TOWNSHIP OF CRANBURY
ORDINANCE NO. 12-08-24

AN ORDINANCE OF THE TOWNSHIP OF CRANBURY IN MIDDLESEX COUNTY, NEW JERSEY, ACCEPTING THE DEDICATION AND CONVEYANCE BY SHARBELL CRANBURY, INC. OF PROPERTY DESIGNATED AS BLOCK 21, LOT 4 ("AGRICULTURAL LOT")

BE IT ORDAINED by the Township Committee of the Township of Cranbury, Middlesex County, New Jersey, as follows:

1. The Township Committee hereby accepts the following dedication from Sharbell Cranbury, Inc., a New Jersey Corporation, whose address is One Washington Boulevard, Suite #9, Robbinsville, New Jersey, 08691 ("Sharbell"):

The dedication of a ±32.668-acre parcel designated as Block 21, Lot 4 on the Cranbury Township Tax Maps, as more particularly set forth in the Deed of Dedication (Agricultural Lot) attached hereto as Exhibit "A" and upon the terms and conditions set forth therein.

2. This Ordinance shall take effect upon passage and publication, as required by law.

The ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Cranbury, in the County of Middlesex, State of New Jersey, held on December 8, 2008. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held in the meeting room of Town Hall, 23A North Main Street, in the Township of Cranbury on December 22, 2008 at 7:30 p.m., and during the week prior to and up to and including the date of such meeting, copies of said ordinance will be made available at the Clerk's Office to the members of the general public who shall request the same.

_____
Kathleen R. Cunningham, RMC, Clerk

EXHIBIT A

Prepared By: _____
Frank J. Petrino, Esq.

DEED OF DEDICATION
(Agricultural Lot)

THIS DEED, made the 3 day of December, 2008, between **SHARBELL CRANBURY, INC.**, a New Jersey Corporation, whose address is One Washington Boulevard, Suite #9, Robbinsville, New Jersey 08691 (hereinafter referred to as the "**Grantor**"); and

THE TOWNSHIP OF CRANBURY, a municipal corporation of the State of New Jersey having offices located at 23A N. Main Street, Cranbury, New Jersey 08512-3287, hereinafter referred to **"GRANTEE."**

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

WITNESSETH:

That in consideration of the sum of One ($1.00) Dollar, the receipt and sufficiency of which is hereby acknowledged, the Grantor does grant and convey to the Grantee, all that tracts or parcels of land and premises situate, lying and being in the Township of Cranbury, County of Middlesex, State of New Jersey, as more particularly described on the metes and bounds description attached hereto and made a part hereof as Exhibit "A" and referred to in the Developer's Agreement identified below as the **"Agricultural Lot"**.

Being a portion of the premises conveyed to Sharbell Cranbury, Inc. by Deed from Shirley U. Sanford and Ruth U. Liedtke, Co-Trustees and Trust B under Article Sixth of the Last Will and Testament of Ruth V.D. Updike and Alvin L. Updike, and co-Executrices of the Estate of Ruth V. D. Updike, dated May 8, 2003, and recorded on July 25, 2003 in the Office of the Clerk of Middlesex County Clerk/Register's Office in Deed Book 5197, Page 568 and following.

Being designated on the Tax Map of the Township of Cranbury as Lot 4, Block 21.

This conveyance is made subject to effective and unexpired covenants, easements and restrictions of record, if any, including, but not limited to, those set forth in a certain Developer's Agreement dated January 24, 2003 ("Developer's Agreement"), recorded July 20, 2004, as Schedule G to Master Declaration for Liedtke Drive at Cranbury Homeowners Association, in the Middlesex County Clerk's Office in Book 5355, Page 116, and such facts as an accurate survey would reveal.

This conveyance is made on condition that the lands and premises herein conveyed shall be used for agricultural purposes; provided, however that a portion of the lands and premises may be used for active recreational purposes if the conditions set forth in Paragraph 6 of the Developer's Agreement are satisfied. In the event the Township fails to use and maintain said premises for such purposes, the premises shall revert to the Grantor, its successors and assigns, and any title, right and interest of the Grantee shall cease and terminate as if these presents had not been made.

The Grantor covenants that it has done no act to encumber said lands.

By accepting delivery of and recording this Deed, the Grantee agrees to be bound by the terms hereof.

IN WITNESS WHEREOF, the Grantor has caused this Deed of Dedication to be duly executed the day and year first above written.

Attest:

Peter A. Weathers, Secretary

SHARBELL CRANBURY, INC.

By:_____(Seal)
Thomas F. Troy, Senior Vice President

STATE OF NEW JERSEY)
)SS:
COUNTY OF MERCER)

I CERTIFY that on December 3, 2008, Peter A. Weathers personally came before me, and this person acknowledged under oath, to my satisfaction that:

(a) this person is the Secretary of Sharbell Cranbury, Inc., the corporation named in this document;

(b) this person is the attesting witness to the signing of this Deed of Dedication by the proper corporate officer who is Thomas F. Troy the Senior Vice President of the corporation;

(c) this document was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;

(d) this person knows the proper seal of the corporation which was affixed to this document, and;

(e) this person signed this proof to attest to the truth of these facts, and that the full and actual consideration paid for the transfer of title is $1.00.

Peter A. Weathers

SIGNED AND SWORN TO BEFORE
ME ON DECEMBER 3, 2008

JEFFREY M. SCHECTEL
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 2/20/2012

Record and Return to:

Trishka Waterbury, Esq.
Mason Griffin & Pierson
101 Poor Farm Road
P.O. Box 391
Princeton, NJ 08542

State of New Jersey

Seller's Residency Certification/Exemption

(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (see Instructions, page 2):
Name(s) **Sharbell Cranbury, Inc.**

Current Resident Address **One Washington Boulevard, Suite 9**

City, Town, Post Office **Robbinsville** State **NJ** Zip Code **08691**

PROPERTY INFORMATION (Brief Property Description):
Block(s) **21** Lot(s) **4** Qualifier

Street Address **Cranbury Neck Road, Cranbury Township, Middlesex County, NJ**

City, Town, Post Office **Cranbury Township** State **NJ** Zip Code **08512**

Seller's Percentage of Ownership **100** Consideration **$1.00** Closing Date **December 4, 2008**

SELLER'S ASSURANCES (Check the Appropriate Box) (Boxes 2 through 8 apply to NON-residents):

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 an individual, estate or trust and as such not required to make an estimated payment pursuant to N.J.S.A.54A:5-1-1 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 (see instructions).

   ☐ No non-like kind property received.
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 intestate 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.

Date — **Sharbell Cranbury, Inc.** Signature
(Seller) Please indicate if Power of Attorney or Attorney in Fact

12/3/08
Date — **Thomas F. Troy, Senior Vice President** Signature
(Seller) Please indicate if Power of Attorney or Attorney in Fact

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MUST SUBMIT IN DUPLICATE
NC1645 - Affidavit of Consideration
RTF-1 (Rev. 7/08) P9/08

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STATE OF NEW JERSEY

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 OF MIDDLESEX } SS.

County Municipal Code: 1200

Municipality of Property Location: Cranbury Twp. 1202

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 attached)*
Deponent, Thomas F. Troy (Name), being duly sworn according to law upon his/her oath deposes and says that he/she is the Senior Vice President (Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.) in a deed dated 12/4/08 transferring real property identified as Block No. 21 Lot No. 4 located at Cranbury Neck Road, Cranbury Township, Middlesex County, NJ (Street Address, Town) and annexed thereto.

(2) CONSIDERATION: $1.00 *(See Instructions 1 and 5)*

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

(3A) **REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A COMMERCIAL PROPERTY TRANSACTIONS:** *(see Instructions 5A and 7)*

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 value.

(4) FULL EXEMPTION FROM FEE: *(see Instruction 8)*
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 the exemption symbol is insufficient. Explain in detail. **For consideration of less than $100.00**

(5) PARTIAL EXEMPTION FROM FEE: *(see Instruction 9)* 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 the State's portion 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 *(see Instruction 9)*
- ☐ Grantor(s) 62 years of age or over.*
- ☐ One- or two-family residential premises.
- ☐ Resident of the State of New Jersey.
- ☐ Owned and occupied by grantor(s) at time of sale.
- ☐ Owners as joint tenants must all qualify.

B. BLIND *(see Instruction 9)*
- ☐ Grantor(s) legally blind.*
- ☐ One- or two-family residential premises.
- ☐ Owned and occupied by grantor(s) at time of sale.
- ☐ Owners as joint tenants must all qualify.
- ☐ Resident of the State of New Jersey.

DISABLED *(see Instruction 9)*
- ☐ Grantor(s) permanently and totally disabled.*
- ☐ Receiving disability payments.*
- ☐ Not gainfully employed.*
- ☐ One- or two-family residential premises.
- ☐ Owned and occupied by grantor(s) at time of sale.
- ☐ Owners as joint tenants must all qualify.
- ☐ Resident of the State of New Jersey.

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

C. LOW AND MODERATE INCOME HOUSING *(see Instruction 9)*
- ☐ Affordable according to HUD standards.
- ☐ Meets income requirements of region.
- ☐ Reserved for occupancy.
- ☐ Subject to resale controls.

(6) NEW CONSTRUCTION *(see Instructions 2, 10 and 12)*
- ☐ Entirely new improvement.
- ☐ Not previously used for any purpose.
- ☐ Not previously occupied.
- ☐ "NEW CONSTRUCTION" printed clearly at the top of the first page of the deed.

(7) Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me this 3 day of December, 20 08

JEFFREY M. SCHECTEL
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 2/20/2012

Notary Public

Signature of Deponent
Thomas F. Troy
Senior Vice President
Deponent Address

Sharbell Cranbury, Inc.
Grantor Name
One Washington Boulevard
Suite 9
Robbinsville, NJ 08691
Grantor Address at Time of Sale

XXX-XX-X 9 0 2
Last 3 digits in Grantor's Social Security No.

Name/Company of Settlement Officer

This form is prescribed by the Director, Division of Taxation in the Department of the Treasury, as required by law, and may not be altered or amended without the 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.

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

County Recording Officers shall forward one copy of each Affidavit of Consideration for Use by Seller when Section 3A is completed.
State of New Jersey – Division of Taxation, P.O. Box 251, Trenton, NJ 08695-0261, Attention: Realty Transfer Fee Unit

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DESCRIPTION OF PROPERTY
TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

LOT 4, BLOCK 21
PROJECT NO. 99-688A
APRIL 29, 2002
REVISED: APRIL 13, 2006
REVISED: NOVEMBER 21, 2008

All that certain lot, tract or parcel of land situate, lying and being in the Township of Cranbury, in the County of Middlesex and the State of New Jersey, and being all of Lot 4, Block 21, dedicated to the Township of Cranbury, as shown on a map entitled: "Final Plat - Major Subdivision Of Lot 4, Block 21, situate in Township of Cranbury, Middlesex County, New Jersey" dated September 18, 2001, and revised through February 12, 2003, and duly filed in the Middlesex County Clerk's Office on May 20, 2003 as File No. 986, Map No. 6240, the same being a portion of Lot 4, Block 21 as shown on sheet number 3 of the Official Tax Map of the Township of Cranbury, and being more particularly bounded and described as follows to wit:

BEGINNING at a point in the newly established northerly line of Old Trenton Road, (Variable Width R.O.W.), (also known as County Route No. 535), said point being distant 44.00 feet measured northwardly from and at right angles to the centerline thereof, said point also being the southwesterly terminus of an arc having a radius of 25.00 feet and connecting the westerly line of Liedtke Drive (50' R.O.W.), said line being distant 25.00 feet measured southwestwardly from and at right angles to the centerline thereof, and running, thence –

1. **S 73° 11' 24" W, 461.89 feet** along the aforesaid newly established northerly line of Old Trenton Road, to a point in the easterly line of Lot 60, Block 21, said lot as shown on the aforesaid Filed Map, thence –

2. **N 16° 39' 51" W, 231.30 feet** along the aforesaid easterly line of Lot 60, Block 21, to a point in the northerly line of said Lot 60, Block 21, thence –

3. **S 73° 20' 09" W, 176.26 feet** along the aforesaid northerly line of Lot 60, Block 21, to a point in the easterly line of Lot 33, Block 21, said lot as shown on the aforesaid Filed Map, thence –

4. **N 18° 11' 16" W, 43.80 feet** along the aforesaid easterly line of Lot 33, Block 21, to a point in the northeasterly line of Lot 33, Block 21, thence –

5. **S 53° 57' 04" W, 171.11 feet** along the northwesterly line of the aforesaid Lot 33, Block 21, to a point in the northeasterly line of Lot 25, Block 21, said lot as shown on the aforesaid Filed Map, thence –

6. **S 58° 16' 54" W, 170.00 feet** along the northerly line of the aforesaid Lot 25, Block 21, to a point in the westerly line of said Lot 25, Block 21, thence –

7. **S 18° 11' 16" E, 51.74 feet** along the aforesaid westerly line of Lot 25, Block 21, to a point in the northeasterly line of Lot 20, Block 21, said lot as shown on the aforesaid Filed Map, said point being marked by a concrete monument found, thence –

8. **S 58° 16' 54" W, 150.00 feet** along the northerly line of the aforesaid Lot 20, Block 21, to a point in the easterly line of Lot 6.01, Block 21, said lot as shown on the aforesaid Filed Map, said point being marked by a concrete monument found, thence –

9. **N 05° 19' 16" E, 1,178.05 feet** along the aforesaid easterly line of Lot 6.01, Block 21, to a point in the easterly line of Lot 28, Block 21, said lot as shown on the aforesaid Filed Map, said point being marked by a field stone found, thence –

10. **N 04° 44' 17" E, 547.78 feet** along the aforesaid easterly line of Lot 28, Block 21, to a point in the newly established southerly line of Cranbury Neck Road, (Variable Width R.O.W.), (County Route Number 615), thence –

11. **S 78° 06' 14" E, 562.73 feet** along the aforesaid newly established southerly line of Cranbury Neck Road, (Variable Width R.O.W.), (County Route Number 615), said line being distant 44.00 feet measured southwardly from and at right angles to the centerline thereof, to a point in the westerly line of Lot 21, Block 21, said lot as shown on the aforesaid Filed Map, thence –

12. **S 11° 53' 46" W, 172.50 feet** along the aforesaid westerly line of Lot 21, Block 21, to a point in the southerly line of said Lot 21, Block 21, said point being marked by a concrete monument found, thence –

13. **S 78° 06' 14" E, 526.50 feet** along the aforesaid southerly line of Lot 21, Block 21, and beyond along the southerly line of Lot 17, Block 21, and beyond along the southerly line of Lot 14, Block 21, to a point in the easterly line of Lot 14, Block 21, said lots as shown on the aforesaid Filed Map, thence –

14. **N 11° 53' 46" E, 172.50 feet** along the aforesaid easterly line of Lot 14, Block 21, to a point in the aforesaid newly established southerly line of Cranbury Neck Road, thence –

15. **S 78° 06' 14" E, 50.00 feet** along the aforesaid newly established southerly line of Cranbury Neck Road, to a point in the westerly line of Lot 22, Block 21, said lot as shown on the aforesaid Filed Map, thence –

16. **S 11° 53' 46" W, 423.54 feet** along the aforesaid westerly line of Lot 22, Block 21, and beyond along the westerly line of Lot 4.04, Block 21, to an angle point in the southerly line of said Lot 4.04, Block 21, said lots as shown on the aforesaid Filed Map, thence –

17. **S 38° 49' 33" E, 40.00 feet** along the aforesaid southerly line of Lot 4.04, Block 21, to a point in the aforesaid westerly line of Liedtke Drive, thence –

18. **SOUTHWESTWARDLY,** on an arc having a radius of **140.00** feet and curving to the left an arc distance of **101.34 feet** (Central Angle 41°28'25"), said arc being connected by a chord bearing of **S 30°26'15" W**, and a chord distance of **99.14 feet,** along the aforesaid westerly line of Liedtke Drive, to a point of tangency, thence --

19. **S 09° 42' 02" W, 500.79 feet** along the aforesaid westerly line of Liedtke Drive, to a point of curvature, thence –

20. **SOUTHEASTWARDLY,** on an arc having a radius of **250.00** feet and curving to the left an arc distance of **115.67 feet** (Central Angle 26°30'38"), said arc being connected by a chord bearing of **S 03°33'17" E**, and a chord distance of **114.65 feet** along the aforesaid westerly line of Liedtke Drive, to a point of tangency, thence –

21. **S 16° 48' 36" E, 78.07 feet** along the aforesaid westerly line of Liedtke Drive, to a point of curvature, thence –

22. **SOUTHWESTWARDLY,** on an arc having a radius of **25.00** feet and curving to the right an arc distance of **39.27 feet** (Central Angle 90°00'00"), said arc being connected by a chord bearing of **S 28°11'24" W**, and a chord distance of **35.36 feet** along the aforesaid connecting arc, to the Point and Place of **BEGINNING.**

CONTAINING: 1,423,029.6 square feet of land more or less/or 32.668 acres of land more or less.

SUBJECT TO: A Variable Width Sight Triangle Easement as shown on the aforesaid Filed Map.

ALSO SUBJECT TO: A Variable Width Drainage & Utility Easement as shown on the aforesaid Filed Map.

ALSO SUBJECT TO: A 50 foot wide Access Easement as shown on the aforesaid Filed Map.

DESCRIPTION OF PROPERTY
TOWNSHIP OF CRANBURY
MIDDLESEX COUNTY, NEW JERSEY

LOT 4, BLOCK 21
PROJECT NO. 99-688A
APRIL 29, 2002
REVISED: APRIL 13, 2006
REVISED: NOVEMBER 21, 2008
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Bearings cited herein are based on New Jersey State Plane Coordinate System and are relative to NAD 1983 adjustment.

The foregoing description was prepared by the undersigned surveyor for the firm of Maser Consulting P.A. and is based on the aforesaid Filed Map dated September 18, 2001, and revised through February 12, 2003.

11/21/08

LEONARDO E. PONZIO P.L.S.
NEW JERSEY PROFESSIONAL LAND SURVEYOR
LICENSE NUMBER 39402

DATE SIGNED

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