

MONROE TOWNSHIP, MIDDLESEX COUNTY

ORDINANCE NO. O-4-2018-013

**ORDINANCE OF THE MONROE TOWNSHIP
COUNCIL ACCEPTING DEEDS FOR THE PUMP
STATION SITE AT REGENCY AT MONROE**

WHEREAS, Toll NJ II, LP is the owner of real property in Monroe Township known as the Regency at Monroe for which it has received development approval from the Monroe Township Planning Board; and

WHEREAS, pursuant to the Planning Board's approval, Toll NJ II, LP is required to dedicate to the Township of Monroe certain land where a pump station is located, as well as easements for sanitary sewer lines and for access to the pump station; and

WHEREAS, the Monroe Township Utility Department has reviewed the metes and bounds descriptions and maps for the deeds and has found them to be in conformity with the approved development and recommends acceptance thereof; and

WHEREAS, the Township Attorney has reviewed the deeds and found them to be legally sufficient; and

WHEREAS, the Township Council has determined that accepting the deeds is in the public interest;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of Monroe, County of Middlesex, State of New Jersey, as follows:

SECTION 1. The Mayor, Township Clerk and Township Attorney are hereby authorized and directed to take all steps and execute any documents which are reasonably necessary to accept the deeds from Toll NJ II, LP.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 3. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged, and the remainder of the ordinance shall be deemed valid and effective.

SECTION 4. This ordinance shall take effect upon final passage and publication as provided by law.


SO ORDAINED as aforesaid.


STEPHEN DALINA, Council President

RECORDED VOTE – INTRODUCTION – April 9, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin			X			
Councilwoman Cohen		X	X			
Councilman Dipierro			X			
Council V. President Schneider	X		X			
Council President Dalina			X			

NOTICE

Notice is hereby given that the foregoing Ordinance was introduced and passed on first reading at a meeting of the Monroe Township Council held on April 9, 2018. Said Ordinance will again be read and considered for final passage at the next scheduled meeting of the Monroe Township Council to be held on May 7, 2018 at 7:00 p.m. at the Monroe Township Municipal Building, 1 Municipal Plaza, Monroe Township, New Jersey 08831. At said time and place all persons having an interest in the foregoing Ordinance will be granted an opportunity to be heard concerning the same prior to consideration for final passage by the Council.



PATRICIA REID, Township Clerk

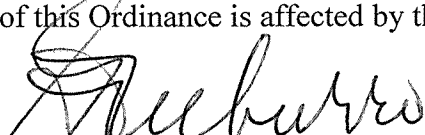
RECORDED VOTE – SECOND READING & FINAL ADOPTION – May 7, 2018						
COUNCIL	MOTION	SECOND	AYE	NAY	ABSTAIN	ABSENT
Councilman Baskin		X	X			
Councilwoman Cohen			X			
Councilman Dipierro			X			
Council V. President Schneider	X		X			
Council President Dalina			X			

ORDINANCE NO.: O-4-2018-013

**ORDINANCE OF THE MONROE TOWNSHIP
COUNCIL ACCEPTING DEEDS FOR THE PUMP
STATION SITE AT REGENCY AT MONROE**

MAYORAL APPROVAL

By virtue of the Optional Municipal Charter Law of 1950 and Chapter 3, Section 19 of the Code of the Township of Monroe, my approval of this Ordinance is affected by the affixing of my signature hereto.



GERALD W. TAMBURRO, Mayor

Date signed: 5/8/18

Prepared by:


WALTER TOTO, ESQ.

DEED OF ACCESS & UTILITY EASEMENT

THIS DEED, made on this 28 day of February, 2018 between TOLL NJ II L.P., with offices at 250 Gibraltar Road, Horsham, PA 19044, referred to as the "GRANTOR", and the TOWNSHIP OF MONROE, a public body corporate and politic of the Township of Monroe, County of Middlesex and State of New Jersey whose address is 1 Municipal Plaza, Monroe Township, New Jersey 08831, referred to as the "GRANTEE,"

WITNESSETH:

That the GRANTOR, in consideration of LESS THAN ONE HUNDRED (\$100.00) DOLLARS, the receipt of which is hereby acknowledged, does hereby grant and convey to the GRANTEE, an easement across the property in the Township of Monroe, County of Middlesex, and State of New Jersey, being part of the premises designated as Regency at Monroe and located on:

Access

- P/O Lot 245, Block 35.01 containing 18,641.98 square feet (0.144 acres), as shown and described on Exhibits A & B attached hereto.

The easement herein granted and conveyed by the GRANTOR to the GRANTEE gives the GRANTEE the right to construct, maintain, replace, or supplement its sewerage/water and appurtenant facilities on or under the surface of the said premises and to have free access to and across the said premises without need of notice, insofar as such right of access is necessary to the proper use of any right granted herein, on the condition that the GRANTEE, after doing work on the premises, shall restore the premises substantially to its original condition, to the extent possible.

With respect to the easement herein granted, the GRANTOR, its heirs and assigns, shall have the right to surface use of the said premises, but agree to be limited as follows:

1. No obstruction or encumbrance, physical or otherwise, shall be placed in or above the said premises which will obstruct the GRANTEE'S purpose as expressed herein. This prohibition includes anything other than a grass lawn.
2. No fill, material, machinery, appliances, or similar objects may be placed on the said premises which will impose an additional loading in excess of one hundred pounds per square foot (100 lbs./sq. ft.) without the prior written approval of the Grantee.
3. Fencing may be erected by the Grantor, as approved by the Grantee, provided that the Grantor or its successors or assigns are responsible for all costs associated with removal and/or reinstallation of the fencing if and when it becomes necessary to do so to work within an easement.

In consideration of the mutual promises and obligations contained herein, the Grantor and Grantee hereby covenant and agree as follows:

- A. That the Grantee shall quietly enjoy its rights in and to the said easement without disturbance and interference by the Grantor.



professional engineers land surveyors planners landscape architects environmentalists

ASSOCIATES

1460 ROUTE 9 SOUTH, HOWELL, N.J. 07731

PLEASE REFER TO
OUR FILE NO.

H-YR-06887-62
72605

April 10, 2017

732-482-7400
FAX # 732-409-0758

**30.00 Foot Wide Sanitary Sewer Easement
Part of Tax Lot 246, Block 35.01
Monroe Township
Exhibit A**


Description of a 30.00 foot wide strip of land being a portion of Tax Lot 246, Block 35.01 situate, lying and being in the Township of Monroe, County of Middlesex, State of New Jersey to be dedicated to the MTUD (Monroe Township Utilities Department) for Sanitary Sewer Easement purposes and being more particularly described as follows:

BEGINNING at a point on the proposed northwesterly Right-of-Way line of Tournament Drive said point being distant 206.08 feet on a course bearing North 39° 09' 34" East from the intersection of the said line extended southwesterly and the proposed southwesterly Right-of-Way line of Valhalla Drive extended northwesterly; thence,

- 1) North 50° 50' 26" West, a distance of 431.26 feet to an angle point; thence,
- 2) North 44° 14' 01" West, a distance of 157.54 feet to a point; thence,
- 3) North 82° 37' 14" West, a distance of 27.02 feet to a point; thence,
- 4) North 07° 22' 46" East, a distance of 27.59 feet to a point; thence,
- 5) South 82° 37' 14" East, a distance of 40.50 feet to a point; thence,
- 6) South 44° 14' 01" East, a distance of 162.37 feet to an angle point; thence,
- 7) South 50° 50' 26" East, a distance of 429.53 feet to a point on the proposed Right-of-Way line of Tournament Drive; thence,
- 8) South 39° 09' 34" West, along said proposed Right-of-Way line, a distance of 30.00 feet to the point and place of BEGINNING, .

Containing 18,641.98 square feet (0.4280 acres) of land and being subject to any easements or restrictions of record.

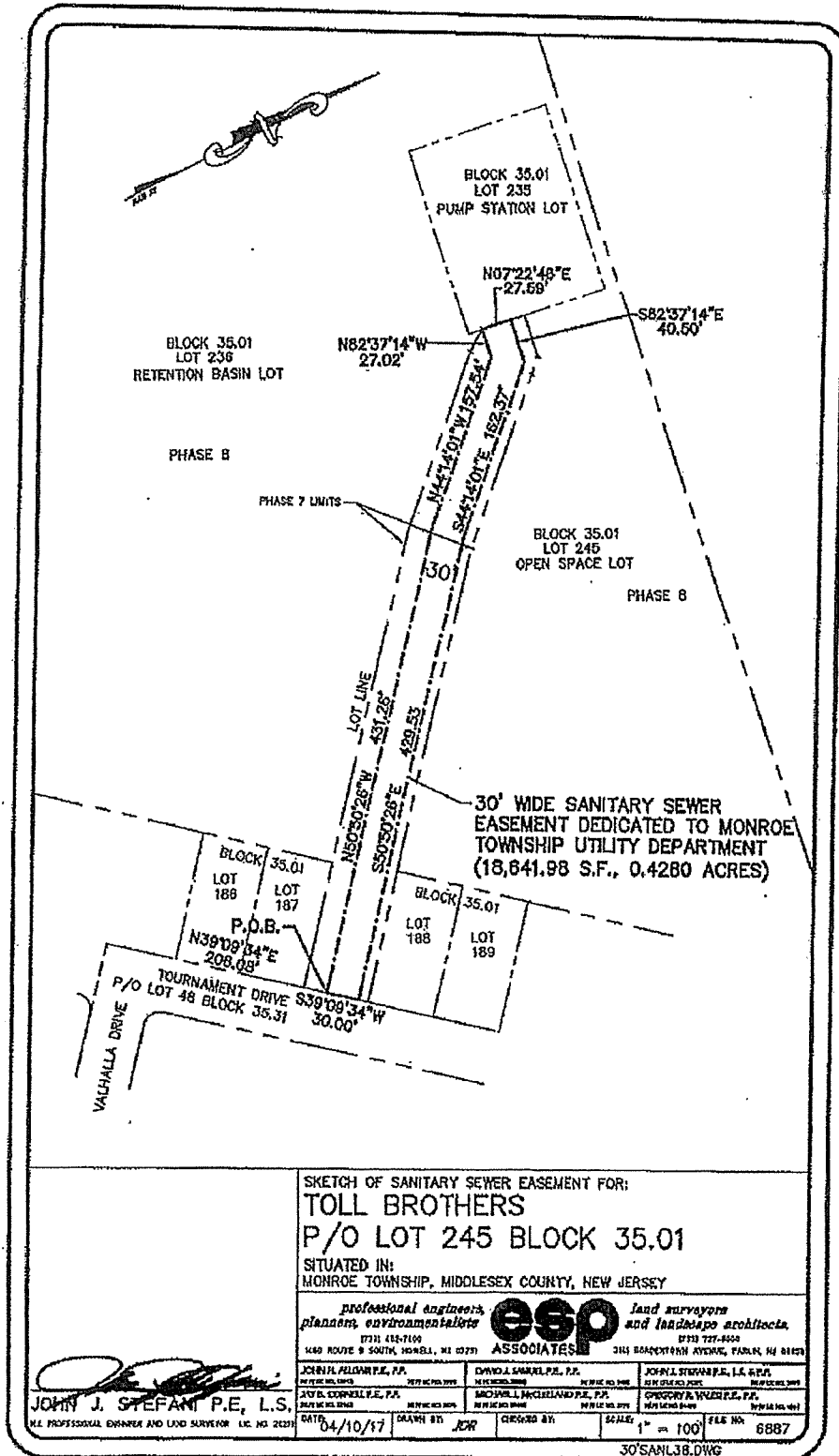
The property as hereinbefore described being and intended to be that same property as laid out on a certain map entitled "Sketch of Sanitary Sewer Easement for Toll Brothers P/O Lot 246 Block 35.01, Monroe Township, Middlesex County, New Jersey", prepared by John J. Stefani, Professional Engineer and Land Surveyor, ESP Associates, 1460 Route 9 South, Howell, New Jersey, 07731-1194, dated April 10, 2017.


John J. Stefani
Prof. Engineer and Land Surveyor
NJ License No. 24271

JJS:QTL:

S:\SURVEY\6887\des\Esmt to Pump - Rev 17-04-10.doc

Exhibit A



SKETCH OF SANITARY SEWER EASEMENT FOR:
TOLL BROTHERS
 P/O LOT 245 BLOCK 35.01
 SITUATED IN:
 MONROE TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY


professional engineers, planners, environmentalists
esp land surveyors and landscape architects
 ASSOCIATES
 1440 ROUTE 9 SOUTH, MONROE, NJ 08851
 3115 BROADWAY AVENUE, FAIRHURST, NJ 08033

JOHN J. STEFANI, P.E., L.S. N.J. PROFESSIONAL ENGINEER AND LAND SURVEYOR LIC. NO. 21231	JOHN J. STEFANI, P.E., L.S. N.J. PROFESSIONAL ENGINEER AND LAND SURVEYOR LIC. NO. 21231	JOHN J. STEFANI, P.E., L.S. N.J. PROFESSIONAL ENGINEER AND LAND SURVEYOR LIC. NO. 21231	JOHN J. STEFANI, P.E., L.S. N.J. PROFESSIONAL ENGINEER AND LAND SURVEYOR LIC. NO. 21231
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DATE: 04/10/17 DRAWN BY: JCR CHECKED BY: SCALE: 1" = 100' FILE NO: 6887
 30'SANL38.DWG

Exhibit B

Prepared by:


WALTER TOTO, ESQ.

DEED

This Deed is made on February 28, 2018

BETWEEN TOLL NJ II, LP,

Whose post office address is 250 Gibraltar Road, Horsham, Pennsylvania 19044,

Referred to as the Grantor,

AND THE TOWNSHIP OF MONROE, a public body corporate and politic of the Township of Monroe, County of Middlesex and State of New Jersey,

Whose post office address is 1 Municipal Plaza, Monroe Township, New Jersey 08831,

Referred to as the Grantee.

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

1. Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. This transfer is made for the sum of **ONE DOLLARS and NO CENTS (\$1.00)**.

The Grantor acknowledges receipt of this money.

2. Tax Map Reference. (N.J.S.A. 46:15-1.1) Municipality of **Monroe Township**
Block No. 35.01, Portion of Lot 235 Account No.

() No property tax identification number is available on the date of this Deed. (Check box if applicable.)

3. Property. The Property consists of the land and all the buildings and structures on the land in the **Township of Monroe**, County of **Middlesex**, and State of New Jersey. The legal description is:

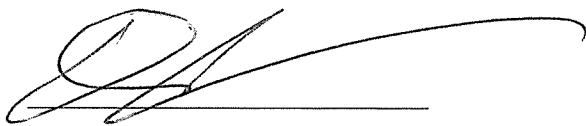
(X) Please see attached Legal Description annexed hereto as Exhibit A and made a part hereof and the sketch annexed as Exhibit B and made a part hereof. (Check box if applicable.)

4. Promises by Grantor. And the Grantor covenants that it has not done or executed, or there has not been done or executed, any act, deed or thing whatsoever whereby or by means whereof the premises conveyed herein, or any part thereof, now are or at any time hereafter, will or may be charged or encumbered in any matter or way whatsoever, including, without limitation, any mortgage, judgment lien or tax lien of any kind whatsoever. This covenant shall be binding on the Grantor, its heirs and/or successors or assigns.

The foregoing premises being dedicated to the Township of Monroe for any and all lawful public purposes including as a Pump Station site pursuant to the requirements of the Grantee.

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

Witnessed by:



TOLL NJ II, LP



BY: Matt Markovich, Authorized Signatory
of Toll Corp. No. 10

PARTNERSHIP ACKNOWLEDGEMENT

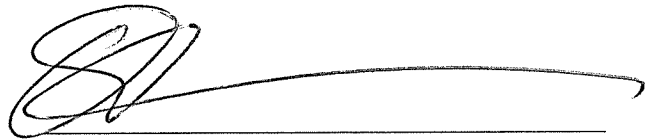
STATE OF NEW JERSEY)

: SS.

COUNTY OF MIDDLESEX)

I certify that on February 28, 2018, **Matt Markovich** personally came before me and this person acknowledged under oath, to my satisfaction, that:

Matt Markovich is personally known to me to be an authorized representative of Toll Land Corp. No. 10, general partner of Toll NJ II, LP, described herein and who executed the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said firm.



WALTER TOTO
An Attorney At Law Of
The State Of New Jersey

RECORD AND RETURN TO:



professional engineers land surveyors planners landscape architects environmentalists

1460 ROUTE 9 SOUTH, HOWELL, N.J. 07731

PLEASE REFER TO
OUR FILE NO.

H-YR-06887-62
72505

May 20, 2002
Revised October 26, 2005
Revised May 8, 2009
Revised October 21, 2010
Revised March 6, 2015
Revised May 30, 2017

732-462-7400
FAX # 732-409-0768

**175' x 132' Pump Station Site
Tax Lot 236, Block 35.01
Monroe Township.**

Description of a 175 x 132 foot wide strip of land being known and designated as Tax Lot 236, Block 35.01 situate, lying and being in the Township of Monroe, County of Middlesex, State of New Jersey to be dedicated to Monroe Township Utility Department as a Pump Station Site and being more particularly described as follows:

BEGINNING at a point on the easterly line of Tax Lot 236 in Block 35.01, said point being distant 797.57 feet the following four (4) courses from the intersection of the northwesterly Right-of-Way line of Tournament Drive (50 foot wide Right of Way), extended southwesterly with the southwesterly Right-of-Way line of Valhalla Drive (50 foot wide Right of Way), extended northwesterly and proceeding; thence,

- a) North 39° 09' 34" East, along said northwesterly line of Tournament Drive, a distance of 185.00 feet to a point; thence,
- b) North 50° 50' 26" West, along the northeasterly line of Tax Lot 187 and Tax Lot 236, Block 35.01, a distance of 423.11 feet to a point; thence,
- c) North 44° 14' 01" West, along the northeasterly line of Tax Lot 236 in Block 35.01, a distance of 166.54 feet to a point; thence,
- d) North 36° 09' 14" West, continuing along said northeasterly line, a distance of 22.92 feet to the Point and Place of BEGINNING and continuing; thence,
 - 1) South 07° 22' 46" West, along the easterly line of the pump station site, a distance of 13.00 feet to the point; thence;
 - 2) North 82° 37' 14" West, along the southerly line of the pump station site, a distance of 175.00 feet to a point; thence,
 - 3) North 07° 22' 46" East, along the westerly line of the pump station site, a distance of 132.00 feet to a point; thence,
 - 4) South 82° 37' 14" East, along the northerly line of the pump station site, a distance of 175.00 feet to a point; thence,
 - 5) South 07° 22' 46" West, along the easterly line of the pump station site, a distance of 119.00 feet to the point and place of BEGINNING.

Containing 23,100 square feet (0.5303 acres) of land and being subject to any easements or restrictions of record.

S:\SURV\2\16687\061\Regency\Pump Station Site 17-05-01.doc

Exhibit A



May 30, 2017
HYR06887.62
Page 2

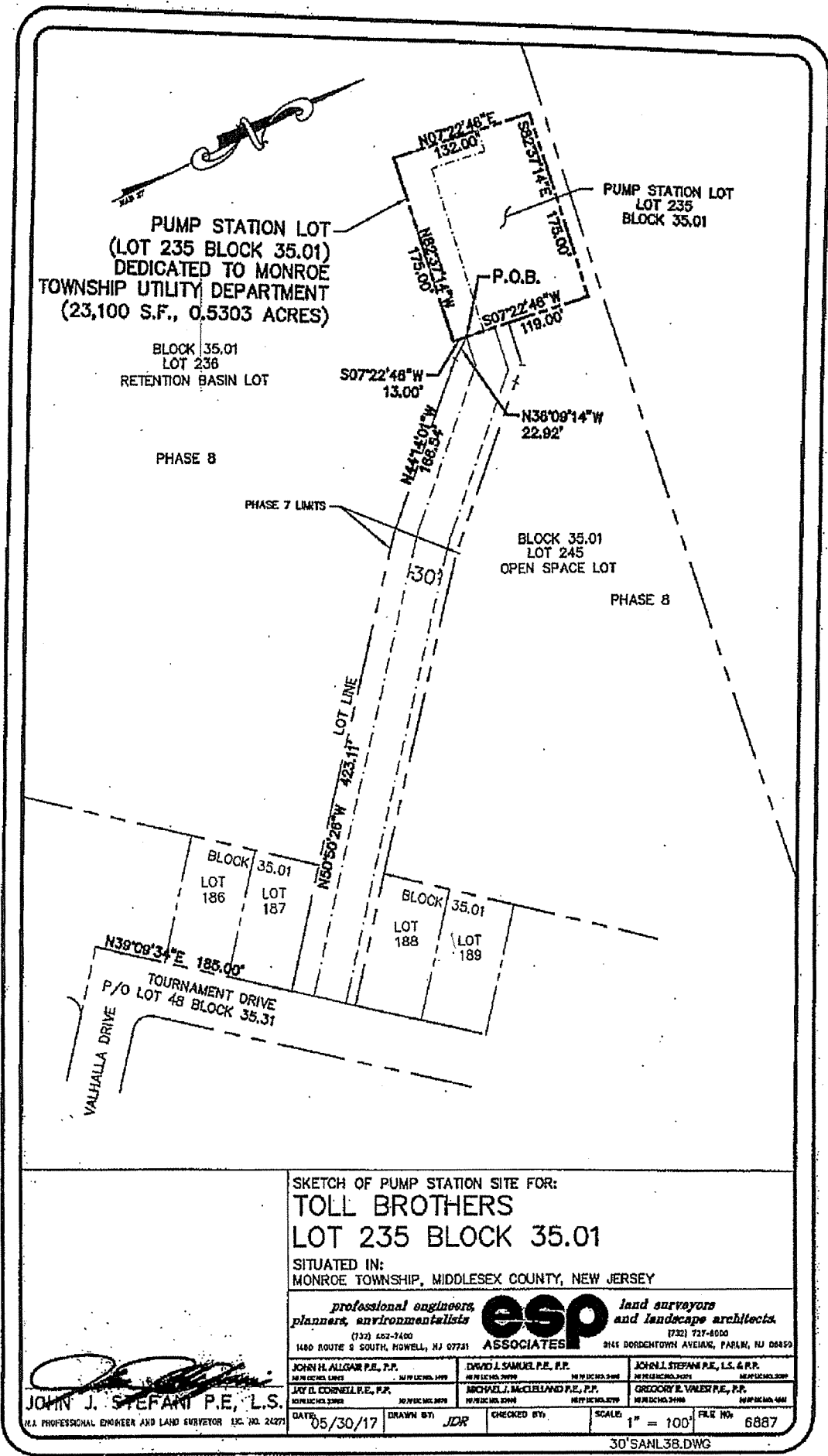
Description of a 175' x 132' Pump Station Site, Tax Lot 235, Block 35.01, Monroe Township, Middlesex County, New Jersey.

The Pump Station Site as hereinbefore described being and intended to be that same easement as laid out on a certain map entitled "Sketch of Pump Station Lot for: Toll Brothers Lot 235 Block 35.01, Monroe Township, Middlesex County, New Jersey", prepared by John J. Stefani, Professional Engineer and Land Surveyor, ESP Associates, 1460 Route 9 South, Howell, New Jersey, 07731-1194, dated May 30, 2017.

A handwritten signature in black ink, appearing to read "John J. Stefani".

John J. Stefani
Prof. Engineer and Land Surveyor
NJ License No. 24271

JJS:QTL



SKETCH OF PUMP STATION SITE FOR:
TOLL BROTHERS
LOT 235 BLOCK 35.01
 SITUATED IN:
 MONROE TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY

professional engineers, planners, environmentalists **esp** *land surveyors and landscape architects*
 (732) 482-7400 ASSOCIATES (732) 727-8000
 1480 ROUTE 9 SOUTH, HOWELL, NJ 07731 3141 BORDENTOWN AVENUE, PARLIN, NJ 08859

[Signature]
JOHN J. STEFANI P.E., L.S.
 N.J. PROFESSIONAL ENGINEER AND LAND SURVEYOR LIC. NO. 24271

JOHN H. ALGAR P.E., P.P. N.J. LIC. NO. 1199	DAVID J. SAMUEL P.E., P.P. N.J. LIC. NO. 2098	JOHN J. STEFANI P.E., L.S. & P.P. N.J. LIC. NO. 3091
JAY D. CORNELL P.E., P.P. N.J. LIC. NO. 2393	MICHAEL J. MCCELLAND P.E., P.P. N.J. LIC. NO. 2098	GREGORY E. VILNER P.E., P.P. N.J. LIC. NO. 3198

DATE: 05/30/17 DRAWN BY: JDR CHECKED BY: SCALE: 1" = 100' FILE NO: 6887
 30'SANL35.DWG

Exhibit B



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION

GIT/REP-3
 (9-2015)

(Please Print or Type)

SELLER'S INFORMATION

Name(s)
 Toll NJ II, L.P.
 Current Street Address
 250 Gibraltar Road
 City, Town, Post Office Box
 Horsham State PA Zip Code 19044

PROPERTY INFORMATION

Block(s) Lot(s) Qualifier
 5.01 Portion of Lot 235
 Street Address
 Vacant Land
 City, Town, Post Office Box State Zip Code
 Monroe Township NJ 08831
 Seller's Percentage of Ownership Total Consideration Owner's Share of Consideration Closing Date
 100% Under \$100.00 Under \$100.00 2/28/2018

SELLER'S ASSURANCES (Check the Appropriate Box) (Boxes 2 through 14 apply to Residents and Nonresidents)

1. Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident gross income tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. Seller is 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 an individual, estate, or trust and is not required to make an estimated gross income tax payment.
6. The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated income tax payment.
7. The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated 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 and report the recognized gain.
 Seller did not receive non-like kind property.
8. The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
9. The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. The deed is dated prior to August 1, 2004, and was not previously recorded.
11. The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12. The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13. The property transferred is a cemetery plot.
14. The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.

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 may 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. By checking this box I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

2/28/18

 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

AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER

(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)

BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY

COUNTY

MIDDLESEX

SS. County Municipal Code
1212

MUNICIPALITY OF PROPERTY LOCATION MONROE TOWNSHIP

FOR RECORDER'S USE ONLY
Consideration \$
RTF paid by seller \$
Date By

*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, Matt Markovich, being duly sworn according to law upon his/her oath,
deposes and says that he/she is the Authorized Signatory in a deed dated February 28, 2018
transferring
real property identified as Block number 35.01 Lot number Portion of Lot 235 located at
Vacant Land, Monroe Township, NJ 08831 and annexed thereto.

(2) CONSIDERATION \$ -100.00 (Instructions #1 and #5 on reverse side) [X] no prior mortgage to which property is subject.

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

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:
(See Instructions #5A and #7 on reverse side)

Total Assessed Valuation ÷ Director's Ratio = Equalized Assessed Valuation

\$ + % = \$

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

(4) FULL EXEMPTION FROM FEE (See Instruction #8 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 C. 66, P.L. 2004, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.
By or to the United States of America, this State, or any instrumentality, agency or subdivision.

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 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, Supplemental, and General Purpose Fees, 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. * (Instruction #9 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 persons, or disabled persons must also meet all of the following criteria:
[] Owned and occupied by grantor(s) at time of sale. [] Resident of State of New Jersey.
[] One or two-family residential premises. [] Owners as joint tenants must all qualify.

*IN CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

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

(6) NEW CONSTRUCTION (Instructions #2, #10 and #12 on reverse side)

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

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instructions #5, #12, #14 on reverse side)

- [] No prior mortgage assumed or to which property is subject at time of sale.
[] No contributions to capital by either grantor or grantee legal entity.
[] No stock or money exchanged by or between grantor or grantee legal entities.

(8) 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 33, P.L. 2006.

Subscribed and sworn to before me
this 28 day of February, 2018

Handwritten signature of Walter Toto

Signature of Deponent
Matt Markovich, Authorized Signatory
250 Gibraltar Road
Horsham, PA 19044

Toll NJ II, L.P.
Grantor Name
250 Gibraltar Road
Horsham, PA 19044
Grantor Address at Time of Sale

Deponent Address
XXX-XXX- 953
Last three digits in Grantor's Social Security Number
Walter Toto, Esq.
Name/Company of Settlement Officer

WALTER TOTO
An Attorney At Law Of
The State Of New Jersey

FOR OFFICIAL USE ONLY
Instrument Number County
Deed Number Book Page
Deed Dated Date Recorded

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to: STATE OF NEW JERSEY
PO BOX 251
TRENTON, NJ 08695-0251
ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division of Taxation website at:
www.state.nj.us/treasury/taxation/lpt/localtax.htm

Prepared by:


WALTER TOTO, ESQ.

DEED OF SANITARY SEWER EASEMENT

THIS DEED, made on this 28 day of February, 2018 between TOLL NJ II L.P., with offices at 250 Gibraltar Road, Horsham, PA 19044, , referred to as the "GRANTOR", and the TOWNSHIP OF MONROE, a public body corporate and politic of the Township of Monroe, County of Middlesex and State of New Jersey whose address is 1 Municipal Plaza, Monroe Township, New Jersey 08831, referred to as the "GRANTEE,"

WITNESSETH:

That the Grantor, in consideration of LESS THAN ONE HUNDRED (\$100.00) DOLLARS, the receipt of which is hereby acknowledged, does hereby grant and convey to the GRANTEE, its successors or assigns, an exclusive easement across the property in the Township of Monroe, County of Middlesex, and State of New Jersey, being part of the premises designated as Block 35, p/o Lot 2.02, and more particularly described and shown on Exhibits A & B, respectively.

The easement herein granted and conveyed by the GRANTOR to the GRANTEE gives the GRANTEE, its successors and assigns, the right to construct, maintain, replace, or supplement its sewerage/water and appurtenant facilities on or under the surface of the said premises and to have free access to and across the said premises without need of notice, insofar as such right of access is necessary to the proper use of any right granted herein, on the condition that the GRANTEE, after doing work on the premises, shall restore the premises substantially to its original condition, to the extent possible.

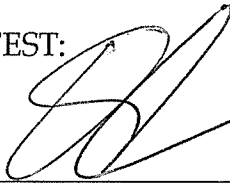
With respect to the easement herein granted, the GRANTOR, its successors and assigns, shall have the right to surface use of the said premises without the prior approval of GRANTEE, but agree to be limited as follows:

1. No obstruction or encumbrance, physical or otherwise, shall be placed in or above the said premises which will obstruct the GRANTEE's purpose as expressed herein. This prohibition includes anything other than a grass lawn.
2. No fill, material, machinery, appliances, or similar objects may be placed on the said premises which will impose an additional loading in excess of one hundred pounds per square foot (100 lbs./sq. ft.) without the prior written approval of the Grantee.
3. Fencing may be erected by the Grantor, as approved by the Grantee, provided that the Grantor or its successors or assigns are responsible for all costs associated with removal and/or reinstallation of the fencing if and when it becomes necessary to do so to work within an easement.

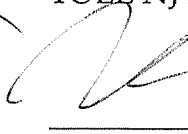
The GRANTOR promises that the GRANTOR has done no act to encumber the property. This promise is known as a "Covenant as to Grantor's Acts" (N.J.S.A. 46:4-6).

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and the year first above written.

ATTEST:



TOLL NJ II L.P.



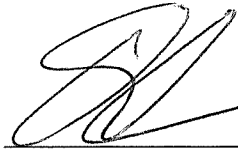
MATT MARKOVICH,
Authorized Signatory of
Toll Corp. No. 10

PARTNERSHIP ACKNOWLEDGEMENT

STATE OF NEW JERSEY)
 : SS.
COUNTY OF MIDDLESEX)

I certify that on February 28, 2018, **Matt Markovich** personally came before me and this person acknowledged under oath, to my satisfaction, that:

Matt Markovich is personally known to me to be an authorized representative of Toll Land Corp. No. 10, general partner of Toll NJ II, LP, described herein and who executed the foregoing instrument, and acknowledged to me that he executed the same as the act and deed of said firm.



NOTARY PUBLIC

RECORD AND RETURN TO:

MONROE TOWNSHIP CLERK
1 Municipal Plaza
Monroe Township, NJ 08831



professional engineers land surveyors planners landscape architects environmentalists

1460 ROUTE 9 SOUTH, HOWELL, N.J. 07731

PLEASE REFER TO
OUR FILE NO.

H-YR-06887-01
20805

May 20, 2002
Revised October 26, 2005
Revised May 8, 2009
Revised February 5, 2010

732-482-7400
FAX # 732-403-0760

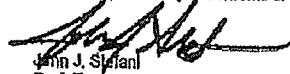
30.00 Foot Wide Sanitary Sewer Easement
Part of Tax Lot 2.02, Block 35
Monroe Township
Exhibit A

Description of a 30.00 foot wide strip of land being a portion of Tax Lot 2.02, Block 35 situate, lying and being in the Township of Monroe, County of Middlesex, State of New Jersey to be dedicated to the Monroe Township Utility Department for Sanitary Sewer Easement purposes and being more particularly described as follows:

BEGINNING at a point on the easterly line of Tax Lot 32, Block 35, said point being distance 219.82 feet along the following two (2) courses from the most northeasterly corner of said Tax Lot 32, Block 35, and proceeding; thence,

- a) South 13° 11' 04" West along said easterly line, a distance of 173.75 feet to an angle point; thence,
- b) South 15° 47' 14" West, continuing along same a distance of 46.07 feet to the point and place of BEGINNING and continuing; thence,
 - 1) South 88° 03' 14" East; along the northeasterly line of Tax Lot 2.02, a distance of 477.81 feet to a point; thence,
 - 2) South 57° 33' 32" East, a distance of 213.10 feet to an angle point; thence,
 - 3) South 82° 37' 14" East, a distance of 115.91 feet to a point on the westerly line of a proposed pump station site; thence,
 - 4) South 07° 22' 46" West, along said westerly line, a distance of 30.00 feet to a point; thence,
 - 5) North 82° 37' 14" West, a distance of 122.58 feet to an angle point; thence,
 - 6) North 57° 33' 32" West, a distance of 211.31 feet to an angle point; thence,
 - 7) North 89° 03' 14" West, a distance of 477.30 feet to a point on the easterly line of Tax Lot 32, Block 35; thence,
 - 8) North 15° 47' 14" East, along said northeasterly line, a distance of 31.04 feet to the point and place of BEGINNING.

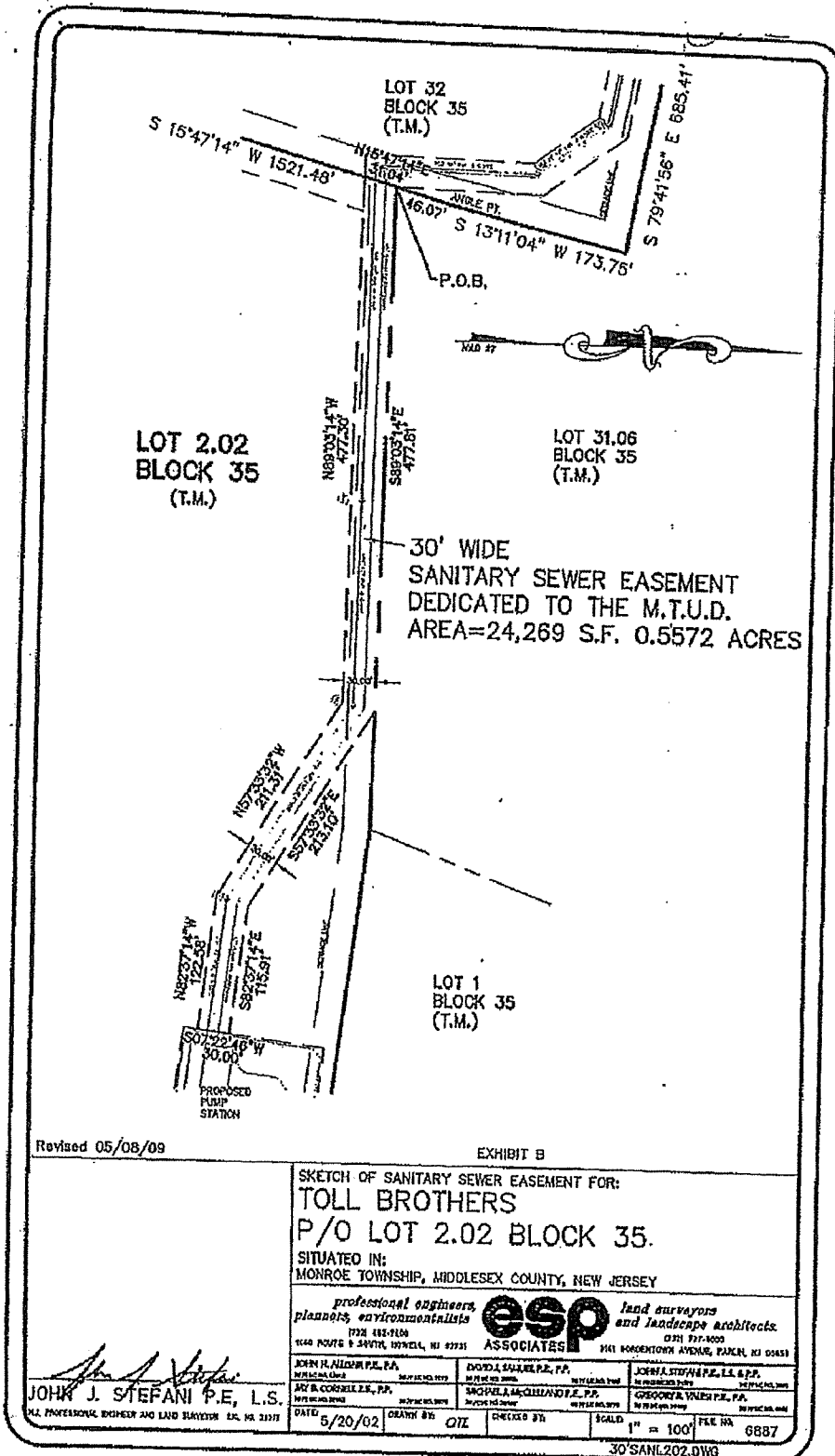
Containing 24,269 square feet (0.5572 acres) of land and being subject to any easements or restrictions of record.


John J. Stefan
Prof. Engineer and Land Surveyor
NJ License No. 24271

JJS:QTL:ka

Syy6887de9VRivientSanSww1

Exhibit A



Revised 05/08/09

EXHIBIT B

SKETCH OF SANITARY SEWER EASEMENT FOR:
TOLL BROTHERS
 P/O LOT 2.02 BLOCK 35.
 SITUATED IN:
 MONROE TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY

professional engineers, planners, environmentalists
 1724 482-1104
 1540 ROUTE 9 SOUTH, HUNTELL, NJ 07031

esp ASSOCIATES

land surveyors and landscape architects
 0251 312-6000
 3411 BOKSEXTOWN AVENUE, PATCH, NJ 08631

John J. Stefani
JOHN J. STEFANI P.E., L.S.
 ALL PROFESSIONAL ENGINEER AND LAND SURVEYOR EX. NO. 21371

JOHN H. ALDWIN P.E., P.A. REGISTERED PROFESSIONAL ENGINEER EX. NO. 21371	DODI L. SHARER P.E., P.A. REGISTERED PROFESSIONAL ENGINEER EX. NO. 21371	JOHN A. STOFFER P.E., L.S. & P.P. REGISTERED PROFESSIONAL ENGINEER AND PROFESSIONAL PLANNER EX. NO. 21371
JOY B. CORNELL P.E., P.A. REGISTERED PROFESSIONAL ENGINEER EX. NO. 21371	STEPHAN M. GUANDIA P.E., P.A. REGISTERED PROFESSIONAL ENGINEER EX. NO. 21371	GEORGE R. VAUGHN P.E., P.A. REGISTERED PROFESSIONAL ENGINEER EX. NO. 21371

DATE: 5/20/02 DRAWN BY: OIL CHECKED BY: SCALE: 1" = 100' FILE NO: 6887

30'SANL202.DWG

Exhibit B



Suite 105
150 Morristown Road
Bernardsville, NJ 07924

tel: 908-953-9300
fax: 908-953-2969
shainlaw.com

NEW YORK OFFICE
872 Madison Avenue, Suite 2A
New York, NY 10021

REPLY TO BERNARDSVILLE OFFICE

April 30, 2018

Via email: preid@monroetwp.com

Patricia Reid, Township Clerk
Township of Monroe
One Municipal Plaza
Monroe, New Jersey 08831

Re: Toll NJ II, LP – Deeds of Dedication
Regency at Monroe
Dedication of Pump Station and Utility Easements

Dear Ms. Reid:

We have reviewed the deeds of dedication in the above referenced matter and find them to be legally sufficient.

Very truly yours,

SHAIN SCHAFFER PC

Sarah E. Fitzpatrick



Township of Monroe

County of Middlesex

PATRICIA REID
Township Clerk

Municipal Complex
1Municipal Plaza
Monroe Township, NJ
08831-1900
Phone (732) 656-4573
Fax (732) 521-3190

Affidavit of Publication

I, Patricia Reid, Township Clerk, of the Township of Monroe, County of Middlesex, State of New Jersey, do hereby certify that the attached legal notice is a true copy of such notice, which was published in the Home News Tribune, the official newspaper of Monroe Township and a newspaper of general circulation in the County of Middlesex on April 13, 2018.

Patricia Reid, Township Clerk

Ad Number: 0002856407

Run Dates: 04/13/18

MONROE TOWNSHIP
NOTICE OF PENDING ORDINANCE

ORDINANCE NO.: O-4-2018-013

NOTICE IS HEREBY GIVEN THAT AN ORDINANCE ENTITLED: "ORDINANCE ACCEPTING DEEDS FOR THE PUMP STATION SITE AT REGENCY AT MONROE", has been introduced and passed on first reading at the regular meeting of the Monroe Township Council held on April 9, 2018 and will be further considered for final passage after a Public Hearing during the council meeting to be held on May 7, 2018 at 7:00 p.m. in the Monroe Twp. Municipal Building, One Municipal Plaza, Monroe Twp., N.J. 08831. At said time and place, all persons will be granted the opportunity to be heard concerning this Ordinance prior to its consideration for adoption by Council.

The purpose of this Ordinance is to accept deeds required pursuant to Planning Board approval that Toll NJ II, LP is required to dedicate to the Twp. of Monroe certain land where a pump station is located as well as easements for sanitary sewer lines and for access to the pump station.

The proposed Ordinance in its entirety can be viewed on the Township website, www.monroetwp.com and is on file in the Municipal Clerk's Office. Copies may be obtained without charge between the hours of 8:30am and 4:30pm. Monday through Friday.

Patricia Reid, Municipal Clerk
(\$26.40)

0002856407-01



Township of Monroe

County of Middlesex

PATRICIA REID
Township Clerk

Municipal Complex
1 Municipal Plaza
Monroe Township, NJ
08831-1900
Phone (732) 656-4573
Fax (732) 521-3190

Affidavit of Publication

I, Patricia Reid, Township Clerk, of the Township of Monroe, County of Middlesex, State of New Jersey, do hereby certify that the attached legal notice is a true copy of such notice, which was published in the Home News Tribune, the official newspaper of Monroe Township and a newspaper of general circulation in the County of Middlesex on May 11, 2018.



Patricia Reid, Township Clerk

Ad Number: 0002916621

Run Dates: 05/11/18

MONROE TOWNSHIP NOTICE OF FINAL ADOPTION

Notice is hereby given that the following entitled Ordinance was introduced and passed on First Reading at the regular meeting of the Monroe Township Council held on April 9, 2018. Furthermore, this Ordinance was adopted after a Public Hearing was held at the May 7, 2018 regular meeting of the Monroe Township Council at One Municipal Plaza, Monroe Township, N.J. 08831 and was thereafter approved and signed by the Mayor on May 8, 2018

ORDINANCE NO. O-4-2018-013

ORDINANCE OF THE MONROE TOWNSHIP
COUNCIL ACCEPTING DEEDS FOR THE PUMP
STATION SITE AT REGENCY AT MONROE

PATRICIA REID, R.M.C
Monroe Township Municipal Clerk

(\$17.60)

0002916621-01