

Name of Applicant The Bedens Brook Club Email ccampbell@bedensbrookclub.com

Address 240 Rolling Hill Road Phone (Daytime) 609-466-2646

City Skillman State NJ Zip 08558 (Fax) 609-466-8962

Applicant interest in property (owner, lessee, etc.) Owner

Name of Owner (if not applicant) _____

Address _____

City _____ State _____ Zip _____ Phone _____

When property was acquired by applicant _____

Tax Map Page 67 Block 31001 Lot 38 & 39

Address of property 240 Rolling Hill Road, Skillman, NJ 08558

Present Use of Property: Golf Club

Proposed Use of Property: Add lighting to existing Tennis Courts

Development Name _____

Is the property served with public sewer system? Yes X No _____

Is the property served with public water system? Yes X No _____

Is the applicant willing to dedicate land for the widening of roads in compliance with Township and/or County Master Plan? Yes _____ No _____

Is the proposed use located on a Municipal X County _____ State _____ road?

Area of property 175.348 acres or _____ sq. ft.

Frontage on an improved street 228.62 @ Duncan Laneft. Present Zoning: R-5

Number of Lots: Existing 2 Proposed 2

Number of buildings: Existing 7 Proposed 7

Proposed principal building height: _____ Proposed accessory building height _____

Gross square footage of proposed building(s) _____

Floor area of all structures: Existing _____ Proposed _____

Percentage of coverage by buildings 0.2% by impervious coverage 3.6%

Bulk restrictions provided: Front Yard 218.45 Side Yard 217.1 Rear Yard 459.6 Height 25

Parking spaces required N/A and provided _____

Has a subdivision previously been granted? _____ Date _____

Has a variance previously been granted? Yes Date 2010 Maintenance Area; 2007 Cabana; 2003 Clubhouse

If previous applications were applied for please indicate the case number(s) BA-01-10; BA-07-07; BA-05-03

Are there any existing or proposed covenants or deed restrictions on the property? _____

If yes, explain _____

Is a variance requested? Yes X No () No. of variances requested Use Variance for existing non-conforming use

TYPE OF APPLICATION Minor Site Plan and Use Variance for Tennis Courts lighting

Describe in detail section of Zoning Ordinance from which applicant seeks design waivers: _____

16-5.d(d) Fourteen (14) shade trees per gross acre versus none proposed.

Describe in detail section of Zoning Ordinance from which applicant seeks submission waivers: _____

Section 16-8.4c Environmental Impact Statement

PLANS

Name of Engineer/Surveyor: Michael K. Ford, PE Email mford@vancleefengineering.com

Address: Van Cleef Engineering Associates, LLC - 32 Brower Lane, P.O. Box 5877

City Hillsborough State NJ Zip 08844 Phone 908-359-8291 Fax 908-359-1580

Name of Architect: _____ Email _____

Address: _____

City _____ State _____ Zip _____ Phone _____ Fax _____

CERTIFICATION

I hereby certify that the information and exhibits herewith submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the signatories of the attached authorization. I further authorize Township Officials to inspect the site noted above.

DATED: 12.19.22 Craig W. Campbell Craig W. Campbell
(Owner's Name Printed and Owner's Signature) Craig W. Campbell, General Manager
The Bedens Brook Club

DATED: 12.19.22 Craig W. Campbell Craig W. Campbell
(Applicant's Name Printed and Applicant's Signature) Craig W. Campbell, General Manager
The Bedens Brook Club

SWORN TO AND SUBSCRIBED BEFORE

THIS 19 day of December
20 22

Bethanne Byrne
(Notary)



Persons to be contacted regarding matters
pertaining to this application, if other than applicant.

APPLICANT'S ATTORNEY:

Name: _____

Name: Michael P. O'Gradnick, Esq.

Address: _____

Address: 56 East Main Street, Suite 301

Somerville, New Jersey 08876

Phone: _____

Phone: 908.526.0707

Fax: _____

Fax: 908.725.8483

I, the developer/applicant, as signed below, acknowledge familiarity with the procedure set forth in the Montgomery Township Land Development Ordinance for submittals and required action and agree to be bound by it.

12.19.22 Craig W. Campbell Craig W. Campbell
Date Applicant's Name Printed and Applicant's Signature
Craig W. Campbell, General Manager, The Bedens Brook Club

AGREEMENT TO PAY FOR PROFESSIONAL REVIEW

THIS AGREEMENT made this 19 day of December 2022 between:

Name: The Bedens Brook Club

Address: 240 Rolling Hill Road, Skillman, NJ 08558

Type of Application: Minor Site Plan & Use Variance Block: 31001 Lot 38

Hereinafter call "Applicant"

and:

The Township of Montgomery, in the County of Somerset, a municipal corporation of the State of New Jersey, hereinafter call "Township"

WITNESSETH

That the Applicant has submitted a development application to the Township's Planning Board/Zoning Board for consideration in accordance with the New Jersey Municipal Land Use Law and the Montgomery Township Land Use Ordinances and Applicant hereby covenants and agrees as follows:

1. Applicant agrees to pay all costs related to the Township's review and administration of the proposed application with said costs including but not limited to:
 - A. Review by the Development Review Committee, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
 - B. Full application professional review by the Site Plan Committee, Subdivision Committee, Planning Board, and Zoning Board, which entails professional consultant costs for: Planner, Engineering, Legal and other extraordinary consultant services as may be required by the Township;
2. Applicant understands and agrees to pay all costs as set forth above from the date of initial application submission through the Township's signature of approved plans which shall include any costs for extensions and revalidation's.
3. Applicant understands and agrees to deposit with the Township's Planning/Zoning Office an initial application filing fee which is non-refundable and an initial escrow deposit in accordance with Section 16-9.1 of the Land Development Ordinance.
4. Applicant understands and agrees that the Township will withdraw from said escrow deposit to cover costs as set forth in Section 1 above.
5. Applicant understands and agrees to pay within TEN BUSINESS DAYS of receipt of the Township's statement/billing all additional costs as may be incurred and billed to the applicant by the Township relative to the review and administration of the application even if the costs of said review and administration exceed the initial escrow deposit.
6. Applicant understands and agrees that in the event Applicant fails to pay a billed amount the Township may discontinue Planning Board/Zoning Board review and consideration on said application or if Planning Board/Zoning Board approval has been previously given Township may deny issuance of a construction permit and/or certificate of occupancy or if permit has been previously issued Township may initiate a Stop Work Order.
7. Township agrees to refund to applicant any escrow sum deposited with Township for review and administration of the application and neither spent nor needed by Township. A refund will be issued upon request by Applicant by Township following completion of the Township's review and administration of the application.
8. **APPLICANT AGREES AND UNDERSTANDS THAT IT IS INCUMBENT ON APPLICANT TO PERIODICALLY MONITOR THE STATUS OF SAID ESCROW ACCOUNT. APPLICANT AGREES AND UNDERSTANDS THAT RESPONSIBILITY TO PAY ALL ESCROW CHARGES IS THE APPLICANT'S EVEN IF APPLICANT SELLS OR CONVEYS SAID PROPERTY CITED ABOVE TO ANOTHER PARTY.**

Craig W. Campbell, General Manager, The Bedens Brook Club

APPLICANT'S NAME (PRINTED)

Craig W Campbell

APPLICANT'S SIGNATURE

Craig W Campbell

DATE 12.19.22

ESCROW ACCOUNTING ADMINISTRATIVE PROCEDURE

The following is a procedure to ensure proper control of payments to professionals reviewing and billing against applications for development within Montgomery Township;

A. GENERAL CONSIDERATION

1. Professionals will be primarily responsible to review applications in light of their own professional expertise.
2. The Community Development Department will be responsible for the administration and processing of professionals bills to the Township Finance Director.
3. All correspondence shall reference a case number, block and lot, and application name and address.
4. Applicants are to receive a copy of professional memoranda or reports at the same time as the Township.
5. Professional's invoices to the Township may include but not be limited to report writing, field inspections, attendance at meetings with Township representatives, attendance at municipal meetings where applications are heard, and meeting with applicants.
6. The Director of Community Development will be the responsible agent of the Township for coordinating meetings among the various professionals employed by the Township to discuss development applications.

B. SPECIFIC AREAS OF RESPONSIBILITY OUTLINED

1. The Engineer is responsible for reviewing the design of projects and reviewing public and semi-public improvements connected with development applications.
2. Planners are responsible for project designs, comments relating to the Master Plan and Ordinances.
3. The Landscape Architect is responsible for landscaping reviews of applications.
4. The Traffic Engineer is responsible for commenting on traffic and transportation aspects of applications.
5. The Planning Board or Board of Adjustment Attorney is responsible for legal representation of the Planning Board or Board of Adjustment at meetings and any legal aspects of development plan review and approval, as well as litigation concerning projects.
6. The Township Attorney is responsible for legal aspects of public improvements and any legal contractual aspects of the application process to which the Township is a party.
7. The Environmental Consultants are responsible for reviewing Environmental Impact Statements submitted with an application.
8. The Application Coordinator is responsible for general administration throughout the application review process and is also responsible for completeness items and issues within applications.
9. The Director of Finance is responsible for establishing escrow accounts, maintaining a ledger of the accounts and payment of professionals' invoices following approval by the Community Development Department.

C. BILLING

1. Since professionals are appointed by, and work directly for, the Township, bills will be sent to the Community Development Department for checking and routing. Invoices will, at a minimum, indicate individuals who performed work, the time spent, and the billing rate.
2. Bills are checked for the following:
 - A. Correct case numbers;
 - B. Correct block and lot(s) numbers
 - C. Correct application names
3. Bills are checked against ledger balances to avoid overdrafts.
4. When accounts are close to becoming over-extended, further funds will be requested of applicants.

**ESCROW ACCOUNTING ADMINISTRATIVE PROCEDURE
(CONTINUED)**

5. Failure by applicants to maintain sufficient positive escrow balances may subject applications to delays in review.
6. Professionals billing against escrow accounts must send a duplicate copy, marked or stamped, **"FOR INFORMATIONAL PURPOSES ONLY"** to the applicant at the same time the bills are sent to the Township.

D. QUESTIONS CONCERNING BILLINGS

1. Applicant inquiries regarding billing must be made in writing to the Director of Community Development specifying concerns, in detail, within two weeks of date of invoice.
2. Invoices will be scrutinized a second time for possible billing errors.
3. The Director of Community Development will determine the appropriateness of the billing, make a decision on whether or not the bill will be paid, and inform both parties concerned.

Applicant agrees and understands the "Escrow Accounting Administrative Procedure" and agrees to be bound by same.

Craig W. Campbell, General Manager, The Bedens Brook Club

APPLICANT'S NAME (PRINTED)

Craig W Campbell

APPLICANT'S SIGNATURE

Craig W Campbell

DATE

12.19.22

MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS

Application for a Use Variance

(See N.J.S.A. 40:55D-70(d) and Zoning Ordinance)

1. Application is hereby made for the granting of a variance from the Zoning Ordinance to allow for the following:

- A. A use or principal structure in a district restricted against such use or principal structure
- B. An expansion of a nonconforming use
- C. A deviation from a specification or standard of a conditional use
- D. An increase in the permitted floor area ratio
- E. An increase in the permitted density
- F. The height of a principal structure exceeds the maximum height allowed in the zone by 10 feet or 10%

2. Said structures or uses are proposed to be located in the R5 Zoning District, which is restricted against same by the following provisions of the Zoning Ordinance:

The Bedens Brook Club is now a non-permitted use in the R5 Zone.

3. This application is based upon the following special reasons:

The Bedens Brook Club is a pre-existing non-conforming use. The proposed project is to add lighting at existing tennis courts.

4. Said reasons are unique and peculiar to the lands or building for which the variance is sought and do not apply generally to land or buildings in the neighborhood because:

The Bedens Brook Club already exists.

5. The strict application of the regulations prohibiting said structure or use would deprive applicant of the reasonable use of the lands or buildings involved, because:

The project is intended to enhance and update the facilities, to provide greater flexibility to use existing resource (tennis courts) to support ex Bedens Brook Club continued success.

6. The requested variance is the minimum reasonably needed, because:
-
-
-

7. The variance requested will not result in substantial detriment to the public good because:

The proposed lighting at existing tennis courts will allow for greater flexibility to use existing resource (tennis courts).

8. The variance will not substantially impair the intent and purpose of the Zoning Ordinance and Master Plan because:

Proposal is for the addition of lighting at existing tennis courts will facilitate flexibility for use of existing recreational facility tennis courts.

MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS

Applicant's Disclosure Statement

(Corporation or Partnership)

See N.J.S.A. 40:55D-48.1 and 48.2 and Zoning Ordinance

A Corporation or Partnership applying to the Planning Board or Zoning Board of Adjustment for:

- A. Subdivision with three (3) or more lots; or
- B. Site Plan for Commercial Purpose; or
- C. Variance to construct multi-dwelling or twenty-five (25) or more family units;

must complete the following:

The names and addresses of all persons, stockholders, or individual partners owning at least ten percent (10%) interest in the corporation, partnership, or applicant are as follows: ***See Officers/Club Members below***

Name	Address
Regina A. Meredith-Carpeni (President)	240 Rolling Hill Road, Skillman, NJ 08558
John Shamsey (Vice President)	240 Rolling Hill Road, Skillman, NJ 08558
Ben Falcone (Treasurer-Finance)	240 Rolling Hill Road, Skillman, NJ 08558
Els Paine (Secretary)	240 Rolling Hill Road, Skillman, NJ 08558

MONTGOMERY TOWNSHIP PLANNING/ZONING BOARDS

Affidavit of Ownership

STATE OF NEW JERSEY)

ss

COUNTY OF SOMERSET)

Craig W. Campbell of full age being duly sworn according to law on oath deposes and says
that the deponent resides at 240 Rolling Hill Road in the Township of Montgomery
in the County of Somerset and State of New Jersey that The Bedens Brook Club
is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Township of
Montgomery, New Jersey, and known and designated as Block 31001 Lot 38 & 39.

DATED 12.19.22 Craig W Campbell Craig W
Craig W. Campbell, General Manager
The Bedens Brook Club
Owner's Name Printed and Owner's Signature

SWORN TO AND SUBSCRIBED TO BEFORE ME

THIS 19 DAY OF December 2022.

Bethanne Byrne
(Notary Public)



AUTHORIZATION

(If anyone other than the above owner is making this application, the following authorization must be executed.)

To the Board of Adjustment/Planning Board:

_____ is hereby authorized to make the within application.

DATE: _____, 2022.

Owner's Name Printed and Owner's Signature

CHECKLIST

Details Required for Minor Subdivision Plats and Minor Site Plans

Note: See subsection 16-8.3 of the Montgomery Township Land Development Ordinance for further details of submission requirements and procedures.

Applicant The Bedens Brook Club Block 31001 Lot 38

Address 240 Rolling Hill Road, Skillman, New Jersey 08558

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
1	X			Application Form(s) and Checklist(s) (8 copies) and electronic portable document format (PDF).
2	X			Application and Escrow Fees in accordance with subsection 16-9.1.
3	X			Plats or Plans signed and sealed by a NJ PLS or NJ PE, as required, and folded into eighths with the Title Block revealed in accordance with subsection 16-8.3b of this chapter (8 copies and PDFs)
4	X			Existing protective covenants, easements and/or deed restrictions (8 copies and PDFs).
5	X			Scale of 1" equals not more than 100' for minor subdivision plats or 1" equals not more than 50' for minor site or subdivision plans on one of the following 4 standard sheet sizes (8 1/2" x 13", 15" x 21", 24" x 36" or 30" x 42"), each with a clear perimeter border at least 1" wide
6	X			Key Map at 1" equals not more than 2,000'
7	X			Title Block in accordance with the rules governing "title blocks" for professional engineers (N.J.S.A. 45:8-36), including:
8	X			Name of the development, Township of Montgomery, Somerset County, NJ;
9	X			Name, title, address and telephone number of applicant;
10	X			Name, title, address, telephone number, license number, seal and signature of the professional or professionals who prepared the plat or plan;
11	X			Name, title and address of the owner or owners of record;
12	X			Scale (written and graphic); and
13	X			Date of original preparation and date of each subsequent revision thereof and a list of specific revisions entered on each sheet
14	X			North Arrow
15	X			Certification that the applicant is the owner of the land or his/her properly authorized agent, or certification from the owner that he or she has given his/her consent under an option agreement
16	X			If the applicant is a partnership or a corporation, the names and addresses of all partners, or the names and addresses of all stockholders owning 10% or more of any class of stock of the corporation in accordance with N.J.S.A. 40:55D-48.1 et seq.

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
17	X			Acreage of the existing lot and, in the case of minor subdivisions only, acreage of the proposed lot(s) to the nearest tenth of an acre (both within and without areas within the public rights-of-way) and a computation of the area of the tract to be disturbed
18	X			"Approved" and "Date" lines for the signatures of the Chairman, Secretary of the Board, and Township Engineer.
19	X			Existing tax sheet number(s) and existing block and lot number(s) of the lot(s) to be subdivided or developed as they appear on the Township Tax Map, and proposed block and lot number(s).
20	X			The name(s) and block and lot number(s) of all property owners within 200 feet of the extreme limits of the tract as shown on the most recent tax list prepared by the Township Tax Assessor.
21	X			Tract boundary line (heavy solid line), any existing or proposed subdivision or property line(s) within the tract, and any property line(s) to be removed clearly delineated.
22	X			Zoning district(s) affecting the tract, including the district names and all requirements, with a comparison to the proposed development.
23	X			The location of existing and proposed property lines (with bearings and distances), streets, structures (with their numerical dimensions and an indication as to whether existing structures will be retained or removed), parking spaces, loading areas, driveways, watercourses, railroads, bridges, culverts, drain pipes, natural features such as treed areas, and any historic features such as family burial grounds and buildings more than 50 years old, both within the tract and within 200 feet of its boundary.
24	X			The names and location and width of all existing and proposed easements and rights-of-way, the use(s) for which they are intended to be limited, the manner in which the easements will be controlled, to whom they will be granted.
25	X			All dimensions necessary to confirm conformity to the chapter, such as the size of the tract and any proposed lot(s), the number of lots being created, structure setbacks, structure heights, yards floor area ratios, building and lot coverages, the amount of contiguous net useable acreage, the delineation of all "critical areas," and the inscription of a 205-foot diameter circle, where required for residential use.

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
26	X			The location and identification of existing vegetation with an indication as to whether it is to remain or be removed, with the limits of disturbance clearly indicated on the plan, and any proposed buffer and landscaped areas, including a landscaping legend or a note addressing compliance with the landscaping requirements in subsection 16-5.6 of this chapter.
27	X			Delineation of flood plains, including both floodway and flood fringe areas, and Township stream corridors, both within the tract and within 100 feet of its boundary, and the source and date of the flood plain information.
28	X			Delineation of ponds, marshes, wetlands, wetland transition areas, hydric soils, and lands subject to flooding within the tract and within 100 feet thereof. For delineated wetlands, a copy of the applicant's request for a Letter Of Interpretation (LOI) from the New Jersey Department of Environmental Protection (NJDEP) and the accompanying plan, or where an LOI has been received, a copy of the NJDEP LOI and stamped approved plan shall be submitted.
29	X			Existing and proposed contours with intervals of 2 feet, except where 1-foot contours are required in subsection 16-5.2r of this chapter to be shown in the area of disturbance, and an indication of steep sloped areas.
30	X			Plans of proposed improvements and utility layouts, if applicable.
31		X		If the project meets the stormwater management applicability requirements of subsection 16-5.2c, the application submission shall include, but is not limited to, the items listed in 16-5.2r and as otherwise required by the Township Engineer. The minimum requirements are briefly outlined as follows:
31A		X		Topographic Base Map;
31B		X		Environmental Site Analysis included in the Stormwater Management Report;
31C		X		Geology and hydrogeology information from the NRCS maps and Township soil maps;
31D		X		Groundwater recharge map;
31E		X		Project Description in the Stormwater Management Report and Site Plan;
31F		X		Land Use Planning and Source Control Plan, including narrative to meet groundwater recharge, stormwater runoff quantity, stormwater quality, and green infrastructure standards;
31G		X		Stormwater Management Facilities Map;
31H		X		Stormwater Calculations and Soils Report;
31I		X		Drainage area maps for existing and proposed conditions;
31J		X		MS4 Major Development Basin Summary Form, Attachment D for Tier A municipalities; and

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
31K		X		Operations and Maintenance Plan
32		X		Plans for Soil Erosion and Sediment Control as required by N.J.S.A. 4:24-39 et seq. and in accordance with the Somerset County Soil Conservation District, where disturbance is greater than 5,000 square feet.
33		X		Concerning minor subdivisions only, existing and proposed monuments in accordance with the Map Filing Law, N.J.S.A. 46:23-9.9.
34	X			Concerning minor site plans only, the location of and details for all exterior lighting, signs, circulation and parking, and the separation and storage of recyclable materials.
35		X		Additional right(s)-of-way, either along 1 or both sides of said street(s), as applicable.
36		X		Sight triangle easements shall be shown and granted as specified in this chapter for corner lots or for intersections of a street with a driveway providing ingress and/or egress to nonresidential development.
37	X			Any existing protective covenants or deed restrictions applying to the land being developed shall be submitted with the application and/or indicated on the submitted plat or plan. Any proposed deed descriptions, easements, covenants, restrictions and roadway and sight triangle dedications, including metes and bounds as applicable, shall be submitted for approval and required signatures prior to filing with the County Recording Officer.
38		X		If the proposed lot(s) is (are) not served by a sanitary sewer, 3 copies of the plan approved the Township Board of Health, with date of approval, of site evaluation tests, certified by a licensed professional engineer, indicating that the proposed lot(s) can adequately accommodate a septic system. The location(s) of the test hole(s) and boring(s), soil logs, proposed location of the septic disposal areas and reserve areas, test results, soil types, percolation rates and compliance with the "Individual Sewage Disposal Code of New Jersey" or applicable Township Board of Health Codes, whichever may be more restrictive, shall be shown on the plat and certified by a licensed professional engineer.
39		X		Concerning minor site plans only involving the storage of hazardous substances, a proposal for the means of storage of hazardous substances in accordance with Ordinance § BH16 & BH16A.
40		X		If a survey is referenced, a copy of a signed and sealed survey by a licensed New Jersey land surveyor, showing the tract boundary, topographic information, existing conditions, and all "critical areas," as defined by this chapter.

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
41	X			Certification from the Township Tax Collector that all taxes and assessments are paid to date, and certification from the Chief Financial Officer or his/her designee that all prior escrow fees have been posted.
42	X			A list of all known licenses, permits and other forms of approval required by law for the development and operation of the proposed project, including approvals required by the Township, as well as agencies of the County, State and Federal government, and evidence of the submission of the application(s) for other agency approvals having jurisdiction over the application and/or required by the Township Engineer. Copies of granted approvals or note where approvals are pending shall be submitted.

NOTE: The Board reserves the right to require additional information before granting minor approval when unique circumstances affect the tract and/or when the application for development poses special problems for the tract and surrounding area. Such information may include, but not be limited to, an Environmental Impact Statement and/or Traffic Impact Statement, provided, however, that no application shall be declared incomplete for the lack of such additional information.

Michael K. Ford

1-23-23

SIGNATURE AND TITLE OF PERSON
WHO PREPARED THE
CHECKLIST [Ord. #20-1646, S11]

DATE

Michael K. Ford, PE

CHECKLIST

Details Required for Variance Applications

Note: See subsection 16-8.2c of the Montgomery Township Land Development Ordinance for further details of submission requirements and procedures.

Applicant The Bedens Brook Club **Block** 31001 **Lot** 38 & 39

Address 240 Rolling Hill Road, Skillman, New Jersey 08558

Item #	Provided	Not Relevant	Waiver Asked For	Item of Information Required by the Land Development Ordinance
1	X			Application Form(s) and Checklist(s) (8 copies) and electronic portable document format (PDF).
2	X			Application and Escrow Fees in accordance with subsection 16-9.1
3	X			Sketch plats or plans (8 copies and PDFs) or related materials outlining the location, nature and extent of any variance(s) requested, which may be provided on a signed and sealed survey of the property prepared by a licensed land surveyor
4	X			Title Block:
5	X			Name, title, address and telephone number of the applicant;
6	X			Name, title, address, telephone number, license number, seal and signature of the professional or professionals who prepared the plat, plan, and/or survey;
7	X			Name, title and address of the owner or owners of record;
8	X			Plan scale; and
9	X			Date of original preparation and of each revision
10	X			Acreage figures (both with and without areas within the public rights-of- way)
11	X			North Arrow
12	X			Certification that the applicant is the owner of the land or his properly authorized agent, or that the owner has given his consent under an option agreement, either on the plat or plan or in the application

13	X			The location of existing property lines (with bearings and distances), streets, structures (with their numerical dimensions and an indication of whether existing structures will be retained or removed), parking spaces, loading area(s), driveways, watercourses, railroads, bridges, culverts, drain pipes, any natural features, and any historical features such as family burial grounds and buildings more than 50 years old, both within the tract and within 200 feet of its boundary
14	X			Approval signature lines for “d” variance applications only
15	X			Existing block and lot number(s) of the lot(s) as they appear on the Township Tax Map
16	X			The location and width of all existing and proposed easements and rights- of-way, the use(s) for which they are intended, and to whom they will be granted
17	X			Zoning district(s) applicable to the tract, including district names and all area and bulk requirements, with a comparison to the proposed development
18	X			Existing and proposed landscaped and wooded areas
19		X		Delineation of any flood plains and Township stream corridors
20		X		Wetlands and wetland transition areas
21		X		Designation of topographic slopes 15% or greater
22		X		Designation of any hydric soils, as noted in subsection 16-6.4g.
23	X			The names and addresses of all property owners within 200 feet of the subject property, including block and lot numbers as they appear on the most recent tax list prepared by the Township Tax Assessor
24	X			Certification from the Township Tax Collector that all taxes and assessments are paid to date and certification from the CFO or his/her designee that all prior escrow fees have been posted
25		X		A sketch of the proposed addition or new construction for which a variance is sought, demonstrating how same is architecturally consistent with the existing structure or an improvement thereof
26	X			A written statement describing the exact proposed use requested, for “use” variance applications only. The statement should include hours of operation, number of employees, and other pertinent information to aid the Board in a full understanding of the proposed use

27			X	Environmental Impact Statement, for "d" variances only (see subsection 16- 8.4c).
28		X		Stormwater management methods for Minor Developments (see subsections 16-5.2c3 and 16-5.2f).

Michael K. Ford

1-23-23

SIGNATURE AND TITLE OF PERSON
WHO PREPARED THE
CHECKLIST [Ord. #20-1646, S11]
Michael K. Ford, PE

DATE

Y

Prepared By:

Richard F. Hamilton, Esquire

CORRECTIVE DEED

15

This Deed is made as of December 29, 1997,

BETWEEN

THE CROSSINGS AT BEDENS BROOK, INC., a New Jersey corporation, whose address is 14447 Deer Canyon Lane, Saratoga, CA 95070 referred to as the Grantor,

AND

JOSEPH E. POLITI and ALBERT H. POLITI, as Tenants in Common, whose addresses are 14375 Saratoga Avenue, Suite G2, Saratoga, CA 95070 and 4 Princeton Circle, Hilton Head Island, SC 29928, respectively, being referred to as the Grantee.

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

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of FOUR HUNDRED FIFTY THOUSAND AND 00/100 (\$450,000.00) DOLLARS. The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Montgomery Block No. 31003, Lot Nos. 38 and 39.

Property. The property consists of the land and all the buildings and structures on the land in the Township of Montgomery County of Somerset and State of New Jersey. The legal description is:

BEING designated as Lots 38 and 39, Block 31003 as shown on Final Plat prepared for Hi-Ridge, prepared by Van Cleef Engineering Associates, dated August 12, 1993 and filed in the Somerset County Clerk's Office on March 21, 1994 as Map No. 2987.

BEING part of the same land and premises conveyed to The Crossings at Bedens Brook, Inc., a New Jersey corporation, by deed From Rolling Hill Realty Co., Inc., a corporation of the State of New Jersey by deed dated December 11, 1990 and recorded on December 19, 1990 in the Somerset County Clerk's Office in Deed Book 1800 at page 568 &c.

BK2209PG067

#4

RECORDED
DEC 11 1998 12:18PM 054310
SOMERSET COUNTY CLERK'S OFFICE
26.00
Bk 2209 Pg 067
38
39
31035-38
31035-39

This corrective deed is filed for the purpose of correcting the Grantee as listed in that deed from The Crossings at Bedens Brook, Inc. to Joseph E. Politi, dated December 29, 1997 and recorded on January 6, 1998 in the Somerset County Clerk's Office in Deed Book 2150 at page 598 &c.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

THE CROSSINGS AT BEDENS
BROOK, INC.

By: 

Donna Cortina
President

BK2209PG068

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

ALL-STATE® Legal
A Division of ALL-STATE International, Inc.
908-272-0800

or
PARTIAL EXEMPTION
(c. 176, P.L. 1975)

To be recorded with Deed pursuant to c. 49, P.L. 1968, as amended by c. 225, P.L. 1985 (N.J.S.A. 46:15-5 et seq.)

STATE OF NEW JERSEY
COUNTY OF MERCER

SS.

FOR RECORDER'S USE ONLY
Consideration \$ 450,000.00
Realty Transfer Fee \$ Exempt
Date 12/11/97 By CH

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

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3, 4 and 5 on reverse side.)

Deponent Donna Cortina (Name), being duly sworn according to law upon his/her oath
deposes and says that he/she is the President of the Grantor in a deed dated December 27, 1997
(State whether Grantor, Grantee, Legal Representative, Corporate Officer, Officer of Title Co., Lending Institution, etc.)
transferring real property identified as Block No. 31003 Lot No. 38 & 39
located at Lots 38 and 39 on Final Plat prepared for Hi-Ridge filed as
Map No. 2987 (Street Address, Municipality, County)
and annexed hereto.

(2) CONSIDERATION (See Instruction #6.)

Deponent states that, with respect to deed hereto annexed, the actual amount of money and the monetary value of any other thing of value constituting the entire compensation paid or to be paid for the transfer of title to the lands, tenements or other realty, including the remaining amount of any prior mortgage to which the transfer is subject or which is to be assumed and agreed to be paid by the grantee and any other lien or encumbrance thereon not paid, satisfied or removed in connection with the transfer of title is \$

(3) FULL EXEMPTION FROM FEE Deponent claims that this deed transaction is fully exempt from the Realty Transfer Fee imposed by c. 49, P.L. 1968, for the following reason(s): Explain in detail. (See Instruction #7.) Mere reference to exemption symbol is not sufficient.

(d) Corrective Deed

(4) PARTIAL EXEMPTION FROM FEE

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. (See Instructions #8 and #9.)

Deponent claims that this deed transaction is exempt from the increased portion of the Realty Transfer Fee imposed by c. 176, P.L. 1975 for the following reason(s):

- A) SENIOR CITIZEN (See Instruction #8.)
☐ Grantor(s) 62 yrs. of age or over. *
☐ One- or two-family residential premises.
☐ Owned and occupied by grantor(s) at time of sale.
☐ No joint owners other than spouse or other qualified exempt owners.
- B) BLIND (See Instruction #8.)
☐ Grantor(s) legally blind. *
☐ One- or two-family residential premises.
☐ Owned and occupied by grantor(s) at time of sale.
☐ No joint owners other than spouse or other qualified exempt owners.
- DISABLED (See Instruction #8.)
☐ Grantor(s) permanently and totally disabled.*
☐ One- or two-family residential premises.
☐ Receiving disability payments.
☐ Owned and occupied by grantor(s) at time of sale.
☐ Not gainfully employed.
☐ No joint owners other than spouse or other qualified exempt owners.
- * IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEED QUALIFY.
- C) LOW AND MODERATE INCOME HOUSING (See Instruction #8.)
☐ Affordable According to HUD Standards.
☐ Meets Income Requirements of Region.
☐ Reserved for Occupancy.
☐ Subject to Resale Controls.
- D) NEW CONSTRUCTION (See Instruction #9.)
☐ Entirely new improvement.
☐ Not previously used for any purpose.
☐ Not previously occupied.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c. 49, P.L. 1968.

Subscribed and sworn to before me
this 8th day of September, 1998

Richard F. Ham, III
Attorney at Law
of N. J.

Name of Deponent (sign above line)
Donna Cortina
57 Planters Row
Skillman, NJ 08558

Address of Deponent

The Crossings at Bedens
Brook, Inc.

Name of Grantor (type above line)
14447 Canyon Lane
Saratoga, CA 95070

Address of Grantor at Time of Sale

FOR OFFICIAL USE ONLY This space for use of County Clerk or Register of Deeds
Instrument Number 34310 County Merger
Deed Number Book Page
Deed Dated 12/29/97 Date Recorded 12/11/97

IMPORTANT - BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE HEREOF.
This format is prescribed by the Director, Division of Taxation in the Department of the Treasury, as required by law, and may not be altered without the approval of the Director.

ORIGINAL - White copy to be retained by County.

DUPLICATE - Yellow Copy to be forwarded by County to Division of Taxation on partial exemption from fee (N.J.A.C. 18:16 - 8.12)

TRIPLICATE - Pink Copy is your file copy.

BK2209PG069

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

DEED

Prepared by: (Print signer's name below signature)

Joseph D. Priory
Joseph D. Priory, Esquire

This Deed is made on JUNE 25, 19 93

BETWEEN The Bedens Brook Club

a corporation of the state of
having its principal office at 240 Rolling Hill Road, Skillman, New Jersey 08558
referred to as the Grantor,

AND Barry W. Wilson and Karen Wilson, his wife

whose post office address is 45 Duncan Lane, Skillman, New Jersey 08558
referred to as the Grantee.
The word "Grantee" shall mean all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of Twenty Thousand (\$20,000.00) Dollars.

The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Montgomery Township
Block No. 31001 Lot No. 38 Account No.
☐ No property tax identification number is available on the date of this Deed. (Check box if applicable.)

Property. The property consists of the land and all the buildings and structures on the land in the Township of Montgomery County of and State of New Jersey. The legal description is:

BEGINNING at a point, said point being the Northeast corner of Lot 49 in Block 31001, said point also being the Northwest corner of Lot 50 in Block 31001, and from said beginning point running; thence along the existing Northerly line of Lot 49 the following two courses; thence (1) South fifty-four degrees, fifty-four minutes, fifty-one seconds West (S-54°-54'-51"-W) a distance of two hundred thirty-one and twenty-eight hundredths feet (231.28') to an angle point; thence (2) South thirty-eight degrees, thirty-five minutes, nineteen seconds West (S-38°-35'-19"-W) a distance of one hundred fifty and zero hundredths feet (150.00') to a point and Northwest corner of Lot 49; thence through Lot 38 in Block 31001 and creating new common lines between Lots 38 and 49 the following four courses; thence (3) North eight degrees, fifty-four minutes, thirty-seven seconds East (N-08°-54'-37"-E) a distance of eighty-seven and ninety hundredths feet (87.90') to an angle point; thence (4) North thirty-two degrees, nineteen minutes, thirty-seven seconds East (N-32°-19'-37"-E) a distance of one hundred sixty-one and twenty-five hundredths feet (161.25') to an angle point; thence (5) North seventy-three degrees, fifty minutes, thirty-nine seconds East (N-73°-50'-39"-E) a distance of one hundred eighty-five and eighty-seven hundredths feet (185.87') to an angle point and new Northeast corner of Lot 49; thence (6) South ten degrees, twelve minutes, twenty-five seconds East (S-10°-12'-25"-E) a distance of twenty-five and three hundredths feet (25.03') to the point and place of beginning.

Containing 0.4434 acres of land.

The premises hereby conveyed are subject to a thirty foot (30') wide sanitary sewer easement, the legal description of which follows:

BEGINNING at a point on the proposed Northerly line of Lot 49 in Block 31001, said point being located Westerly, twenty-nine and nine hundredths feet (29.09') measured along said line from the proposed Northeast corner of Lot 49, and from said beginning point running; thence (1) through proposed Lot 49, South seven degrees, fifty-eight minutes, thirty-nine seconds West (S-07°-58'-39"-W) a distance of forty-four and zero hundredths feet (44.00') to a point on the existing Northerly line of Lot 49; thence (2) along the existing Northerly line of Lot 49, South fifty-four degrees, fifty-four minutes, fifty-one seconds West (S-54°-54'-51"-W) a distance of forty-one and six hundredths feet (41.06') to a point; thence (3) through proposed Lot 49, North seven degrees, fifty-eight minutes, thirty-nine seconds East (N-07°-58'-39"-E) a distance of fifty-eight and fifty-nine hundredths feet (58.59') to a point on the proposed new Northerly line of Lot 49; thence (4) along the proposed Northerly line of Lot 49, North seventy-three degrees, fifty minutes, thirty-nine seconds East (N-73°-50'-39"-E) a distance of thirty-two and eighty-seven hundredths feet (32.87') to the point and place of beginning.

Containing 1,539 square feet of land.

COUNTY OF SOMERSET

CONSIDERATION \$20,000.00
HEALTHY TRANSFER FEE 70.00
DATE 6-2-93 BY *JP*

00745
Blk 31001 Lot 38 Deed 264400 Imp-741500 TOT-3382900

BK 1916 PG 680

RECORDED IN DEED

The hereinabove described easement being more particularly shown on a map entitled "Proposed Change of Lot Line Prepared for Block 31001, Lots 38 and 49," prepared by Van Cleef Engineering Associates on September 18, 1992, revised March 17, 1993.

The property hereby conveyed is a portion of the premises vested in Grantor and known as Block 31001 Lot 38, for which a minor subdivision was approved by the Planning Board of the Township of Montgomery and memorialized, subject however, to the following conditions:

1. The location of the existing sanitary sewer and manholes shall be shown on the plan. Montgomery Township will be granted the responsibility for maintenance of the sanitary sewer when the Hunt & Augustine Treatment Plant is decommissioned. The existing shed, the four foot (4') high fence and a portion of the concrete pool deck located within the easement limits shall be relocated to comply with the Township ordinances, or the applicant shall enter into a cross-easement agreement in a form satisfactory to the municipal attorney.
2. A drainage easement shall be provided for the existing storm sewer and drainage ditch downstream of the headwall.
3. The existing thirty foot (30') wide sanitary sewer easement shall be extended across the area to be added to Lot 49 to the proposed property line.
4. The requirement for a performance guarantee and developer's construction sequence agreement shall be waived by the Planning Board since no construction is proposed by the applicant.
5. The applicant shall obtain approvals and/or write-offs from Somerset County and any other agency, board, committee, bureau or commission which may have jurisdiction over any aspect of the application.

The conveyance of this property is made subject to the same restrictions of record as previously imposed by Grantor with respect to Lot 49, Block 31001.

5694

DEED

This Deed is made on March 18, 1985

BETWEEN THE BEDENS BROOK CLUB, a Non-profit Corporation of the State of New Jersey,

whose address is Rolling Hill Road, Skillman, New Jersey 08558

referred to as the Grantor.

AND THE BEDENS BROOK CLUB, a Non-profit Corporation of the State of New Jersey,

whose post office address is Rolling Hill Road, Skillman, New Jersey 08558

referred to as the Grantee.

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

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of One Dollar (\$1.00)

The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of Block No. 31001 Lot No.

Account No.

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

Property. The property consists of the land and all the buildings and structures on the land in the Township of Montgomery County of Somerset and State of New Jersey. The legal description is:

Annexed hereto as Exhibit A and made a part hereof.

Being the land which resulted from a consolidation of all of Lot 38 in Block No. 31001 and 9.386 acres of Lot 40A of this same block, which portion of Lot 40A was conveyed to the Grantor by Woodacre Associates, a New Jersey Limited Partnership by deed dated November 27, 1984 and recorded in the Somerset County Clerk's Office immediately prior to the filing of this deed.

This deed has been drawn to place of record the new description of the lands currently owned by The Bedens Brook Club following the conveyance and consolidation described hereinabove. Such conveyance and consolidation were authorized as a minor subdivision pursuant to the approval by the Montgomery Township Planning Board of Application on July 30, 1984 and November 26, 1984 of Application No. 13-84.

APPROVED AS A MINOR SUBDIVISION BY
THE MONTGOMERY TOWNSHIP PLANNING BOARD

William J. Miller
WILLIAM J. MILLER, Chairman

Joanne Drake
JOANNE DRAKE, Secretary

Prepared by: *Dennis J. Miller*
(N.J.S.A. 46:15-13) DENNIS J. MILLER (Print name below signature)

Attorney at Law of New Jersey

RECORD AND RETURN TO:
NEW JERSEY REALTY TITLE INSURANCE CO.
330 ALEXANDER STREET
CN 5283
PRINCETON, N.J. 08540 443,419

BOOK 1534 PAGE 376

COUNTY OF SOMERSET
CONSIDERATION 1.00
REALTY TRANSFER FEE none
DATE 3-20-85 BY eme

465100
pg 148 line 8 land 998300
31001 lot 38

EXHIBIT A

BEGINNING at a point being marked by a concrete monument found in the easterly line of lands now or formerly of Bedens Brook Company and northwesterly corner to lands now or formerly of Fred M. and Gay C. Blaicher, Jr., said beginning point bearing the following two (2) courses; from the point of intersection formed by the westerly extension of the northerly line of Rolling Hill Road, fifty (50) feet in width with the southerly extension of the easterly line of Province Line Road, thirty-three (33) feet as measured at right angles from the centerline thereof, (A) in an easterly direction along the aforesaid northerly line of Rolling Hill Road, the various courses and distances thereof, a total distance of two hundred forty-four and nine hundredths (244.09) feet to a point, thence; (B) along the division line of lands of said Bedens Brook Company on the west and lands of said Blaicher on the east, North eight degrees, fifty-seven minutes, twenty-five seconds West (N 08° 57' 25" W) two hundred thirteen and twelve hundredths (213.12) feet to said beginning point and running thence;

- (1) Along the easterly line of lands of the aforesaid Bedens Brook Company and the easterly line of lands now or formerly of Kenneth and Karyn Taylor, North fifteen degrees, forty-one minutes, forty-two seconds West (N 15° 41' 42" W) three hundred twenty-two and sixteen hundredths (322.16) feet to a concrete monument found marking a corner of lands now or formerly of Harbor Branch Foundation, Inc., thence;
- (2) Along the easterly and southerly lines of lands of said Harbor Branch Foundation, Inc., the following five (5) courses; North twelve degrees, fourteen minutes, fifty-six seconds East (N 12° 14' 56" E) one hundred twenty-three and eleven hundredths (123.11) feet to a concrete monument found, thence;
- (3) North sixty degrees, ten minutes, thirty-two seconds East (N 60° 10' 32" E) eighty-two and no hundredths (82.00) feet to a concrete monument found, thence;
- (4) North forty-nine degrees, twenty minutes, thirty-two seconds East (N 49° 20' 32" E) two hundred eight and twenty hundredths (208.20) feet to a concrete monument found, thence;
- (5) North seventy-eight degrees, nine minutes, thirty-four seconds East (N 78° 09' 34" E) three hundred thirty-five and twenty-four hundredths (335.24) feet to a concrete monument found, thence;
- (6) North five degrees, nineteen minutes, forty seconds West (N 05° 19' 40" W) forty-four and twenty-eight hundredths (44.28) feet to a concrete monument found and southwesterly corner of other lands of said Harbor Branch Foundation, Inc., thence;

- (7) Along the southerly line of lands of said Harbor Branch Foundation, Inc. in and along Bedens Brook, the following ten (10) courses; North seventy-four degrees, four minutes, forty-seven seconds East (N 74° 04' 47" E) two hundred twenty-three and eighty-seven hundredths (223.87) feet to an iron pin set, thence;
- (8) South eighty-three degrees, four minutes, thirty-nine seconds East (S 83° 04' 39" E) two hundred twenty-nine and seven hundredths (229.07) feet to an iron pin set, thence;
- (9) South seventy-two degrees, twenty-nine minutes, fifty seconds East (S 72° 29' 50" E) four hundredth eighteen and seven hundredths (418.07) feet to a point, thence;
- (10) North seventy-four degrees, twelve minutes, fifty seconds East (N 74° 12' 50" E) one hundred seventy-four and sixty-two hundredths (174.62) feet to a point, thence;
- (11) North forty degrees, eighteen minutes, twenty-seven seconds East (N 40° 18' 27" E) seventy-three and fifty hundredths (73.50) feet to a point, thence;
- (12) South seventy degrees, fifty-nine minutes, twenty-four seconds East (S 70° 59' 24" E) seventy-one and eighty-five hundredths (71.85) feet to a point, thence;
- (13) South fourteen degrees, two minutes, zero seconds East (S 14° 02' 00" E) two hundred four and eighty-four hundredths (204.84) feet to a point, thence;
- (14) South seventy degrees, thirty-one minutes, ten seconds East (S 70° 31' 10" E) one hundred forty-one and ninety-three hundredths (141.93) feet to a point, thence;
- (15) South eighty-nine degrees, thirty-three minutes, twenty-four seconds East (S 89° 33' 24" E) fifty-four and fifty-seven hundredths (54.57) feet to a point, thence;
- (16) North seventy degrees, sixteen minutes, forty seconds East (N 70° 16' 40" E) two hundred forty-four and thirty-two hundredths (244.32) feet to a point, thence;
- (17) Along the easterly and southerly line of lands of said Harbor Branch Foundation, Inc., the following four (4) courses; leaving said Bedens Brook and passing over an iron pin set measured one hundred fifteen and no hundredths (115.00) feet southerly from the northerly terminus of this course, North seventeen degrees, twenty-five minutes, twelve seconds West (N 17° 25' 12" W) one hundred fifty-six and eighty-seven hundredths (156.87) feet to a concrete monument found, thence;
- (18) North thirty-two degrees, ten minutes, twenty seconds East (N 32° 10' 20" E) six hundred sixty-four and sixty-four hundredths (664.64) feet to an iron pin set, thence;
- (19) North sixty-nine degrees, six minutes, twenty seconds East (N 69° 06' 20" E) three hundred eight and sixty-eight hundredths (308.68) feet to a concrete monument found, thence;
- (20) South eighty-five degrees, forty minutes, fifty seconds East (S 85° 40' 50" E) three hundred ninety-five and no hundredths (395.00) feet to an iron pin set and corner to lands of Woodacre Associates, thence;
- (21) Along the westerly and southerly lines of lands of said Woodacre Associates, the following seven (7) courses; South five degrees, fourteen minutes, thirty seconds East (S 05° 14' 30" E) passing over a concrete monument found at a distance of two hundred thirty-nine and eighty-one hundredths

- (239.81) feet, a total distance of two hundred seventy-five and no hundredths (275.00) feet to a point in or near Bedens Brook, thence;
- (22) In and along, crossing and recrossing said Bedens Brook, South seventy-two degrees, twenty-two minutes, two seconds East (S 72° 22' 02" E) ten hundred ninety-seven and thirty-two hundredths (1097.32) feet to an iron pin set, thence;
- (23) South four degrees, thirty-four minutes, fifty seconds East (S 04° 34' 50" E) six hundred twenty-seven and nine hundredths (627.09) feet to an iron pin set, thence;
- (24) North forty-nine degrees, twenty-four minutes, ten seconds East (N 49° 24' 10" E) seven hundred fifty-seven and fifteen hundredths (757.15) feet to an iron pin set, thence;
- (25) South eight degrees, thirty-four minutes, ten seconds East (S 08° 34' 10" E) eight hundred sixty-five and fifty-four hundredths (865.54) feet to an iron pin set, thence;
- (26) North eighty-seven degrees, fifty minutes, forty-eight seconds East (N 87° 50' 48" E) ten hundred fifteen and eight hundredths (1015.08) feet to an iron pin set, thence;
- (27) South four degrees, fifty minutes, twenty seconds East (S 04° 50' 20" E) six hundred forty-nine and ninety-five hundredths (649.95) feet to an iron pin set in a small brook, thence;
- (28) Along the northerly line of lands of said Woodacre Associates, the following two (2) courses; South sixty-seven degrees, eighteen minutes, thirteen seconds West (S 67° 18' 13" W) passing over an iron pin set at a distance of sixteen and no hundredths (16.00) feet, a total distance of eleven hundred sixty and one hundredth (1160.01) feet to an iron pin set, thence;
- (29) North eighty-nine degrees, forty-nine minutes, twenty seconds West (N 89° 49' 20" W) fifteen hundred twenty and no hundredths (1520.00) feet to a concrete monument set in the northerly line of Duncan Lane, fifty (50) feet in width at the northeasterly corner of the intersection of said Duncan Lane with the aforementioned Rolling Hill Road, thence;
- (30) Along said northerly line of Duncan Lane along a curve bearing to the right in a northwesterly direction having a radius of two hundred ninety-three and four hundredths (293.04) feet, an arc length of one hundred eighty-three and sixty-two hundredths (183.62) feet to an iron pin set marking a point of tangency, thence;
- (31) Still along said northerly line of Duncan Lane, North fifty-three degrees, fifty-nine minutes, two seconds West (N 53° 59' 02" W) forty-five and no hundredths (45.00) feet to an iron pin set and being the most southerly corner of lands now or formerly of Ronald S. and Karen K. Schotland, thence;
- (32) Along the southeasterly line of lands of said Schotland, North thirty-six degrees, zero minutes, fifty-eight seconds East (N 36° 00' 58" E) two hundred sixty-three and forty-two hundredths (263.42) feet to an iron pin set, thence;
- (33) Along the rear line of lots fronting on said Duncan Lane, the following four (4) courses; North ten degrees, nine minutes, forty seconds West (N 10° 09' 40" W) eleven hundred thirty-one and eighty-nine hundredths (1131.89) feet to an iron pin set, thence;

- (34) South fifty-four degrees, fifty-seven minutes, thirty-six seconds West (S 54° 57' 36" W) six hundred fifty-seven and seventy-eight hundredths (657.78) feet to an iron pin set, thence;
- (35) South thirty-eight degrees, thirty-eight minutes, four seconds West (S 38° 38' 04" W) one hundred fifty and no hundredths (150.00) feet to an iron pin set, thence;
- (36) South eight degrees, thirteen minutes, forty-five seconds East (S 08° 13' 45" E) seven hundred eight and eight hundredths (708.08) feet to an iron pin set in the northerly line of a strip of land now or formerly of Hunt and Augustine, thence;
- (37) Along the last mentioned line, South eighty-four degrees, forty-eight minutes, fifty-eight seconds West (S 84° 48' 58" W) three hundred twenty-nine and ninety-nine hundredths (329.99) feet to a concrete monument found marking the southeasterly corner of a lot of land fronting on Rolling Hill Road, lands of now or formerly of Habib and Mohin Tadj Fatemis Mottahedan, thence;
- (38) Along the rear line of lots fronting on said Rolling Hill Road, North five degrees, eleven minutes, two seconds West (N 05° 11' 02" W) ten hundred seventy and no hundredths (1070.00) feet to a concrete monument found marking the northeasterly corner of lands now or formerly of Greylin reeves Goodson, thence;
- (39) Along the northerly line of lands of said Goodson, South eighty-one degrees, thirty-six minutes, thirty seconds West (S 81° 36' 30" W) four hundred fifty-three and ninety-six hundredths (453.96) feet to a concrete monument found in the aforementioned northerly line of Rolling Hill Road, thence;
- (40) Along the aforementioned northerly line of Rolling Hill Road, South eighty-four degrees, thirty-three minutes, forty-six seconds West (S 84° 33' 46" W) two hundred thirty-seven and ninety-five hundredths (237.95) feet to an iron pin set marking the southeasterly corner of lands now or formerly of Michael J. Goodson, thence;
- (41) Along the easterly line of lands of the last mentioned Goodson, North five degrees, twenty-six minutes, fourteen seconds West (N 05° 26' 14" W) two hundred twenty-five and no hundredths (225.00) feet to an iron pin set, thence;
- (42) Along the northerly line of lands of said Michael J. Goodson, South eighty-four degrees, thirty-three minutes, forty-six seconds West (S 84° 33' 46" W) seven hundred forty-five and ninety-eight hundredths (745.98) feet to a concrete monument found in a curve in the aforementioned northerly line of Rolling Hill Road, thence;
- (43) Along the last mentioned line along a curve bearing to the left in a westerly direction having a radius of six hundred fifty-six and thirty-seven hundredths (656.37) feet, an arc length of one hundred and thirty-nine hundredths (100.39) feet to a concrete monument found, being the southeasterly corner of the aforementioned lands of Fred M. and Gay C. Blaicher, Jr., thence;
- (44) Along the easterly line of the last mentioned lands, North five degrees, twenty-six minutes, fourteen seconds West (N 05° 26' 14" W) seven and sixty-six hundredths (7.66) feet to a concrete monument found, thence;

- (45) Along the northerly line of lands of said Fred M. and Gay C. Blaicher, Jr., the following two (2) courses; South eighty-four degrees, thirty-three minutes, forty-six seconds West (S 84° 33' 46" W) thirty-four and two hundredths (34.02) feet to a concrete monument found, thence;
- (46) North eighty-nine degrees, nine minutes, twelve seconds West (N 89° 09' 12" W) five hundred eighty-five and sixty-seven hundredths (585.67) feet to the point and place of BEGINNING.

Containing 168.757 acres.

The above described premises being known as Lot _____, in Block 31001, on Sheet 11, of the Montgomery Twp. Tax Map.

As shown on a plan entitled, "Survey Of Property Of The Bedens Brook Club, Montgomery Twp., Somerset Co., NJ, Scale 1" = 200', April 11, 1984." Additions 9-28-84. Surveyed and prepared by Nassau Surveying Company, Inc., Land Surveyors, Research Park, 359 Wall Street, Princeton, NJ, 08540.

According to a survey and description by Nassau Surveying Company, Inc., Land Surveyors, Research Park, 359 Wall Street, Princeton, NJ, 08540.

RIGHT OF WAY GRANT - BURIED

THIS INDENTURE was made and executed the 22nd day of March 1996, BETWEEN The Bedens Brook Club, a corporation having an address of 240 Rolling Hill Road, Skillman, New Jersey, 08558 hereinafter called "GRANTOR".

AND

Bell Atlantic-New Jersey, Inc. a New Jersey Corporation having its principal offices at 540 Broad Street, in the City of Newark, County of Essex, State of New Jersey AND Public Service Electric & Gas Company, having its principal office at 80 Park Place, in the City of Newark, County of Essex, State of New Jersey, hereinafter called "GRANTEES".

WHEREAS, Grantor is the owner in fee simple of a certain tract or development of real property situate in the Township of Montgomery, County of Somerset, and State of New Jersey, commonly known as The Bedens Brook Club and designated as Lot 38, Block 31001 on the tax map of the Township of Montgomery, County of Somerset (Hereinafter Grantor's Property); and,

WHEREAS, Grantees are public utilities in the State of New Jersey engaged in furnishing communication, gas, electricity and cable television services to subscribers in the State of New Jersey; and

WHEREAS, Grantor does agree to convey an EASEMENT IN PERPETUITY to Grantees for their use, occupancy and enjoyment and the use, occupancy and enjoyment of their associated and affiliated companies, licensees, successors in interest and assigns, in connection with the provision of communication services, cable television services and electric and gas service, and terms set forth hereunder, for the mutual benefit of both Grantor and Grantees.

NOW THEREFORE WITNESSETH: In consideration of these premises and the sum of ONE AND NO 100 DOLLAR (\$1.00), and other valuable consideration paid to the Grantor by the Grantees, receipt of which is hereby acknowledged, and in further consideration of the mutual conditions, covenants promises and terms hereinafter contained, it is agreed that

FIRST: Grantor does hereby GRANT AND CONVEY unto Grantees and their associated and affiliated companies, licensees, successors in interest and assigns an EASEMENT IN PERPETUITY in, under, through, upon, over and across the hereinbefore described lands of Grantor, with full rights, privileges and authority for Grantees to enter upon same from time to time, WITHOUT NOTICE to Grantor for the purpose of inspecting, locating, relocating, installing, altering, extending, constructing, repairing, replacing, rebuilding, removing and perpetually operating, maintaining and using wires, cables, conduits, ducts, pipes, manholes, handholes, switches, switch enclosures, switch enclosure pads, service pedestals, and other fixtures, appurtenances and facilities which Grantees may in their exclusive discretion and sole judgment deem necessary or proper for communication services, cable television services, electric and gas service, and with such free and unlimited access to egress and ingress in, from and over all points of said Easement Area WITHOUT NOTICE to Grantor as is reasonable or necessary for the full use, occupancy and enjoyment of said Easement.

SECOND: Said Easement Area shall be more particularly described as: a 10' from both sides of center line of maintenance road, communication, cable television, and electric and gas service easement located on the property known as The Bedens Brook Club on the land of Lot 38, Block 31001 . More particularly identified on Right of Way map 5996-02.

IT ALSO BEING understood that changes in location of said equipment may be made within said easements as to the exigencies of the business of furnishing telephone, and cable television services, and electric and gas services.

THIRD: Grantor generally warrants the rights, privileges and authority herein granted and conveyed, and does further warrant that Grantees shall have quiet possession of the within Easement, free from all claims and encumbrances; and Grantor will execute and deliver to Grantees such further documents and assurances that may become necessary in connection therewith.

COUNTY OF SOMERSET

CONSIDERATION 1.00

REALTY TRANSFER FEE \$1.00

DATE 5/23/96 BY [Signature]

Prepared by [Signature] R/W Agent Ronald A. Natriello/Bell Atlantic-New Jersey, Inc.

REC MAY/23/1996 10:00AM 046109

SOMERSET COUNTY CLERK B.F. 28.00

Bed 31001 Lot 38

RECORDED

BK2060PG879

BEDENS BROOK ROAD

BEDENS BROOK CLUB

GREAT ROAD

SCALE
1"=10'

RIGHT-OF-WAY MAP 5996-02

3

22947

IAW

RECORDED

Easement

4

AUG 31 10 20 AM '89

Prepared by:

KEVIN J. MOORE, ESQ.

SOMERSET COUNTY
R.P. WIDIN, CLERK

EASEMENT AGREEMENT
(PARCEL IV)

THIS INDENTURE, made as of February 26, 1988, by and
BETWEEN:

THE BEDENS BROOK CLUB, its successors and assigns, a
nonprofit corporation of the State of New Jersey, with an
address at Rolling Hill Road, Skillman, N.J. 08558 (herein
"Grantor").

AND;

DKM RESIDENTIAL PROPERTIES CORP., its successors and assigns, a
corporation of the State of New Jersey, with offices at 993 Lenox
Drive, P.O. Box 6540, Lawrenceville, New Jersey 08648 (herein
"Grantee")

COUNTY OF SOMERSET
CONSIDERATION \$1.00
REALTY TRANSFER FEE \$1.00
DATE 8-31-89 BY 117

Witnesseth, that for and in consideration of the sum of ONE
DOLLAR (\$1.00) paid to Grantor by Grantee at or before the
ensealing and delivery of these presents, receipt whereof is
hereby acknowledged, Grantor has granted and by these presents
does grant to Grantee a non-exclusive easement, for the purposes
hereinafter set forth, through, upon and over that portion of the
property of Grantor, hereinafter referred to as the Easement
Area, located in the Township of Montgomery, County of Somerset
and State of New Jersey, and more particularly described in
Schedule A attached hereto and made a part hereof. The Easement
Area is also referred to as Parcel IV in that certain agreement
between Grantor and Grantee dated February 25, 1988 and recorded
in the Somerset County Clerk's Office on June 24, 1988 in Deed
Book 1689 at pages 14, et seq.

Tax Map Reference: Township of Montgomery, Block 31001, Part
of Lot 38.

Block 31001 Lot 38 (Part of)

RECORDED IN DEED BK-1746 PG655

SCHEDULE A - PARCEL IV

NASSAU SURVEYING

**Division of Van Note-Harvey Associates
Land Surveyors
777 Alexander Road
Princeton, New Jersey 08543**

Phone: 609-243-0428

Order No. 23437
Montgomery Township Tax Map
Sheet 11
Block 31
Existing Block 31001
Part of Lot 38

DESCRIPTION OF AN EASEMENT OVER A
PORTION OF PROPERTY OF THE BEDENS
BROOK CLUB ("BBC") LOT 38, SITUATE
LYING AND BEING IN THE TOWNSHIP OF
MONTGOMERY, COUNTY OF SOMERSET, STATE
OF NEW JERSEY, ALSO KNOWN AS PARCEL
IV AS SHOWN ON A PLAN ENTITLED
EXHIBIT C FOR AN AGREEMENT BETWEEN
THE BEDENS BROOK CLUB ("BBC") AND DKM
RESIDENTIAL PROPERTIES CORP. ("DKM").

April 7, 1988

BEGINNING at a point in the division line between lands of the Bedens Brook Club ("BBC"), (Lot 38, Block 31001) on the west and lands of DKM Residential Properties Corp. (Lot 40.01, Block 31001) on the east, said beginning point bearing the following five (5) courses from a concrete monument in the northerly line of Duncan Lane, fifty (50) feet in width, at the northeasterly corner of the intersection of said Duncan Lane and Rolling Hill Road and running thence; a) South eighty-nine degrees, forty-nine minutes, twenty seconds East (S 89 49' 20" E) fifteen hundred twenty and no hundredths (1520.00) feet to a point thence; b) North sixty-seven degrees, eighteen minutes, thirteen seconds East (N 67 18' 13" E) eleven hundred sixty and one hundredth (1160.01) feet to a point, thence; c) North four degrees, fifty minutes, twenty seconds West (N 04 50' 20" W) six hundred forty-nine and ninety-five hundredths (649.95) feet to a point thence; d) South eighty-seven degrees, fifty minutes, forty-eight seconds West (S 87 50' 48" W) ten hundred fifteen and eight hundredths (1015.08) feet to a point thence; e) North eight degrees, thirty-four minutes, ten seconds West (N 08 34' 10" W) fifty and thirty-two hundredths (50.32) feet to the aforesaid BEGINNING point, and running thence;

(1) Over and through said lands of Bedens Brook Club (Lot 38), the following two (2) courses, South eighty-seven degrees, fifty minutes, forty-eight seconds West (S 87 50' 48" W) fifty and thirty-one hundredths (50.31) feet to a point thence;

(2) North eight degrees, thirty-four minutes, ten seconds West (N 08 34' 10" W) seven hundred seventy eight and thirty-three hundredths (778.33) feet to a point in a southerly line of said lands of DKM Properties Corp., and running thence;

(3) Along the last mentioned lands of the following two (2) courses, North forty-nine degree, twenty-four minutes, ten seconds East (N 49 24' 10" E) fifty-eight and ninety-eight hundredths (58.98) feet to a point thence;

(4) South eight degrees, thirty-four minutes, ten seconds East (S 08 34' 10" E) eight hundred fifteen and twenty-two hundredths (815.22) feet to the point and place of BEGINNING.

Containing 0.915 acres.

The above described premises being known as part of Lot 38 (Parcel IV), on a plan entitled "Exhibit C" for agreement between the Bedens Brook Club ("BBC") and DKM Residential Properties Corp. ("DKM"), Montgomery Township, Somerset County, New Jersey, scale 1" = 200', March 12, 1987, last revised 4/7/88.

The above described premises being part of Lot 38 and Block 31001, on Sheet 11 of the Montgomery Township Tax Map.

According to a description by Van Note-Harvey Associates, Consulting
Engineers, Planners and Land Surveyors, Princeton Research Park, 327 Wall
Street, Princeton, New Jersey 08540.

