about the bill as well. Mr. Siegel stated that the word didn't get to the Legislature because of the consent list, which means that the two caucuses agreed that they weren't going to argue about the bill so they didn't get the word that there are problems with this bill. He stated that he is sure that most of the legislators thought it was helpful. Ms. Payne stated that hopefully the Senate will have a little more warning at this point with a pretty thorough letter outlining what the limitations of the bill are.

Mr. Siegel stated he would urge staff or the Secretary of Agriculture to press the Governor's Office to take a position on this legislation because that by itself would be influential and say this is not good. He doesn't think that has happened.

COMMUNICATIONS

Ms. Payne reminded the Committee to take home the various articles provided in the meeting binders.

PUBLIC COMMENT

None

OLD BUSINESS

A. Litigation

1. Kellogg Farm – Request for Approval of Nonagricultural Development and Donation of Easement

Mr. Smith referred the Committee to revised Resolution FY2012R3(1) denying requests by E.G. Anderson, Inc. for approval of nonagricultural development and for a donation of Exception Area # 3, on Block 54, Lot 3 of the Kellogg Farm, located in Bedminster Township, Somerset County. This request was presented to the Committee at its February meeting, at which time the Committee tabled action in order for staff to add the appropriate language to the resolution based on a presentation made by the landowners' attorney, Mr. Ursin. The revised resolution reflects both a marked up copy and a final draft revised resolution so that the Committee can see what was revised. It does two things: 1) it reflects what was presented by Mr. Ursin last month, which was both different than and similar to the written correspondence exchanged between the parties over the past six months. It makes some minor stylistic changes and it more specifically identifies what was presented by Mr. Ursin and the reasons why the Committee is not legally authorized to do what Mr. Ursin's clients have proposed. This resolution was drafted based on the review, the assistance and the approval of the Attorney General's Office. It more adequately describes the legal reasons, with statutory citations, why the donations and whatever else Mr. Ursin presented at the last meeting, cannot be approved by the agency.

Ms. Payne referred the Committee to the first copy in meeting binder which shows the changes discussed by the Committee last month. The second version is what the final revised resolution would look like.

Mr. Siegel commented that the saying that the landowner cannot donate is because the areas are not appropriate for agricultural easements. Deputy Attorney General Reynolds stated that the purpose of the Agriculture Retention and Development Act (ARDA) under the case law is to promote agriculture. One exception area is an area that the purpose is for nonagricultural development; the other exception area does not have a positive impact on agriculture because it is flood prone. It is inconsistent with the purpose of ARDA according to the case law.

Mr. Smith stated that staff recommendation is to approve the resolution, denying the request, having considered the written materials set forth in the resolution and the presentation of the Grantor's counsel at the February SADC meeting, for the reasons set forth in said resolution.

It was moved by Mr. Germano and seconded by Mr. Requa to approve Resolution FY2012R3(1) denying requests by E.G. Anderson, Inc. for approval of nonagricultural development and for a donation of Exception Area # 3, on Block 54, Lot 3 of the Kellogg Farm, located in Bedminster Township, Somerset County, as outlined in said resolution. A roll call vote was taken as follows:

Monique Purcell	Yes
Fawn McGee	Recuse
Jim Requa	Yes
Ralph Siegel	Yes
Jane R. Brodhecker	Yes
Alan A. Danser	Yes
James Waltman	Absent for the vote
Torrey Reade	Yes
Brian Schilling	Yes
Denis C. Germano	Yes

The motion carries – 8 Yes Votes; 1 Recuse Vote; 1 Absent Vote. (A copy of Resolution FY2012R3(1) is attached to and is a part of these minutes.)

NEW BUSINESS

A. Eight Year Farmland Preservation Program – Renewals, Terminations and Withdrawals

Ms. Payne referred the Committee to the Eight Year Program Summary Report showing three renewals of eight-year programs: the Macrie Farm, SADC #0112-02F-01/03-0029-8F, located in Hamilton Township, Atlantic County, comprising 37.76 acres, with a soil and water conservation cost share eligibility of \$3,776.00.00; the Columbia Fruit Farm, SADC # 0113-87F-01/01-0118-8F, located in the Town of Hammonton, Atlantic County, comprising 146 acres, with a soil and water conservation cost share eligibility of \$14,600.00; and the Columbia Fruit Farm, SADC #0113-09F-05/01-0103-8F, located in the Town of Hammonton, Atlantic County, comprising 44 acres, with a soil and water conservation cost share eligibility of \$4,400.00. There were three terminations of eight-year programs: the Overdevest Farm, SADC # 0613-12F-01; 06-0022-8F, located in Upper Deerfield Township, Cumberland County, comprising 49 acres, with \$29,400.00 in soil and water conservation cost share eligibility remaining at the time of termination, with no eligibility funds expended; the Berenato Farm, SADC # 0113-48F-01/01-0003-

8F, located in the Town of Hammonton, Atlantic County, comprising 17.70 acres, with \$3,542.00 in soil and water conservation cost share eligibility remaining at the time of termination, with no eligibility funds expended; and the Trust of Francis Rizzotte, SADC #0113-79F-01/01-0121-8F, located in the Town of Hammonton, Atlantic County, comprising 14.87 acres, with \$0.00 in soil and water conservation cost share eligibility remaining at the time of termination, having expended \$8,922.00. There were no withdrawals of eight-year programs. The summary is for informational purposes and no Committee action is needed.

Ms. Reade asked how much funding was left in the program. Ms. Payne stated that there are no funds left in the program. The funds were depleted previously. Any funds from cancelled projects will be placed in reserve by the Department of the Treasury. We cannot reallocate that money. The SADC will monitor that and once it gets to a point where there are sufficient funds in that pot of money we would seek approval by the Treasurer's Office to release the reserve on those funds so that they can be used. Ms. Payne stated that staff would send out an update letter clarifying the process so that everyone will be aware of the current funding situation.

B. Resolution for Final Approval – County Planning Incentive Grant Program
1. Drake et al, Allamuchy Township, Warren County

Ms. Winzinger referred the Committee to one request for final approval under the County Planning Incentive Grant Program. The property includes two single family residences on the area to be preserved outside the exception area. There is a one-acre nonseverable exception area for a future nonagricultural use and/or a future single family residence. Staff recommendation is to grant final approval, subject to any conditions of said Resolution.

It was moved Ms. Brodhecker and seconded by Ms. Reade to approve Resolution FY2012R3(2) granting final approval to the following landowners, as presented and discussed, subject to any conditions of said Resolution:

1. Drake et al Farm, SADC #21-0509-PG
Block 201, Lot 11, Allamuchy Township, Warren County, 202 Net Acres
State cost share grant of \$2,800.00 per acre (70% of the purchase price). The county has requested to encumber an additional 3% buffer for possible final surveyed acreage increases. Therefore 208.06 acres will be utilized to calculate the grant need. Base grant funds will be used for this acquisition.

The motion was unanimously approved. (A copy of Resolution FY2012R3(2) is attached to and is a part of these minutes.)

C. Resolution for Final Approval – Nonprofit Grant Program

1. NJ Conservation Foundation/Sorbello, Pilesgrove Township, Salem County

Mr. Knox referred the Committee to one request for final approval under the Nonprofit Grant Program. The property has one one-acre nonseverable exception limited to one Single-family residence. The landowner has read and signed acknowledgements stating they understand the benefits and/or restrictions regarding exception areas, division of the premises and nonagricultural uses. Staff recommendation is to grant final approval, subject to any conditions of the resolution.

It was moved Mr. Danser and seconded by Mr. Germano to approve Resolution FY2012R3(3) granting final approval to the following landowner, as presented and discussed, subject to any conditions of said Resolution:

1. NJ Conservation Foundation/Sorbello Farm, SADC #10-0035-NP
Block 28, Lot 3.07, Pilesgrove Township, Salem County, 45 Net Acres
The SADC shall provide a cost share grant not to exceed \$4,300.00 per acre (total of approximately \$193,500.00 based on 45 acres) to the NJ Conservation Foundation for the development easement acquisition on this property, subject to the availability of funds. The SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program funds, which will include an impervious coverage limitation of 7.33% (approximately 3.3 acres available for impervious coverage including agricultural related structures) on the lands being preserved outside of the exception area and other restrictions required under the Federal program.

The motion was unanimously approved. (A copy of Resolution FY2012R3(3) is attached to and is a part of these minutes.)

D. Resolution for Final Approval – State Acquisition Program

1. Peterson/Deep Run Farm, Alloway/Quinton Twps., Salem County

Mr. Knox referred the Committee to one request for final approval under the State Acquisition Program. The landowner has requested a three acre severable exception area on the portion of the farm in Quinton Township for a future single family residence and a one acre nonseverable exception area around the existing single family residence. There are a lot of tidelands on the property, approximately 22 acres, which was considered in the appraisal work. The appraisers were instructed to appraise on only 120 acres. The landowners are aware that they would not be paid on the tidelands portion. Staff recommendation is to grant final approval, subject to any conditions of said Resolution.

It was moved by Ms. Reade and seconded by Mr. Danser to approve Resolution FY2012R3(4) granting final approval to the following landowner, subject to any conditions of said Resolution:

1. Milton Arthur Peterson and Mary E. Peterson/Deep Run Farm
SADC #17-0218-DE
Block 19, Lot 26; Block 20, Lots 1, 4; Alloway Township, Salem County
Block 31, Lots 1, 4, 5; Quinton Township, Salem County
142 Net Acres (120 acres of non-tidelands)
Direct Acquisition of the development easement at a value of \$5,800.00 per acre for a total of approximately \$696,000.00 (based on 120 non-tidelands acres) subject to the conditions contained in Schedule B.

The motion was unanimously approved. (A copy of Resolution FY2012R3(4) is attached to and is a part of these minutes.)

E. Revised Policies

1. Policy P-3: Guidelines for Development and Recommendations of Site-Specific Agricultural Management Practices (“AMPs” by County Agriculture Development Boards)
2. Policy P-23A: Valuation of Permitted Exceptions

Ms. Payne referred the Committee to Policy P-3: Guidelines for Development and Recommendations of Site-Specific Agricultural Management Practices (“AMPs” by County Agriculture Development Boards) and Policy P-23A: Valuation of Permitted Exceptions. The Committee has been provided comparison documents for each policy showing suggested revisions.

Ms. Payne stated that the SADC has many policies and when the office gets fully staffed, she would like to review all policies and update them as appropriate. The two policies before the Committee today were problematic and both have surfaced in either litigation or right to farm cases.

The first policy (Policy P-3) deals with the guidelines for developing site-specific agricultural management practices (SSAMPs). She referred the Committee to the marked up copy showing the suggested revisions for this policy (Policy P-3). She stated that what drove staff to want to update the provision was section 11 – “Appeals of a Site Specific AMP” (Page 6 and 7).

Section 11 reads as follows:

“Pursuant to N.J.A.C. 2:76-2.3(f), any person who is aggrieved by any decision of a CADB in regard to a site-specific AMP may appeal the CADB’s decision to the SADC

within 45 days of the CADB's official recommendation of the completed site-specific AMP."

Staff recommends adding and removing language as follows:

"Pursuant to N.J.A.C. 2:76-2.3(f), any person ~~who is~~ aggrieved by any decision of a CADB ~~in regarding~~ ~~to~~ a site-specific AMP may appeal the CADB's decision to the SADC within 45 days of receipt of the CADB board's final determination. ~~official recommendation of the completed site-specific AMP."~~

This change as shown in the marked up copy was triggered by the fact that a CADB may have acted and the aggrieving party was never notified. To be fair, the clock starts running when the CADB provides notification. Staff is trying to clarify what the appeal process actually is. This would also make it consistent with the regulations and how that reads. In addition to this change, the other changes are editorial in nature, but again trying to make sure the policy is consistent with the statute as follows:

Page 1, Item 1: added "and county resolutions" in the first paragraph.

Page 3 – first bulleted area: added "however, in order to be entitled to Right to Farm protection, farm property must still satisfy the eligibility criteria for farmland assessment" – removed "for its farm use". In talking about farmland assessment and having a copy of the tax map representing the farm acreage, if the land is not farm assessed and given the discussion the Committee just had on a case about the importance of farmland assessment, staff wanted to clarify in the policy that even though a property is not farmland assessed, it's eligible for farmland assessment and still eligible for this right to farm protection.

Page 4 – added a new item "j" "Generating power or heat from biomass, solar or wind energy in accordance with state law". This is now a statutorily added item under the Right to Farm Act.

Page 4 – The way the following paragraph read previously is as follows:

"The CADB must insure that the commercial farmer owner and/or operator is in conformance with appropriate federal and State regulations, licenses and/or permits. An activity may be protected but may also need approvals from a State or federal agency prior to lawful operation."

Ms. Payne stated that this is not the case – the CADB does not have the obligation to research every aspect of an operation and make sure it is compliant with all applicable laws. Staff tried to clarify this language to reinforce the fact that the operator has to be in compliance with the laws but it is not the CADB's responsibility to ensure that. If the

CADB finds information that says they are not that wouldn't stop the right to farm process. Staff also reinforces the fact here that the activity cannot pose a direct threat to public health and safety, which is also statutory. Staff recommends adding and removing the language as indicated below:

~~"The CADB must insure that the~~ commercial farmer owner and/or operator must be ~~is~~ in conformance with appropriate federal and State regulations, licenses and/or permits, and the activity for which the commercial farm owner and/or operator is seeking protection cannot pose a direct threat to public health and safety. An activity may be protected but may also need approvals from a State or federal agency prior to lawful operation."

Mr. Waltman stated that regarding the section pertaining to renewal energy, the SADC adopted a solar AMP. Shouldn't that also be included in the policy? Ms. Payne stated that if the SADC adopts an AMP, if a property owners comes in seeking an SSAMP on this same subject matter, the CADB can issue an SSAMP because there may be aspects of the operation that aren't addressed in the AMP, but the SSAMP the County issues must be consistent with the SADC adopted AMP. She stated that is the case for all AMPs adopted by the Committee. Mr. Waltman asked if it needed to say that in the policy. Mr. Siegel stated that it is already implied because a SSAMP implies that the owner is complying with all the AMPs already out there. Ms. Purcell stated that this is a listing of activities that are protected within the Right to Farm so we are just adding the solar activity to that listing. Ms. Payne stated she understands Mr. Waltman's comments but she thinks it is clear among the CADBs and the regulations do specifically call that out. She stated that this policy gives guidance to the CADBs on how to go about doing a SSAMP, it is not intended to replace the regulations.

Page 4, Item 5 – second bulleted area: added the following language:

"Processing commodities produced off the farm management unit unless recommended by the SADC pursuant to an adopted agricultural management practice".

Ms. Payne stated that the Right to Farm Act protects processing and packaging the output of the farm. It does not protect someone processing the output of someone else's farm. Recently in discussions with the wine industry, the more she learns about that industry, it seems pretty likely that most wineries, once they hit a certain capacity, will be producing wine based on grapes grown on other farms. It seems central to that industry across the country. What staff is suggesting in this area of the policy is that this is not a protected activity, unless the SADC adopts an AMP that says it is. The SADC has that power under the law to add additional activities, through a rule making, that it believes are common farm site activities.

Ms. Payne stated that the next policy change deals with Policy P-23A – Valuation of Permitted Exceptions. The policy was adopted in 1990. She referred the Committee to the marked up copy. In the first paragraph, the third sentence was not a complete one – it read “It is recognized that certain portions.” Staff went back into the 1990 minutes and the version that was adopted had that incomplete sentence. Staff is recommending that language be added or removed to read as follows, beginning with the second sentence under section IV - Policy:

A Typically, a formal subdivision is not needed to except a portion of property; however, a specific description is needed. It is recognized that certain portions. ~~Furthermore, appraising of the property can be excluded from the deed of easement, but the excluded portion must be considered in the value of the property to be eased.~~ Appraising a portion of a property without considering the ENTIRE property may not truly represent the ~~whole situation~~ property’s true valuation condition. Thus skewing value.

Ms. Payne stated that the language above is being changed to state “typically a formal subdivision is not needed to exception a portion of the property...” Staff is saying that because in the State Acquisition Program, if someone takes a severable exception the SADC does require them to subdivide prior to closing. Not all of the county take that perspective, it’s up to them, but the SADC thinks it’s safer to require subdivision prior to closing to avoid problems later. The rest of the change reflects the completion of the sentence that was never a whole sentence.

Ms. Payne stated that the last change is in the last paragraph of the policy, which read as follows:

“In situations where a minor tax parcel, such as a house lot, is under the same ownership as the property to be encumbered but is not to be deed restricted, the appraiser shall include the minor parcel in his/her valuation. The decision to include the minor parcel in the appraisal is a judgment made by the appraiser based on whether or not the minor parcel would typically be sold together with the parcel to be encumbered and if so, whether or not the minor parcel would enhance the value of the encumbered parcel.”

Ms. Payne stated that staff recommendation is to add/remove language as follows:

“In situations where a minor tax parcel, such as a house lot, is under the same ownership as the property to be encumbered but is not to be deed restricted, the appraiser shall ~~include~~ identify the minor parcel in his/her ~~valuation~~ appraisal. The ~~decision~~ value attributed to ~~include~~ the minor parcel in the appraisal is a judgment made by the appraiser based on whether or not the minor parcel would typically be sold together with the parcel to be encumbered and if so, whether or not the minor parcel would enhance the value of the encumbered parcel.”

The recommended changes is to rectify those two sentences, which seemed to conflict with each other in their original format. In the original format we said the appraiser “shall” include the parcel and then we said the “decision” is...., which is conflicted. Staff thinks that the language said the appraisers should take that into consideration and any value attributed to an out parcel that this person owns is the appraiser’s decision, as it has always been. Staff is just trying to clean up the language.

Deputy Attorney General Reynolds stated that in the one sentence that was added to the first paragraph under Section IV – Policy, the language where it statesvalue of the property to be eased, would be more clear if it read”value of the property, to be subjected to the easement”

Ms. Payne stated that staff recommendation is to approve those changes as presented and discussed, with the amendment mentioned above by Ms. Reynolds.

It was moved by Mr. Requa and seconded by Ms. Reade to adopt the recommended revisions to Policy P-3: Guidelines for Development and Recommendations of Site-Specific Agricultural Management Practices (“AMPs” by County Agriculture Development Boards) and Policy P-23A: Valuation of Permitted Exceptions, as presented and discussed with the above amendment mentioned by Ms. Reynolds.

Mr. Germano asked what is the effect of a policy? Ms. Payne stated that it is to provide guidance to the partners so that they more fully understand the subject, acknowledging the fact that regulations can never address every aspect and every scenario. They inform how the SADC views various issues. The policies should not be in conflict with the regulations and the regulations will always dictate. This issue has come up with Mr. Stypinski previously. The Attorney General’s Office likes to see everything in a regulation. It has been the process of the agency over the year to adopt policies to try and flesh out for the funding partners on how to do things properly. She doesn’t know that the SADC would go to court or litigate an issue because it is contrary to a policy but it really is trying to provide guidance on how things work and staff tries to make sure that the guidance is consistent with what the regulations and the statute say.

The motion was approved. (Mr. Siegel abstained from the vote.) (A copy of Policy P-3: Guidelines for Development and Recommendations of Site-Specific Agricultural Management Practices (“AMPs” by County Agriculture Development Boards) and Policy P-23A: Valuation of Permitted Exceptions is attached to and is a part of these minutes.)

PUBLIC COMMENT

None

TIME AND PLACE OF NEXT MEETING

SADC Regular Meeting: **FRIDAY**, April 27, 2012 beginning at 9:00 a.m. Location: Health/Agriculture Building, First Floor Auditorium.

CLOSED SESSION

At 10:03 a.m. Mr. Siegel moved the following resolution to go into Closed Session. The motion was seconded by Ms. Brodhecker and unanimously approved.

“Be it resolved, in order to protect the public interest in matters involving minutes, real estate, and attorney-client matters, pursuant to N.J.S.A. 10:4-12, the NJ State Agriculture Development Committee declares the next one-half hour to be private to discuss these matters. The minutes will be available one year from the date of this meeting.”

ACTION AS A RESULT OF CLOSED SESSION

A. Real Estate Matters - Certification of Values

It was moved by Mr. Germano and seconded by Mr. Siegel to certify the development easement values and the Fee Simple values (where applicable) for the following landowners, as presented and discussed in closed session:

County Planning Incentive Grant Program

1. Wayne and Kimberly Batten, SADC # 03-0276-PG
Block 52, Lots 7.01, 7.03, 7.04
Lumberton Township, Burlington County 11 Acres
2. Burlington County/Stattel, SADC # 03-0359-PG
Block 812, Lots 6.01, 7.01
Pemberton Township, Burlington County, 152 Acres
3. Howard E. and JoAnn Stevenson, SADC # 03-0365-PG
Block 803, Lot 9; Block 804, Lots 1, 2; Block 812, Lot 2.01, 3
Pemberton Township, Burlington County, 113 Acres
4. Russell and Laura B. Bowers, SADC #21-0506-PG
Block 101, Lot 3
Pohatcong Township, Warren County, 50 Acres

Nonprofit Grant Program – 10% Rule

1. NJ Conservation Foundation/Fox Farm, SADC #17-0034-NP
Block 35, Lot 72; Block 50, Lots 5, 5.03
Quinton Township, Salem County, 49 Net Acres
2. Monmouth Conservation Foundation/Arnold & Vera Conover
SADC #13-00119-NP
Block 772, Lot 3
Wall Township, Monmouth County, 33 Acres
3. Robert and Ann Stock (Ridge & Valley/Windkissed Farm), SADC #21-0026-NP
Block 901, lot 1
Frelinghuysen Township, Warren County, 17.54 Acres

Municipal Planning Incentive Grant Program

1. Louis Cyktor, 4th, SADC # 10-0323-PG
Block 51, Lot 1
Delaware Township, Hunterdon County, 22 Acres

Direct Easement Purchase Program

1. Robert and Kathleen Dougan, SADC # 17-0239-DE
Block 14, Lot 23; Block 19, Lot 25
Quinton Township, Salem County, 190 Acres *

The motion was unanimously approved. (Copies of the Certification of Value Reports are attached to and are a part of the closed session minutes.)

County Planning Incentive Grant Program

Mr. Danser recused himself from any discussion/action pertaining to the following farm (Swales Farm), to avoid the appearance of a conflict of interest. Mr. Danser is the Chairman of the Middlesex County Agriculture Development Board.

It was moved by Mr. Siegel and seconded by Mr. Waltman to certify the development easement value for the following landowner as presented and discussed in closed session:

1. Trustees of Thomas J. Swales, SADC # 12-0016-PG
Block 36, Lots 14, 15
Monroe Township, Middlesex County, 123 Acres

The motion was approved. (Mr. Danser recused himself from the vote.) (A copy of the Certification of Value Report is attached to and is a part of the closed session minutes.)

B. Request for Final Approval – Nonprofit Grant Program

Mr. Knox referred the Committee to Resolution FY2012R3(5) for a request for final approval for the New Jersey Conservation Foundation/Fox Farm. He reviewed the specifics with the Committee and stated that staff recommendation is to grant final approval.

It was moved by Mr. Siegel and seconded by Mr. Danser to approve Resolution FY2012R3(5) granting final approval to the following landowner as presented and discussed, subject to any conditions in said Resolution:

1. NJ Conservation Foundation/Fox Farm, SADC # 17-0034-NP
Block 35, Lot 72; Block 50, Lots 5, 5.03
Quinton Township, Salem County, 59 Acres
Cost Share Grant not to exceed \$3,075.00 per acre (total of approximately \$181,425.00 based on 59 acres), subject to availability of funds; the SADC recognizes a 3.5 acre severable exception and a 1.5 acre nonseverable exception area; the SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program (FRPP) funds for the preservation of this farm, which will include an impervious coverage limitation of 7% (approximately 4.13 acres available for impervious coverage including agricultural related structures on the lands being preserved outside of the exception area), and other restrictions required under the FRPP program.

The motion was unanimously approved. (A copy of Resolution FY2012R3(5) is attached to and is a part of these minutes.)

B. Attorney/Client Matters

None

Ms. Payne stated that staff has been in touch with Eric Zwerling from Rutgers, who is doing a sound study for the SADC related to wind turbines. Staff is trying to be in a position to have him present his draft findings to the Committee at its next meeting or the following meeting. She stated that she and Ms. Gruzlovic have been working on the proposed rules for solar and wind facilities on preserved farms and hopefully there will be a draft soon.

The Deed of Easement Subcommittee will be meeting directly following this meeting to continue its discussion on soil disturbance.

ADJOURNMENT

There being no further business, it was moved by Mr. Germano and seconded by Mr. Danser and unanimously approved to adjourn the meeting at 11:00 a.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Susan E. Payne".

Susan E. Payne, Executive Director
State Agriculture Development Committee

Attachments

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RESOLUTION DENYING REQUESTS BY E.G. ANDERSON, INC. FOR
 APPROVAL OF NON-AGRICULTURAL DEVELOPMENT, AND FOR DONATION
 OF "EXCEPTION AREA 3", ON BLOCK 54, LOT 3 OF THE "KELLOGG FARM",
 BEDMINSTER TOWNSHIP, SOMERSET COUNTY, NJ

RESOLUTION FY2012R3(1)

WHEREAS, E. G. Anderson, Inc. (hereinafter "Grantor") conveyed to the Somerset County Agriculture Development Board (SCADB or board) a development easement on the "Kellogg Farm", also known as the Mill Race Farm and White Oak Farm, approximately 287 acres and designated on the Bedminster Township tax map as Block 52, Lots 2 and 6, and Block 54, Lots 3 and 4, by Deed of Easement dated June 2, 2005 and recorded June 3, 2005 in the Somerset County Clerk's Office in Deed Book 5751, Page 407 ("the Deed of Easement"); and

WHEREAS, a copy of the Deed of Easement is attached hereto as Schedule A; and

WHEREAS, Grantor was paid \$4,864,363.00 for the conveyance (\$17,000.00 per acre), with cost share grants from the State Agriculture Development Committee (SADC) in the amount of \$2,918,617.80 and from the United States Department of Agriculture, Natural Resource Conservation Service (USDA), in the amount of \$607,141.41, and the remaining consideration of \$1,339,053.79 paid by Somerset County; and

WHEREAS, five (5) exception areas are located on the "Kellogg Farm" as follows:

<u>Exception Area</u>	<u>Block/Lot</u>	<u>Acres</u>	<u>Sev.(S)/Nonsev. (N)</u>	<u>"SFD"=Single Family Dwelling</u>
2	54/3	0.4017	N	One existing SFD
3	54/3	22.0078	S	None permitted
4	52/6	10.0888	N	One existing SFD
5	54/4	5.2002	N	One existing SFD
6	52/6*	0.5043	N	One existing SFD

*Formerly Block 52, Lot 7, consolidated with and becoming part of Block 52, Lot 6 for preservation purposes.

and,

WHEREAS, pursuant to paragraph 14iii. of the Deed of Easement, no residual dwelling site opportunities (RDSOs) were allocated to the preserved Premises and “[n]o residential buildings are permitted on the Premises except as provided in this Deed of Easement”; and

WHEREAS, by letter dated October 14, 2010, the SCADB advised the SADC that the Grantor originally intended to demolish the existing single family dwelling in Exception Area 2, but discovered that the dwelling was a historic structure, and the Grantor now planned to restore the dwelling and install a pool and pool house. The SCADB’s October 14, 2010 letter also advised the SADC that the size of Exception Area 2 precluded Grantor’s proposed construction project, and that Grantor would seek permission from the SADC “to donate ‘Exception Area 2’ back to the preserved portion of the property, thereby dissolving this exception and incorporating it into the preserved area”, thus allowing for restoration of the house and construction of the pool and pool house as permitted by paragraph 13(a)ii. of the Deed of Easement. Paragraph 13(a) provides as follows:

13(a). At the time of this conveyance, Grantor has NO existing single family residential buildings on the Premises and NO residential buildings used for agricultural labor purposes. Grantor may use, maintain and improve existing buildings on the Premises subject to the following conditions:

- (i) Improvements to agricultural buildings shall be consistent with agricultural uses;
- (ii) Improvements to residential buildings shall be consistent with agricultural or single and extended family residential uses. Improvements to residential buildings for the purpose of housing agricultural labor are permitted only if the housed agricultural labor is employed on the Premises;
- (iii) Improvements to recreational buildings shall be consistent with agricultural or recreational uses.

and,

WHEREAS, the SCADB’s October 14, 2010 letter also expressed the board’s support for the Grantor’s request to donate Exception Area 2; and

WHEREAS, by letter dated February 2, 2011, the SADC responded to the SCADB, noting that the preserved Premises identified in Schedule A and the exception areas noted in Schedule C of the Deed of Easement are final and binding on the Grantor and Grantee(s) of the development rights, and that the SADC has no legal authority in the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11, et seq. (ARDA) to permit the reconfiguration of the Premises after preservation; and

WHEREAS, on April 4, 2011, Grantor's attorney wrote a letter to the SADC stating that although Grantor was willing to donate Exception Area 2, "the donation is not necessarily relevant to my client's request"; counsel noted that restoration of the historic dwelling would allow for a Kellogg family member's "presence as part of the operation of [the] preserved farm"; and

WHEREAS, the April 4, 2011 letter also stated that the proposed project entailed not only restoration of the single family dwelling, but also construction of a "garage and a pool", and that these amenities would otherwise be allowed on the preserved Premises as ancillary to an existing single family dwelling, or could have been constructed within Exception Area 2 if it had been "large enough and correctly oriented"; and

WHEREAS, the SADC responded to Grantor's attorney in a letter dated April 14, 2011, stating that all nonagricultural development rights had been extinguished on all portions of the preserved Premises outside of exception areas, the construction of structures outside Exception Area 2 ancillary to the residence within the exception is considered nonagricultural development, the ability to construct ancillary structures on the preserved Premises is allowed only when a residential use on the Preserved premises exists; and

WHEREAS, counsel replied by letter dated May 31, 2011, reiterating that removal of Exception Area 2 furthered the purpose of limiting development on the preserved Premises, and claiming that the SADC's position was arbitrary because it prevented the construction of structures ancillary to a residence in an exception area but allowed such construction if the residence were on the preserved Premises; and

WHEREAS, on December 1, 2011, Grantor formally applied to the SADC for permission to construct, in conjunction with renovation of the historic dwelling within Exception Area 2, "a modest garage and pool consistent with a single family residence and development" on the preserved Premises outside the exception area; and

WHEREAS, Grantor's December 1, 2011 application noted that a flood hazard area occupies a significant area of, and a riparian buffer encroaches on, Exception Area 2, and reiterated the arguments made in counsel's prior correspondence; and

WHEREAS, the December 1, 2011 application also offered, as "an additional inducement to further the permanent preservation of [the Kellogg] farm", donation of Exception Area 3 within Block 54, Lot 3, comprising approximately 22 acres of flood hazard area and riparian buffers along the North Branch of the Raritan River, and comprised of approximately 21 acres of Rowland silt loam soils designated as "frequently flooded"; and

WHEREAS, at the SADC meeting on February 23, 2012, Grantor's counsel stated that Grantor was no longer seeking permission to construct a garage but, instead, wished to construct a barn on the preserved premises, and that Grantor was also offering to donate Exception Area 2; and

WHEREAS, Wetlands and Soils maps and classifications of the Kellogg Farm are attached hereto as Schedule B and Schedule C, respectively;

NOW, THEREFORE, having considered the written materials set forth above and the presentation of Grantor's counsel at the SADC meeting held on February 23, 2012, the SADC denies the requests by E.G. Anderson, Inc. for approval of non-agricultural development, and for donation of "Exception Area 2" and "Exception Area 3", on Block 54, Lot 3 of the "Kellogg Farm", Bedminster Township, Somerset County (hereinafter referred to as "the proposal"), for the following reasons:

1. **The proposal to donate Exception Area 2 constitutes the conveyance of publicly held development rights.** The donation of "Exception Area 2" back to the preserved portion of the property, thereby dissolving this exception and incorporating it into the preserved area and allowing for restoration of the house and construction of the pool as permitted by paragraph 13(a)ii. of the Deed of Easement, would result in amending the Deed of Easement for nonagricultural purposes and would constitute a reconveyance of the SCADB and SADC's easement rights to exclude single family residential buildings on the Premises to the Grantor, which is expressly prohibited by N.J.S.A. 4:1C-32(a).

2. **The proposal violates the Deed of Easement.** Pursuant to the Deed of Easement conveyed to the SCADB and the SADC on June 2, 2005, the Grantor conveyed, in perpetuity, the Grantor's rights to construct a residence and to construct nonagricultural structures on the preserved Premises; accordingly, construction of "a . . . pool consistent with single family residence use and development" and renovation of the existing dwelling that results, or may result, in the renovated dwelling's encroachment on the preserved premises (hereinafter referred to as "the proposed nonagricultural development") as requested in the December 1, 2011 letter from and February 23, 2012 presentation by Grantor's counsel, would constitute a violation of numerous provisions of the deed of easement as further enumerated below, and as such, cannot be authorized by the Committee:

Paragraph 1: The proposed nonagricultural development constitutes development for residential and recreational purposes, and therefore is prohibited by Paragraph 1;

Paragraph 2: The proposed nonagricultural development will require dedication and use of land for nonagricultural purposes, therefore, that land would no longer be available for agricultural use and production as required by Paragraph 2;

Paragraph 3: The proposed nonagricultural development constitutes nonagricultural use of the premises which was not in existence at the time of the conveyance, and is therefore prohibited by Paragraph 3;

Paragraph 4: The proposed nonagricultural development constitutes the building of new structures for nonagricultural purposes, and is therefore prohibited by Paragraph 4i.;

Paragraph 5: The proposed nonagricultural development would require the removal of sand, gravel, loam, rock, or other minerals in support of a nonagricultural use, and is therefore prohibited by Paragraph 5;

Paragraph 7: The proposed nonagricultural development would have a detrimental impact on soils located beneath the proposed development and therefore constitute an activity which would be detrimental to soil conservation and detrimental to continued agricultural use of the affected area, and is therefore prohibited by Paragraph 7;

Paragraph 13(a): The proposed nonagricultural development would constitute improvements to residential buildings consistent with agricultural or single and extended family residential uses; however, because the subject property Deed of Easement indicates that the Grantor has “NO single family residential buildings on the Premises”, the landowner cannot make such improvements to the house located on Exception Area 2 using land included in the premises, and is therefore prohibited by Paragraph 13(a);

Paragraph 13(b): The proposed nonagricultural development would directly violate the requirement pertaining to “Exception No. 2 and Exception No. 6”, letter c., which notifies the persons residing on the Exception Areas “that agriculture is the accepted and preferred use of the adjacent Premises and that the adjacent Premises shall continue in agricultural use as defined in Section 2 of the Deed of Easement”;

Paragraph 14: The proposed nonagricultural development constitutes construction of new buildings(s) for residential use on the premises and because the subject property Deed of Easement indicates that the Grantor has “NO single family residential buildings on the premises” the proposed development is prohibited by Paragraph 14ii and 14iii;


3. The donation of Exception Area No. 3 has no measurable positive agricultural impact. The December 1, 2011 application submission also offered, as “an additional inducement to further the permanent preservation of [the Kellogg] farm”, donation of Exception Area 3 within Block 54, Lot 3, comprising approximately 22 acres of flood hazard area and riparian buffers along the North Branch of the Raritan River, and comprised of approximately 21 acres of Rowland silt loam soils designated as “frequently flooded”. SADC mapping of the area indicates Exception Area 3 is environmentally constrained and possesses soils of limited agricultural production value. The SADC finds that this donation has no measurable positive impact on the agricultural viability of the

Premises, and therefore declines the offer to donate a Farmland Preservation Program Deed of Easement to the SADC in connection with the applicant's request for relief.

4. The proposal to donate Exception Area 2 and Exception Area 3 violates the intent of ARDA. While N.J.S.A. 4:1C-35 recognizes the ability of landowners to donate development easements on farmland, the SADC concludes, consistent with Twp. of S. Brunswick v. SADC and Middlesex CADB, 352 N.J.Super. 361 (App.Div.2002), that the purpose of the ARDA as expressed in N.J.S.A. 4:1C-12 is to "protect and encourage agriculture". Accordingly, N.J.S.A. 4:1C-35 must be read consistently with N.J.S.A. 4:1C-12 by allowing for the donation of distinct farmland tracts if the underlying purpose of the donation is to promote agricultural activities. Accepting the donation of Exception Area 2 and Exception Area 3 is inconsistent with the statutory intent because Exception Area 2 is already developed and Exception Area 3 is not agriculturally viable.

5. The proposal violates the rights of the Federal Government. The United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) provided funding to assist in the preservation of the subject property, and as a result, possesses certain rights and remedies in the Deed of Easement. Granting the relief sought by the Grantor would be considered an attempt "to terminate, transfer or otherwise divest [the SADC] of any rights, title, or interests of this easement without the prior consent of the Secretary of the United States Department of Agriculture and payment of consideration to the United States", in which case "all right, title and interest in this easement shall become vested in the UNITED STATES OF AMERICA".

3/22/12
DATE


Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	RECUSE
James Requa (rep. DCA Acting Commissioner Constable)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane R. Brodhecker	YES
Alan Danser	YES
Denis Germano	YES
Torrey Reade	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
James Waltman	ABSENT FOR VOTE

DEED OF EASEMENT

Schedule A

STATE OF NEW JERSEY
AGRICULTURE RETENTION AND DEVELOPMENT PROGRAM

BRETT A. RAOI COUNTY CLERK
SOMERSET COUNTY, NJ
2005 JUN 03 03:33:35 PM
BK: 5751 PG: 487-446
INSTRUMENT # 2005036830



This Deed is made June 2, 2005.

BETWEEN E.G. ANDERSON, INC., A New Jersey Corporation,
Whose address is 270 Sparta-Stanhope Road, Andover, New Jersey 07821, and is
referred to as the Grantor;

AND THE SOMERSET COUNTY AGRICULTURE DEVELOPMENT BOARD, whose
address is County Administration Building, 20 Grove Street, P.O. Box 3000, Somerville,
New Jersey 08876 and is referred to as the Grantee and/or Board.

The Grantor, Grantor's heirs, executors, administrators, personal or legal representatives,
successors and assigns grants and conveys to the Grantee a development easement and
all of the nonagricultural development rights and credits on the Premises, located in the
Township of Bedminster, County of Somerset described in the attached Schedule A,
incorporated by reference in this Deed of Easement, for and in consideration of the sum of
FOUR MILLION, EIGHT HUNDRED SIXTY FOUR THOUSAND, THREE HUNDRED
SIXTY THREE AND 00/100—(\$4,864,363.00)—Dollars. Any reference in this Deed of
Easement to "Premises" refers to the property described in Schedule A, and, for the
limited purpose of the restrictions contained in Paragraph 13(b), to the tract of land
described in Schedule C -1 (Exception No.2), Schedule C-2 (Exception No.3), Schedule
C-3 (Exception No.4), Schedule C-4 (Exception No.5) and Schedule C-5 (Exception No.6).

The tax map reference for the Premises is:

TOWNSHIP OF BEDMINSTER
Block 52, Lot 6 and Lot 2 (formerly Lots 2, 5 and 7)
Block 54, Lots 3 and 4

WHEREAS, the legislature of the State of New Jersey has declared that the development
of agriculture and the retention of farmlands are important to the present and future
economy of the State and the welfare of the citizens of the State; and

WHEREAS, the Grantor is the sole and exclusive owner of the Premises; and

WHEREAS, the Grantee believes that the retention and preservation of agricultural lands
is beneficial to the public health, safety and welfare of the citizens of Somerset County;

NOW THEREFORE, THE GRANTOR, GRANTOR'S HEIRS, EXECUTORS,
ADMINISTRATORS, PERSONAL OR LEGAL REPRESENTATIVES, SUCCESSORS AND
ASSIGNS PROMISES that the Premises will be owned, used and conveyed subject to,
and not in violation of the following restrictions:

1. Any development of the Premises for nonagricultural purposes is expressly
prohibited.

2. The Premises shall be retained for agricultural use and production in compliance
with N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, and all other rules promulgated by the State
Agriculture Development Committee, (hereinafter Committee). Agricultural use shall mean
the use of the Premises for common farmsite activities including, but not limited to:
production, harvesting, storage, grading, packaging, processing and the wholesale and
retail marketing of crops, plants, animals and other related commodities and the use and
application of techniques and methods of soil preparation and management, fertilization,
weed, disease and pest control, disposal of farm waste, irrigation, drainage and water
management and grazing.

Prepared by:

THOMAS C. MILLER
County Counsel

3. Grantor certifies that at the time of the application to sell the development easement to the Grantee and at the time of the execution of this Deed of Easement the nonagricultural uses indicated on attached Schedule (B) existed on the Premises. All other nonagricultural uses are prohibited except as expressly provided in this Deed of Easement.

4. All nonagricultural uses, if any, existing on the Premises at the time of the landowner's application to the Grantee as set forth in Section 3 above may be continued and any structure may be restored or repaired in the event of partial destruction thereof, subject to the following:

- i. No new structures or the expansion of pre-existing structures for nonagricultural use are permitted;
- ii. No change in the pre-existing nonagricultural use is permitted;
- iii. No expansion of the pre-existing nonagricultural use is permitted; and
- iv. In the event that the Grantor abandons the pre-existing nonagricultural use, the right of the Grantor to continue the use is extinguished.

5. No sand, gravel, loam, rock, or other minerals shall be deposited on or removed from the Premises excepting only those materials required for the agricultural purpose for which the land is being used.

6. No dumping or placing of trash or waste material shall be permitted on the Premises unless expressly recommended by the Committee as an agricultural management practice.

7. No activity shall be permitted on the Premises which would be detrimental to drainage, flood control, water conservation, erosion control, or soil conservation, nor shall any other activity be permitted which would be detrimental to the continued agricultural use of the Premises.

- i. Grantor shall obtain within one year of the date of this Deed of Easement, a farm conservation plan approved by the local soil conservation district.
- ii. Grantor's long-term objectives shall conform with the provisions of the farm conservation plan.
- iii. As required by section 1238I of the Food Security Act of 1985, as amended, the Grantor, his heirs, successors, or assigns, shall conduct all agricultural operations on the Premises in a manner consistent with a conservation plan prepared in consultation with the Natural Resources Conservation Service and approved by the appropriate Conservation District. This conservation plan shall be developed using the standards and specifications of the NRCS Field Office Technical Guide and 7 CFR Part 12 that are in effect on the date this easement was executed. However, the Grantor may develop and implement a conservation plan that proposes a higher level of conservation and is consistent with the NRCS Field Office Technical Guide standards and specifications. NRCS shall have the right to enter upon the Property, with advance notice to the Grantor, to monitor compliance with the conservation plan.

In the event of noncompliance with the conservation plan, NRCS shall work with the Grantor to explore methods of compliance and give the Grantor a reasonable amount of time, not to exceed 12 months, to take corrective action. If the Grantor does not comply with the conservation plan, NRCS will inform the Grantee of the Grantor's noncompliance. The Grantee shall take all reasonable steps (including efforts at securing voluntary compliance and, if necessary, appropriate legal action) to secure compliance with the conservation plan following notification from NRCS that (a) there is a substantial, ongoing event or circumstance of noncompliance with the conservation plan, (b) NRCS has worked with the Grantor to correct such noncompliance, and (c) Grantor has exhausted its appeal rights under applicable NRCS regulations.

If the NRCS standards and specifications for highly erodible lands are revised after the date of this Deed of Easement based on an Act of Congress, NRCS will work cooperatively with the Grantor to develop and implement a revised conservation plan. The provisions of this section apply to the highly erodible land conservation requirements of the Farmland Protection Program and are not intended to affect any other natural resources conservation requirements to which the Grantor may be or become subject.

SOMERSET SURVEYING SERVICES

Professional Land Surveying and Professional Planning

Thomas A. Harris, P.L.S., P.P.

DESCRIPTION OF
ADMINISTRATIVE AUTHORIZATION NUMBER:
PROJECT NAME:
TOWNSHIP OF BEDMINSTER
SOMERSET COUNTY, N.J.
LANDS N/F E.G. ANDERSON, INC.
AGRICULTURE DEVELOPMENT EASEMENT

DATE: DECEMBER 7, 2004
BLOCK 52 LOTS 6 & 7
BLOCK 54 LOTS 3 & 4
BURNT MILLS ROAD &
KLINES MILL ROAD

ALL THAT CERTAIN TRACTS OR PARCELS OF LAND LOCATED AT BURNT MILLS ROAD AND KLINES MILL ROAD IN THE TOWNSHIP OF BEDMINSTER, COUNTY OF SOMERSET, NEW JERSEY AND BEING MORE PARTICULARLY BOUND AND DESCRIBED AS FOLLOWS:

TRACT NO. 1 (LOT 6 BLOCK 52)

BEGINNING AT A STONE MONUMENT (FOUND) BEING THE NORTHWESTERLY CORNER OF LOT 6 BLOCK 52, CORNER TO LOT 7 BLOCK 52, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH-660527.31 FEET AND EAST 448074.49 FEET NAD 83 (1996) SYSTEM, AND FROM SAID BEGINNING POINT AND IN THE SAID BEARING SYSTEM RUNNING; THENCE

- 1) ALONG THE SOUTHEASTERLY LINE OF LOT 7 BLOCK 52, NORTH 62 DEGREES 00 MINUTES 09 SECONDS EAST, PASSING OVER AN IRON PIPE (FOUND) 27.10 FEET FROM THE TERMINUS OF THIS COURSE, A DISTANCE OF 780.38 FEET TO A POINT IN THE CARTWAY OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY) IN THE SOUTHWESTERLY LINE OF LOT 3 BLOCK 54; THENCE
- 2) ALONG THE CARTWAY OF KLINES MILL ROAD (SOUTHWESTERLY LINE OF LOT 3 BLOCK 54), SOUTH 53 DEGREES 27 MINUTES 55 SECONDS EAST, A DISTANCE OF 67.98 FEET TO A POINT IN SAME CORNER TO LOT 4 BLOCK 54; THENCE
- 3) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (THE SOUTHWESTERLY LINE OF LOT 4 BLOCK 54), SOUTH 38 DEGREES 15 MINUTES 31 SECONDS EAST, A DISTANCE OF 861.45 FEET TO A POINT IN SAME; THENCE
- 4) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (THE SOUTHWESTERLY LINE OF LOT 4 BLOCK 54), SOUTH 39 DEGREES 12 MINUTES 19 SECONDS EAST, A DISTANCE OF 252.30 FEET TO A POINT IN SAME; THENCE
- 5) SOUTH 50 DEGREES 35 MINUTES 15 SECONDS WEST, A DISTANCE OF 25.00 FEET TO AN IRON PIN (SET) IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD; THENCE
- 6) ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, SOUTH 39 DEGREES 24 MINUTES 45 SECONDS EAST, A DISTANCE OF 30.00 FEET TO AN IRON PIN (SET) MARKING A POINT OF CURVATURE; THENCE
- 7) SOUTHERLY ON A CURVE TO THE RIGHT CONNECTING THE SAID SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD WITH THE NORTHWESTERLY RIGHT OF WAY LINE OF BURNT MILLS ROAD (COUNTY ROUTE NO. 620) (50 FOOT RIGHT OF WAY), SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 50.29 FEET, A DELTA ANGLE OF 115 DEGREES 15 MINUTES 31 SECONDS, A CHORD BEARING SOUTH 18 DEGREES 12 MINUTES 02 SECONDS WEST AND A CHORD DISTANCE OF 42.23 FEET TO AN IRON PIN (SET) MARKING A POINT OF REVERSE CURVATURE; THENCE

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- 8) ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF BURNT MILLS ROAD, RUNNING PARALLEL 25.00 FEET NORTHWESTERLY OF THE CENTERLINE OF BURNT MILLS ROAD, SOUTHWESTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 625.00 FEET, AN ARC LENGTH OF 473.26 FEET, A DELTA ANGLE OF 43 DEGREES 23 MINUTES 08 SECONDS, A CHORD BEARING SOUTH 54 DEGREES 08 MINUTES 14 SECONDS WEST AND A CHORD DISTANCE OF 462.04 FEET TO AN IRON PIN (SET) IN SAME CORNER TO FRONTAGE ROAD (50 FOOT RIGHT OF WAY) (UNIMPROVED); THENCE
- 9) ALONG THE NORTHERLY RIGHT OF WAY LINE OF FRONTAGE ROAD, WESTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 86.06 FEET, A DELTA ANGLE OF 65 DEGREES 44 MINUTES 53 SECONDS, A CHORD BEARING SOUTH 87 DEGREES 39 MINUTES 36 SECONDS WEST AND A CHORD DISTANCE OF 81.42 FEET TO AN IRON PIN (SET) MARKING A POINT OF REVERSE CURVATURE IN SAME; THENCE
- 10) STILL ALONG THE NORTHERLY RIGHT OF WAY LINE OF FRONTAGE ROAD, WESTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 111.33 FEET, A DELTA ANGLE OF 36 DEGREES 26 MINUTES 56 SECONDS, A CHORD BEARING SOUTH 73 DEGREES 00 MINUTES 38 SECONDS WEST AND A CHORD DISTANCE OF 109.46 FEET TO AN IRON PIN (SET) MARKING A POINT OF TANGENCY IN SAME; THENCE
- 11) STILL ALONG THE NORTHERLY RIGHT OF WAY LINE OF FRONTAGE ROAD, NORTH 88 DEGREES 45 MINUTES 54 SECONDS WEST, A DISTANCE OF 353.62 FEET TO AN IRON PIN (SET) IN THE NORTHEASTERLY LINE OF LOT 7 BLOCK 52; THENCE
- 12) ALONG THE NORTHEASTERLY LINE OF LOT 7 BLOCK 52, NORTH 28 DEGREES 51 MINUTES 51 SECONDS WEST, A DISTANCE OF 1054.62 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 24.7472 ACRES OF LAND MORE OR LESS. (1,077,985.9 SQ.FT. MORE OR LESS)

EXCEPTING THEREOUT AND THEREFROM TRACT NO. 1 THE PROPERTY IN THE RIGHT OF WAY OF KLINE'S MILL ROAD, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CARTWAY OF KLINE'S MILL ROAD (33 FOOT RIGHT OF WAY) BEING A COMMON CORNER OF LOTS 6 AND 7 BLOCK 52 IN THE SOUTHWESTERLY LINE OF LOT 3 BLOCK 54, SAID POINT BEING NORTH 62 DEGREES 00 MINUTES 09 SECONDS EAST, A DISTANCE OF 780.38 FEET FROM A STONE MONUMENT (FOUND) HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660527.31 FEET AND EAST 448074.49 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) ALONG THE CARTWAY OF KLINE'S MILL ROAD (SOUTHWESTERLY LINE OF LOT 3 BLOCK 54), SOUTH 53 DEGREES 27 MINUTES 55 SECONDS EAST, A DISTANCE OF 67.98 FEET TO A POINT IN SAME CORNER TO LOT 4 BLOCK 54; THENCE
- 2) STILL ALONG THE CARTWAY OF KLINE'S MILL ROAD (THE SOUTHWESTERLY LINE OF LOT 4 BLOCK 54), SOUTH 38 DEGREES 15 MINUTES 31 SECONDS EAST, A DISTANCE OF 861.45 FEET TO A POINT IN SAME; THENCE
- 3) STILL ALONG THE CARTWAY OF KLINE'S MILL ROAD (THE SOUTHWESTERLY LINE OF LOT 4 BLOCK 54), SOUTH 39 DEGREES 12 MINUTES 19 SECONDS EAST, A DISTANCE OF 252.30 FEET TO A POINT IN SAME; THENCE

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- 4) SOUTH 50 DEGREES 35 MINUTES 15 SECONDS WEST, A DISTANCE OF 16.50 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD; THENCE

ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET SOUTHWESTERLY FROM THE CENTERLINE OF KLINES MILL ROAD, THE FOLLOWING THREE COURSES,

- 5) NORTH 39 DEGREES 24 MINUTES 45 SECONDS WEST, A DISTANCE OF 704.48 FEET TO AN ANGLE POINT IN SAME; THENCE
- 6) STILL ALONG SAME, NORTH 36 DEGREES 34 MINUTES 31 SECONDS WEST, A DISTANCE OF 378.16 FEET TO AN ANGLE POINT IN SAME; THENCE
- 7) STILL ALONG SAME, NORTH 51 DEGREES 46 MINUTES 28 SECONDS WEST, A DISTANCE OF 104.16 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF LOT 7 BLOCK 52; THENCE
- 8) ALONG THE SOUTHEASTERLY LINE OF LOT 7 BLOCK 52, NORTH 62 DEGREES 00 MINUTES 09 SECONDS EAST, A DISTANCE OF 22.27 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 0.5561 ACRES OF LAND MORE OR LESS. (24,221.7 SQ.FT. MORE OR LESS)

EXCEPTING THEREOUT AND THEREFROM TRACT NO. 1 A PARCEL OF LAND BEING KNOWN AS "EXCEPTION NO. 4", BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WITHIN LOT 6 BLOCK 52, BEING SOUTH 45 DEGREES 34 MINUTES 09 SECONDS EAST, A DISTANCE OF 185.02 FEET FROM A STONE MONUMENT (FOUND) BEING THE NORTHWESTERLY CORNER OF LOT 6 BLOCK 52, CORNER TO LOT 7 BLOCK 52, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660527.31 FEET AND EAST 448074.49 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) NORTH 16 DEGREES 34 MINUTES 09 SECONDS EAST, A DISTANCE OF 230.86 FEET TO A POINT; THENCE
- 2) NORTH 62 DEGREES 00 MINUTES 09 SECONDS EAST, A DISTANCE OF 407.10 FEET TO A POINT; THENCE
- 3) SOUTH 27 DEGREES 59 MINUTES 51 SECONDS EAST, A DISTANCE OF 147.00 FEET TO A POINT; THENCE
- 4) SOUTH 01 DEGREES 14 MINUTES 44 SECONDS EAST, A DISTANCE OF 147.15 FEET TO A POINT; THENCE
- 5) SOUTH 36 DEGREES 34 MINUTES 31 SECONDS EAST, A DISTANCE OF 138.08 FEET TO A POINT; THENCE
- 6) SOUTH 79 DEGREES 48 MINUTES 21 SECONDS EAST, A DISTANCE OF 71.14 FEET TO A POINT; THENCE
- 7) NORTH 65 DEGREES 44 MINUTES 06 SECONDS EAST, A DISTANCE OF 111.61 FEET TO A POINT; THENCE
- 8) NORTH 54 DEGREES 27 MINUTES 00 SECONDS EAST, A DISTANCE OF 110.00 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY); THENCE

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- 9) ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET SOUTHWESTERLY OF THE CENTERLINE OF KLINES MILL ROAD. SOUTH 36 DEGREES 34 MINUTES 31 SECONDS EAST, A DISTANCE OF 5.69 FEET TO AN ANGLE POINT IN SAME; THENCE
- 10) STILL ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET SOUTHWESTERLY OF THE CENTERLINE OF KLINES MILL ROAD. SOUTH 39 DEGREES 24 MINUTES 45 SECONDS EAST. A DISTANCE OF 44.35 FEET TO A POINT IN SAME; THENCE
- 11) SOUTH 59 DEGREES 28 MINUTES 07 SECONDS WEST, A DISTANCE OF 113.53 FEET TO A POINT; THENCE
- 12) SOUTH 64 DEGREES 41 MINUTES 36 SECONDS WEST, A DISTANCE OF 160.14 FEET TO A POINT; THENCE
- 13) SOUTH 36 DEGREES 34 MINUTES 31 SECONDS EAST, A DISTANCE OF 23.75 FEET TO A POINT; THENCE
- 14) NORTH 82 DEGREES 23 MINUTES 08 SECONDS EAST, A DISTANCE OF 253.95 FEET TO A POINT; THENCE
- 15) SOUTH 39 DEGREES 24 MINUTES 45 SECONDS EAST. A DISTANCE OF 82.55 FEET TO A POINT; THENCE
- 16) SOUTH 01 DEGREES 48 MINUTES 46 SECONDS EAST, A DISTANCE OF 220.49 FEET TO A POINT; THENCE
- 17) SOUTH 33 DEGREES 29 MINUTES 16 SECONDS WEST, A DISTANCE OF 70.62 FEET TO A POINT; THENCE
- 18) SOUTH 08 DEGREES 28 MINUTES 36 SECONDS EAST, A DISTANCE OF 83.19 FEET TO A POINT; THENCE
- 19) SOUTH 58 DEGREES 40 MINUTES 04 SECONDS EAST, A DISTANCE OF 44.59 FEET TO A POINT; THENCE
- 20) SOUTH 02 DEGREES 35 MINUTES 10 SECONDS EAST, A DISTANCE OF 157.62 FEET TO A POINT; THENCE
- 21) SOUTH 81 DEGREES 31 MINUTES 24 SECONDS WEST, A DISTANCE OF 125.87 FEET TO A POINT; THENCE
- 22) NORTH 09 DEGREES 10 MINUTES 32 SECONDS WEST, A DISTANCE OF 118.63 FEET TO A POINT; THENCE
- 23) SOUTH 87 DEGREES 13 MINUTES 43 SECONDS WEST. A DISTANCE OF 26.99 FEET TO A POINT; THENCE
- 24) NORTH 07 DEGREES 38 MINUTES 00 SECONDS WEST, A DISTANCE OF 88.48 FEET TO A POINT; THENCE
- 25) SOUTH 67 DEGREES 53 MINUTES 31 SECONDS WEST. A DISTANCE OF 137.10 FEET TO A POINT; THENCE
- 26) SOUTH 86 DEGREES 15 MINUTES 18 SECONDS WEST. A DISTANCE OF 18.08 FEET TO A POINT; THENCE

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- 27) NORTH 02 DEGREES 46 MINUTES 17 SECONDS WEST, A DISTANCE OF 318.16 FEET TO A POINT; THENCE
- 28) SOUTH 87 DEGREES 13 MINUTES 43 SECONDS WEST, A DISTANCE OF 166.43 FEET TO A POINT; THENCE
- 29) SOUTH 83 DEGREES 11 MINUTES 48 SECONDS WEST, A DISTANCE OF 235.70 FEET TO A POINT; THENCE
- 30) NORTH 74 DEGREES 59 MINUTES 55 SECONDS WEST, A DISTANCE OF 177.26 FEET TO A POINT; THENCE
- 31) NORTH 18 DEGREES 52 MINUTES 22 SECONDS WEST, A DISTANCE OF 184.59 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 10.0888 ACRES OF LAND MORE OR LESS. (439,469.7 SQ.FT. MORE OR LESS)

TRACT NO. 2 (LOT 7 BLOCK 52)

(OLD LOTS 2, 5 AND 7 BLOCK 52, CONSOLIDATED PER DEED BOOK 5233 PAGE 66 AND DEED BOOK 5424 PAGE 3855)

BEGINNING AT A STONE MONUMENT (FOUND) BEING THE NORTHWESTERLY CORNER OF LOT 6 BLOCK 52, CORNER TO LOT 7 BLOCK 52, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660527.31 FEET AND EAST 448074.49 FEET NAD 83 (1996) SYSTEM, AND FROM SAID BEGINNING POINT AND IN THE SAID BEARING SYSTEM RUNNING; THENCE

- 1) ALONG THE SOUTHWESTERLY LINE OF LOT 6 BLOCK 52 AND THE SOUTHWESTERLY TERMINUS OF FRONTAGE ROAD (50 FOOT RIGHT OF WAY) (UNIMPROVED), SOUTH 28 DEGREES 51 MINUTES 51 SECONDS EAST, PASSING OVER AN IRON PIN (SET) 57.79 FEET FROM THE TERMINUS OF THIS COURSE, A DISTANCE OF 1112.41 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY LINE OF NEW JERSEY STATE HIGHWAY INTERSTATE ROUTE NO. 78 (VARIABLE RIGHT OF WAY)
- 2) ALONG THE NORTHERLY RIGHT OF WAY LINE OF NEW JERSEY STATE HIGHWAY INTERSTATE ROUTE NO. 78, NORTH 88 DEGREES 45 MINUTES 54 SECONDS WEST, A DISTANCE OF 229.14 FEET TO A CONCRETE MONUMENT (FOUND) MARKING AN ANGLE POINT IN SAME, SAID MONUMENT BEING NORTHERLY 177 FEET MEASURED AT A RIGHT ANGLE FROM HIGHWAY BASELINE STATION 701+00; THENCE
- 3) STILL ALONG THE NORTHERLY RIGHT OF WAY LINE OF NEW JERSEY STATE HIGHWAY INTERSTATE ROUTE NO. 78, NORTH 86 DEGREES 03 MINUTES 47 SECONDS WEST, A DISTANCE OF 950.38 FEET TO A CONCRETE MONUMENT (FOUND) MARKING AN ANGLE POINT IN SAME, SAID MONUMENT BEING NORTHERLY 150 FEET MEASURED AT A RIGHT ANGLE FROM HIGHWAY BASELINE STATION 691+50; THENCE
- 4) STILL ALONG THE NORTHERLY RIGHT OF WAY LINE OF NEW JERSEY STATE HIGHWAY INTERSTATE ROUTE NO. 78, NORTH 84 DEGREES 26 MINUTES 16 SECONDS WEST, A DISTANCE OF 37.42 FEET TO A POINT IN SAME, SAID POINT BEING SOUTH 84 DEGREES 26 MINUTES 16 SECONDS EAST, A DISTANCE OF 5.15 FEET FROM AN IRON PIPE (FOUND), SAID IRON PIPE MARKING THE SOUTHEASTERLY CORNER OF LOT 4 BLOCK 52 (LANDS NOW OR FORMERLY OF MALCOLM S. AND SABINA C. FORBES, JR., H/W, RECORDED IN DEED BOOK 1520 PAGE 479); THENCE
- 5) NORTH 05 DEGREES 52 MINUTES 11 SECONDS WEST, A DISTANCE OF 598.67 FEET TO AN IRON PIN (SET); THENCE

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- 6) NORTH 75 DEGREES 44 MINUTES 29 SECONDS WEST, A DISTANCE OF 919.60 FEET TO AN IRON PIN (SET) CORNER TO LOT 1 BLOCK 52 (LANDS NOW OR FORMERLY OF WILLIAM AND JOAN E. SCHER, H/W, RECORDED IN DEED BOOK 1415 PAGE 250), SAID POINT BEING NORTH 06 DEGREES 13 MINUTES 05 SECONDS WEST, A DISTANCE OF 56.40 FEET FROM AN AXLE (FOUND) BEING A COMMON CORNER OF LOTS 1 AND 4 BLOCK 52; THENCE
- 7) ALONG THE SOUTHEASTERLY LINE OF LOT 1 BLOCK 52, NORTH 25 DEGREES 26 MINUTES 55 SECONDS EAST, A DISTANCE OF 1451.82 FEET TO A BENT IRON PIPE (FOUND) CORNER TO SAME; THENCE
- 8) ALONG THE SOUTHWESTERLY LINE OF LOT 1 BLOCK 52, SOUTH 62 DEGREES 05 MINUTES 05 SECONDS EAST, A DISTANCE OF 165.94 FEET TO A STONE MONUMENT (FOUND) CORNER TO SAME, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 661682.10 FEET AND EAST 447215.08 FEET NAD 83 (1996) SYSTEM; THENCE
- 9) ALONG THE SOUTHEASTERLY LINE OF LOT 1 BLOCK 52, NORTH 16 DEGREES 23 MINUTES 35 SECONDS EAST, A DISTANCE OF 867.87 FEET TO A BASE OF BROKEN STONE MONUMENT (FOUND) MARKING AN ANGLE POINT IN SAME; THENCE
- 10) STILL ALONG THE SOUTHEASTERLY LINE OF LOT 1 BLOCK 52, NORTH 04 DEGREES 30 MINUTES 35 SECONDS EAST, PASSING OVER A BENT IRON PIPE (FOUND) 24.72 FEET FROM THE TERMINUS OF THIS COURSE, A DISTANCE OF 624.68 FEET TO A POINT IN THE CENTERLINE OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY) BEING THE SOUTHWESTERLY LINE OF LOT 3 BLOCK 54; THENCE
- 11) ALONG THE CENTERLINE OF KLINES MILL ROAD (SOUTHWESTERLY LINE OF LOT 3 BLOCK 54), SOUTH 37 DEGREES 21 MINUTES 43 SECONDS EAST, A DISTANCE OF 820.01 FEET TO A POINT IN SAME; THENCE
- 12) ALONG THE SOUTHWESTERLY LINE OF LOT 3 BLOCK 54, SOUTH 29 DEGREES 00 MINUTES 59 SECONDS EAST, A DISTANCE OF 108.29 FEET TO A POINT NEAR THE EASTERLY SIDE OF THE CARTWAY OF KLINES MILL ROAD; THENCE
- 13) ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHWESTERLY LINE OF LOT 3 BLOCK 54, SOUTH 13 DEGREES 17 MINUTES 05 SECONDS WEST, A DISTANCE OF 974.05 FEET TO A POINT NEAR THE WESTERLY SIDE OF SAID CARTWAY; THENCE
- 14) ALONG THE CARTWAY OF KLINES MILL ROAD (SOUTHWESTERLY LINE OF LOT 3 BLOCK 54), SOUTH 61 DEGREES 29 MINUTES 25 SECONDS EAST, A DISTANCE OF 795.55 FEET TO A POINT NEAR THE EASTERLY SIDE OF SAID CARTWAY; THENCE
- 15) ALONG THE CARTWAY OF KLINES MILL ROAD (SOUTHWESTERLY LINE OF LOT 3 BLOCK 54), SOUTH 53 DEGREES 27 MINUTES 55 SECONDS EAST, A DISTANCE OF 285.12 FEET TO A POINT IN SAME CORNER TO LOT 6 BLOCK 52; THENCE
- 16) ALONG THE NORTHWESTERLY LINE OF LOT 6 BLOCK 52, SOUTH 62 DEGREES 00 MINUTES 09 SECONDS WEST, PASSING OVER AN IRON PIPE (FOUND) 27.10 FEET FROM THE BEGINNING OF THIS COURSE, A DISTANCE OF 780.38 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 81.1275 ACRES OF LAND MORE OR LESS. (3,533,915.5 SQ.FT. MORE OR LESS)

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EXCEPTING THEREOUT AND THEREFROM TRACT NO. 2 THE PROPERTY IN THE RIGHT OF WAY OF KLINES MILL ROAD, BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CARTWAY OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY) BEING A COMMON CORNER OF LOTS 6 AND 7 BLOCK 52 IN THE SOUTHWESTERLY LINE OF LOT 3 BLOCK 54. SAID POINT BEING NORTH 62 DEGREES 00 MINUTES 09 SECONDS EAST, A DISTANCE OF 780.38 FEET FROM A STONE MONUMENT (FOUND) HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660527.31 FEET AND EAST 448074.49 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) ALONG THE NORTHWESTERLY LINE OF LOT 6 BLOCK 52, SOUTH 62 DEGREES 00 MINUTES 09 SECONDS WEST, A DISTANCE OF 22.27 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD; THENCE

ALONG THE SOUTHWESTERLY AND NORTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET SOUTHWESTERLY FROM THE CENTERLINE OF KLINES MILL ROAD, THE FOLLOWING SIX COURSES:

- 2) NORTH 51 DEGREES 46 MINUTES 28 SECONDS WEST, A DISTANCE OF 190.91 FEET TO AN ANGLE POINT IN SAME; THENCE
- 3) STILL ALONG SAME, NORTH 59 DEGREES 53 MINUTES 37 SECONDS WEST, A DISTANCE OF 577.58 FEET TO AN ANGLE POINT IN SAME; THENCE
- 4) STILL ALONG SAME, NORTH 64 DEGREES 17 MINUTES 15 SECONDS WEST, A DISTANCE OF 313.82 FEET TO AN ANGLE POINT; THENCE
- 5) ALONG THE NORTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, NORTH 13 DEGREES 29 MINUTES 43 SECONDS EAST, A DISTANCE OF 919.81 FEET TO A POINT OF CURVATURE IN SAME; THENCE
- 6) STILL ALONG SAME, NORTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 183.50 FEET, AN ARC LENGTH OF 162.88 FEET, A DELTA ANGLE OF 50 DEGREES 51 MINUTES 26 SECONDS, A CHORD BEARING NORTH 11 DEGREES 56 MINUTES 00 SECONDS WEST AND A CHORD DISTANCE OF 157.58 FEET TO A POINT OF TANGENCY IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD; THENCE
- 7) ALONG SAME, NORTH 37 DEGREES 21 MINUTES 43 SECONDS WEST, A DISTANCE OF 801.60 FEET TO A BENT IRON PIPE (FOUND) IN SAME IN THE SOUTHEASTERLY LINE OF LOT 1 BLOCK 52 (LANDS NOW OR FORMERLY OF WILLIAM AND JOAN E. SCHER, H/W, RECORDED IN DEED BOOK 1415 PAGE 250); THENCE
- 8) ALONG THE SOUTHEASTERLY LINE OF LOT 1 BLOCK 52, NORTH 04 DEGREES 30 MINUTES 35 SECONDS EAST, A DISTANCE OF 24.72 FEET TO A POINT IN THE CENTERLINE OF KLINES MILL ROAD, BEING THE SOUTHWESTERLY LINE OF LOT 3 BLOCK 54; THENCE
- 9) ALONG THE CENTERLINE OF KLINES MILL ROAD (SOUTHWESTERLY LINE OF LOT 3 BLOCK 54), SOUTH 37 DEGREES 21 MINUTES 43 SECONDS EAST, A DISTANCE OF 820.01 FEET TO A POINT IN SAME; THENCE
- 10) ALONG THE SOUTHWESTERLY LINE OF LOT 3 BLOCK 54, SOUTH 29 DEGREES 00 MINUTES 59 SECONDS EAST, A DISTANCE OF 108.29 FEET TO A POINT NEAR THE EASTERLY SIDE OF THE CARTWAY OF KLINES MILL ROAD; THENCE

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- 11) ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHWESTERLY LINE OF LOT 3 BLOCK 54, SOUTH 13 DEGREES 17 MINUTES 05 SECONDS WEST, A DISTANCE OF 974.05 FEET TO A POINT NEAR THE WESTERLY SIDE OF SAID CARTWAY; THENCE
- 12) ALONG THE CARTWAY OF KLINES MILL ROAD (SOUTHWESTERLY LINE OF LOT 3 BLOCK 54), SOUTH 61 DEGREES 29 MINUTES 25 SECONDS EAST, A DISTANCE OF 795.55 FEET TO A POINT NEAR THE EASTERLY SIDE OF SAID CARTWAY; THENCE
- 13) ALONG THE CARTWAY OF KLINES MILL ROAD (SOUTHWESTERLY LINE OF LOT 3 BLOCK 54), SOUTH 53 DEGREES 27 MINUTES 55 SECONDS EAST, A DISTANCE OF 285.12 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 1.1869 ACRES OF LAND MORE OR LESS. (51,702.7 SQ.FT. MORE OR LESS)

EXCEPTING THEREOUT AND THEREFROM TRACT NO. 2 A PARCEL OF LAND BEING KNOWN AS "EXCEPTION NO. 6", BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WITHIN LOT 7 BLOCK 52, BEING NORTH 46 DEGREES 17 MINUTES 06 SECONDS EAST, A DISTANCE OF 514.82 FEET FROM A STONE MONUMENT (FOUND) MARKING THE NORTHWESTERLY CORNER OF LOT 6 BLOCK 52, CORNER TO LOT 7 BLOCK 52, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660527.31 FEET AND EAST 448074.49 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) NORTH 28 DEGREES 07 MINUTES 15 SECONDS EAST, A DISTANCE OF 155.00 FEET TO A POINT; THENCE
- 2) SOUTH 59 DEGREES 06 MINUTES 55 SECONDS EAST, A DISTANCE OF 145.17 FEET TO A POINT; THENCE
- 3) SOUTH 28 DEGREES 07 MINUTES 15 SECONDS WEST, A DISTANCE OF 148.00 FEET TO A POINT; THENCE
- 4) NORTH 61 DEGREES 52 MINUTES 45 SECONDS WEST, A DISTANCE OF 145.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 0.5043 ACRES OF LAND MORE OR LESS. (21,967.5 SQ.FT. MORE OR LESS)

TRACT NO. 3 (LOT 3 BLOCK 54)

BEGINNING AT A STONE MONUMENT (FOUND) BEING THE NORTHWESTERLY CORNER OF LOT 4 BLOCK 54, CORNER TO LOT 3 BLOCK 54, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 662546.03 FEET AND EAST 448932.33 FEET NAD 83 (1996) SYSTEM, AND FROM SAID BEGINNING POINT AND IN THE SAID BEARING SYSTEM RUNNING; THENCE

- 1) ALONG THE WESTERLY LINE OF LOT 4 BLOCK 54, SOUTH 03 DEGREES 53 MINUTES 26 SECONDS EAST, A DISTANCE OF 1662.04 FEET TO A STONE MONUMENT (FOUND) CORNER TO SAME, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660887.99 FEET AND EAST 449045.09 FEET NAD 83 (1996) SYSTEM; THENCE
- 2) ALONG THE NORTHERLY LINE OF LOT 4 BLOCK 54, SOUTH 81 DEGREES 16 MINUTES 28 SECONDS WEST, PASSING OVER A STONE MONUMENT (FOUND) 29.71 FEET FROM THE TERMINUS OF THIS COURSE, A DISTANCE OF 229.68 FEET TO A POINT IN THE CARTWAY OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY), BEING THE NORTHEASTERLY LINE OF LOT 6 BLOCK 52; THENCE

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- 3) ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOTS 6 AND 7 BLOCK 52), NORTH 53 DEGREES 27 MINUTES 55 SECONDS WEST, A DISTANCE OF 353.10 FEET TO A POINT NEAR THE EASTERLY SIDE OF SAID CARTWAY; THENCE
- 4) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 7 BLOCK 52), NORTH 61 DEGREES 29 MINUTES 25 SECONDS WEST, A DISTANCE OF 795.55 FEET TO A POINT NEAR THE WESTERLY SIDE OF SAID CARTWAY; THENCE
- 5) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (SOUTHEASTERLY LINE OF LOT 7 BLOCK 52), NORTH 13 DEGREES 17 MINUTES 05 SECONDS EAST, A DISTANCE OF 974.05 FEET TO A POINT NEAR THE EASTERLY SIDE OF SAID CARTWAY; THENCE
- 6) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 7 BLOCK 52), NORTH 29 DEGREES 00 MINUTES 59 SECONDS WEST, A DISTANCE OF 108.29 FEET TO A POINT IN THE CENTERLINE OF KLINES MILL ROAD; THENCE
- 7) ALONG THE CENTERLINE OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 7 BLOCK 52) NORTH 37 DEGREES 21 MINUTES 43 SECONDS WEST, A DISTANCE OF 820.01 FEET TO A POINT IN SAME CORNER TO LOT 1 BLOCK 52 (LANDS NOW OR FORMERLY OF WILLIAM AND JOAN E. SCHER, H/W, RECORDED IN DEED BOOK 1415 PAGE 250); THENCE
- 8) ALONG THE CENTERLINE OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 1 BLOCK 52), NORTH 37 DEGREES 10 MINUTES 05 SECONDS WEST, A DISTANCE OF 145.04 FEET TO A POINT IN SAME NEAR THE END OF KLINES MILL ROAD (NEAR THE SOUTHEASTERLY HEADWALL OF A FORMER BRIDGE CROSSING THE NORTH BRANCH OF THE RARITAN RIVER); THENCE
- 9) NORTH 66 DEGREES 26 MINUTES 07 SECONDS EAST, PASSING OVER AN IRON PIN (SET) 16.98 FEET FROM THE BEGINNING OF THIS COURSE, A DISTANCE OF 183.51 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER; THENCE
- 10) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 44 DEGREES 10 MINUTES 17 SECONDS EAST, A DISTANCE OF 215.70 FEET TO A POINT NEAR THE SOUTHEASTERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER; THENCE
- 11) ALONG THE SOUTHEASTERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 56 DEGREES 19 MINUTES 47 SECONDS EAST, A DISTANCE OF 250.40 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER, SAID POINT BEING THE TERMINUS OF COURSE NO. 35 AS DESCRIBED IN DEED BOOK 981 PAGE 315 ELIZABETH HUMMEL TO CLARA M. CONNELL, SAID POINT ALSO BEING SOUTH 48 DEGREES 28 MINUTES 42 SECONDS EAST, A DISTANCE OF 67.87 FEET FROM AN IRON PIN (FOUND); THENCE
- 12) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 89 DEGREES 18 MINUTES 47 SECONDS EAST, A DISTANCE OF 217.12 FEET TO A POINT NEAR THE NORTHERLY SIDE OF SAME, SAID POINT BEING SOUTH 48 DEGREES 33 MINUTES 44 SECONDS EAST, A DISTANCE OF 68.07 FEET FROM AN IRON PIN (FOUND); THENCE
- 13) STILL ALONG SAME, NORTH 71 DEGREES 04 MINUTES 47 SECONDS EAST, A DISTANCE OF 102.55 FEET TO A POINT NEAR SAME, SAID POINT BEING SOUTH 48 DEGREES 33 MINUTES 44 SECONDS, A DISTANCE OF 68.07 FEET FROM AN IRON PIN (FOUND); THENCE

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- 14) ALONG THE NORTHERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER, SOUTH 63 DEGREES 57 MINUTES 13 SECONDS EAST, A DISTANCE OF 151.47 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER, SAID POINT BEING SOUTH 48 DEGREES 08 MINUTES 52 SECONDS EAST, A DISTANCE OF 68.32 FEET FROM AN IRON PIN (FOUND); THENCE
 - 15) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, SOUTH 78 DEGREES 48 MINUTES 13 SECONDS EAST, A DISTANCE OF 295.04 FEET TO A POINT IN SAME, SAID POINT BEING SOUTH 48 DEGREES 27 MINUTES 05 SECONDS EAST, A DISTANCE OF 68.18 FEET FROM AN IRON PIN (FOUND); THENCE
 - 16) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 54 DEGREES 29 MINUTES 17 SECONDS EAST, A DISTANCE OF 303.05 FEET TO A POINT IN SAME; THENCE
 - 17) TO AND ALONG THE OLD RIVER, NORTH 12 DEGREES 19 MINUTES 50 SECONDS EAST, A DISTANCE OF 210.70 FEET TO AN IRON PIN (FOUND) IN SAME; THENCE
 - 18) STILL ALONG THE OLD RIVER, NORTH 52 DEGREES 02 MINUTES 52 SECONDS EAST, A DISTANCE OF 70.61 FEET TO A POINT IN SAME; THENCE
 - 19) STILL ALONG THE OLD RIVER, NORTH 71 DEGREES 20 MINUTES 52 SECONDS EAST, A DISTANCE OF 47.17 FEET TO A POINT IN SAME; THENCE
 - 20) STILL ALONG THE OLD RIVER, SOUTH 55 DEGREES 36 MINUTES 08 SECONDS EAST, A DISTANCE OF 69.64 FEET TO A POINT IN SAME; THENCE
 - 21) STILL ALONG THE OLD RIVER, SOUTH 76 DEGREES 38 MINUTES 08 SECONDS EAST, A DISTANCE OF 105.00 FEET TO A POINT IN SAME; THENCE
 - 22) STILL ALONG THE OLD RIVER, NORTH 50 DEGREES 21 MINUTES 52 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A POINT IN SAME; THENCE
 - 23) SOUTH 64 DEGREES 45 MINUTES 08 SECONDS EAST, A DISTANCE OF 120.91 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER; THENCE
 - 24) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 25 DEGREES 44 MINUTES 53 SECONDS EAST, A DISTANCE OF 262.09 FEET TO A POINT IN SAME, SAID POINT MARKING THE TERMINUS OF COURSE NO. 22 AS DESCRIBED IN DEED BOOK 981 PAGE 315, ELIZABETH HUMMEL TO CLARA M. CONNELL; THENCE
- ALONG THE NORTH BRANCH OF THE RARITAN RIVER (SOUTHEASTERLY LINE OF LOTS 1.02 AND 2 BLOCK 53), THE FOLLOWING FOUR COURSES:
- 25) NORTH 57 DEGREES 03 MINUTES 02 SECONDS EAST, A DISTANCE OF 517.46 FEET TO A POINT IN SAME; THENCE
 - 26) NORTH 61 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 257.40 FEET TO A POINT IN SAME; THENCE
 - 27) NORTH 31 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 333.96 FEET TO A POINT IN SAME; THENCE
 - 28) NORTH 74 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 95.68 FEET TO A POINT IN SAME CORNER TO LOT 10 BLOCK 54 (LANDS NOW OR FORMERLY OF THE TOWNSHIP OF BEDMINSTER, RECORDED IN DEED BOOK 5340 PAGE 3333), SAID POINT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 664818.99 FEET AND EAST 450406.26 FEET NAD 83 (1996) SYSTEM; THENCE

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- 29) ALONG THE WESTERLY LINE OF LOT 10 BLOCK 54, SOUTH 04 DEGREES 12 MINUTES 12 SECONDS EAST, PASSING OVER A CONCRETE MONUMENT (FOUND) 0.35 FEET FROM THE BEGINNING OF THIS COURSE. A DISTANCE OF 2081.21 FEET TO A POINT CORNER TO LOT 4 BLOCK 54, SAID POINT BEING NORTH 28 DEGREES 25 MINUTES 28 SECONDS WEST, A DISTANCE OF 0.20 FEET FROM AN IRON PIPE (FOUND); THENCE
- 30) ALONG THE NORTHERLY LINE OF LOT 4 BLOCK 54, SOUTH 83 DEGREES 04 MINUTES 29 SECONDS WEST, A DISTANCE OF 1638.57 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 122.8527 ACRES OF LAND MORE OR LESS. (5,351,464.3 SQ.FT. MORE OR LESS)

EXCEPTING THEREOUT AND THEREFROM TRACT NO. 3 THE PROPERTY IN THE RIGHT OF WAY OF KLINES MILL ROAD, BEING DESCRIBED AS FOLLOWS

BEGINNING AT A POINT IN THE CARTWAY OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY) BEING A COMMON CORNER OF LOTS 3 AND 4 BLOCK 54 AND LOT 6 BLOCK 52, SAID POINT BEING SOUTH 81 DEGREES 16 MINUTES 28 SECONDS WEST, A DISTANCE OF 229.68 FEET FROM A STONE MONUMENT (FOUND) BEING A COMMON CORNER OF LOTS 3 AND 4 BLOCK 54, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660887.99 FEET AND EAST 449045.09 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) ALONG THE CARTWAY OF KLINES MILL ROAD (BEING THE NORTHEASTERLY LINE OF LOTS 6 AND 7 BLOCK 52), NORTH 53 DEGREES 27 MINUTES 55 SECONDS WEST, A DISTANCE OF 353.10 FEET TO A POINT NEAR THE EASTERLY SIDE OF SAID CARTWAY; THENCE
- 2) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 7 BLOCK 52), NORTH 61 DEGREES 29 MINUTES 25 SECONDS WEST, A DISTANCE OF 795.55 FEET TO A POINT NEAR THE WESTERLY SIDE OF SAID CARTWAY; THENCE
- 3) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (SOUTHEASTERLY LINE OF LOT 7 BLOCK 52), NORTH 13 DEGREES 17 MINUTES 05 SECONDS EAST, A DISTANCE OF 974.05 FEET TO A POINT NEAR THE EASTERLY SIDE OF SAID CARTWAY; THENCE
- 4) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 7 BLOCK 52), NORTH 29 DEGREES 00 MINUTES 59 SECONDS WEST, A DISTANCE OF 108.29 FEET TO A POINT IN THE CENTERLINE OF KLINES MILL ROAD; THENCE
- 5) ALONG THE CENTERLINE OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 7 BLOCK 52) NORTH 37 DEGREES 21 MINUTES 43 SECONDS WEST, A DISTANCE OF 820.01 FEET TO A POINT IN SAME CORNER TO LOT 1 BLOCK 52 (LANDS NOW OR FORMERLY OF WILLIAM AND JOAN E. SCHER, H/W, RECORDED IN DEED BOOK 1415 PAGE 250); THENCE
- 6) ALONG THE CENTERLINE OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 1 BLOCK 52), NORTH 37 DEGREES 10 MINUTES 05 SECONDS WEST, A DISTANCE OF 145.04 FEET TO A POINT IN SAME NEAR THE END OF KLINES MILL ROAD (NEAR THE SOUTHEASTERLY HEADWALL OF A FORMER BRIDGE CROSSING THE NORTH BRANCH OF THE RARITAN RIVER); THENCE
- 7) NORTH 66 DEGREES 26 MINUTES 07 SECONDS EAST, A DISTANCE OF 16.98 FEET TO AN IRON PIN (SET) IN NORTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD; THENCE

ALONG THE NORTHEASTERLY AND SOUTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET NORTHEASTERLY FROM THE CENTERLINE OF KLINES MILL ROAD, THE FOLLOWING EIGHT COURSES

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- 8) SOUTH 37 DEGREES 10 MINUTES 05 SECONDS EAST, A DISTANCE OF 141.02 FEET TO AN ANGLE POINT IN SAME; THENCE
- 9) STILL ALONG SAME, SOUTH 37 DEGREES 21 MINUTES 43 SECONDS EAST, A DISTANCE OF 819.98 FEET TO A POINT OF CURVATURE IN SAME; THENCE
- 10) SOUTHERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 216.50 FEET, AN ARC LENGTH OF 192.17 FEET, A DELTA ANGLE OF 50 DEGREES 51 MINUTES 26 SECONDS, A CHORD BEARING SOUTH 11 DEGREES 56 MINUTES 00 SECONDS EAST AND A CHORD DISTANCE OF 185.92 FEET TO A POINT OF TANGENCY IN THE SOUTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD; THENCE
- 11) ALONG SAME, SOUTH 13 DEGREES 29 MINUTES 43 SECONDS WEST, A DISTANCE OF 837.93 FEET TO A POINT OF CURVATURE IN SAME; THENCE
- 12) STILL ALONG SAME, SOUTHERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 68.50 FEET, AN ARC LENGTH OF 92.99 FEET, A DELTA ANGLE OF 77 DEGREES 46 MINUTES 57 SECONDS, A CHORD BEARING SOUTH 25 DEGREES 23 MINUTES 46 SECONDS EAST AND A CHORD DISTANCE OF 86.01 FEET TO A POINT OF TANGENCY IN THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD; THENCE
- 13) ALONG SAME, SOUTH 64 DEGREES 17 MINUTES 15 SECONDS EAST, A DISTANCE OF 233.21 FEET TO AN ANGLE POINT IN SAME; THENCE
- 14) STILL ALONG SAME, SOUTH 59 DEGREES 53 MINUTES 37 SECONDS EAST, A DISTANCE OF 581.19 FEET TO AN ANGLE POINT IN SAME; THENCE
- 15) STILL ALONG SAME, SOUTH 51 DEGREES 46 MINUTES 28 SECONDS EAST, A DISTANCE OF 280.10 FEET TO A POINT IN THE NORTHERLY LINE OF LOT 4 BLOCK 54; THENCE
- 16) ALONG THE NORTHERLY LINE OF LOT 4 BLOCK 54, SOUTH 81 DEGREES 16 MINUTES 28 SECONDS WEST, A DISTANCE OF 14.52 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 1.1566 ACRES OF LAND MORE OR LESS. (50,380.7 SQ.FT. MORE OR LESS)

EXCEPTING THEREOUT AND THEREFROM TRACT NO. 3 A PARCEL OF LAND BEING KNOWN AS "EXCEPTION NO. 2", BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WITHIN LOT 3 BLOCK 54, BEING NORTH 51 DEGREES 56 MINUTES 32 SECONDS WEST, A DISTANCE OF 931.75 FEET FROM A STONE MONUMENT (FOUND) MARKING THE NORTHWESTERLY CORNER OF LOT 4 BLOCK 54, CORNER TO LOT 3 BLOCK 54, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 662546.03 FEET AND EAST 448932.33 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) SOUTH 86 DEGREES 52 MINUTES 34 SECONDS WEST, A DISTANCE OF 125.00 FEET TO A POINT; THENCE
- 2) NORTH 03 DEGREES 07 MINUTES 26 SECONDS WEST, A DISTANCE OF 140.00 FEET TO A POINT; THENCE
- 3) NORTH 86 DEGREES 52 MINUTES 34 SECONDS EAST, A DISTANCE OF 125.00 FEET TO A POINT; THENCE
- 4) SOUTH 03 DEGREES 07 MINUTES 26 SECONDS EAST, A DISTANCE OF 140.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 0.4017 ACRES OF LAND MORE OR LESS. (17,500.0 SQ.FT. MORE OR LESS)

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EXCEPTING THEREOUT AND THEREFROM TRACT NO.3 A PARCEL OF LAND BEING KNOWN AS "EXCEPTION NO.3". BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT CORNER TO LOT 10 BLOCK 54 (LANDS NOW OF FORMERLY OF THE TOWNSHIP OF BEDMINSTER, RECORDED IN DEED BOOK 5340 PAGE 3333), SAID POINT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 664818.99 FEET AND EAST 450406.26 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) ALONG THE WESTERLY LINE OF LOT 10 BLOCK 54, SOUTH 04 DEGREES 12 MINUTES 12 SECONDS EAST, PASSING OVER A CONCRETE MONUMENT (FOUND) 0.35 FEET FROM THE BEGINNING OF THIS COURSE, A DISTANCE OF 246.52 FEET TO A POINT IN SAME; THENCE
- 2) SOUTH 31 DEGREES 38 MINUTES 58 SECONDS WEST, A DISTANCE OF 213.21 FEET TO A POINT; THENCE
- 3) SOUTH 46 DEGREES 31 MINUTES 25 SECONDS WEST, A DISTANCE OF 286.30 FEET TO A POINT; THENCE
- 4) SOUTH 59 DEGREES 17 MINUTES 27 SECONDS WEST, A DISTANCE OF 502.64 FEET TO A POINT; THENCE
- 5) SOUTH 25 DEGREES 34 MINUTES 59 SECONDS WEST, A DISTANCE OF 261.09 FEET TO A POINT; THENCE
- 6) SOUTH 45 DEGREES 30 MINUTES 42 SECONDS WEST, A DISTANCE OF 261.51 FEET TO A POINT; THENCE
- 7) SOUTH 66 DEGREES 59 MINUTES 01 SECONDS WEST, A DISTANCE OF 510.25 FEET TO A POINT; THENCE
- 8) SOUTH 86 DEGREES 12 MINUTES 59 SECONDS WEST, A DISTANCE OF 370.00 FEET TO A POINT; THENCE
- 9) NORTH 76 DEGREES 59 MINUTES 29 SECONDS WEST, A DISTANCE OF 146.00 FEET TO A POINT; THENCE
- 10) SOUTH 82 DEGREES 21 MINUTES 10 SECONDS WEST, A DISTANCE OF 436.00 FEET TO A POINT; THENCE
- 11) SOUTH 86 DEGREES 22 MINUTES 27 SECONDS WEST, A DISTANCE OF 508.00 FEET TO A POINT IN THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY); THENCE
- 12) ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET NORTHEASTERLY OF THE CENTERLINE OF KLINES MILL ROAD, NORTH 37 DEGREES 10 MINUTES 05 SECONDS WEST, A DISTANCE OF 26.98 FEET TO AN IRON PIN (SET); THENCE
- 13) NORTH 66 DEGREES 26 MINUTES 07 SECONDS EAST, A DISTANCE OF 166.53 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER; THENCE
- 14) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 44 DEGREES 10 MINUTES 17 SECONDS EAST, A DISTANCE OF 215.70 FEET TO A POINT NEAR THE SOUTHEASTERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER; THENCE

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- 15) ALONG THE SOUTHEASTERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 56 DEGREES 19 MINUTES 47 SECONDS EAST, A DISTANCE OF 250.40 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER, SAID POINT BEING THE TERMINUS OF COURSE NO. 35 AS DESCRIBED IN DEED BOOK 981 PAGE 315, ELIZABETH HUMMEL TO CLARA M. CONNELL, SAID POINT ALSO BEING SOUTH 48 DEGREES 28 MINUTES 42 SECONDS EAST, A DISTANCE OF 67.87 FEET FROM AN IRON PIN (FOUND); THENCE
- 16) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 89 DEGREES 18 MINUTES 47 SECONDS EAST, A DISTANCE OF 217.12 FEET TO A POINT NEAR THE NORTHERLY SIDE OF SAME, SAID POINT BEING SOUTH 48 DEGREES 33 MINUTES 44 SECONDS EAST, A DISTANCE OF 68.07 FEET FROM AN IRON PIN (FOUND); THENCE
- 17) STILL ALONG SAME, NORTH 71 DEGREES 04 MINUTES 47 SECONDS EAST, A DISTANCE OF 102.55 FEET TO A POINT NEAR SAME, SAID POINT BEING SOUTH 48 DEGREES 33 MINUTES 44 SECONDS EAST, A DISTANCE OF 68.07 FEET FROM AN IRON PIN (FOUND); THENCE
- 18) ALONG THE NORTHERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER, SOUTH 63 DEGREES 57 MINUTES 13 SECONDS EAST, A DISTANCE OF 151.47 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER, SAID POINT BEING SOUTH 48 DEGREES 08 MINUTES 52 SECONDS EAST, A DISTANCE OF 68.32 FEET FROM AN IRON PIN (FOUND); THENCE
- 19) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, SOUTH 78 DEGREES 48 MINUTES 13 SECONDS EAST, A DISTANCE OF 295.04 FEET TO A POINT IN SAME, SAID POINT BEING SOUTH 48 DEGREES 27 MINUTES 05 SECONDS EAST, A DISTANCE OF 68.18 FEET FROM AN IRON PIN (FOUND); THENCE
- 20) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 54 DEGREES 29 MINUTES 17 SECONDS EAST, A DISTANCE OF 303.05 FEET TO A POINT IN SAME; THENCE
- 21) TO AND ALONG THE OLD RIVER, NORTH 12 DEGREES 19 MINUTES 50 SECONDS EAST, A DISTANCE OF 210.70 FEET TO AN IRON PIN (FOUND) IN SAME; THENCE
- 22) STILL ALONG THE OLD RIVER, NORTH 52 DEGREES 02 MINUTES 52 SECONDS EAST, A DISTANCE OF 70.61 FEET TO A POINT IN SAME; THENCE
- 23) STILL ALONG THE OLD RIVER, NORTH 71 DEGREES 20 MINUTES 52 SECONDS EAST, A DISTANCE OF 47.17 FEET TO A POINT IN SAME; THENCE
- 24) STILL ALONG THE OLD RIVER, SOUTH 55 DEGREES 36 MINUTES 08 SECONDS EAST, A DISTANCE OF 69.64 FEET TO A POINT IN SAME; THENCE
- 25) STILL ALONG THE OLD RIVER, SOUTH 76 DEGREES 38 MINUTES 08 SECONDS EAST, A DISTANCE OF 105.00 FEET TO A POINT IN SAME; THENCE
- 26) STILL ALONG THE OLD RIVER, NORTH 50 DEGREES 21 MINUTES 52 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A POINT IN SAME; THENCE
- 27) SOUTH 64 DEGREES 45 MINUTES 08 SECONDS EAST, A DISTANCE OF 120.91 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER; THENCE
- 28) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 25 DEGREES 44 MINUTES 53 SECONDS EAST, A DISTANCE OF 262.09 FEET TO A POINT IN SAME, SAID POINT MARKING THE TERMINUS OF COURSE NO. 22 AS DESCRIBED IN DEED BOOK 981 PAGE 315, ELIZABETH HUMMEL TO CLARA M. CONNELL; THENCE

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ALONG THE NORTH BRANCH OF THE RARITAN RIVER (SOUTHEASTERLY LINE OF LOTS 1.02 AND 2 BLOCK 53), THE FOLLOWING FOUR COURSES:

- 29) NORTH 57 DEGREES 03 MINUTES 02 SECONDS EAST, A DISTANCE OF 517.46 FEET TO A POINT IN SAME; THENCE
- 30) NORTH 61 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 257.40 FEET TO A POINT IN SAME; THENCE
- 31) NORTH 31 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 333.96 FEET TO A POINT IN SAME; THENCE
- 32) NORTH 74 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 95.68 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 22.0078 ACRES OF LAND MORE OR LESS. (958,659.4 SQ.FT. MORE OR LESS)

TRACT NO. 4 (LOT 4 BLOCK 54)

BEGINNING AT A STONE MONUMENT (FOUND) BEING THE NORTHWESTERLY CORNER OF LOT 4 BLOCK 54, CORNER TO LOT 3 BLOCK 54, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 662546.03 FEET AND EAST 448932.33 FEET NAD 83 (1996) SYSTEM, AND FROM SAID BEGINNING POINT AND IN THE SAID BEARING SYSTEM RUNNING; THENCE

- 1) ALONG THE SOUTHERLY LINE OF LOT 3 BLOCK 54, NORTH 83 DEGREES 04 MINUTES 29 SECONDS EAST, A DISTANCE OF 1638.57 FEET TO A POINT IN THE WESTERLY LINE OF LOT 10 BLOCK 54 (LANDS NOW OR FORMERLY OF THE TOWNSHIP OF BEDMINSTER, RECORDED IN DEED BOOK 5340 PAGE 3333) SAID POINT BEING NORTH 28 DEGREES 25 MINUTES 28 SECONDS WEST, A DISTANCE OF 0.20 FEET FROM AN IRON PIPE (FOUND); THENCE
- 2) ALONG THE WESTERLY LINE, OF LOT 10 BLOCK 54, SOUTH 04 DEGREES 12 MINUTES 12 SECONDS EAST, A DISTANCE OF 1473.74 FEET TO AN IRON PIPE (FOUND) CORNER TO LOT 5 BLOCK 54 (LANDS NOW OR FORMERLY OF THE TOWNSHIP OF BEDMINSTER, RECORDED IN DEED BOOK 5481 PAGE 3819); THENCE
- 3) ALONG THE WESTERLY LINE OF LOT 5 BLOCK 54, SOUTH 04 DEGREES 24 MINUTES 23 SECONDS EAST, PASSING OVER AN IRON PIPE (FOUND) 2.65 FEET FROM THE BEGINNING OF THIS COURSE AND PASSING OVER AN IRON PIPE (FOUND) 0.50 FEET FROM THE TERMINUS OF THIS COURSE, A DISTANCE OF 1012.29 FEET TO A POINT IN THE NORTHERLY RIGHT OF WAY LINE OF BURNT MILLS ROAD (COUNTY ROUTE NO. 620) (50 FOOT RIGHT OF WAY), SAID POINT BEING SOUTH 14 DEGREES 21 MINUTES 06 SECONDS EAST, A DISTANCE OF 1.32 FEET FROM A CONCRETE MONUMENT (FOUND); THENCE

ALONG THE NORTHERLY RIGHT OF WAY LINE OF BURNT MILLS ROAD, RUNNING PARALLEL 25.00 FEET NORTHERLY FROM THE CENTERLINE OF BURNT MILLS ROAD, THE FOLLOWING FOUR COURSES:

- 4) SOUTH 54 DEGREES 42 MINUTES 03 SECONDS WEST, A DISTANCE OF 422.06 FEET TO AN IRON PIN (SET) MARKING A POINT OF CURVATURE IN SAME; THENCE
- 5) STILL ALONG SAME, WESTERLY ON A CURVE TO THE RIGHT HAVING A RADIUS OF 575.00 FEET, AN ARC LENGTH OF 362.65 FEET, A DELTA ANGLE OF 36 DEGREES 08 MINUTES 12 SECONDS, A CHORD BEARING SOUTH 72 DEGREES 46 MINUTES 09 SECONDS WEST AND A CHORD DISTANCE OF 356.67 FEET TO AN IRON PIN (SET) MARKING A POINT OF TANGENCY IN SAME; THENCE

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- 6) STILL ALONG SAME, NORTH 89 DEGREES 09 MINUTES 45 SECONDS WEST, A DISTANCE OF 400.00 FEET TO AN IRON PIN (SET) MARKING A POINT OF CURVATURE IN SAME; THENCE
- 7) STILL ALONG SAME, WESTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 625.00 FEET, AN ARC LENGTH OF 52.13 FEET, A DELTA ANGLE OF 04 DEGREES 46 MINUTES 45 SECONDS, A CHORD BEARING SOUTH 88 DEGREES 26 MINUTES 52 SECONDS WEST AND A CHORD DISTANCE OF 52.12 FEET TO AN IRON PIN (SET) MARKING A POINT OF REVERSE CURVATURE; THENCE
- 8) NORTHWESTERLY ALONG A CURVE TO THE RIGHT CONNECTING THE SAID NORTHERLY RIGHT OF WAY LINE OF BURNT MILLS ROAD WITH THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINE'S MILL ROAD (33 FOOT RIGHT OF WAY), SAID CURVE HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 23.85 FEET, A DELTA ANGLE OF 54 DEGREES 40 MINUTES 17 SECONDS, A CHORD BEARING NORTH 66 DEGREES 36 MINUTES 22 SECONDS WEST AND A CHORD DISTANCE OF 22.96 FEET TO AN IRON PIN (SET) MARKING A POINT OF TANGENCY IN THE SAID NORTHEASTERLY RIGHT OF WAY LINE OF KLINE'S MILL ROAD; THENCE
- 9) ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINE'S MILL ROAD, NORTH 39 DEGREES 24 MINUTES 45 SECONDS WEST, A DISTANCE OF 88.51 FEET TO AN IRON PIN (SET) IN SAME; THENCE
- 10) SOUTH 50 DEGREES 35 MINUTES 15 SECONDS WEST, A DISTANCE OF 25.00 FEET TO A POINT IN THE CENTERLINE OF KLINE'S MILL ROAD, BEING THE NORTHEASTERLY LINE OF LOT 6 BLOCK 52; THENCE
- 11) ALONG THE CARTWAY OF KLINE'S MILL ROAD (NORTHEASTERLY LINE OF LOT 6 BLOCK 52), NORTH 39 DEGREES 12 MINUTES 19 SECONDS WEST, A DISTANCE OF 252.30 FEET TO A POINT IN SAME; THENCE
- 12) STILL ALONG THE CARTWAY OF KLINE'S MILL ROAD (NORTHEASTERLY LINE OF LOT 6 BLOCK 52), NORTH 38 DEGREES 15 MINUTES 31 SECONDS WEST, A DISTANCE 861.45 FEET TO A POINT IN SAME CORNER TO LOT 3 BLOCK 54; THENCE
- 13) ALONG THE SOUTHERLY LINE OF LOT 3 BLOCK 54, NORTH 81 DEGREES 16 MINUTES 28 SECONDS EAST, PASSING OVER A STONE MONUMENT (FOUND) 29.71 FEET FROM THE BEGINNING OF THIS COURSE, A DISTANCE OF 229.68 FEET TO A STONE MONUMENT (FOUND) CORNER TO SAME. SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660887.99 FEET AND EAST 449045.09 FEET NAD 83 (1996) SYSTEM; THENCE
- 14) ALONG THE EASTERLY LINE OF LOT 3 BLOCK 54, NORTH 03 DEGREES 53 MINUTES 26 SECONDS WEST, A DISTANCE OF 1662.04 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 98.8357 ACRES OF LAND MORE OR LESS. (4,305,286.6 SQ.FT. MORE OR LESS)

EXCEPTING THEREOUT AND THEREFROM TRACT NO. 4 THE PROPERTY IN THE RIGHT OF WAY OF KLINE'S MILL ROAD, BEING DESCRIBED AS FOLLOWS

BEGINNING AT A POINT IN THE CARTWAY OF KLINE'S MILL ROAD (33 FOOT RIGHT OF WAY) BEING A COMMON CORNER OF LOTS 3 AND 4 BLOCK 54 AND LOT 6 BLOCK 52, SAID POINT BEING SOUTH 81 DEGREES 16 MINUTES 28 SECONDS WEST, A DISTANCE OF 229.68 FEET FROM A STONE MONUMENT (FOUND) BEING A COMMON CORNER OF LOTS 3 AND 4 BLOCK 54, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660887.99 FEET AND EAST 449045.09 FEET NAD 83 (1996) SYSTEM, AND RUNS: THENCE

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- 1) ALONG THE SOUTHERLY LINE OF LOT 3 BLOCK 54, NORTH 81 DEGREES 16 MINUTES 28 SECONDS EAST, A DISTANCE OF 14.52 FEET TO A POINT IN THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD; THENCE

ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET NORTHEASTERLY FROM THE CENTERLINE OF KLINES MILL ROAD, THE FOLLOWING THREE COURSES:

- 2) SOUTH 51 DEGREES 46 MINUTES 28 SECONDS EAST, A DISTANCE OF 21.72 FEET TO AN ANGLE POINT IN SAME; THENCE
- 3) STILL ALONG SAME, SOUTH 36 DEGREES 34 MINUTES 31 SECONDS EAST, A DISTANCE OF 381.75 FEET TO AN ANGLE POINT IN SAME; THENCE
- 4) STILL ALONG SAME, SOUTH 39 DEGREES 24 MINUTES 45 SECONDS EAST, A DISTANCE OF 703.66 FEET TO A POINT IN SAME; THENCE
- 5) SOUTH 50 DEGREES 35 MINUTES 15 SECONDS WEST, A DISTANCE OF 16.50 FEET TO A POINT IN THE CENTERLINE OF KLINES MILL ROAD, BEING THE NORTHEASTERLY LINE OF LOT 6 BLOCK 52; THENCE
- 6) ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 6 BLOCK 52), NORTH 39 DEGREES 12 MINUTES 19 SECONDS WEST, A DISTANCE OF 252.30 FEET TO A POINT IN SAME; THENCE
- 7) STILL ALONG THE CARTWAY OF KLINES MILL ROAD (NORTHEASTERLY LINE OF LOT 6 BLOCK 52), NORTH 38 DEGREES 15 MINUTES 31 SECONDS WEST, A DISTANCE 861.45 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 0.3217 ACRES OF LAND MORE OR LESS. (14,014.7 SQ.FT. MORE OR LESS)

EXCEPTING THEREOUT AND THEREFROM TRACT NO. 4 A PARCEL OF LAND BEING KNOWN AS "EXCEPTION NO.5", BEING DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WITHIN LOT 4 BLOCK 54, BEING SOUTH 33 DEGREES 03 MINUTES 51 SECONDS EAST, A DISTANCE OF 1803.60 FEET FROM A STONE MONUMENT (FOUND) BEING THE NORTHWESTERLY CORNER OF LOT 4 BLOCK 54 CORNER TO LOT 3 BLOCK 54, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 662546.03 FEET AND EAST 448932.33 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) SOUTH 89 DEGREES 56 MINUTES 43 SECONDS EAST, A DISTANCE OF 365.00 FEET TO A POINT; THENCE
- 2) SOUTH 00 DEGREES 03 MINUTES 17 SECONDS WEST, A DISTANCE OF 620.60 FEET TO A POINT; THENCE
- 3) NORTH 89 DEGREES 56 MINUTES 43 SECONDS WEST, A DISTANCE OF 365.00 FEET TO A POINT; THENCE
- 4) NORTH 00 DEGREES 03 MINUTES 17 SECONDS EAST, A DISTANCE OF 620.60 FEET TO THE POINT AND PLACE OF BEGINNING

CONTAINING 5.2002 ACRES OF LAND MORE OF LESS. (226,519.0 SQ.FT. MORE OR LESS)

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AREA SUMMARY

LOT 6 BLOCK 52

TOTAL AREA= 24.7472 ACRES
AREA IN ROAD RIGHT OF WAY= 0.5561 ACRES
AREA OF EXCEPTION NO. 4= 10.0888 ACRES
NET AREA= 14.1023 ACRES

LOT 7 BLOCK 52

TOTAL AREA= 81.1275 ACRES
AREA IN ROAD RIGHT OF WAY= 1.1869 ACRES
AREA OF EXCEPTION NO. 6= 0.5043 ACRES
NET AREA= 79.4363 ACRES

LOT 3 BLOCK 54

TOTAL AREA= 122.8527 ACRES
AREA IN ROAD RIGHT OF WAY= 1.1566 ACRES
AREA OF EXCEPTION NO. 2= 0.4017 ACRES
AREA OF EXCEPTION NO. 3= 22.0078 ACRES
NET AREA= 99.2866 ACRES

LOT 4 BLOCK 54

TOTAL AREA= 98.8357 ACRES
AREA IN ROAD RIGHT OF WAY= 0.3217 ACRES
AREA OF EXCEPTION NO. 5= 5.2002 ACRES
NET AREA= 93.3138 ACRES

LOT 6 BLOCK 52 NET AREA= 14.1023 ACRES
LOT 7 BLOCK 52 NET AREA= 79.4363 ACRES
LOT 3 BLOCK 54 NET AREA= 99.2866 ACRES
LOT 4 BLOCK 54 NET AREA= 93.3138 ACRES

THE AGRICULTURE DEVELOPMENT EQUALS 286.1390 ACRES OF LAND MORE OR LESS.

PROPERTY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD IF ANY.

THE ABOVE DESCRIPTION WAS WRITTEN PURSUANT TO A SURVEY OF PROPERTY DESIGNATED AS BLOCK 52 LOTS 6 AND 7 AND BLOCK 54 LOTS 3 AND 4, ON THE MUNICIPAL TAX MAP OF THE TOWNSHIP OF BEDMINSTER, COUNTY OF SOMERSET, STATE OF NEW JERSEY, SAID SURVEY WAS PREPARED BY SOMERSET SURVEYING SERVICES, 78 NORTH BRIDGE STREET, SOMERVILLE, N.J. 08876. DATED MAY 3, 2004, LAST REVISED DECEMBER 7, 2004 AND MARKED AS FILE NO. 40229.



SOMERSET SURVEYING SERVICES
THOMAS A. HARRIS
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE NO. 16205

DATE: DECEMBER 7, 2004
FILE: 40229-2

8. Grantee and Committee and their agents shall be permitted access to, and to enter upon, the Premises at all reasonable times, but solely for the purpose of inspection in order to enforce and assure compliance with the terms and conditions of this Deed of Easement. Grantee agrees to give Grantor, at least 24 hours advance notice of its intention to enter the Premises, and further, to limit such times of entry to the daylight hours on regular business days of the week.

9. Grantor may use the Premises to derive income from certain recreational activities such as hunting, fishing, cross country skiing and ecological tours, only if such activities do not interfere with the actual use of the land for agricultural production and that the activities only utilize the Premises in its existing condition. Other recreational activities from which income is derived and which alter the Premises, such as golf courses and athletic fields, are prohibited.

10. Nothing shall be construed to convey a right to the public of access to or use of the Premises except as stated in this Deed of Easement or as otherwise provided by law.

11. Nothing shall impose upon the Grantor any duty to maintain the Premises in any particular state, or condition, except as provided for in this Deed of Easement.

12. Nothing in this Deed of Easement shall be deemed to restrict the right of Grantor, to maintain all roads and trails existing upon the Premises as of the date of this Deed of Easement. Grantor shall be permitted to construct, improve or reconstruct any roadway necessary to service crops, bogs, agricultural buildings, or reservoirs as may be necessary.

13(a). At the time of this conveyance, Grantor has NO existing single family residential buildings on the Premises and NO residential buildings used for agricultural labor purposes. Grantor may use, maintain, and improve existing buildings on the Premises subject to the following conditions:

- i. Improvements to agricultural buildings shall be consistent with agricultural uses;
- ii. Improvements to residential buildings shall be consistent with agricultural or single and extended family residential uses. Improvements to residential buildings for the purpose of housing agricultural labor are permitted only if the housed agricultural labor is employed on the Premises; and
- iii. Improvements to recreational buildings shall be consistent with agricultural or recreational uses.

13(b). Grantor, their heirs, executors, administrators, personal or legal representatives, successors and assigns may use and maintain the Exception Areas as described in the attached Schedule C-1 (Exception No.2), Schedule C-2 (Exception No. 3), Schedule C-3 (Exception No.4), Schedule C-4 (Exception No.5) and Schedule C-5 (Exception No.6) subject to the following conditions:

EXCEPTION NO. 2 AND EXCEPTION NO. 6

- a. The Exception Areas shall not be severed or subdivided from the Premises.
- b. Each Exception Area shall be limited to the existing one (1) residential unit.
- c. Grantors, grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns or any person who is occupying or residing on the Exception Areas as well as the heirs, executors, administrators, personal or legal representatives, successors and assigns of all such persons are hereby notified and made aware that the Exception Areas are adjacent to a parcel ("Premises") permanently deed restricted under the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq. Such persons occupying or residing on the Exception Areas are notified and made aware that agriculture is the accepted and preferred use of the adjacent Premises and that the adjacent Premises shall continue in agricultural use as defined in Section 2 of the Deed of Easement.

EXCEPTION No.3

- a. The Exception Area may be severed and subdivided from the Premises.
- b. No residential unit can be built within the Exception Area.
- c. Grantors, grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns or any person to whom title to the Exception Area is

transferred as well as the heirs, executors, administrators, personal or legal representatives, successors and assigns of all such persons are hereby notified and made aware that the Exception Area is adjacent to a parcel ("Premises") permanently deed restricted under the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq. Such persons taking title to the Exception Area are notified and made aware that agriculture is the accepted and preferred use of the adjacent Premises and that the adjacent Premises shall continue in agricultural use as defined in Section 2 of the Deed of Easement.

EXCEPTION NO. 4 AND EXCEPTION NO. 5

- a. The Exception Areas shall not be severed or subdivided from the Premises.
 - b. Each Exception Area shall be limited to the two (2) existing residential units.
 - c. Grantors, grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns or any person who is occupying or residing on the Exception Areas as well as the heirs, executors, administrators, personal or legal representatives, successors and assigns of all such persons are hereby notified and made aware that the Exception Areas are adjacent to a parcel ("Premises") permanently deed restricted under the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq. Such persons occupying or residing on the Exception Areas are notified and made aware that agriculture is the accepted and preferred use of the adjacent Premises and that the adjacent Premises shall continue in agricultural use as defined in Section 2 of the Deed of Easement.
14. Grantor may construct any new buildings for agricultural purposes. The construction of any new buildings for residential use, regardless of its purpose, shall be prohibited except as follows:
- i. To provide structures for housing of agricultural labor employed on the Premises but only with the approval of the Grantee and the Committee. If Grantee and the Committee grant approval for the construction of agricultural labor housing, such housing shall not be used as a residence for Grantor, Grantor's spouse, Grantor's parents, Grantor's lineal descendants, adopted or natural, Grantor's spouse's parents, Grantor's spouse's lineal descendants, adopted or natural; and
 - ii. To construct a single family residential building anywhere on the Premises in order to replace any single family residential building in existence at the time of conveyance of this Deed of Easement but only with the approval of the Grantee and Committee.
 - iii. No residual dwelling site opportunities have been allocated pursuant to the provisions of N.J.A.C. 2:76-6.17. No residential buildings are permitted on the Premises except as provided in this Deed of Easement.

For the purpose of this Deed of Easement:

"Residual dwelling site opportunity" means the potential to construct a residential unit and other appurtenant structures on the Premises in accordance with N.J.A.C. 2:76-6.17.

15. The land and its buildings which are affected may be sold collectively or individually for continued agricultural use as defined in Section 2 of this Deed of Easement. However, no division of the land shall be permitted without the joint approval in writing of the Grantee and the Committee. In order for the Grantor to receive approval, the Grantee and Committee must find that the division shall be for an agricultural purpose and result in agriculturally viable parcels. Division means any division of the Premises, for any purpose, subsequent to the effective date of this Deed of Easement.

- i. For purposes of this Deed of Easement, "Agriculturally viable parcel" means that each parcel is capable of sustaining a variety of agricultural operations that yield a reasonable economic return under normal conditions, solely from each parcel's agricultural output.

16. In the event of any violation of the terms and conditions of this Deed of Easement, Grantee or the Committee may institute, in the name of the State of New Jersey, any proceedings to enforce these terms and conditions including the institution of suit to enjoin such violations and to require restoration of the Premises to its prior condition. Grantee or the Committee do not waive or forfeit the right to take any other legal action necessary to insure compliance with the terms, conditions, and purpose of this Deed of Easement by a prior failure to act.

17. This Deed of Easement imposes no obligation or restriction on the Grantor's use of the Premises except as specifically set forth in this Deed of Easement.

18. This Deed of Easement is binding upon the Grantor, the Grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns and the Grantee; it shall be construed as a restriction running with the land and shall be binding upon any person to whom title to the Premises is transferred as well as upon the heirs, executors, administrators, personal or legal representatives, successors, and assigns of all such persons.

19. Throughout this Deed of Easement, the singular shall include the plural, and the masculine shall include the feminine, unless the text indicates otherwise.

20. The word 'Grantor' shall mean any and all persons who lawfully succeed to the rights and responsibilities of the Grantor, including but not limited to the Grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns.

21. Wherever in this Deed of Easement any party shall be designated or referred to by name or general reference, such designation shall have the same effect as if the words, "heirs, executors, administrators, personal or legal representatives, successors and assigns" have been inserted after each and every designation.

22. Grantor, Grantor's heirs, executors, administrators, personal or legal representatives, successors and assigns further transfers and conveys to Grantee all of the nonagricultural development rights and development credits appurtenant to the lands and Premises described herein. Nothing contained herein shall preclude the conveyance or retention of said rights by the Grantee as may be permitted by the laws of the State of New Jersey in the future. In the event that the law permits the conveyance of said development rights, Grantee agrees to reimburse the Committee sixty (60%) percent of the value of the development rights as determined at the time of the subsequent conveyance. The Committee shall reimburse the Natural Resources Conservation Service of the United States Department of Agriculture a certain percentage of the value of the development rights as determined at the time of the subsequent conveyance. The actual percentage of reimbursement by the SADC shall be determined according to the percentage of cost sharing between the Committee and the NRCS at the time the Grantee assigns the Deed of Easement to the County and the Committee provides the County with a cost sharing grant.

23. That portion of the net proceeds, representing the value of the land only (and not the value of the improvements), of a condemnation award or other disposition of the Premises following termination of this Deed of Easement, as permitted pursuant to N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, shall be distributed among the Grantor and the Grantee in shares in proportion to the fair market value of their interests in the Premises on the date of execution of this Deed of Easement. For this purpose, the Grantee's allocable share of the proceeds shall be the net proceeds multiplied by a fraction, the numerator of which is the fair market value of the development easement as certified by the Committee at the time of the initial acquisition and the denominator of which is the full fair market value of the unrestricted Premises as certified by the Committee at the time of the initial acquisition, which is identified as (17,500/33,000). Furthermore, the Grantee's proceeds shall be distributed among the Grantee, the Committee and the Natural Resources Conservation Service of the United States Department of Agriculture in proportion to their respective cost share grants on the date of execution of this Deed of Easement. The Grantee shall use its share of the proceeds in a manner consistent with the provisions of N.J.S.A. 4:1C-1 et seq., P.L. 1983, c.32.

24. No historic building or structure located on the Premises may be demolished by the grantor or any other person without the prior approval of the State Agriculture Development Committee. Historic building or structure is a building or structure that, as of the date of this Deed of Easement, has been included in the New Jersey Register of Historic Places established pursuant to N.J.S.A. 13:1B-15.128 et seq.

25 Contingent Right in the United States of America

In the event that the Committee or Grantee fails to enforce any of the terms of this Deed of Easement as determined in the sole discretion of the Secretary of the United States Department of Agriculture, the said Secretary of Agriculture and his or her successors and assigns shall have the right to enforce the terms of this Deed of Easement through any and all authorities available under Federal or State law.

In the event that the Committee or Grantee attempts to terminate, transfer, or otherwise

Thomas A. Harris, P.L.S., P.P.

DESCRIPTION OF "EXCEPTION NO. 2"
AREA EXCEPTED FROM LOT 3 BLOCK 54
BEDMINSTER TOWNSHIP, SOMERSET COUNTY, NEW JERSEY

BEGINNING AT A POINT WITHIN LOT 3 BLOCK 54, BEING NORTH 51 DEGREES 56 MINUTES 32 SECONDS WEST, A DISTANCE OF 931.75 FEET FROM A STONE MONUMENT (FOUND) MARKING THE NORTHWESTERLY CORNER OF LOT 4 BLOCK 54, CORNER TO LOT 3 BLOCK 54, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 662546.03 FEET AND EAST 448932.33 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) SOUTH 86 DEGREES 52 MINUTES 34 SECONDS WEST, A DISTANCE OF 125.00 FEET TO A POINT; THENCE
- 2) NORTH 03 DEGREES 07 MINUTES 26 SECONDS WEST, A DISTANCE OF 140.00 FEET TO A POINT; THENCE
- 3) NORTH 86 DEGREES 52 MINUTES 34 SECONDS EAST, A DISTANCE OF 125.00 FEET TO A POINT; THENCE
- 4) SOUTH 03 DEGREES 07 MINUTES 26 SECONDS EAST, A DISTANCE OF 140.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 0.4017 ACRES OF LAND MORE OR LESS. (17,500.0 SQ.FT. MORE OR LESS)

PROPERTY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD IF ANY.

THE ABOVE DESCRIPTION WAS WRITTEN PURSUANT TO A SURVEY OF PROPERTY DESIGNATED AS BLOCK 52 LOTS 6 AND 7 AND BLOCK 54 LOTS 3 AND 4, ON THE MUNICIPAL TAX MAP OF THE TOWNSHIP OF BEDMINSTER, COUNTY OF SOMERSET, STATE OF NEW JERSEY, SAID SURVEY WAS PREPARED BY SOMERSET SURVEYING SERVICES, 78 NORTH BRIDGE STREET, SOMERVILLE, N.J. 08876, DATED MAY 3, 2004, LAST REVISED DECEMBER 7, 2004 AND MARKED AS FILE NO. 40229.



SOMERSET SURVEYING SERVICES
THOMAS A. HARRIS
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE NO. 16205

DATE: DECEMBER 7, 2004
FILE: 40229-E2

Thomas A. Harris, P.L.S., P.P.

**DESCRIPTION OF "EXCEPTION NO. 3"
AREA EXCEPTED FROM LOT 3 BLOCK 54
BEDMINSTER TOWNSHIP, SOMERSET COUNTY, NEW JERSEY**

BEGINNING AT A POINT CORNER TO LOT 10 BLOCK 54 (LANDS NOW OF FORMERLY OF THE TOWNSHIP OF BEDMINSTER, RECORDED IN DEED BOOK 5340 PAGE 3333), SAID POINT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 664818.99 FEET AND EAST 450406.26 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) ALONG THE WESTERLY LINE OF LOT 10 BLOCK 54, SOUTH 04 DEGREES 12 MINUTES 12 SECONDS EAST, PASSING OVER A CONCRETE MONUMENT (FOUND) 0.35 FEET FROM THE BEGINNING OF THIS COURSE, A DISTANCE OF 246.52 FEET TO A POINT IN SAME; THENCE
- 2) SOUTH 31 DEGREES 38 MINUTES 58 SECONDS WEST, A DISTANCE OF 213.21 FEET TO A POINT; THENCE
- 3) SOUTH 46 DEGREES 31 MINUTES 25 SECONDS WEST, A DISTANCE OF 286.30 FEET TO A POINT; THENCE
- 4) SOUTH 59 DEGREES 17 MINUTES 27 SECONDS WEST, A DISTANCE OF 502.64 FEET TO A POINT; THENCE
- 5) SOUTH 25 DEGREES 34 MINUTES 59 SECONDS WEST, A DISTANCE OF 261.09 FEET TO A POINT; THENCE
- 6) SOUTH 45 DEGREES 30 MINUTES 42 SECONDS WEST, A DISTANCE OF 261.51 FEET TO A POINT; THENCE
- 7) SOUTH 66 DEGREES 59 MINUTES 01 SECONDS WEST, A DISTANCE OF 510.25 FEET TO A POINT; THENCE
- 8) SOUTH 86 DEGREES 12 MINUTES 59 SECONDS WEST, A DISTANCE OF 370.00 FEET TO A POINT; THENCE
- 9) NORTH 76 DEGREES 59 MINUTES 29 SECONDS WEST, A DISTANCE OF 146.00 FEET TO A POINT; THENCE
- 10) SOUTH 82 DEGREES 21 MINUTES 10 SECONDS WEST, A DISTANCE OF 436.00 FEET TO A POINT; THENCE
- 11) SOUTH 86 DEGREES 22 MINUTES 27 SECONDS WEST, A DISTANCE OF 508.00 FEET TO A POINT IN THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY); THENCE
- 12) ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET NORTHEASTERLY OF THE CENTERLINE OF KLINES MILL ROAD, NORTH 37 DEGREES 10 MINUTES 05 SECONDS WEST, A DISTANCE OF 26.98 FEET TO AN IRON PIN (SET); THENCE
- 13) NORTH 66 DEGREES 26 MINUTES 07 SECONDS EAST, A DISTANCE OF 166.53 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER; THENCE
- 14) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 44 DEGREES 10 MINUTES 17 SECONDS EAST, A DISTANCE OF 215.70 FEET TO A POINT NEAR THE SOUTHEASTERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER; THENCE

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- 15) ALONG THE SOUTHEASTERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 56 DEGREES 19 MINUTES 47 SECONDS EAST, A DISTANCE OF 250.40 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER, SAID POINT BEING THE TERMINUS OF COURSE NO. 35 AS DESCRIBED IN DEED BOOK 981 PAGE 315, ELIZABETH HUMMEL TO CLARA M. CONNELL. SAID POINT ALSO BEING SOUTH 48 DEGREES 28 MINUTES 42 SECONDS EAST, A DISTANCE OF 67.87 FEET FROM AN IRON PIN (FOUND); THENCE
- 16) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 89 DEGREES 18 MINUTES 47 SECONDS EAST, A DISTANCE OF 217.12 FEET TO A POINT NEAR THE NORTHERLY SIDE OF SAME, SAID POINT BEING SOUTH 48 DEGREES 33 MINUTES 44 SECONDS EAST, A DISTANCE OF 68.07 FEET FROM AN IRON PIN (FOUND); THENCE
- 17) STILL ALONG SAME, NORTH 71 DEGREES 04 MINUTES 47 SECONDS EAST, A DISTANCE OF 102.55 FEET TO A POINT NEAR SAME, SAID POINT BEING SOUTH 48 DEGREES 33 MINUTES 44 SECONDS, A DISTANCE OF 68.07 FEET FROM AN IRON PIN (FOUND); THENCE
- 18) ALONG THE NORTHERLY SIDE OF THE NORTH BRANCH OF THE RARITAN RIVER, SOUTH 63 DEGREES 57 MINUTES 13 SECONDS EAST, A DISTANCE OF 151.47 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER, SAID POINT BEING SOUTH 48 DEGREES 08 MINUTES 52 SECONDS EAST, A DISTANCE OF 68.32 FEET FROM AN IRON PIN (FOUND); THENCE
- 19) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, SOUTH 78 DEGREES 48 MINUTES 15 SECONDS EAST, A DISTANCE OF 295.04 FEET TO A POINT IN SAME, SAID POINT BEING SOUTH 48 DEGREES 27 MINUTES 05 SECONDS EAST, A DISTANCE OF 68.18 FEET FROM AN IRON PIN (FOUND); THENCE
- 20) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 54 DEGREES 29 MINUTES 17 SECONDS EAST, A DISTANCE OF 303.05 FEET TO A POINT IN SAME; THENCE
- 21) TO AND ALONG THE OLD RIVER, NORTH 12 DEGREES 19 MINUTES 50 SECONDS EAST, A DISTANCE OF 210.70 FEET TO AN IRON PIN (FOUND) IN SAME; THENCE
- 22) STILL ALONG THE OLD RIVER, NORTH 52 DEGREES 02 MINUTES 52 SECONDS EAST, A DISTANCE OF 70.61 FEET TO A POINT IN SAME; THENCE
- 23) STILL ALONG THE OLD RIVER, NORTH 71 DEGREES 20 MINUTES 52 SECONDS EAST, A DISTANCE OF 47.17 FEET TO A POINT IN SAME; THENCE
- 24) STILL ALONG THE OLD RIVER, SOUTH 55 DEGREES 36 MINUTES 08 SECONDS EAST, A DISTANCE OF 69.64 FEET TO A POINT IN SAME; THENCE
- 25) STILL ALONG THE OLD RIVER, SOUTH 76 DEGREES 38 MINUTES 08 SECONDS EAST, A DISTANCE OF 105.00 FEET TO A POINT IN SAME; THENCE
- 26) STILL ALONG THE OLD RIVER, NORTH 50 DEGREES 21 MINUTES 52 SECONDS EAST, A DISTANCE OF 20.00 FEET TO A POINT IN SAME; THENCE
- 27) SOUTH 64 DEGREES 45 MINUTES 08 SECONDS EAST, A DISTANCE OF 120.91 FEET TO A POINT IN THE NORTH BRANCH OF THE RARITAN RIVER; THENCE
- 28) ALONG THE NORTH BRANCH OF THE RARITAN RIVER, NORTH 25 DEGREES 44 MINUTES 53 SECONDS EAST, A DISTANCE OF 262.09 FEET TO A POINT IN SAME, SAID POINT MARKING THE TERMINUS OF COURSE NO. 22 AS DESCRIBED IN DEED BOOK 981 PAGE 315, ELIZABETH HUMMEL TO CLARA M. CONNELL; THENCE

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ALONG THE NORTH BRANCH OF THE RARITAN RIVER (SOUTHEASTERLY LINE OF LOTS 1.02 AND 2 BLOCK 53), THE FOLLOWING FOUR COURSES:

- 29) NORTH 57 DEGREES 03 MINUTES 02 SECONDS EAST, A DISTANCE OF 517.46 FEET TO A POINT IN SAME; THENCE
- 30) NORTH 61 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 257.40 FEET TO A POINT IN SAME; THENCE
- 31) NORTH 31 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 333.96 FEET TO A POINT IN SAME; THENCE
- 32) NORTH 74 DEGREES 38 MINUTES 58 SECONDS EAST, A DISTANCE OF 95.68 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 22.0078 ACRES OF LAND MORE OR LESS. (958,659.4 SQ.FT. MORE OR LESS)

PROPERTY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD IF ANY.

THE ABOVE DESCRIPTION WAS WRITTEN PURSUANT TO A SURVEY OF PROPERTY DESIGNATED AS BLOCK 52 LOTS 6 AND 7 AND BLOCK 54 LOTS 3 AND 4, ON THE MUNICIPAL TAX MAP OF THE TOWNSHIP OF BEDMINSTER, COUNTY OF SOMERSET, STATE OF NEW JERSEY, SAID SURVEY WAS PREPARED BY SOMERSET SURVEYING SERVICES, 78 NORTH BRIDGE STREET, SOMERVILLE, N.J. 08876, DATED MAY 3, 2004, LAST REVISED DECEMBER 7, 2004 AND MARKED AS FILE NO. 40229.



SOMERSET SURVEYING SERVICES
THOMAS A. HARRIS
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE NO. 16205

DATE: DECEMBER 7, 2004
FILE: 40229-E3

SOMERSET SURVEYING SERVICES

Professional Land Surveying and Professional Planning

Thomas A. Harris, P.L.S., P.P.

DESCRIPTION OF "EXCEPTION NO. 4"
AREA EXCEPTED FROM LOT 6 BLOCK 52
BEDMINSTER TOWNSHIP, SOMERSET COUNTY, NEW JERSEY

BEGINNING AT A POINT WITHIN LOT 6 BLOCK 52, BEING SOUTH 45 DEGREES 34 MINUTES 09 SECONDS EAST, A DISTANCE OF 185.02 FEET FROM A STONE MONUMENT (FOUND) BEING THE NORTHWESTERLY CORNER OF LOT 6 BLOCK 52, CORNER TO LOT 7 BLOCK 52, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660527.31 FEET AND EAST 448074.49 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) NORTH 16 DEGREES 34 MINUTES 09 SECONDS EAST, A DISTANCE OF 230.86 FEET TO A POINT; THENCE
- 2) NORTH 62 DEGREES 00 MINUTES 09 SECONDS EAST, A DISTANCE OF 407.10 FEET TO A POINT; THENCE
- 3) SOUTH 27 DEGREES 59 MINUTES 51 SECONDS EAST, A DISTANCE OF 147.00 FEET TO A POINT; THENCE
- 4) SOUTH 01 DEGREES 14 MINUTES 44 SECONDS EAST, A DISTANCE OF 147.15 FEET TO A POINT; THENCE
- 5) SOUTH 36 DEGREES 34 MINUTES 31 SECONDS EAST, A DISTANCE OF 138.08 FEET TO A POINT; THENCE
- 6) SOUTH 79 DEGREES 48 MINUTES 21 SECONDS EAST, A DISTANCE OF 71.14 FEET TO A POINT; THENCE
- 7) NORTH 65 DEGREES 44 MINUTES 06 SECONDS EAST, A DISTANCE OF 111.61 FEET TO A POINT; THENCE
- 8) NORTH 54 DEGREES 27 MINUTES 00 SECONDS EAST, A DISTANCE OF 110.00 FEET TO A POINT IN THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD (33 FOOT RIGHT OF WAY); THENCE
- 9) ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET SOUTHWESTERLY OF THE CENTERLINE OF KLINES MILL ROAD, SOUTH 36 DEGREES 34 MINUTES 31 SECONDS EAST, A DISTANCE OF 5.69 FEET TO AN ANGLE POINT IN SAME; THENCE
- 10) STILL ALONG THE SOUTHWESTERLY RIGHT OF WAY LINE OF KLINES MILL ROAD, RUNNING PARALLEL 16.50 FEET SOUTHWESTERLY OF THE CENTERLINE OF KLINES MILL ROAD, SOUTH 39 DEGREES 24 MINUTES 45 SECONDS EAST, A DISTANCE OF 44.35 FEET TO A POINT IN SAME, THENCE
- 11) SOUTH 59 DEGREES 28 MINUTES 07 SECONDS WEST, A DISTANCE OF 113.53 FEET TO A POINT; THENCE
- 12) SOUTH 64 DEGREES 41 MINUTES 36 SECONDS WEST, A DISTANCE OF 160.14 FEET TO A POINT; THENCE

Thomas A. Harris, P.L.S., P.P.

- 13) SOUTH 36 DEGREES 34 MINUTES 31 SECONDS EAST, A DISTANCE OF 23.75 FEET TO A POINT; THENCE
- 14) NORTH 82 DEGREES 23 MINUTES 08 SECONDS EAST, A DISTANCE OF 253.95 FEET TO A POINT; THENCE
- 15) SOUTH 39 DEGREES 24 MINUTES 45 SECONDS EAST, A DISTANCE OF 82.55 FEET TO A POINT; THENCE
- 16) SOUTH 01 DEGREES 48 MINUTES 46 SECONDS EAST, A DISTANCE OF 220.49 FEET TO A POINT; THENCE
- 17) SOUTH 33 DEGREES 29 MINUTES 16 SECONDS WEST, A DISTANCE OF 70.62 FEET TO A POINT; THENCE
- 18) SOUTH 08 DEGREES 28 MINUTES 36 SECONDS EAST, A DISTANCE OF 83.19 FEET TO A POINT; THENCE
- 19) SOUTH 58 DEGREES 40 MINUTES 04 SECONDS EAST, A DISTANCE OF 44.59 FEET TO A POINT; THENCE
- 20) SOUTH 02 DEGREES 35 MINUTES 10 SECONDS EAST, A DISTANCE OF 157.62 FEET TO A POINT; THENCE
- 21) SOUTH 81 DEGREES 31 MINUTES 24 SECONDS WEST, A DISTANCE OF 125.87 FEET TO A POINT; THENCE
- 22) NORTH 09 DEGREES 10 MINUTES 32 SECONDS WEST, A DISTANCE OF 118.63 FEET TO A POINT; THENCE
- 23) SOUTH 87 DEGREES 13 MINUTES 43 SECONDS WEST, A DISTANCE OF 26.99 FEET TO A POINT; THENCE
- 24) NORTH 07 DEGREES 38 MINUTES 00 SECONDS WEST, A DISTANCE OF 88.48 FEET TO A POINT; THENCE
- 25) SOUTH 67 DEGREES 53 MINUTES 31 SECONDS WEST, A DISTANCE OF 137.10 FEET TO A POINT; THENCE
- 26) SOUTH 86 DEGREES 15 MINUTES 18 SECONDS WEST, A DISTANCE OF 18.08 FEET TO A POINT; THENCE
- 27) NORTH 02 DEGREES 46 MINUTES 17 SECONDS WEST, A DISTANCE OF 318.16 FEET TO A POINT; THENCE
- 28) SOUTH 87 DEGREES 13 MINUTES 43 SECONDS WEST, A DISTANCE OF 166.43 FEET TO A POINT; THENCE
- 29) SOUTH 83 DEGREES 11 MINUTES 48 SECONDS WEST, A DISTANCE OF 235.70 FEET TO A POINT; THENCE

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30) NORTH 74 DEGREES 59 MINUTES 55 SECONDS WEST, A DISTANCE OF 177.26 FEET TO A POINT: THENCE

31) NORTH 18 DEGREES 52 MINUTES 22 SECONDS WEST, A DISTANCE OF 184.59 FEET TO THE POINT AND PLACE OF BEGINNING

CONTAINING 10.0888 ACRES OF LAND MORE OR LESS. (439,469.7 SQ.FT. MORE OR LESS)

PROPERTY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD IF ANY.

THE ABOVE DESCRIPTION WAS WRITTEN PURSUANT TO A SURVEY OF PROPERTY DESIGNATED AS BLOCK 52 LOTS 6 AND 7 AND BLOCK 54 LOTS 3 AND 4, ON THE MUNICIPAL TAX MAP OF THE TOWNSHIP OF BEDMINSTER, COUNTY OF SOMERSET, STATE OF NEW JERSEY. SAID SURVEY WAS PREPARED BY SOMERSET SURVEYING SERVICES, 78 NORTH BRIDGE STREET, SOMERVILLE, N.J. 08876. DATED MAY 3, 2004, LAST REVISED DECEMBER 7, 2004 AND MARKED AS FILE NO. 40229.



SOMERSET SURVEYING SERVICES
THOMAS A. HARRIS
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE NO. 16205

DATE: DECEMBER 7, 2004
FILE: 40229-E4

Thomas A. Harris, P.L.S., P.P.

**DESCRIPTION OF "EXCEPTION NO. 5"
AREA EXCEPTED FROM LOT 4 BLOCK 54
BEDMINSTER TOWNSHIP, SOMERSET COUNTY, NEW JERSEY**

BEGINNING AT A POINT WITHIN LOT 4 BLOCK 54, BEING SOUTH 33 DEGREES 03 MINUTES 51 SECONDS EAST, A DISTANCE OF 1803.60 FEET FROM A STONE MONUMENT (FOUND) BEING THE NORTHWESTERLY CORNER OF LOT 4 BLOCK 54 CORNER TO LOT 3 BLOCK 54, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 662546.03 FEET AND EAST 448932.33 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) SOUTH 89 DEGREES 56 MINUTES 43 SECONDS EAST, A DISTANCE OF 365.00 FEET TO A POINT; THENCE
- 2) SOUTH 00 DEGREES 03 MINUTES 17 SECONDS WEST, A DISTANCE OF 620.60 FEET TO A POINT; THENCE
- 3) NORTH 89 DEGREES 56 MINUTES 43 SECONDS WEST, A DISTANCE OF 365.00 FEET TO A POINT; THENCE
- 4) NORTH 00 DEGREES 03 MINUTES 17 SECONDS EAST, A DISTANCE OF 620.60 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 5.2002 ACRES OF LAND MORE OF LESS. (226,519.0 SQ.FT. MORE OR LESS)

PROPERTY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD IF ANY.

THE ABOVE DESCRIPTION WAS WRITTEN PURSUANT TO A SURVEY OF PROPERTY DESIGNATED AS BLOCK 52 LOTS 6 AND 7 AND BLOCK 54 LOTS 3 AND 4, ON THE MUNICIPAL TAX MAP OF THE TOWNSHIP OF BEDMINSTER, COUNTY OF SOMERSET, STATE OF NEW JERSEY, SAID SURVEY WAS PREPARED BY SOMERSET SURVEYING SERVICES, 78 NORTH BRIDGE STREET, SOMERVILLE, N.J. 08876, DATED MAY 3, 2004, LAST REVISED DECEMBER 7, 2004 AND MARKED AS FILE NO. 40229.



SOMERSET SURVEYING SERVICES
THOMAS A. HARRIS
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE NO. 16205

DATE: DECEMBER 7, 2004
FILE: 40229-E5

SOMERSET SURVEYING SERVICES

Professional Land Surveying and Professional Planning

Thomas A. Harris, P.L.S., P.P.

**DESCRIPTION OF "EXCEPTION NO. 6"
AREA EXCEPTED FROM LOT 7 BLOCK 52
BEDMINSTER TOWNSHIP, SOMERSET COUNTY, NEW JERSEY**

BEGINNING AT A POINT WITHIN LOT 7 BLOCK 52, BEING NORTH 46 DEGREES 17 MINUTES 06 SECONDS EAST, A DISTANCE OF 514.82 FEET FROM A STONE MONUMENT (FOUND) MARKING THE NORTHWESTERLY CORNER OF LOT 6 BLOCK 52, CORNER TO LOT 7 BLOCK 52, SAID STONE MONUMENT HAVING NEW JERSEY PLANE COORDINATES OF NORTH 660527.31 FEET AND EAST 448074.49 FEET NAD 83 (1996) SYSTEM, AND RUNS; THENCE

- 1) NORTH 28 DEGREES 07 MINUTES 15 SECONDS EAST, A DISTANCE OF 155.00 FEET TO A POINT; THENCE
- 2) SOUTH 59 DEGREES 06 MINUTES 55 SECONDS EAST, A DISTANCE OF 145.17 FEET TO A POINT; THENCE
- 3) SOUTH 28 DEGREES 07 MINUTES 15 SECONDS WEST, A DISTANCE OF 148.00 FEET TO A POINT; THENCE
- 4) NORTH 61 DEGREES 52 MINUTES 45 SECONDS WEST, A DISTANCE OF 145.00 FEET TO THE POINT AND PLACE OF BEGINNING.

CONTAINING 0.5043 ACRES OF LAND MORE OR LESS. (21,967.5 SQ.FT. MORE OR LESS)

PROPERTY SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD IF ANY.

THE ABOVE DESCRIPTION WAS WRITTEN PURSUANT TO A SURVEY OF PROPERTY DESIGNATED AS BLOCK 52 LOTS 6 AND 7 AND BLOCK 54 LOTS 3 AND 4, ON THE MUNICIPAL TAX MAP OF THE TOWNSHIP OF BEDMINSTER, COUNTY OF SOMERSET, STATE OF NEW JERSEY, SAID SURVEY WAS PREPARED BY SOMERSET SURVEYING SERVICES, 78 NORTH BRIDGE STREET, SOMERVILLE, N.J. 08876, DATED MAY 3, 2004, LAST REVISED DECEMBER 7, 2004 AND MARKED AS FILE NO. 40229.



SOMERSET SURVEYING SERVICES
THOMAS A. HARRIS
PROFESSIONAL LAND SURVEYOR
N.J. LICENSE NO. 16205

DATE: DECEMBER 7, 2004
FILE: 40229-E6



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
 (C.55, P.L. 2004)

(5-05)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Name(s)

E. G. Anderson, Inc.

Current Resident Address:

Street: 270 Sparta-Stanhode Road

City, Town, Post Office

Andover

State

NJ

Zip Code

07821

PROPERTY INFORMATION (Brief Property Description)

Block(s)

52 and 54

Lot(s)

6 & 2 (B52) and 3 & 4 (B54)

Qualifier

Street Address:

Klines Mill Road

City, Town, Post Office

Bedminster

State

NJ

Zip Code

07921

Seller's Percentage of Ownership

100%

Consideration

\$4,864,363.00

Closing Date

6/2/2005

SELLER ASSURANCES (Check the Appropriate Box)

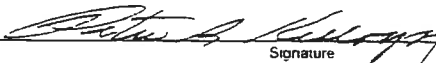
1. I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. I am a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. Seller, transferor or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. Seller is not individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A. 54A:1-1 et seq.
6. The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale.
8. Transfer 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 interstate laws of this state.

SELLER(S) DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein could be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete.

6/2/2005

Date



Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

Signature

(Seller) Please indicate if Power of Attorney or Attorney in Fact

STATE OF NEW JERSEY

COUNTY OF SUSSEX

} SS.

FOR RECORDER'S USE ONLY	
Consideration	\$ <u>4,864,363.00</u>
RTF paid by seller	\$ <u>EXEMPT</u>
Date	<u>6/3/05</u> By <u>SN</u>

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

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

Deponent, PETER R. KELLOGG, being duly sworn according to law upon his/her oath, deposes and says that he/she is the Corporate Officer in a deed dated June 2, 2005 transferring (Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.) real property identified as Block number 52 and 54 Lot number 6 & 7 (B52) and 3 & 4 (B54) located at Klines Mill Road, Bedminster Township, Somerset County, New Jersey and annexed thereto (Street Address, Municipality, County)

(2) CONSIDERATION \$ 4,864,363.00 (See Instructions #1 and #5 on reverse side)

(3) FULL EXEMPTION FROM FEE (See Instruction #6 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through Chapter 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail. (b) to the United States of America, this State, or any instrumentality, agency or subdivision

(4) PARTIAL EXEMPTION FROM FEE (See Instruction #7 on reverse side)

PARTIAL EXEMPTION FROM FEE EXEMPTION FROM FEE (See Instructions #7 on reverse side)

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 State portions 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 Grantor(s) 62 years of age or over. (See Instruction #7 on reverse side for A or B)
- B. BLIND PERSON Grantor(s) legally blind or
- DISABLED PERSON Grantor(s) permanently and totally disabled Receiving disability payments Not gainfully employed

Senior citizens, blind or disabled persons must also meet all of the following criteria

- Owned and occupied by grantor(s) at time of sale Resident of the State of New Jersey
- One or two-family residential premises. Owners as joint tenants must all qualify

*IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEEDS TO QUALIFY IF OWNED AS TENANTS BY THE ENTIRETY.

C. **LOW AND MODERATE INCOME HOUSING** (See Instruction #7 on reverse side)

- Affordable according to H.U.D. standards Reserved for occupancy
- Meets income requirements of region Subject to resale controls

(5) NEW CONSTRUCTION (See Instructions #8 and #10 on reverse side)

- Entirely new improvement Not previously occupied
- Not previously used for any purpose "NEW CONSTRUCTION" printed clearly at the top of the first page of the deed.

Deponent makes this Affidavit to induce county clerk or 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 66, P.L. 2004

Subscribed and sworn to before me this 3rd day of JUNE, 2005

Peter R. Kellogg
Signature of Deponent

E.G. Anderson, Inc.
Grantor Name

270 Sparta-Starbuck Road
Deponent Address

Andover, NJ 07821
Grantor Address at Time of Sale

Jeff A. Reynolds
JEFF A. REYNOLDS
NOTARY PUBLIC, State of New York
ID # 02RE4838086
Qualified in Nassau County
Commission Expires Aug. 13, 2005

Thomas C. Miller, County Counsel
Name/Company of Settlement Officer

FOR OFFICIAL USE ONLY			
Instrument Number	County	<u>Somerset</u>	
Deed Number	Book	Page	
Deed Dated <u>6/2/05</u>	Date Recorded	<u>6/3/05</u>	

SCHEDULE B

Grantor certifies that at the time of the application to sell the development easement to the Grantee no nonagricultural uses existed. Grantor further certifies that at the time of the execution of this Deed of Easement no nonagricultural uses exist.

divest itself of any rights, title, or interests of this easement without the prior consent of the Secretary of the United States Department of Agriculture and payment of consideration to the United States, then, at the option of such Secretary, all right, title and interest in this easement shall become vested in the UNITED STATES OF AMERICA.

In the event the Governor declares that an eminent domain action instituted by a public body on lands from which a development easement has been acquired is necessary for the public health or safety and that there is no immediately apparent feasible alternative, pursuant to N.J.S.A. 4:1C-25, the consent of the Secretary of the United States Department of Agriculture shall not be unreasonably withheld.

The Grantor signs this Deed of Easement as of the date of the top of the first page. If the Grantor is a corporation, this Deed of Easement is signed and attested to by its proper corporate officers, and its corporate seal, if any, is affixed.

E. G. ANDERSON, INC.

 (L.S.)
PETER R. KELLOGG, President

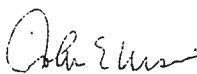
 (L.S.)
MARGUERITE R. GORMAN, Secretary.

(CORPORATE ACKNOWLEDGMENT)

STATE OF NEW JERSEY, COUNTY OF SUSSEX: SS.:

I CERTIFY that on May 31 2005, the subscriber MARGUERITE R. GORMAN, personally appeared before me, who, being by me duly sworn on his or her oath, deposes and makes proof to my satisfaction, that he or she is the Secretary of E. G. ANDERSON, INC., the Corporation named in the within Instrument; that PETER R. KELLOGG is the President of said Corporation; that the execution, as well as the making of this Instrument, has been duly authorized by a proper resolution of the Board of Directors of the said Corporation, that deponent well knows the corporate seal of said Corporation; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation, in presence of deponent, who thereupon subscribed his or her name thereto as attesting witness; and that the full and actual consideration paid to purchase a development easement as evidenced by the DEED OF EASEMENT is \$4,864,363.00 and the mutual obligations and benefits contained herein.

Sworn to and subscribed before me, the date aforesaid


John E. Ursin
An Attorney At Law of New Jersey

(COUNTY AGRICULTURE DEVELOPMENT BOARD)

THE UNDERSIGNED, being Vice Chairperson of the Somerset County Agriculture Development Board, hereby accepts and approves the foregoing restrictions, benefits and covenants.

ACCEPTED AND APPROVED this 4th day of April, 2005.

George Dealaman
GEORGE DEALAMAN
Vice Chairperson
Somerset County Agriculture Development Board

STATE OF NEW JERSEY, COUNTY OF SOMERSET, SS.:

I CERTIFY that on April 4th, 2005,

GEORGE DEALAMAN personally came before me and acknowledged under oath, to my satisfaction that this person: (a) is named in and personally signed this DEED OF EASEMENT, (b) signed, sealed and delivered this DEED OF EASEMENT as the Board's act and deed; and (c) is the Viced Chairperson of the Somerset County Agriculture Development Board.

Lillian M. Zuza
LILLIAN ZUZA
A Notary Public of New Jersey
My Commission Expires: June 11, 2008

LILLIAN M. ZUZA
NOTARY PUBIC OF NEW JERSEY
My Commission Expires June 11, 2008

(STATE AGRICULTURE DEVELOPMENT COMMITTEE)

The State Agriculture Development Committee has approved the purchase of the development easement on the Premises pursuant to the Agriculture Retention and Development Act, N.J.S.A. 4:1C-11 et seq., P.L. 1983, c.32, and has authorized a grant of 60% of the purchase price of the development easement to Somerset County in the amount of \$ 2,918,617.80.


SUSAN E. CRAFT, Executive Director
State Agriculture Development Committee

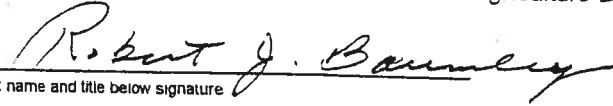
5/24/05
Date

STATE OF NEW JERSEY, COUNTY OF MERCER, SS.:

I CERTIFY that on MAY 24, 2005,

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

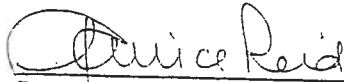
- (a) is named in and personally signed this DEED OF EASEMENT,
- (b) signed, sealed and delivered this DEED OF EASEMENT as the Committee's act and deed, and
- (c) is the Executive Director of the State Agriculture Development Committee.


Print name and title below signature

ROBERT J. BAUMLEY
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires June 11, 2006

(UNITED STATES DEPARTMENT OF AGRICULTURE,
NATURAL RESOURCE CONSERVATION SERVICE)

The U.S. Department of Agriculture, Natural Resource Conservation Service has approved of the purchase of the development easement on the Premises pursuant to the terms of the Cooperative Agreement entered into with the State Agriculture Development Committee.



Print Name and Title Below Signature
Janice Reid, ~~Asst~~ State Conservationist

April 8, 2005
DATE

STATE OF NEW JERSEY, COUNTY OF Somerset SS.:

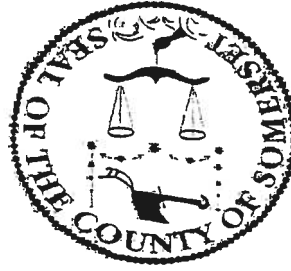
I CERTIFY that on April 08, 20 05.

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

- (a) is named in and personally signed this DEED OF EASEMENT,
- (b) signed, sealed and delivered this DEED OF EASEMENT as the U.S. Department of Agriculture, Natural Resource Conservation Service's act and deed, and
- (c) is the ~~Assistant State Conservationist~~ or the U.S. Department of Agriculture, Natural Resource Conservation Service.


Print Name and Title Below Signature

DREANA D. FLORA
NOTARY PUBLIC
STATE OF NEW JERSEY
COMM ID 2309239
MY COMMISSION EXPIRES JANUARY 7, 2009



BRETT A. RADI
SOMERSET COUNTY CLERK
20 GROVE STREET
P.O. BOX 3000
SOMERVILLE, NJ 08876-1262

Recorded: 06/03/2005 03:33:35 PM
Book: OPR 5751 Page: 407-446
Instrument No.: 2005038830
EASEMT 40 PGS \$420.00

EASEMENT: \$420.00

Recorder: VILLANUEVA

DO NOT DISCARD

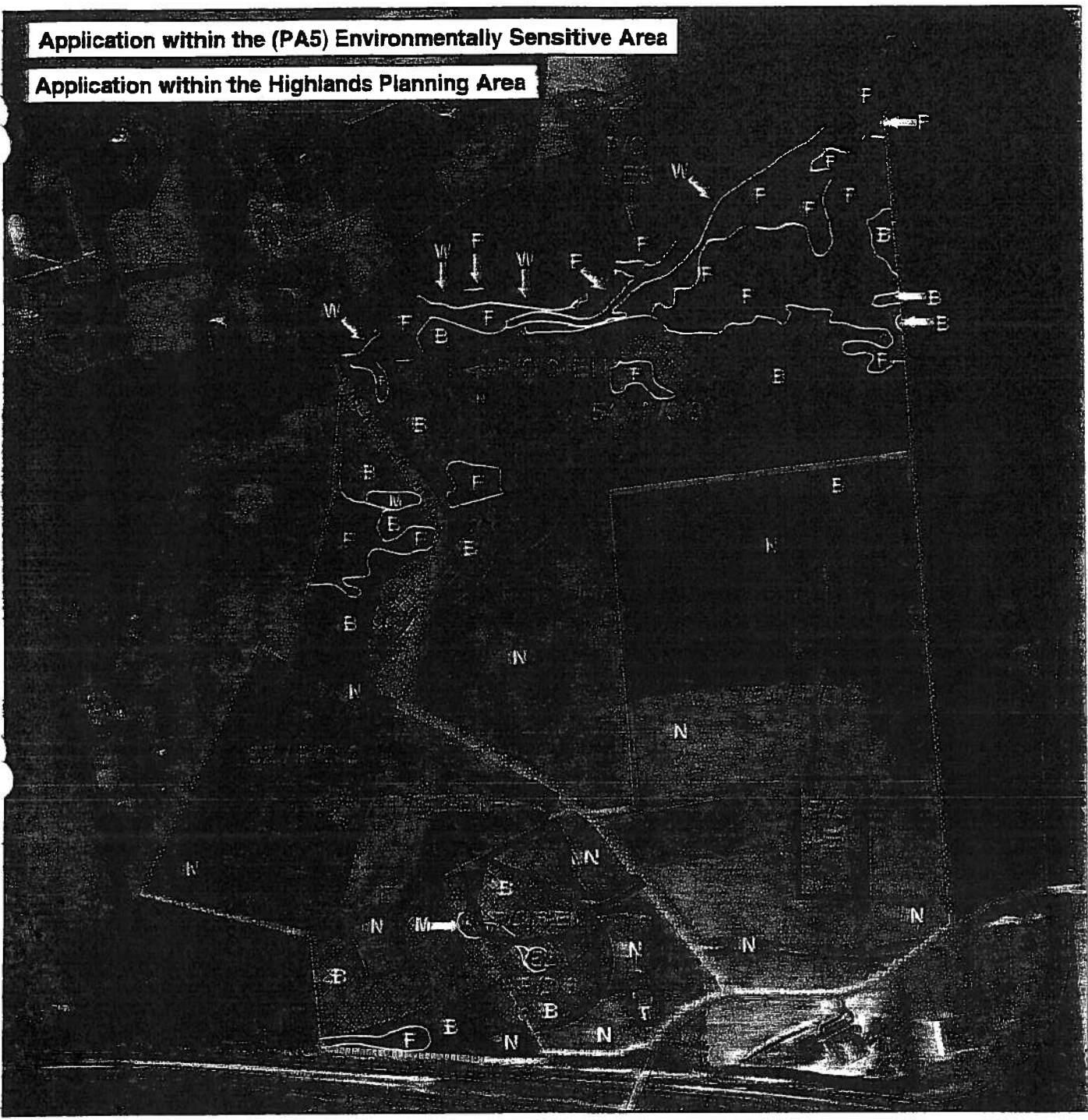


2005038830

Application within the (PA5) Environmentally Sensitive Area

Application within the Highlands Planning Area

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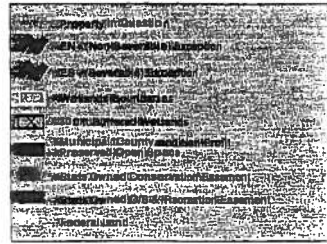


FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee

Mill Race Farm (Kellogg, Peter)
 Block 52 P/O Lot 2 (79.44 ac) & P/O Lot 2-EN (non-severable exception - .5 ac)
 P/O Lot 6 (14.1 ac) & P/O Lot 6-EN (non-severable exception - 10.09 ac)
 Block 54 P/O Lot 3 (99.29 ac), P/O Lot 3-EN (non-severable exception - .4 ac)
 & P/O Lot 3-ES (severable exception - 22.01 ac)
 P/O Lot 4 (93.31 ac) & P/O Lot 4-EN (non-severable exception - 5.2 ac)
 Gross Total - 324.34
 Beaminstertwp, Somerset County



DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geographic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.



Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 30' Buffer
 W - Water

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJDOT/OGIS 2007/2008 Digital Aerial Imagery
 Date: 1/17/2012

NJ State Agriculture Development Committee

Wetlands Classification

KELLOGG, PETER

Wetland Classification	Acres	Percentage
BUFFER	86.19	30.12%
FWW	23.24	8.12%
MODAG	0.80	0.28%
NON-WETLAND	175.60	61.37%
WATER	0.30	0.11%
Total	286.14	100.00%

** Acres and Percentage Totals for Easement Acres only, Exception Statistics not included. **

Grand Total 286.14

NJ State Agriculture Development Committee

Wetlands Block Lot Breakdown

KELLOGG, PETER

LOT(s)

County	Municipality	Block	Lot			
SOMERSET	BEDMINSTER TWP	52	P/O 2			
				Wetland Classification	Acres	Percent
				BUFFER	25.20	8.81%
				FWW	4.75	1.66%
				MODAG	0.74	0.26%
				NON-WETLAND	48.75	17.04%
Total for this LOT(s)					79.44	27.76%

County	Municipality	Block	Lot			
SOMERSET	BEDMINSTER TWP	52	P/O 6			
				Wetland Classification	Acres	Percent
				BUFFER	4.98	1.74%
				FWW	0.08	0.03%
				MODAG	0.06	0.02%
				NON-WETLAND	8.68	3.03%
				WATER	0.30	0.11%
Total for this LOT(s)					14.10	4.93%

County	Municipality	Block	Lot			
SOMERSET	BEDMINSTER TWP	54	P/O 3			
				Wetland Classification	Acres	Percent
				BUFFER	52.05	18.19%
				FWW	18.42	6.44%
				NON-WETLAND	28.82	10.07%
Total for this LOT(s)					99.29	34.70%

County	Municipality	Block	Lot			
SOMERSET	BEDMINSTER TWP	54	P/O 4			
				Wetland Classification	Acres	Percent
				BUFFER	3.96	1.38%

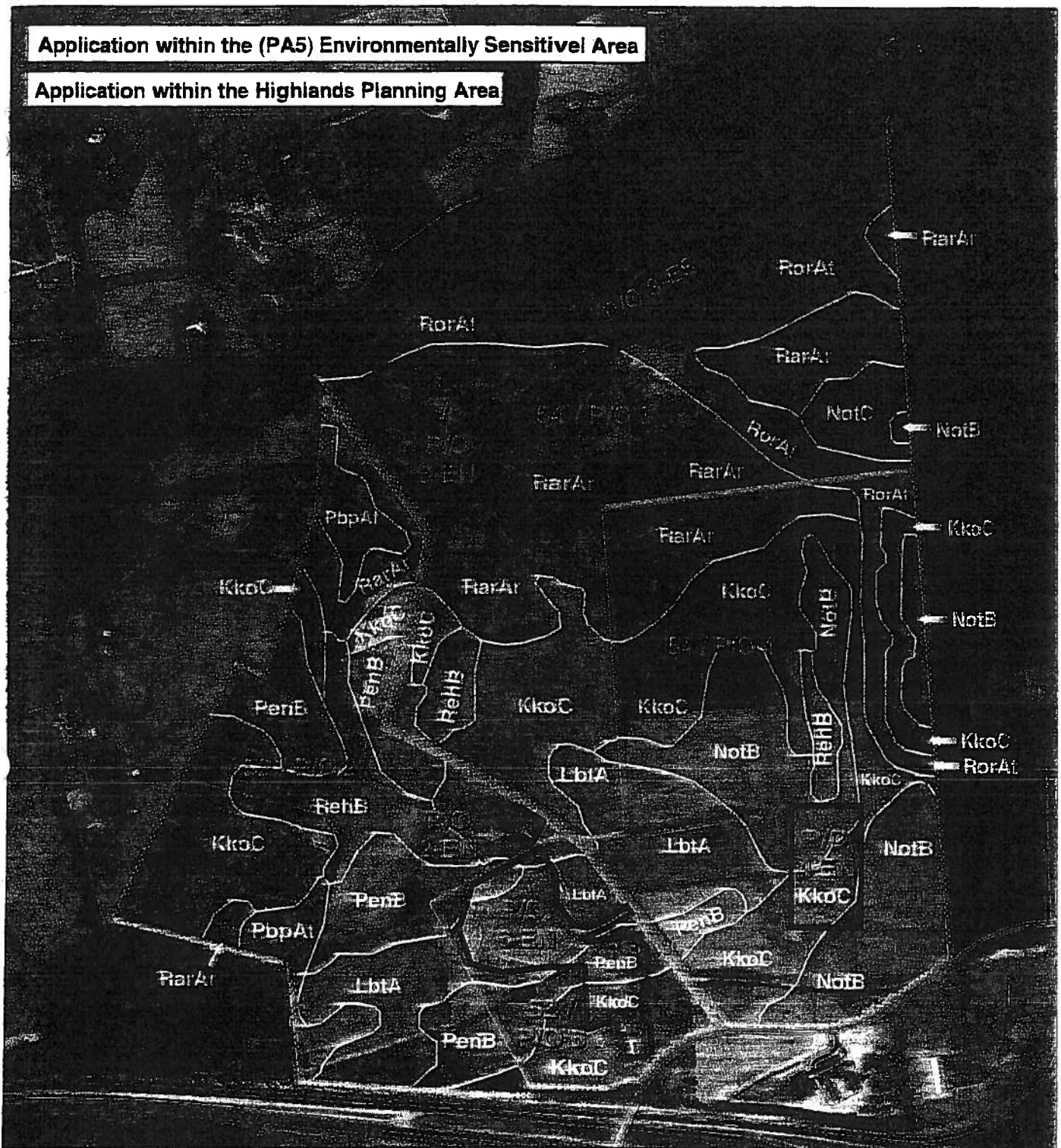
	NON-WETLAND	5.20
Total for this EXCEPTION(S)		5.20
Total for all EXCEPTION(S)		38.20

Total for Farm 324.34

Application within the (PA5) Environmentally Sensitive Area

Application within the Highlands Planning Area

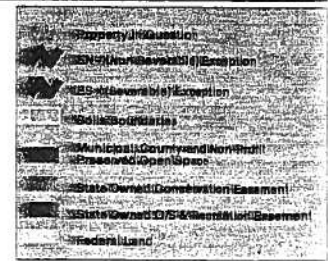
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**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Mill Race Farm (Kellogg, Peter)
 Block 52 P/O Lot 2 (79.44 ac) & P/O Lot 2-EN (non-severable exception - .5 ac)
 P/O Lot 6 (14.1 ac) & P/O Lot 6-EN (non-severable exception - 10.09 ac)
 Block 54 P/O Lot 3 (99.29 ac), P/O Lot 3-EN (non-severable exception - .4 ac)
 & P/O Lot 3-ES (severable exception - 22.01 ac)
 P/O Lot 4 (93.31 ac) & P/O Lot 4-EN (non-severable exception - 5.2 ac)
 Gross Total - 324.34
 Beaminster Twp., Somerset County

500 250 0 500 1,000 Feet



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Sources:
 NRCS - SSURGO 2010 Soil Data
 Green Acres Conservation Easement Data
 NJGIT/OGIS 2007/2008 Digital Aerial Image

Date: 1/17/2012

NJ State Agriculture Development Committee

Soil Types

KELLOGG, PETER

Soil Type	Soil Name	Acres	Percentage
KkoC	Klinesville channery loam, 6 to 12 percent slopes	74.04	25.88%
LbtA	Lansdowne silt loam, 0 to 2 percent slopes	26.04	9.10%
NotB	Norton loam, 2 to 6 percent slopes	32.86	11.48%
NotC	Norton loam, 6 to 12 percent slopes	4.67	1.63%
PbpAt	Parsippany silt loam, 0 to 3 percent slopes, frequently flooded	8.90	3.11%
PenB	Penn silt loam, 2 to 6 percent slopes	28.41	9.93%
RarAr	Raritan silt loam, 0 to 3 percent slopes, rarely flooded	69.92	24.44%
RehB	Reaville silt loam, 2 to 6 percent slopes	15.64	5.47%
RorAt	Rowland silt loam, 0 to 2 percent slopes, frequently flooded	25.66	8.97%
Total		286.14	100.00%

** Acres and Percentage Totals for Easement Acres only, Exception Statistics not included. **

NJ State Agriculture Development Committee

Septic Suitability

KELLOGG, PETER

Septic Suitability Classification	Acres	Percentage
Somewhat limited	118.09	41.27%
Very limited	168.05	58.73%
Total	286.14	100.00%

** Acres and Percentage Totals for Easement Acres only, Exception Statistics not included. **

NJ State Agriculture Development Committee

Soil Classifications

KELLOGG, PETER

Soil Classification	Acres	Percentage
All areas are prime farmland	131.19	45.85%
Farmland of local importance - SOM	99.70	34.84%
Farmland of statewide importance	46.36	16.20%
Not prime farmland	8.90	3.11%
Total	286.14	100.00%

** Acres and Percentage Totals for Easement Acres only. Exception Statistics not included. **

NJ State Agriculture Development Committee

Soils Block Lot Breakdown

KELLOGG, PETER

LOT(s)

County	Municipality	Block	Lot	Farmland Classification	Soil Type	Acres	Percent
SOMERSET	BEDMINSTER TWP	52	P/O 2				
				All areas are prime farmland	PenB	21.68	7.58%
					RarAr	6.78	2.37%
				All areas are prime farmland Total		28.46	9.95%
				Farmland of local importance - SOM	KkoC	22.04	7.70%
				Farmland of local importance - SOM Total		22.04	7.70%
				Farmland of statewide importance	LbtA	9.44	3.30%
					RehB	10.60	3.70%
				Farmland of statewide importance Total		20.04	7.00%
				Not prime farmland	PbpAt	8.90	3.11%
				Not prime farmland Total		8.90	3.11%
				Total for this LOT(s)		79.44	27.76%

County	Municipality	Block	Lot	Farmland Classification	Soil Type	Acres	Percent
SOMERSET	BEDMINSTER TWP	52	P/O 6				
				All areas are prime farmland	PenB	3.89	1.36%
				All areas are prime farmland Total		3.89	1.36%
				Farmland of local importance - SOM	KkoC	7.15	2.50%
				Farmland of local importance - SOM Total		7.15	2.50%
				Farmland of statewide importance	LbtA	3.06	1.07%
				Farmland of statewide importance Total		3.06	1.07%
				Total for this LOT(s)		14.10	4.93%

County	Municipality	Block	Lot	Farmland Classification	Soil Type	Acres	Percent
SOMERSET	BEDMINSTER TWP	54	P/O 3				
				All areas are prime farmland	NotB	0.62	0.22%

County	Municipality	Block	Lot		
SOMERSET	BEDMINSTER TWP	52	P/O 6-EN		
				Farmland Classification	Soil Type
					Acres
					Percent
				All areas are prime farmland	PenB
				All areas are prime farmland Total	2.31
				Farmland of local importance - SOM	KkoC
				Farmland of local importance - SOM Total	2.24
				Farmland of statewide importance	LbtA
				Farmland of statewide importance Total	5.54
				Total for this EXCEPTION(s)	10.09

County	Municipality	Block	Lot		
SOMERSET	BEDMINSTER TWP	54	P/O 3-EN		
				Farmland Classification	Soil Type
					Acres
					Percent
				All areas are prime farmland	RarAr
				All areas are prime farmland Total	0.40
				Total for this EXCEPTION(s)	0.40

County	Municipality	Block	Lot		
SOMERSET	BEDMINSTER TWP	54	P/O 3-ES		
				Farmland Classification	Soil Type
					Acres
					Percent
				All areas are prime farmland	RarAr
				All areas are prime farmland Total	1.62
				Farmland of local importance - SOM	RorAt
				Farmland of local importance - SOM Total	20.39
				Total for this EXCEPTION(s)	22.01

County	Municipality	Block	Lot		
SOMERSET	BEDMINSTER TWP	54	P/O 4-EN		
				Farmland Classification	Soil Type
					Acres
					Percent
				All areas are prime farmland	NotB
				All areas are prime farmland Total	2.34
				Farmland of local importance - SOM	KkoC
				Farmland of local importance - SOM Total	2.86
				Total for this EXCEPTION(s)	5.20

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION FY2012R3(2)

FINAL REVIEW AND APPROVAL OF A PLANNING INCENTIVE GRANT TO

WARREN COUNTY
for the
PURCHASE OF A DEVELOPMENT EASEMENT
SADC FY2011 Funding

On the Property of
Drake et al ("Owner")
Allamuchy Township, Warren County

N.J.A.C. 2:76-17 et seq.
SADC ID# 21-0509-PG

March 22, 2012

WHEREAS, on December 15, 2007, the State Agriculture Development Committee ("SADC") received a Planning Incentive Grant ("PIG") plan application from Warren County, hereinafter "County" pursuant to N.J.A.C. 2:76-17.6; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.7, the SADC granted final approval to Warren County's PIG plan on July 24, 2008; and

WHEREAS, on June 29, 2011 the SADC received an application for the sale of a development easement from Warren County for the subject farm identified as Block 201, Lot 11, Allamuchy Township, Warren County, totaling approximately 202 net acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, the Property is located in Warren County's Northeast Project Area; and

WHEREAS, the Property includes two single family residences on the area to be preserved (outside the exception area); and

WHEREAS, the Property has a one-acre non-severable exception area for a future non-agricultural use and/or a future single family residence; and

WHEREAS, the Property has a rank score of 67.65 which exceeds 40, which is 70% of the County's average quality score as determined by the SADC July 24, 2010; and

WHEREAS, the Property has 15% soils designated as "Prime," and 64% soils designated as "Other", with approximately 56% of the farm devoted to field crop production such as corn and hay, and approximately 15% of the Property devoted to a dairy operation; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.9(b) on July 26, 2011 it was determined that the application for the sale of a development easement was complete and accurate and satisfied the criteria contained in N.J.A.C. 2:76-17.9(a); and

WHEREAS, pursuant to N.J.A.C. 2:76-17.11, on December 8, 2011 the SADC certified a development easement value of \$4,000 per acre based on zoning and environmental regulations in place as of 1/1/04 and \$2,200 per acre based on zoning and environmental regulations in place as of the current valuation date 10/17/11; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.12, the landowner offered to sell the development easement to the County for \$4,000 per acre and the County has agreed to purchase the development easement for this amount; and

WHEREAS, the County has requested to encumber an additional 3% buffer for possible final surveyed acreage increases, therefore, 208.06 acres will be utilized to calculate the grant need; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on December 15, 2011 the Warren CADB passed a resolution granting final approval for funding the Property at a per acre price of \$4,000; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13, on December 20, 2011 the Allamuchy Township Committee approved the Owner's application for the sale of development easement, but is not participating financially in the easement purchase; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.13 on January 11, 2012, the Board of Chosen Freeholders of the County of Warren passed a resolution granting final approval for funding the \$1,200 per acre cost share; and

WHEREAS, on January 20, 2012 the County prioritized its farms and submitted its applications in priority order to the SADC to conduct a final review of the application for the sale of a development easement pursuant to N.J.A.C. 2:76-17.14; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.8, on April 20, 2011 the SADC established FY11 funding allocations to provide eligible counties with a base grant of \$1,500,000 with the ability to obtain an additional competitive grant not to exceed \$3,000,000 to purchase development easements on eligible farms, subject to available funds; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the Warren County Agriculture Development Board is requesting \$582,568 from its base grant, leaving a cumulative balance of \$917,432 (Schedule B); and

WHEREAS, no competitive grant funding is needed for the SADC cost share grant on this Property, therefore the entire estimated SADC grant need will be encumbered from the County's base grant; and

WHEREAS, pursuant to N.J.A.C. 2:76-17.14, the SADC shall approve a cost share grant for the purchase of the development easement on an individual farm consistent with the provisions of N.J.A.C. 2:76-6.11;

NOW THEREFORE BE IT RESOLVED, that the SADC grants final approval to provide a cost share grant to Warren County for the purchase of a development easement on the Property, comprising 208.06 acres, at a State cost share of \$2,800 per acre (70% of purchase price) pursuant to N.J.A.C. 2:76-6.11 and the conditions contained in Schedule C; and

BE IT FURTHER RESOLVED, that if additional base grant funds are needed due to an increase in acreage the grant may be adjusted so long as it does not impact any other applications' encumbrance; and

BE IT FURTHER RESOLVED, any unused funds encumbered from either the base or competitive grants at the time of final approval shall be returned to their respective sources (competitive or base grant fund); and

BE IT FURTHER RESOLVED, that the SADC's cost share grant to the County for the purchase of a development easement on the approved application shall be based on the final surveyed acreage of the premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, streams or water bodies on the boundaries of the premises as identified in Policy P-3-B Supplement and for residual dwelling site opportunities allocated pursuant to Policy P-19-A; and

BE IT FURTHER RESOLVED, the SADC shall enter into a Grant Agreement with the County pursuant to N.J.A.C. 2:76-6.18, 6.18(a) and 6.18(b); and

BE IT FURTHER RESOLVED, that the SADC's final approval is conditioned upon the Governor's review pursuant to N.J.S.A. 4:1C-4.

3/22/12

Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Acting Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

Wetlands



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Application within the Highlands Planning Area

FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Dale, Keith H. and Betty Drake
Block 201 Lots P/O 11 (199.1 ac)
& P/O 11-EN (non-severable exception - 1.0 ac)
Gross Total - 200.1 ac
Allamuchy Twp., Warren County



	Property In Question
	201-Non-Severable Exception
	2017-Non-Severable Exception
	Wetland Boundaries
	Municipal County and Non-Profit Reserved Open Space
	State Owned Conservation Easement
	State Owned OS&R Recreation Easement

Wetlands Legend:

F	- Freshwater Wetlands
L	- Linear Wetlands
M	- Wetlands Modified for Agriculture
T	- Tidal Wetlands
N	- Non-Wetlands
S	- 300' Buffer
W	- Water

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geodetic accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Source:
NJDEP Freshwater Wetlands Data
Green Acres Licensure Easement Data
NJ017/OGIS 2007/2008 Digital/Aerial Image

With a value 15

W County New Jersey Ft. Preservation Program
 County Planning Incentive Grant - N.J.A.C. 2:76-17 et seq.

Farm	Municipality	App Acres	Plus 3 Percent Acres	SADC Certified Per Acre	Negotiated & Approved Per Acre	SADC Grant Per Acre	Easement Consideration	SADC Cost Share	1,500,000 Base Grant		3,000,000 Competitive Grant		Balance subject to availability & approval
									Encumbered at Final	Balance	Encumbered at Final	Balance	
Drake et al	Allamuchy	202.000	208.0600	4,000.00	4,000.00	2,800.00	832,240.00	582,568.00	917,432.00				
Carson, Dan and Wilney	Fringinghysen	285.250		5,200.00		3,500.00		998,515.00					
Gardner, Richard	Franklin	108.000		5,850.00		3,825.00		413,100.00					
Bowers, Russell	Potlacoing	49.830		6,000.00		3,900.00		194,337.00					
Prudden, Timothy	Hope	160.000		6,000.00		3,900.00		624,000.00					
Christo, Irma	Mansfield	66.830		6,000.00		3,900.00		260,637.00					
McConnell	Oxford	56.000											
McCullough, Head Land On hold	Washington	39.000											
Dehryple, Brent (hold)	White	41.5											
Withdrawn													
Walters, Grant & Janel	Blairstown	56.000	57.6800	4,200.00	5,200.00	2,920.00	299,936.00	168,425.60					
Total Final Approval		2	0.00					2,490,589.00			0.00		
Total Pending Approval		6	0.00					1,247,399.60					
Total Pending w/o Funding													
Shortfall													
Total Encumbered		310.000	208.060					582,568.00			0.00		582,568.00
Closed/Expended		534.120	0.000					1,816,852.00					
Total								2,659,014.60					
Reprogram Out													

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Drake Farm
21-0509-PG
FY 2011 County PIG Program
202 Acres

Block 201	Lot 11	Allamuchy Twp.	Warren County		
SOILS:		Other	64% * 0	=	.00
		Prime	15% * .15	=	2.25
		Unique .125	3% * .125	=	.38
		Unique zero	18% * 0	=	.00
					SOIL SCORE: 2.63
TILLABLE SOILS:		Cropland Harvested	56% * .15	=	8.40
		Permanent Pasture	15% * .02	=	.30
		Woodlands	29% * 0	=	.00
					TILLABLE SOILS SCORE: 8.70
FARM USE:		Dairy	29 acres		
		Corn-Cash Grain	54 acres		
		Field Crop Except Cash Grain	57 acres		

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 80% of the purchase price of the easement. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for Possible future non-ag use and/or single family residence
 - Exception is not to be severed from Premises
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 - Standard Single Family
 - Standard Single Family
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, and N.J.A.C. 2:76-7.14.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2012R3(3)

Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
New Jersey Conservation Foundation – Sorbello Farm
2011 Non Profit Round – SADC #10-0035 NP

March 22, 2012

- WHEREAS, on December 20, 2010 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from New Jersey Conservation Foundation ("NJCF") for the Sorbello farm identified as Block 28, Lot 3.07, Pilesgrove Township, Salem County, totaling approximately 45 net acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and
- WHEREAS, the Sorbello Farm has one (1) acre nonseverable exception limited to one single family residence; and
- WHEREAS, the farm is approximately 92 percent tilled and was in corn (grain) production at the time of application and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and
- WHEREAS, on April 28, 2011 the SADC granted preliminary approval by Resolution #FY2011R4(7) to the NJCF application and appropriated \$2,552,000 for the acquisition of development easements or fee simple interest to seven farms which NJCF had submitted including the Property; and
- WHEREAS, NJCF has received Final Approval for the Miller, Fisher, and Conley farms in the 2011 Round, which will utilize approximately \$1,085,150 of the appropriated funds, leaving a balance of approximately \$1,466,850; and
- WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) the SADC determined that any farm that has a quality score (as determined by N.J.A.C. 2:76-6.16) greater than or equal to 70% of the county average quality score as determined in the County PIG program be eligible for funding; and
- WHEREAS, the Property has a quality score of 66.98 which is greater than 70% of the County average quality score of 45 as determined on June 24, 2010; and
- WHEREAS, on January 26, 2012 the SADC certified the easement value of the Property to be \$8,600 per acre based on current zoning (as of August 1, 2011); and
- WHEREAS, on February 1, 2012 the SADC informed NJCF of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of NJCF's eligible costs and subject to available funds; and
- WHEREAS, on March 5, 2012 NJCF informed the SADC that it will accept SADC cost share of \$4,300 per acre and a total value of \$8,600 and NJCF was prepared to move forward with the project; and

WHEREAS, NJCF has stated that the farm is included on NJCF's Federal United States Department of Agriculture, Natural Resources Conservation Service FRPP grant application as a targeted farm and they intend to utilize these Federal Grant funds for their matching grant; and

WHEREAS, the NJCF/Sorbello farm is eligible for a 50% Federal grant for \$173,250 based on 50% of the NRCS approved easement value of \$7,700; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP Grant, including a 7.33% maximum impervious coverage restriction (approximately 3.3 acres available for impervious coverage including agricultural related structures) on the lands being preserved outside of the exception area; and

WHEREAS, the anticipated cost share participation for the project will be as follows based on 45 acres:

Landowner Donation	\$ 20,250	\$ 450/acre
NJCF Federal Funds	\$173,250	\$3,850/acre(50% of \$7,700)
SADC Nonprofit Grant Funds	<u>\$193,500</u>	<u>\$4,300/acre(50% of \$8,600)</u>
Total	\$387,000	\$8,600/acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to NJCF for up to 50% of the eligible ancillary costs which will be deducted from its 2011 appropriation and subject to the availability of funds; and

WHEREAS, the landowner has read and signed acknowledgements stating that they fully understand the benefits and/or restrictions regarding exception areas, division of the premises and non-agricultural uses;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the New Jersey Conservation Foundation/Sorbello easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, that a one acre nonseverable exception limited to one single family residence is recognized; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$4,300 per acre (total of approximately \$193,500 based on 45 acres) to New Jersey Conservation Foundation for the development easement acquisition on the Sorbello farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program funds for the preservation of the Sorbello farm, which will include an impervious coverage limitation of 7.33% and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to New Jersey Conservation Foundation for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to the New Jersey Conservation Foundation for the acquisition of a development easement on the Sorbello farm; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

3/22/12
Date



Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Acting Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

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**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Benny and Mary Sorbello, et. al./Rosemary Polaski/NJCF
 Block 28 Lots P/O 3.07 (45.4 ac)
 & P/O 3.07-EN (non-severable exception - 1.0 ac)
 Gross Total = 46.4 ac
 Piles Grove Twp., Salem County

500 250 0 500 1,000 Feet



	Property in Question
	P/O 3.07-EN (Non-Severable) Exception
	P/O 3.07 (Severable) Exception
	Wetlands Boundaries
	Municipal, County and Non-Profit Owned Land
	State Owned Conservation Easement
	State Owned O&S/Recreation Easement
	Federal Land

Wetlands Legend:
 F - Freshwater Wetlands
 L - Linear Wetlands
 M - Wetlands Modified for Agriculture
 T - Tidal Wetlands
 N - Non-Wetlands
 B - 300' Buffer
 W - Water

Source:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJOT/OGIS 2007/2008 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

April 10, 2011

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Schedule B

NJCF/Sorbello Estate (Polaski)
17- 0035-NP
FY 2011 Easement Purchase - Nonprofit
44 Acres

Block 26	Lot 3.07	Pilesgrove Twp.	Salem County
SOILS:		Prime	67.48% * .15 = 10.12
		Statewide	32.52% * .1 = 3.25
			SOIL SCORE: 13.37
TILLABLE SOILS:		Cropland Harvested	92.82% * .15 = 13.92
		Other	7.18% * 0 = .00
			TILLABLE SOILS SCORE: 13.92
FARM USE:	Soybeans-Cash Grain	41 acres	

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for future house
Exception is not to be severable from Premises
Right to Farm language is to be included in Deed of Easement
Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
 1. 7.33% Federal impervious coverage
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises: No Dwelling Units
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.32, N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2012R3(4)

**Final Approval and Authorization to Execute Closing Documents
Authorization to Contract for Professional Services
SADC Easement Purchase**

**On the Property of
Milton Arthur Peterson and Mary E. Peterson
March 22, 2012**

Subject Property: Deep Run Farm
Block 19, Lot 26; Block 20, Lots 1 & 4
Alloway Township, Salem County
Block 31, Lots 1, 4 & 5
Quinton Township, Salem County
SADC ID#: 17-0218 DE
Approximately 142 net acres (120 acres of non-tidelands)

WHEREAS, on February 24, 2010, the State Agriculture Development Committee ("SADC") received a development easement sale application from Milton Arthur Peterson and Mary E. Peterson, hereinafter "Owner," identified as Block 19, Lot 26; Block 20, Lots 1 & 4, Alloway Township, Salem County, Block 31, Lots 1, 4 & 5, Quinton Township, Salem County, hereinafter "Property," totaling approximately 142 net acres, identified in Schedule A; and

WHEREAS, the SADC is authorized under the Garden State Preservation Trust Act, pursuant to N.J.S.A. 13:8C-1 et seq., to purchase development easements directly from landowners; and

WHEREAS, staff evaluated this application for the sale of development easement pursuant to SADC Policy P-14-E, Prioritization criteria, N.J.A.C. 2:76-6.16 and the State Acquisition Selection Criteria approved by the SADC on June 24, 2010 which categorized applications into "Priority", "Alternate" and "Other" groups; and

WHEREAS, the Property has a quality score of 66.95 which exceeds the Priority Quality score for Salem County of 62, and the Property's 142 acres exceeds the Priority acreage for Salem County of 95 acres, and therefore the Property is categorized as a Priority farm; and

WHEREAS, Deep Run Farm is currently devoted mostly to corn (cash grain) production and has 62% prime soils and 21% statewide soils; and

WHEREAS, the Owner has requested one 3-acre severable exception area on the portion of the farm in Quinton Township for a future single family residence and a 1-acre non-severable exception area around the existing single family residence; and

WHEREAS, on February 23, 2012, the SADC certified the development easement value of the Property at \$5,800 per acre based on current zoning and environmental conditions; and

WHEREAS, on March 7, 2012 the Owner accepted the SADC's offer to purchase the development easement on the Property at \$5,800 per acre; and

WHEREAS, to proceed with the SADC's purchase of the development easement it is recognized that various professional services will be necessary including but not limited to contracts, survey, title search and insurance and closing documents; and

WHEREAS, contracts and closing documents for the acquisition of the development easement will be prepared and shall be subject to review by the Office of the Attorney General;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the Peterson Farm application, for the direct acquisition of the development easement at a value of \$5,800 per acre for a total of approximately \$696,000 (based on 120 non-tidelands acres) subject to the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED, that the SADC's cost share shall be based on the final surveyed acreage of the Property adjusted for proposed road rights of way, other rights of way or easements as determined by the SADC, tidelands claim and streams or water bodies on the boundaries of the Property as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED, that contracts and closing documents shall be prepared subject to review by the Office of the Attorney General; and

BE IT FURTHER RESOLVED, the SADC authorizes Secretary of Agriculture Douglas H. Fisher, Chairperson, SADC or Executive Director Susan E. Payne, to execute an Agreement to Sell Development Easement and all necessary documents to contract for the professional services necessary to acquire said development easement, including but not limited to a survey and title search and to execute all necessary documents required to acquire the development easement on the Property; and

BE IT FURTHER RESOLVED, that this action is not effective until the Governor's review period expires pursuant to N.I.S.A. 4:1C-4f.

3/22/12

Date



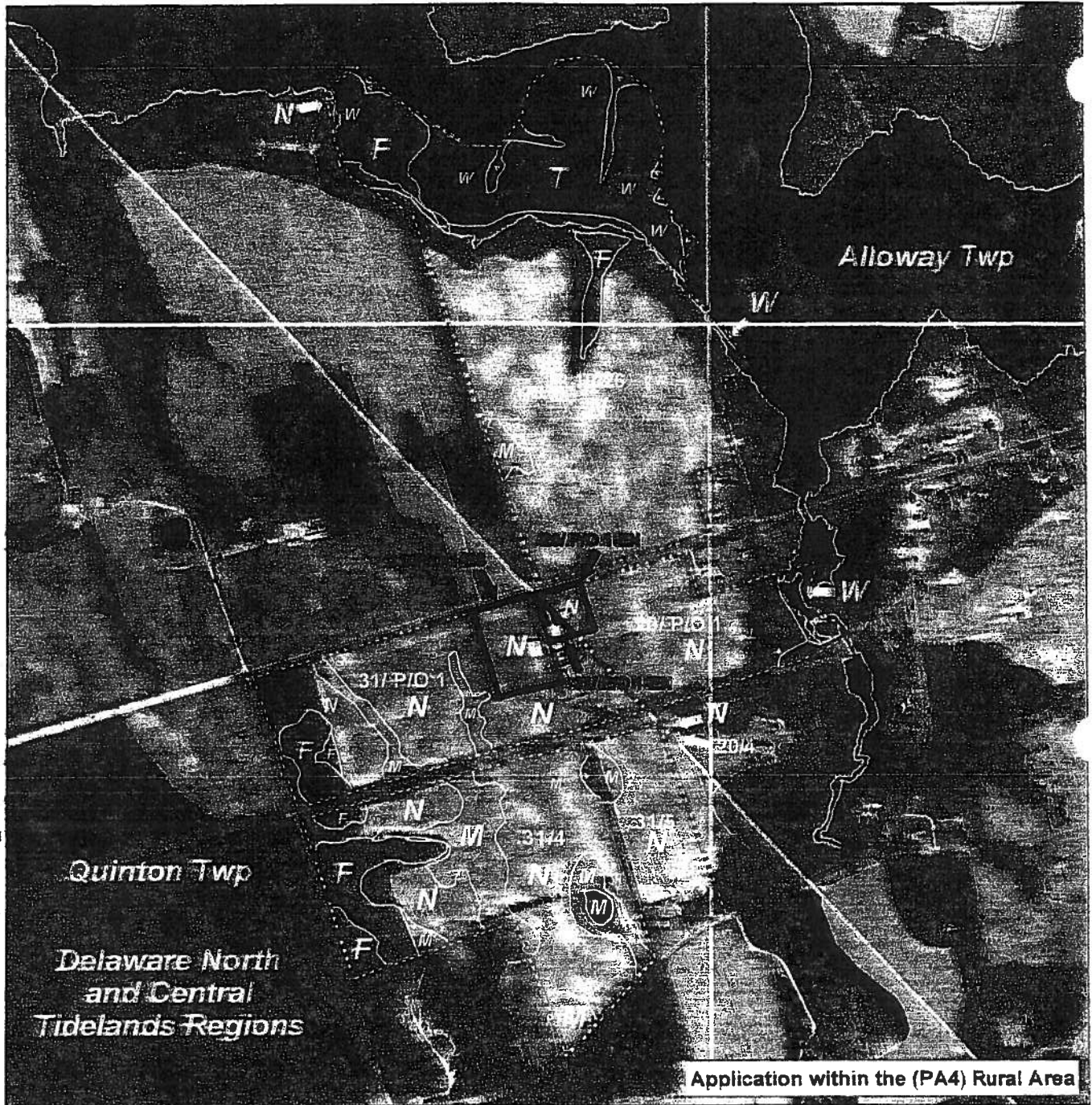
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS

Monique Purcell, Acting Chairperson	YES
Fawn McGee (rep. DEP Commissioner Martin)	YES
James Requa (rep. DCA Acting Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

Wetlands

SCHEDULE A



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FARMLAND PRESERVATION PROGRAM NJ State Agriculture Development Committee

Milton Arthur Peterson
 Alloway Twp. - Block 19 Lot 26 (64.8 ac) & Block 20 Lots P/O 1 (14.0 ac),
 P/O 1-EN (non-severable exception - 0.9 ac) & 4 (0.1 ac)
 Quinton Twp. - Block 31 Lots P/O 1 (21.6 ac),
 P/O 1-ES (severable exception - 3.0 ac)
 & P/O 1-EN (non-severable exception - 0.3 ac); 4 (32.3 ac) & 5 (8.1 ac)
 Gross Total = 145.0 ac
 Salem County

500 250 0 500 1,000 Feet

TIDELANDS DISCLAIMER:
 The linear features depicted on this map were derived from the NJDEP's CD ROM series 1, volume 2, "Tidelands Claims Map". These linear features are not an official NJDEP determination and should only be used as a general reference. Only NJDEP, Bureau of Tidelands Management can perform an official determination of Tidelands/Tidelands claims.

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in the data layer are approximate and were developed primarily for planning purposes. The positional accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

Application within the (PA4) Rural Area

	Property in Question
	EN - Non-Severable Exception
	ES - Severable Exception
	Wetlands Boundaries
	Municipal/County and Non-Prof. Preserved Open Space
	State Owned Conservation Easement
	State Owned O/S & Recreation Easement
	Federal Land
	Tidelands Boundaries



Wetlands Legend:
F - Freshwater Wetlands
L - Linear Wetlands
M - Wetlands Modified for Agriculture
T - Tidal Wetlands
N - Non-Wetlands
3 - 300' Buffer
W - Water

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJDOT/GIS 2007/2008 Digital Aerial Image

August 30, 2011

SADC Final Review: Development Easement Purchase

Schedule B

Deep Run Farm (Peterson)
 State Acquisition
 Easement Purchase - SADC
 142 Acres

Block 19	Lot 26	Alloway Twp.	Salem County
Block 20	Lot 1	Alloway Twp.	Salem County
Block 20	Lot 4	Alloway Twp.	Salem County
Block 31	Lot 1	Quinton Twp.	Salem County
Block 31	Lot 4	Quinton Twp.	Salem County
Block 31	Lot 5	Quinton Twp.	Salem County

SOILS:	Other	4.16%	*	0	=	.00
	Prime	61.22%	*	.15	=	9.33
	Statewide	21.21%	*	.1	=	2.12
	Unique zero	12.41%	*	0	=	.00

SOIL SCORE: 11.45

TILLABLE SOILS:	Cropland Harvested	73%	*	.15	=	10.95
	Wetlands	24%	*	0	=	.00
	Woodlands	3%	*	0	=	.00

TILLABLE SOILS SCORE: 10.95

FARM USE: Corn-Cash Grain 104 acres

This final approval is subject to the following:

1. Available funding.
2. The allocation of 0 Residual Dwelling Site Opportunity(ies) on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
4. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st one (1) acres for existing house
 Exception is not to be severable from Premises
 Right to Farm language is to be included in Deed of Easement
 Exception is to be restricted to one single family residential unit
 - 2nd three (3) acres for future house and to include farmstead
 Exception is severable
 Right to Farm language is to be included in Deed of Future Lot
 Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions: No Additional Restrictions
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
 No Structures Or Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
5. Review and approval by the Office of the Attorney General for compliance with legal requirements.

STATE AGRICULTURE DEVELOPMENT COMMITTEE

RESOLUTION #FY2012R3(5)

Final Approval and Authorization to
Execute Deed of Easement, Project Agreement, and Closing Documents
New Jersey Conservation Foundation - Fox Farm
2011 Non Profit Round - SADC #17-0034 NP

March 22, 2012

WHEREAS, on December 20, 2010 the State Agriculture Development Committee ("SADC"), received a non-profit cost share grant application from New Jersey Conservation Foundation ("NJCF") for the Fox farm identified as Block 35, Lot 72 and Block 50, Lots 5 and 5.03, Quinton Township, Salem County, totaling approximately 59 acres hereinafter referred to as "Property" and as identified on the attached map Schedule A; and

WHEREAS, the Fox Farm has one 3.5 acre severable exception limited to one single family residence and one 1.5 acre non-severable exception limited to one single family residence; and

WHEREAS, the farm is approximately 86 percent tilled and was in hay and soybean production at the time of application and meets the minimum criteria as set forth in N.J.A.C. 2:76-6.20; and

WHEREAS, on April 28, 2011 the SADC granted preliminary approval by Resolution #FY2011R4(7) to the NJCF application and appropriated \$2,552,000 for the acquisition of development easements or fee simple interest to seven farms which NJCF had submitted including the Property; and

WHEREAS, NJCF has received Final Approval for the Miller, Fisher, Conley and Sorbello farms in the 2011 Round, which will utilize approximately \$1,278,650 of the appropriated funds, leaving a balance of approximately \$1,273,350; and

WHEREAS, in accordance with N.J.A.C. 2:76-12.2(b) the SADC determined that any farm that has a quality score (as determined by N.J.A.C. 2:76-6.16) greater than or equal to 70% of the county average quality score as determined in the County PIG program be eligible for funding; and

WHEREAS, the Property has a quality score of 51.85 which is greater than 70% of the County average quality score of 45 as determined on June 24, 2010; and

WHEREAS, on March 22, 2012 the SADC certified the easement value of the Property to be \$6,150 per acre based on current zoning (as of August 1, 2011); and

WHEREAS, the SADC advised NJCF of the certified value and its willingness to provide a 50 percent cost share grant pursuant to N.J.A.C. 2:76-15.1, not to exceed 50 percent of D&R's eligible costs and subject to available funds from the \$1,273,350 remaining balance appropriated in the 2011 Nonprofit round; and

WHEREAS, in accordance with N.J.A.C. 2:76-15.1 if two appraisals have been obtained on a parcel and the difference between the two appraisal values is 10 percent of the higher appraisal value or less, the eligible land cost shall be the average of the appraisal values. The two appraisals submitted were within 10 percent of the highest appraisal value and the resulting average was \$6,150 per acre; and

WHEREAS, on March 5, 2012 NJCF informed the SADC that it will accept SADC cost share of \$3,075 per acre and a total value of \$6,150 and NJCF was prepared to move forward with the project; and

WHEREAS, NJCF has stated that the farm is included on NJCF's Federal United States Department of Agriculture, Natural Resources Conservation Service FRPP grant application as a targeted farm and they intend to utilize these Federal Grant funds for their matching grant; and

WHEREAS, the NJCF/Fox farm is eligible for a 50% Federal grant for \$179,950 based on 50% of the NRCS approved easement value of \$6,100; and

WHEREAS, the landowner has agreed to the additional restrictions associated with the FRPP Grant, including a 7% maximum impervious coverage restriction (approximately 4.13 acres available for impervious coverage including agricultural related structures) on the lands being preserved outside of the exception area; and

WHEREAS, the anticipated cost share participation for the project will be as follows based on 59 acres:

Landowner donation	\$ 1,475	\$ 25/acre
NJCF Federal Funds	\$179,950	\$3,050/acre(50% of \$6,100)
SADC Nonprofit Grant Funds	<u>\$181,425</u>	<u>\$3,075/acre(50% of \$6,150)</u>
Total	\$362,850	\$6,150/acre; and

WHEREAS, pursuant to N.J.A.C. 2:76-12.6 and N.J.A.C. 2:76-16.3, the SADC shall provide a cost share grant to NJCF for up to 50% of the eligible ancillary costs which will be deducted from its appropriation and subject to the availability of funds; and

WHEREAS, the landowner has read and signed acknowledgements stating that they fully understand the benefits and/or restrictions regarding exception areas, division of the premises and non-agricultural uses;

NOW THEREFORE BE IT RESOLVED that the SADC grants final approval to the New Jersey Conservation Foundation/Fox easement acquisition application subject to compliance with N.J.A.C. 2:76-16; and

BE IT FURTHER RESOLVED, that a 3.5 acre severable exception and a 1.5 acre nonseverable exception area are recognized; and

BE IT FURTHER RESOLVED, the SADC shall provide a cost share grant not to exceed \$3,075 per acre (total of approximately \$181,425 based on 59 acres) to New Jersey Conservation Foundation for the development easement acquisition on the Fox farm subject to the availability of funds; and

BE IT FURTHER RESOLVED, the SADC approves the use of NJCF Federal Farm and Ranch Land Protection Program funds for the preservation of the Fox farm, which will include an impervious coverage limitation of 7% and other restrictions required under the Federal Farm and Ranch Land Protection Program; and

BE IT FURTHER RESOLVED, the application is subject to the conditions contained in Schedule B; and

BE IT FURTHER RESOLVED that the SADC authorizes staff to proceed with the preparation of a Project Agreement and closing documents prepared in accordance with N.J.A.C. 2:76-16.1; and

BE IT FURTHER RESOLVED, the SADC's cost share grant to New Jersey Conservation Foundation for the development easement purchase on the approved application shall be based on the final surveyed acreage of the Premises adjusted for proposed road rights-of-way, other rights-of-way or easements as determined by the SADC, and streams or water bodies on the boundaries of the Premises as identified in Policy P-3-B Supplement; and

BE IT FURTHER RESOLVED that the SADC authorizes Douglas Fisher, Secretary of Agriculture as Chairperson of the SADC or Executive Director Susan E. Payne to execute by signature all documents necessary to provide a grant to the New Jersey Conservation Foundation for the acquisition of a development easement on the Fox farm; and

BE IT FURTHER RESOLVED that this action is not effective until the Governor's review period expires pursuant to N.J.S.A. 4:1C-4f.

3/22/12

Date



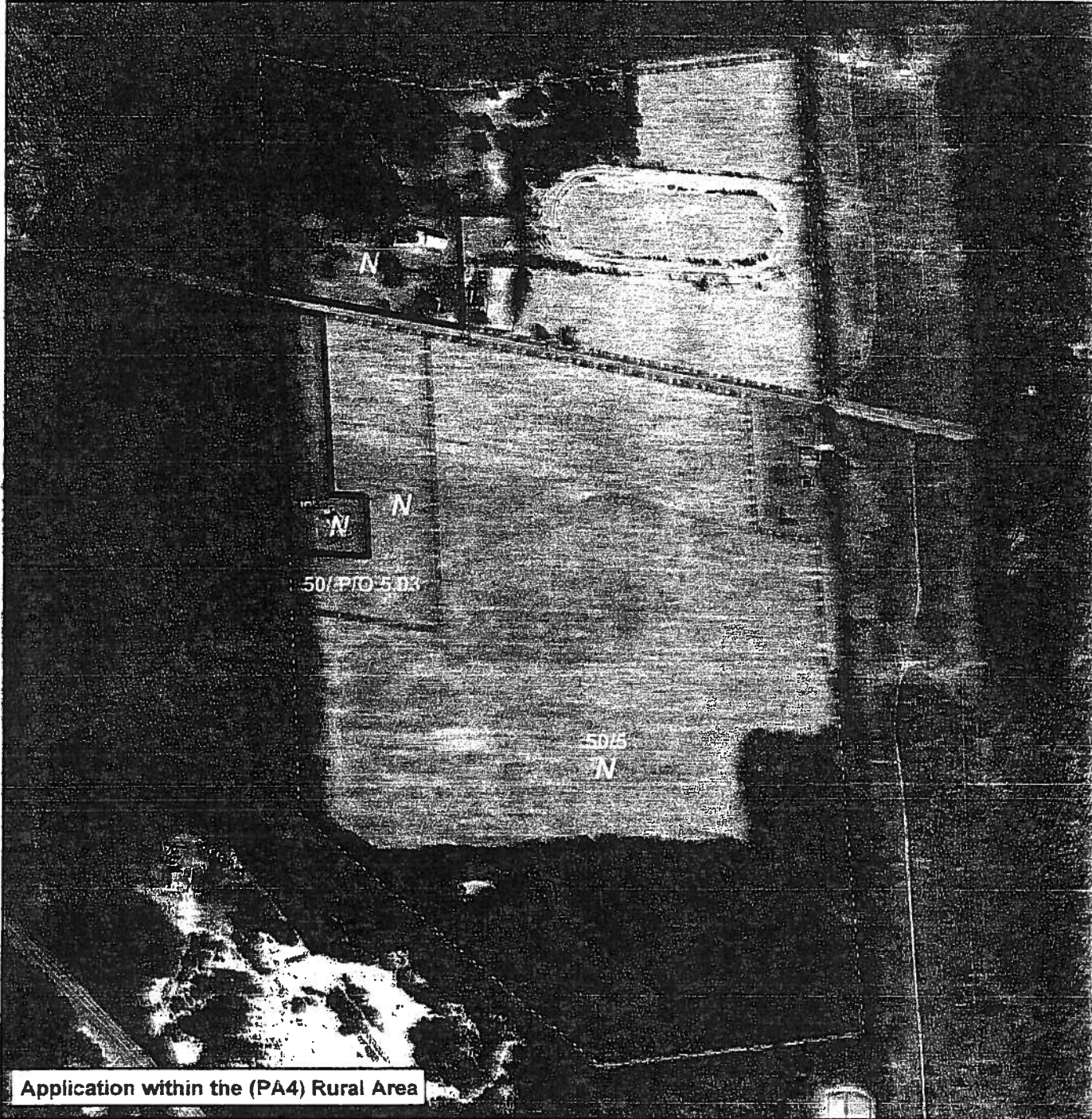
Susan E. Payne, Executive Director
State Agriculture Development Committee

VOTE WAS RECORDED AS FOLLOWS:

Monique Purcell, Acting Chairperson	YES
Fawn McGee (rep. Commissioner Martin)	YES
James Requa (rep. DCA Acting Commissioner Constable)	YES
Brian Schilling (rep. Executive Dean Goodman)	YES
Ralph Siegel (rep. State Treasurer Sidamon-Erstoff)	YES
Jane R. Brodhecker	YES
Alan A. Danser	YES
Denis Germano	YES
Torrey Reade	YES
James Waltman	YES

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**FARMLAND PRESERVATION PROGRAM
NJ State Agriculture Development Committee**

Lester and Sharon Fox/NJCF
 Block 35 Lots P/O 72 (17.1 ac) & P/O 72-ES (severable exception - 3.5 ac)
 Block 50 Lots 5 (40.5 ac); P/O 5.03 (4.4 ac)
 and P/O 5.03-EN (non-severable exception - 1.8 ac)
 Gross Total = 67.4 ac
 Quinton Twp., Salem County



	Property in Question
	EN - (Non-Severable) Exception
	ES - (Severable) Exception
	Wetlands Boundaries
	Municipal, County and Non-Profit Preserved Open Space
	State Owned Open Space/Recreation Easement
	State Owned Open Space/Recreation Easement
	Federal Land

Wetlands Legend:

F	Freshwater Wetlands
L	Linear Wetlands
M	Wetlands Modified for Agriculture
T	Tidal Wetlands
N	Non-Wetlands
S	300' Buffer
V	Water

Sources:
 NJDEP Freshwater Wetlands Data
 Green Acres Conservation Easement Data
 NJGIT/OGIS 2007/2008 Digital Aerial Image

DISCLAIMER: Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user. The configuration and geo-referenced location of parcel polygons in this data layer are approximate and were developed primarily for planning purposes. The geospatial accuracy and precision of the GIS data contained in this file and map shall not be, nor are intended to be, relied upon in matters requiring delineation and location of true ground horizontal and/or vertical controls as would be obtained by an actual ground survey conducted by a licensed Professional Land Surveyor.

State Agriculture Development Committee
SADC Final Review: Development Easement Purchase

Schedule B

NJCF/Fox
17- 0034-NP
FY 2011 Easement Purchase - Nonprofit
59 Acres

Block 35	Lot 72	Quinton Twp.	Salem County
Block 50	Lot 5	Quinton Twp.	Salem County
Block 50	Lot 5.03	Quinton Twp.	Salem County

SOILS:	Other	11% * 0	=	.00
	Prime	71% * .15	=	10.65
	Statewide	18% * .1	=	1.80

SOIL SCORE: 12.45

TILLABLE SOILS:	Cropland Harvested	86% * .15	=	12.90
	Woodlands	14% * 0	=	.00

TILLABLE SOILS SCORE: 12.90

FARM USE:	Hay	29 acres
	Soybeans-Cash Grain	25 acres

In no instance shall the Committee's percent cost share for the purchase of the development easement exceed 50% of the eligible costs. This final approval is subject to the following:

1. Available funding.
2. The allocation, not to exceed 0 Residual Dwelling Site Opportunities on the Premises subject to confirmation of acreage by survey.
3. Compliance with all applicable statutes, rules and policies.
5. Other:
 - a. Pre-existing Nonagricultural Use: No Nonagricultural Uses
 - b. Exceptions:
 - 1st (3.5) acres for independent use and possible transfer of farmhouse to another entity
Exception is severable
Exception is to be restricted to one single family residential unit
 - 2nd (1.5) acres for homestead
Exception is not to be severable from Premises
Exception is to be restricted to one single family residential unit
 - c. Additional Restrictions:
 1. 7% Impervious coverage per FRPP
 - d. Additional Conditions: No Additional Conditions
 - e. Dwelling Units on Premises:
No Structures On Premise
 - f. Agricultural Labor Housing Units on Premises: No Ag Labor Housing
6. The SADC's grant for eligible costs ancillary to the acquisition of the development easement is subject to the terms of the Agriculture Retention and Development Act, N.J.S.A. 4:10-11 et seq., P.L. 1983, c.30, N.J.A.C. 2:76-10.8 and N.J.A.C. 2:76-10.3 and SADC Policy P-5-A.
7. Review and approval by the SADC legal counsel for compliance with legal requirements.