

Appendix Q – Property Deeds



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Bk D3276 P9553 #63 COUNTY OF CAPE MAY Consideration 7:548:055.00 Realty Transfer Fee 88:811.85 Date 02-28-2007 By CLERKPBM

PREPARED BY:

Kenneth D. Wolfe, Esquire Address: 1125 Atlantic Avenue, 3rd Floor Atlantic City, New Jersey 08401

BARGAIN AND SALE DEED

THIS DEED made the $5^{7^{-}}$ day of February, 2007, by and between ATLANTIC CITY ELECTRIC COMPANY, a New Jersey corporation, with offices located at c/o Conectiv, 800 King Street, P.O. Box 231, Wilmington, Delaware 19899 (hereinafter referred to as "Grantor") and RC CAPE MAY HOLDINGS, LLC, a limited liability company of the State of Delaware, with offices located at 2204 Timberloch Place, Suite 190, The Woodlands, Texas 77380 hereinafter referred to as "Grantee").

WITNESSETH, that Grantor for and in consideration of the sum of Seven Million Fire Hundred Forty E. 44 Thousand Fifty Five Dollars, (\$ 7,548,055), lawful money of the United States of America, unto it well and truly paid by Grantee at or before the sealing and delivery hereof, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm, unto Grantee, its successors and assigns, in fee simple absolute those certain lots, tracts, or parcels of land and premises hereinafter particularly described, situate, lying and being in the Township of Upper in the County of Cape May and State of New Jersey, known as Lots 74, 76, 76.01, 94.01 and 99 in Block 479 on the municipal tax map, as more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

SUBJECT to covenants, easements, rights of way and restrictions of record.

TO HAVE AND TO HOLD the Property hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, rights, privileges, appurtenances and advantages thereunto belonging, or in any wise appertaining, unto and for the proper use only, benefit and behoof forever of Grantee, its successors and assigns in fee simple absolute.

SUBJECT, NEVERTHELESS, to the following reservations unto the Grantor herein, its successors and assigns, forever, as follows:

Grantor, hereby reserves for itself and its successors and assigns, and incorporates herein by this reference as if set forth in full, the easements and reservations that are more fully set forth and described in that certain EASEMENT AND LICENSE AGREEMENT between Grantor and

> COMMONWEALTH LAND TITLE INSURANCE CO. 650 NEW RD 2ND FLOOR LINWOOD, NJ 08221

a	Bk D3276 P⊴554 ₹63
NC1645 Affidavit of Consideration RTF-1 (Rev. 8/1/2006) P8/06 STD ATTE OF NTEXT	Printed by ALL-STATE LEGAL
AFFIDAVIT OF CONSIDERATI (Chapter 49, PL, 1968; as amonded through Chap	ION FOR USE BY SELLER
BEFORE COMPLETING THIS AFFIDAVIT, PLEASE BEAD THE	INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.
STATE OF NEW JERSEY County Municipal Code	FOR RECORDER'S USE ONLY Consideration \$ 7.548.055.
COUNTY OF Allinhi } SS. 0511	RTF paichy seller \$ 88, 811, 85 Date 418 200 By
Municipality of Property Location: Upper Township	* Use symbol "C" to indicate that fee is exclusively for county use.
(1) <u>PARTY OR LEGAL REPRESENTATIVE</u> (See Instruction Deponent, <u>7.5.5.60.6</u> , bei	is #3 and 4 attached) ing duly sworn according to law upon his/her cath deposes
and says that he/she is the Corporate Officer (Suits whether Grunter, Grunter, Legal Representative, Corporate Officer, Officer of This	in a deed dated $2-5-07$
	Lot No. 74, 76, 76.01, 94.01 8.99 located at and annexed hereto.
(2) CONSIDERATION: \$ 7,548,055	(See Instructions #1 and 5)
(3) Property transferred is Class 4A (B) 4C (circle one).	. If Class 4A, calculation in Section 3A is required.
(3A) <u>REQUIRED CALCULATION OF EQUALIZED</u> COMMERCIAL PROPERTY TRANSACTIONS; (See Instruc	
Total Assessed Valuation ÷ Director's Ratio = Equ	
\$% If Director's Ratio is less than 100%, the equalized valuation Director's Ratio is equal to or in excess of 100%, the assessed valu	will be an amount greater than the assessed value. If
(4) FULL EXEMPTION FROM FEE: (See Instruction #8)	
Deponent states that this deed transaction is fully exemp 1968, as amended through C. 66, P.L. 2004 for the following reasonsymbol is not sufficient.	
(5) <u>PARTIAL EXEMPTION FROM FEE:</u> (See Instruction #9, ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHEC Deponent claims that this deed transaction is exempt from the second second sec	KED. Failure to do so will void claim for purtial exemption.
General Purpose Fee, as applicable, imposed by C. 176, P.L. 1975 reason(s):	; C. 113, P.L. 2004 and C. 66, P.L. 2004 for the following
A. SENIOR CITIZEN (See Instruction #9) Grantor(s) 62 years of age or over.*	Owned and occupied by grantor(s) at time of sale.
One- or two-family residential premises. Resident of the State of New Jersey.	Owners as joint tenants must all qualify.
	DISABLED (See Instruction #9)
Grantor(s) legally blind.*	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. Owners as joint tenants must all qualify. 	Not gainfully employed.* One- or two-family residential premises.
Resident of the State of New Jersey.	Owned and occupied by grantor(s) at time of sale.
* IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR	Owners as joint tenants must all qualify.
NEED QUALLPY IF OWNED AS TENANTS BY THE ENTIRETY.	Resident of the State of New Jersey.
C. LOW AND MODERATE INCOME HOUSING (See Instru	
Affordable according to HUD standards.	Reserved for occupancy. Subject to resale controls.
(6) NEW CONSTRUCTION (See Instructions #2, 10 and 12) -	
Entirely new improvement.	Not previously occupied.
Not previously used for any purpose.	"NEW CONSTRUCTION" printed clearly at the top of the first page of the deed.
(7) Deponent makes this Affidavit to induce the County Clerk o submitted herewith in accordance with the provisions of Chapter Subscribed and sworn to before me X	
this	Name of Grantor
day of February 2007 P.O. Box	
Diana C. Dangers Address of D Notary Public Address of D	
-	Name/Company of Settlement Officer
This form is presented by the Director, Division of Taxation in the Depa. tracet of the Treasury, as required by law, and may	FOR OFFICIAL USE ONLY
not be altered or amended without the approval of the Director Instrument Number	CountyBook Page
For information on the Bealty Transfer Fee or to print a copy of Doed Number	Book Page Date Recorded
Country Benericing Office Farmer of the copy of each Affidavit of the copy of	Consideration for Use by Seller when Section 3A is completed.
NOTARY PUBLIC	
STATE OF DELAWARE My Commission Expires Sept. 28, 2008	

	RTF-1EE (Rev. 8/2006) AFFIDAVIT OF CONS (Chapter 49, P.L. 1968, as an To be recorded with deed pursuant to Chapter 49, P.L. 196 BEFORE COMPLETING THIS AFFIDAVIT, PLEASE REAL	E OF NEW JERS SIDERATION FO amended through 168, as amended	R USE BY BUYER 1 Chapter 33, P.L. 2006) by Chapter 308, P.L. 1991 (N.J.S.A. 46:15-5 et seq.) JCTIONS ON THE REVERSE SIDE OF THIS FORM.
	STATE OF NEW JERSEY SS. County Ma COUNTY Atlantic0511		FOR RECORDER'S USE ONLY Consideration \$7.548.055 RTF paid by buyer \$ Date #21/264 By
	MUNICIPALITY Upper Township		Use symbol "C" to indicate that fee is exclusively for county use
	(1) PARTY OR LEGAL REPRESENTATIVE (See instruction	 ions #3 and # 4 o	n revorse side)
	Deponent, Joseph C. Casciano, being du	ily swom	according to law upon his/her oath,
	(Name) deposes and says that he is the Senior Title (Grantor, Grantee, Legal Representative, Corporate Officer, Off		
	real property identified as Block number 479	Lo	t number 74,76,76.01,94.01,97,98,99 located at
	New Jersey and 9 upper Twp. and	d	annexed thereto.
	(Street Address, Town) (2) Consideration \$7,548,055.00 (See Instructions #1 and	15 on reverse si	
	Entire consideration is in excess of \$1,000,000:		
	PROPERTY CLASSIFICATION CHECKED BELOW SHO RECORD) OF THE MUNICIPALITY WHERE THE REAL F MADE. (A) When Grantee is required to remit the 1% fee, o	PROPERTY IS	LOCATED IN THE YEAR THAT THE TRANSFER IS
	Class 2 - Residential Class 3A - Farm property (Regular) and any other real property transferred to same gran in conjunction with transfer of Class 3A prop	ntee	Class 4A – Commercial Properties Class 4C – Residential Cooperative Unit (4 Families or less)
	 (B) When Grantee Is not required to remit the 1% fe Property class, Circle applicable class(es): 	1	(⁴ B) 4C 15
		itemal Revenue in and equalized	
	PROPERTY TRANSACTIONS Total Assessed Valuation + Director's Ratio = Equaliz +% = \$%	zed Valuation	VALUATION FOR ALL CLASS 4A COMMERCIAL
	If equalized valuation amount is in excess of \$1,000,000, t If Director's Ratio is loss than 100%, the equalized valuation will to or in excess of 100%, the assessed value will be equal to the	l be an amount gr	
	(3) <u>TOTAL EXEMPTION FROM FEE</u> (See Instruction #6 or Deponent states that this deed transaction is fully exempt fro through C. 66 P.L. 2004, for the following reason(s). Mere re	om the Realty T	
	/	$\overline{)}$	
	Deponent makes Affidavit of Consideration for Use by Byer to the fee submitted herewith in accordance with the provisions of	o jaduce count o	clerk of register of deeds to record the deed and accept
			RC Cape May Holdings, LLC
Denel	50 Nev Road,	ture of Deponent Second Floor,	
	u m. spencer	onent Address	Woodlands, Texas 77380
My Commison	expires April 3, 2011		Commonwealth Land Title Ins. Co Donald W. Spencer
	and WSpellice	Instrument	FOR OFFICIAL USE ONLY
0	County Recording Officers shall forward one copy of each STATE OF NEW JERS	Deed Num Deed Date h Affidavit of Cons SEY – DIVISION	ber Book Page d Date Recorded ideration for Use by Buyer recorded with deeds to:
	TRENTO	O BOX 251 DN, NJ 08695-02 ALTY TRANSFE	
	The Director of the division of Taxation in the Department of the Treasu without prior approval of the Director. For further information on the Realty www.state.nj.us/tre	ury has prescribed the Transfer Fee or to p	nis form as required by law, and may not be altered or amended wint a copy of this Affidavit, visit the Division of Taxation website at

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		State of New Jersey		GIT/REP-: (6-05)
	SELLERSI	RESIDENCY CERTIFICATIO (C.55, P.L. 2004)	IN/EXEMPTIC	м
Please Print or Type)				
	ATION (See Instruc	et ons, Page 2)		
Name(s) Atlantic City Electric C	опралу			
Current Resident Add				
Street: 800 King St. P		•	·	
City, Town, Post Office	e		State	Zip Code
	MATION (Brief Prope	arty Description	DE	19899
Block(s)	CARLON (BRELPTOPE	Lot(s)		Qualifier
479		74, 76, 76.01, 94.01,	99	
Street Address:	and a second			
716 RL US 9 No.	······		State	Zin Code
City, Town, Post Office	3			Zip Code 08250
Upper Township Seller's Percentage of	Ownership	Consideration	NJ	Closing Date
100%		\$7,548,055		February 8,2007
	CES (Check the App ant taxpaver (individual		ersev pursuant to	N.J.S.A. 54A:1-1 et seq. and
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 I am a reside will file a resproperty. The real proport of the federa I am a mortg no additional Seller, transfor New Jerse National Mor Seller is not N.J.S.A.54A: The total corpayment pur The gain from cemetery plot seller acknow Transfer by a accordance of the best of my knowled to the best of my knowled to the best of my knowled baseline acknowled to the best of my knowled baseline acknowled basel	ent taxpayer (individual ident gross income tax perty being sold or trans I Internal Revenue Cod agor conveying the mo- consideration. eror or transferee is an ey, the Federal National tgage Association, or a an individual, estate or 1-1 et seq. isideration for the prope suant to N.J.S.A. 54A:5 in the sale will not be re it. (CIRCLE THE APPL wiedges the obligation to an executor or administr with the provisions of the RATION ands that this declaration is	estate, or trust) of the State of New J return and pay any applicable taxes of slerred is used exclusively as my print e of 1986, 26 U.S.C. s. 121. rtgaged property to a mortgagee in fo agency or authority of the United Stat Mortgage Association, the Federal He private mortgage insurance company trust and as such not required to mak erty is \$1,000 or less and as such, the i-1-1 et seq. ecognized for Federal income tax purp ICABLE SECTION). If such section of o file a New Jersey income tax return rator of a decedent to a devisee or he is decedent's will or the intestate laws and its contents may be disclosed or provid 1 by fine, imprisonment, or both. I furthern orrect and complete. (Seiler) Please in	cipal residence with reclosure or in a transfer of America, an ome Loan Mortgag e an estimated particular seller is not required loses under I.R.C. loses not ultimately for the year of the ir to effect distribu- of this state.	ame from the disposition of this thin the meaning of section 121 ransfer in lieu of foreclosure wit agency or authority of the State ge Corporation, the Governmer yment pursuant to red to make an estimated Section 721, 1031, 1033 or is apply to this transaction, the sale. tion of the decedent's estate in ey Division of Taxation and that any we examined this declaration and.

EXHIBIT A

DESCRIPTION OF PROPERTY

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF UPPER, THE COUNTY OF CAPE MAY AND THE STATE OF NEW JERSEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT ONE:

Parcel A:

Beginning at a concrete monument in the northwesterly line of Shore Road, U.S. Route 9 (66.00 feet wide) where the same is intersected by the northeasterly line of block 479, lot 88.01 and from said beginning point runs; thence, along lot 88.01

- 1) North 46 degrees 05 minutes 25 seconds West, 127.68 feet to a concrete monument corner to the same; thence, still along lot 88.01 and also along block 479, lots 88.02, 88.03, 88.04 and 88.05
- North 28 degrees 41 minutes 01 seconds West, 1,191.44 feet to a point corner to lot 88.05 bearing South 62 degrees 49 minutes 39 seconds West, distant 0.59 feet from a concrete monument; thence, along lot 88.05
- 3) South 47 degrees 50 minutes 26 seconds West, 280.39 feet to a point corner common to the same and to block 479, lot 88.06 bearing South 44 degrees 23 minutes 23 seconds West, distant 0.63 feet from a concrete monument; thence, along Lot 88.06 block 479, lot 77; the northwesterly terminus of Wilke Boulevard (50.00 feet wide) and block 677, lot 11
- 4) South 15 degrees 37 minutes 36 seconds West, 990.83 feet to a concrete monument corner to block 677, lot 11; thence, along the same
- 5) South 43 degrees 53 minutes 26 seconds West, 139.73 feet to a point in the northeasterly line of block 661; lot 81; thence, along lot 81 and also along block 479, lot 73
- 6) North 46 degrees 06 minutes 34 seconds West, 2,010 feet more or less (2009.65 feet to a connecting course) to a point in the easterly approximate

mean high water line for the south fork of Flat Creel thence, along the approximate mean high water line for the south fork of Flat Creek, an unnamed tributary of the south for of Flat Creek, the south fork of Flat Creek, the north fork of Flat Creek, the Tuckahoe River, an unnamed tributary of the Tuckahoe River and Great Egg Harbor Bay the various courses and distances with a connecting course of North 28 degrees 09 minutes 02 seconds East, 4,137.64 feet

- 7) Northwardly, 34,426 feet more or less to a point in the approximate mean high water line of the Great Egg Harbor Bay; thence, extending into the Bay
- 8) North 50 degrees 45 minutes 29 seconds East, 827 feet more or less (827.44 feet from the connecting course) to a point in the modified pierhead line established for the Great Egg Harbor Bay thence, continuing through the Great Egg Harbor Bay along said modified pierhead line.
- 9) South 39 degrees 14 minutes 31 seconds East, 1,600.00 feet to a point in the same; thence, continuing through the Great Egg Harbor Bay
- 10) South 50 degrees 45 minutes 29 seconds West, 300.00 feet to a point in the exterior line for a solid fill for the Great Egg Harbor Bay; thence, along the same
- 11) South 39 degrees 14 minutes 31 seconds East, 675.45 feet to a point where the same is intersected by the northeastwardly prolongation of the northwesterly line of block 479, lot 107; thence, along said northeastwardly prolongation of the northwesterly line of block 479, lot 107 and continuing along the northwesterly line of lot 107
- 12) South 20 degrees 39 minutes 45 seconds West, 861.08 feet to a concrete monument in the northeasterly line of Clay Avenue (50.00 feet wide); thence, along the same
- 13) North 69 degrees 20 minutes 15 seconds West 50.00 feet to a concrete monument in the same; thence, crossing the northwesterly terminus of Clay Avenue and extending along block 479, lots 106.02, 106.01, 105 and 101
- 14) South 20 degrees 39 minutes 45 seconds West, 650.48 feet, passing A-2

- over a concrete monument 0.94 feet from the corner, to a point in the northeasterly line of Harding Avenue (50.00 feet wide); thence, along the same
- 15) North 69 degrees 28 minutes 34 seconds West, 501.08 feet to a concrete monument set for a corner where the same is intersected by the southwesterly line of Spencer Avenue (50.00 feet wide); thence, along the southwesterly line of Spencer Avenue
- 16) South 21 degrees 16 minutes, 34 seconds East, 1,127.00 feet to an angle point in the same marked marked by a concrete monument set for a corner; thence, still along the same
- 17) South 57 degrees 21 minutes 32 seconds East, 168.09 feet to a concrete monument set in the aforementioned northwesterly line of Shore Road; thence, along the same
- 18) South 20 degrees 31 minutes 26 seconds West, 414.67 feet to a concrete monument set in the same corner to block 479, lot 96; thence, along the same
- 19) North 69 degrees 28 minutes 34 seconds West, 150.53 feet to a point corner to the same bearing South 32 degrees 23 minutes 06 seconds West, distant 1.50 feet from a rebar; thence, still along the same
- 20) South 70 degrees 24 minutes 02 seconds West, 38.08 feet to a rebar in the northeasterly line of block 479, lot 95; thence, along lot 95 passing over a monument 0.33 feet from the aforementioned corner
- 21) North 20 degrees 40 minutes 22 seconds West, 54.82 feet to a concrete monument set corner to the same; thence, still along the same and also block 479, lot 94.02
- 22) South 65 degrees 51 minutes 10 seconds West, 303.03 feet to a concrete monument corner to lot 94.02l thence, along lot 94.02
- 23) South 26 degrees 25 minutes 53 seconds East, 101.55 feet to a point corner to block 479, lot 93 bearing South 63 degrees 51 minutes 01 seconds West, distant 0.21 feet from a concrete monument; thence, along lot 93 and

also along block 479, lot 92

- 24) South 63 degrees 51 minutes 01 seconds West, 217.32 feet to a concrete monument corner to lot 92 thence, along lot 92 and also along block 479, lot 91
- 25) South 26 degrees 08 minutes 59 seconds East, 350.00 feet to a stone corner to lot 91; thence, along the same
- 26) South 46 degrees 06 minutes 34 seconds East, 149.72 feet to a concrete monument in the aforementioned northwesterly line of Shore Road; thence, along said line of Shore Road
- 27) South 43 degrees 53 minutes 26 seconds West, 160.87 feet to the point and place of beginning

Said above described tract of land containing within said bounds 332.3 acres more or less

PARCEL B:

ALL THAT CERTAIN tract or parcel of land situate in the Township of Upper, the County of Cape May and the State of New Jersey being more particularly described as follows

BEGINNING at a point in the approximately mean high water line on the westerly bank of the south fork of Flat Creek where the same is intersected by the northeasterly line of block 479, lot 73, said point being the following two courses from where the northeasterly line of block 479, lot 73 intersects the northwesterly line of block 661, lot 81; thence, along the northeasterly line of lot 73

- A. North 46 degrees 06 minutes 34 seconds West, 1,193.65 feet to a point in the approximate mean high water line on the easterly bank of the south fork of Flat Creek; thence, crossing the south fork of Flat Creek
- B. South 80 degrees 24 minutes 56 seconds West, 93.47 feet to the point and place of beginning and from said beginning point runs; thence, along Lot 73 the following four courses:

- 1) North 50 degrees 06 minutes 04 seconds West, 715.67 feet to a point; thence
- 2) North 27 degrees 35 minutes 43 seconds East, 165.00 feet to a point; thence
- 3) North 43 degrees 07 minutes 25 seconds West, 1,468.55 feet to a point; thence
- 4) South 36 degrees 37 minutes 41 seconds West, 722 feet more or less (721.98 feet to a connecting course) to a point in the easterly approximate mean high water line of Schooner Creek; thence, along said approximate mean high water line of Schooner Creek the various courses and distances with a connecting course o north 19 degrees 26 minutes 59 seconds west, 424.10 feet
- 5) Northwestwardly, 556 feet more or less to appoint in the same where it is intersected by the easterly line of block 479, lot 71 thence, along the easterly line of lot 71
- 6) North 19 degrees 11 minutes 41 seconds East, 299 feet more or less (229.25 feet to a connecting course) to a point in the approximate mean high water line of the Tuckahoe River; thence, along the southerly approximate mean high water line of the Tuckahoe River the various courses and distances with a connecting course of north 59 degrees 03 minutes 27 seconds east, 1,781.00 feet
- 7) Eastwardly, 5,404 feet more or less to a point where the same is intersected by the northwesterly line of block 479 lot 75; thence, along lot 75 the following three courses
- 8) South 31 degrees 52 minutes 41 seconds West, 1,134 feet more or less (1,133.76 from the connecting course) to a point; thence
- 9) South 49 degrees 54 minutes 14 seconds East, 651.75 feet to a point; thence
- 10) South 32 degrees 06 minutes 26 seconds East, 408 feet more or less (408.07 feet to a connecting course) to a point in the aforementioned

westerly approximate mean high water line of the south fork of Flat Creek; thence, along the same the various courses and distances with a connecting course of south 17 degrees 32 minutes 08 seconds east, 1,014.98 feet

11) Southwardly, 1,172 feet more or less to the point and place of beginning.

Said above described tract of land containing with said bounds 35.9 acres more or less.

EXCEPTING THERE OUT AND THEREFROM THE FOLLOWING TWO TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FIRST EXCEPTION:

(Lot 97)

BEGINNING at a monument found on the Northwesterly line of U.S. Route No. 9 (66 feet wide) at the division line of Lot 97 and Lot 96 in Block 479 said point being South 20 degrees 33 minutes and 33 seconds West 435.04 feet from the Southerly line of Spencer Lane (25 feet wide), and extending thence.

1.North 69 degrees 28 minutes and 34 seconds West along said division line 130.74 feet to an angle point in said division line; thence

2.South 70 degrees 24 minutes and 02 seconds West still along said division line 38.08 feet to the division line of Lot 97 and Lot 95; thence

3.North 20 degrees 40 minutes and 22 seconds West along said division line 49.12 feet (Deed) (47.9 feet, File Map) to the division line of Lot 97 and Lot 100; thence

4.North 20 degrees 31 minutes and 26 seconds East along said division line 137.58 feet to the division line of Lot 97 and Lot 98; thence

5.South 69 degrees 28 minutes and 35 seconds East along said division line 212.00 feet to the Northwesterly line of U.S. Route No. 9; thence

6.South 20 degrees 31 minutes and 26 seconds West along U.S. Route No. 9 150.00 feet to the point and place of Beginning.

A-6

SAID above described tract of land containing 32,307 square feet, more or less, also known as Block 479 Lot 97 on the Tax Map of the Township of Upper, Cape May County, New Jersey.

SECOND EXCEPTION:

(Lot 98)

BEGINNING on the Northwesterly line of U.S. Route No. 9 (66 feet wide) at the division line of Lot 98 and Lot 99 in Block 479 said point being South 20 degrees 33 minutes and 33 seconds West 145.59 feet from the Southerly line of Spencer Lane (25 feet wide); and extending thence.

1.South 20 degrees 31 minutes and 26 seconds West along U.S. Route No. 9 a distance of 139.45 feet to the division line of Lot 98 and Lot 97; thence

2.North 69 degrees 28 minutes and 35 seconds West along said division line 212.00 feet to the division line of Lot 98 and Lot 100; thence

3.North 20 degrees 31 minutes and 26 seconds East along said division line 139.45 feet to the division line of Lot 99 and Lot 98; thence

4.South 69 degrees 28 minutes and 35 seconds East along said division line 212.00 feet to the Northwesterly line of U.S. Route No. 9 and the point and place of Beginning.

SAID above described tract of land containing 29,563 square feet, more or less, also known as Block 479 Lot 98 on the Tax Map of the Township of Upper, Cape May County, New Jersey.

In compliance with Chapter 157 of 1977 Parcels A and B, less exceptions hereon are known as Lots 74, 76, 76.01, 94.01, 99 Block 479 on the Tax Map of Upper Township, New Jersey.

RECITAL

BEING as to part thereof, the same premises which Southern Properties (a New Jersey Corporation) by a deed dated December 14, 1959 recorded January 15,

1960 in Cape May County in Deed Book 1010 page 412 granted and conveyed unto the Atlantic City Electric Company, in fee.

BEING as to another part thereof, the same premises which Southern Properties (a New Jersey Corporation) by a deed dated October 24, 1960 recorded November 15, 1960 in Cape May County in Deed Book 1035 page 452 granted and conveyed unto the Atlantic City Electric Company, in fee

BEING as to another part thereof, the same premises which Olaf Pearson, divorced, by a deed dated January 5, 1960 recorded January 8, 1960 in Cape May County in Deed Book 1010 page 117 granted and conveyed unto Atlantic City Electric Company, in fee

BEING as to another part thereof, the same which vested in Atlantic City Electric Company by Grant from the State of New Jersey dated February 27, 1962 recorded April 17, 1962 in Deed Book 1069 page 830

BEING as to another part thereof, the same premises which the Atlantic City Electric Company by a deed dated August 30, 1989 recorded September 28, 1989 in Cape May County in Deed Book 1967 page 287 granted and conveyed unto the Atlantic City Electric Company, in fee

BEING as to another part thereof, the same premises which James M. Meis and Doreen A. Meis, his wife, by a deed dated October 28, 1992 recorded October 29, 1992 in Cape May County in Deed Book 2300 page 88 granted and conveyed unto Atlantic City Electric Company, in fee

BEING as to another part thereof, the same premises which Charles M. Plageman, singleman, and Kathleen P. Heath, single, by a deed dated November 12, 1993 recorded November 16, 1993 in Cape May County in Deed Book 2409 page 132 granted and conveyed unto Atlantic City Electric Company, in fee

Bk D3276 P9565 RECORDED COUNTY OF CAPE MAY *63 Rita Marie Fulsiniti, County Clerk Recording Fee 160.00 Date 02-28-2007 0 08:51a

Grantee, dated of even date herewith, and to be recorded with the Office of the Clerk of Cape May County, New Jersey immediately following the recordation of this Deed.

AND 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).

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

(Corporate Seal)

Attest:

J. MACK WATHEN VICE PRESIDENT

ş

By: Jack M Name: Jos & P.H.

ATLANTIC CITY ELECTRIC COMPANY

BE IT REMEMBERED, that on this 5^{-1} day of February, 2007, before me, the subscriber, a Notary Public of 0.2^{-1} , personally appeared 0^{12} before me, the am satisfied, is the 5^{-12} of Atlantic City Electric Company, the corporation named in and which executed the foregoing instrument, and he is the person who signed said instrument as such officer for and on behalf of said corporation, and he acknowledged that said instrument was made by said corporation and sealed with its corporate seal as the voluntary act and deed of said corporation. The full and actual consideration paid or to be paid for the transfer of title to realty evidenced by the within Deed, as such consideration is defined in P.L. 1968, C. 49, Sec. 1(c), is \$<u>7,548,055</u>.

Notary Public of

My commission expires: 8-14-09

[Notarial Seal]



Oyster Creek



Block 479 Lot 76

Bk D3276 P9553 #63 COUNTY OF CAPE MAY Consideration 7:548:055.00 Realty Transfer Fee 88:811.85 Date 02-28-2007 By CLERKPBM

PREPARED BY:

Kenneth D. Wolfe, Esquire Address: 1125 Atlantic Avenue, 3rd Floor Atlantic City, New Jersey 08401

BARGAIN AND SALE DEED

THIS DEED made the $5^{7^{-}}$ day of February, 2007, by and between ATLANTIC CITY ELECTRIC COMPANY, a New Jersey corporation, with offices located at c/o Conectiv, 800 King Street, P.O. Box 231, Wilmington, Delaware 19899 (hereinafter referred to as "Grantor") and RC CAPE MAY HOLDINGS, LLC, a limited liability company of the State of Delaware, with offices located at 2204 Timberloch Place, Suite 190, The Woodlands, Texas 77380 hereinafter referred to as "Grantee").

WITNESSETH, that Grantor for and in consideration of the sum of Seven Million Fire Hundred Forty E. 44 Thousand Fifty Five Dollars, (\$ 7,548,055), lawful money of the United States of America, unto it well and truly paid by Grantee at or before the sealing and delivery hereof, has granted, bargained and sold, released and confirmed, and by these presents does grant, bargain and sell, release and confirm, unto Grantee, its successors and assigns, in fee simple absolute those certain lots, tracts, or parcels of land and premises hereinafter particularly described, situate, lying and being in the Township of Upper in the County of Cape May and State of New Jersey, known as Lots 74, 76, 76.01, 94.01 and 99 in Block 479 on the municipal tax map, as more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

SUBJECT to covenants, easements, rights of way and restrictions of record.

TO HAVE AND TO HOLD the Property hereby intended to be conveyed, together with the buildings and improvements thereupon erected, made or being, and all and every title, rights, privileges, appurtenances and advantages thereunto belonging, or in any wise appertaining, unto and for the proper use only, benefit and behoof forever of Grantee, its successors and assigns in fee simple absolute.

SUBJECT, NEVERTHELESS, to the following reservations unto the Grantor herein, its successors and assigns, forever, as follows:

Grantor, hereby reserves for itself and its successors and assigns, and incorporates herein by this reference as if set forth in full, the easements and reservations that are more fully set forth and described in that certain EASEMENT AND LICENSE AGREEMENT between Grantor and

> COMMONWEALTH LAND TITLE INSURANCE CO. 650 NEW RD 2ND FLOOR LINWOOD, NJ 08221

a	Bk D3276 P⊴554 ₹63
NC1645 Affidavit of Consideration RTF-1 (Rev. 8/1/2006) P8/06 STD ATTE OF NTEXT	Printed by ALL-STATE LEGAL
AFFIDAVIT OF CONSIDERATI (Chapter 49, PL, 1968; as amonded through Chap	ION FOR USE BY SELLER
BEFORE COMPLETING THIS AFFIDAVIT, PLEASE BEAD THE	INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.
STATE OF NEW JERSEY County Municipal Code	FOR RECORDER'S USE ONLY Consideration \$ 7.548.055.
COUNTY OF Allinhi } SS. 0511	RTF paichy seller \$ 88, 811, 85 Date 418 200 By
Municipality of Property Location: Upper Township	* Use symbol "C" to indicate that fee is exclusively for county use.
(1) <u>PARTY OR LEGAL REPRESENTATIVE</u> (See Instruction Deponent, <u>7.5.5.60.6</u> , bei	is #3 and 4 attached) ing duly sworn according to law upon his/her cath deposes
and says that he/she is the Corporate Officer (Suits whether Grunter, Grunter, Legal Representative, Corporate Officer, Officer of This	in a deed dated $2-5-07$
	Lot No. 74, 76, 76.01, 94.01 8.99 located at and annexed hereto.
(2) CONSIDERATION: \$ 7,548,055	(See Instructions #1 and 5)
(3) Property transferred is Class 4A (B) 4C (circle one).	. If Class 4A, calculation in Section 3A is required.
(3A) <u>REQUIRED CALCULATION OF EQUALIZED</u> COMMERCIAL PROPERTY TRANSACTIONS; (See Instruc	
Total Assessed Valuation ÷ Director's Ratio = Equ	
\$% If Director's Ratio is less than 100%, the equalized valuation Director's Ratio is equal to or in excess of 100%, the assessed valu	will be an amount greater than the assessed value. If
(4) FULL EXEMPTION FROM FEE: (See Instruction #8)	
Deponent states that this deed transaction is fully exemp 1968, as amended through C. 66, P.L. 2004 for the following reasonsymbol is not sufficient.	
(5) <u>PARTIAL EXEMPTION FROM FEE:</u> (See Instruction #9, ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHEC Deponent claims that this deed transaction is exempt from the second second sec	KED. Failure to do so will void claim for purtial exemption.
General Purpose Fee, as applicable, imposed by C. 176, P.L. 1975 reason(s):	; C. 113, P.L. 2004 and C. 66, P.L. 2004 for the following
A. SENIOR CITIZEN (See Instruction #9) Grantor(s) 62 years of age or over.*	Owned and occupied by grantor(s) at time of sale.
One- or two-family residential premises. Resident of the State of New Jersey.	Owners as joint tenants must all qualify.
	DISABLED (See Instruction #9)
Grantor(s) legally blind.*	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. Owners as joint tenants must all qualify. 	Not gainfully employed.* One- or two-family residential premises.
Resident of the State of New Jersey.	Owned and occupied by grantor(s) at time of sale.
* IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR	Owners as joint tenants must all qualify.
NEED QUALLPY IF OWNED AS TENANTS BY THE ENTIRETY.	Resident of the State of New Jersey.
C. LOW AND MODERATE INCOME HOUSING (See Instru	
Affordable according to HUD standards.	Reserved for occupancy. Subject to resale controls.
(6) NEW CONSTRUCTION (See Instructions #2, 10 and 12) -	
Entirely new improvement.	Not previously occupied.
Not previously used for any purpose.	"NEW CONSTRUCTION" printed clearly at the top of the first page of the deed.
(7) Deponent makes this Affidavit to induce the County Clerk o submitted herewith in accordance with the provisions of Chapter Subscribed and sworn to before me X	
this	Name of Grantor
day of February 2007 P.O. Box	
Diana C. Dangers Address of D Notary Public Address of D	
-	Name/Company of Settlement Officer
This form is presented by the Director, Division of Taxation in the Depa. tracet of the Treasury, as required by law, and may	FOR OFFICIAL USE ONLY
not be altered or amended without the approval of the Director Instrument Number	CountyBook Page
For information on the Besity Transfer Fee or to print a copy of Doed Number	Book Page Date Recorded
Country Benericing Office Farmer of the copy of each Affidavit of the copy of	Consideration for Use by Seller when Section 3A is completed.
NOTARY PUBLIC	
STATE OF DELAWARE My Commission Expires Sept. 28, 2008	

	RTF-1EE (Rev. 8/2006) AFFIDAVIT OF CONS (Chapter 49, P.L. 1968, as an To be recorded with deed pursuant to Chapter 49, P.L. 196 BEFORE COMPLETING THIS AFFIDAVIT, PLEASE REAL	E OF NEW JERS SIDERATION FO amended through 168, as amended	R USE BY BUYER 1 Chapter 33, P.L. 2006) by Chapter 308, P.L. 1991 (N.J.S.A. 46:15-5 et seq.) JCTIONS ON THE REVERSE SIDE OF THIS FORM.
	STATE OF NEW JERSEY SS. County Ma COUNTY Atlantic0511		FOR RECORDER'S USE ONLY Consideration \$7.548.055 RTF paid by buyer \$ Date #21/264 By
	MUNICIPALITY Upper Township		Use symbol "C" to indicate that fee is exclusively for county use
	(1) PARTY OR LEGAL REPRESENTATIVE (See instruction	 ions #3 and # 4 o	n revorse side)
	Deponent, Joseph C. Casciano, being du	ily swom	according to law upon his/her oath,
	(Name) deposes and says that he is the Senior Title (Grantor, Grantee, Legal Representative, Corporate Officer, Off		
	real property identified as Block number 479	Lo	t number 74,76,76.01,94.01,97,98,99 located at
	New Jersey and 9 upper Twp. and	d	annexed thereto.
	(Street Address, Town) (2) Consideration \$7,548,055.00 (See Instructions #1 and	15 on reverse si	
	Entire consideration is in excess of \$1,000,000:		
	PROPERTY CLASSIFICATION CHECKED BELOW SHO RECORD) OF THE MUNICIPALITY WHERE THE REAL F MADE. (A) When Grantee is required to remit the 1% fee, o	PROPERTY IS	LOCATED IN THE YEAR THAT THE TRANSFER IS
	Class 2 - Residential Class 3A - Farm property (Regular) and any other real property transferred to same gran in conjunction with transfer of Class 3A prop	ntee	Class 4A – Commercial Properties Class 4C – Residential Cooperative Unit (4 Families or less)
	 (B) When Grantee Is not required to remit the 1% fe Property class, Circle applicable class(es): 	1	(⁴ B) 4C 15
		itemal Revenue in and equalized	
	PROPERTY TRANSACTIONS Total Assessed Valuation + Director's Ratio = Equaliz +% = \$%	zed Valuation	VALUATION FOR ALL CLASS 4A COMMERCIAL
	If equalized valuation amount is in excess of \$1,000,000, t If Director's Ratio is loss than 100%, the equalized valuation will to or in excess of 100%, the assessed value will be equal to the	l be an amount gr	
	(3) <u>TOTAL EXEMPTION FROM FEE</u> (See Instruction #6 or Deponent states that this deed transaction is fully exempt fro through C. 66 P.L. 2004, for the following reason(s). Mere re	om the Realty T	
	/	$\overline{)}$	
	Deponent makes Affidavit of Consideration for Use by Byer to the fee submitted herewith in accordance with the provisions of	o jaduce count o	clerk of register of deeds to record the deed and accept
			RC Cape May Holdings, LLC
Denel	50 Nev Road,	ture of Deponent Second Floor,	
	u m. spencer	onent Address	Woodlands, Texas 77380
My Commison	expires April 3, 2011		Commonwealth Land Title Ins. Co Donald W. Spencer
	and WSpellice	Instrument	FOR OFFICIAL USE ONLY
0	County Recording Officers shall forward one copy of each STATE OF NEW JERS	Deed Num Deed Date h Affidavit of Cons SEY – DIVISION	ber Book Page d Date Recorded ideration for Use by Buyer recorded with deeds to:
	TRENTO	O BOX 251 DN, NJ 08695-02 ALTY TRANSFE	
	The Director of the division of Taxation in the Department of the Treasu without prior approval of the Director. For further information on the Realty www.state.nj.us/tre	ury has prescribed the Transfer Fee or to p	nis form as required by law, and may not be altered or amended wint a copy of this Affidavit, visit the Division of Taxation website at

.

		State of New Jersey		GIT/REP-: (6-05)
	SELLERSI	RESIDENCY CERTIFICATIO (C.55, P.L. 2004)	IN/EXEMPTIC	м
Please Print or Type)				
	ATION (See Instruc	et ons, Page 2)		
Name(s) Atlantic City Electric C	ompany			
Current Resident Add				
Street: 800 King St. P		•	·	
City, Town, Post Office	e		State	Zip Code
	MATION (Brief Prope	arty Description	DE	19899
Block(s)	CARLON (BRELPTOPE	Lot(s)		Qualifier
479		74, 76, 76.01, 94.01,	99	
Street Address:	and a second			
716 RL US 9 No.	······		State	Zin Code
City, Town, Post Office	3			Zip Code 08250
Upper Township Seller's Percentage of	Ownership	Consideration	NJ	Closing Date
100%		\$7,548,055		February 8,2007
	CES (Check the App ant taxpaver (individual		ersev pursuant to	N.J.S.A. 54A:1-1 et seq. and
 1 am a reside will file a res property. 2. The real prop 	ant taxpayer (individual ident gross income tax perty being sold or trace	estate, or trust) of the State of New J return and pay any applicable taxes of sferred is used exclusively as my princ	on any gain or inco	ome from the disposition of this
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 1. am a reside will file a resproperty. 2. The real prop of the federa 3. I am a mortg no additional 4. Seller, transfor New Jerse 	ent taxpayer (individual sident gross income tax perty being sold or trace I Internal Revenue Cod agor conveying the mo- consideration. eror or transferee is an ey, the Federal National	estate, or trust) of the State of New J return and pay any applicable taxes of slerred is used exclusively as my print of 1986, 26 U.S.C. s. 121. rtgaged property to a mortgagee in fo agency or authority of the United Stat Mortgage Association, the Federal H	on any gain or inco cipal residence wit reclosure or in a tr ces of America, an ome Loan Mortgag	ome from the disposition of this hin the meaning of section 121 ransfer in lieu of foreclosure wit agency or authority of the State
 I am a reside will file a resproperty. The real prop of the federa I am a mortg no additional Seller, transf of New Jerse National Mor 	ent taxpayer (individual ident gross income tax perty being sold or trace I Internal Revenue Cod agor conveying the mod I consideration. eror or transferee is an ey, the Federal National tgage Association, or a an individual, estate or	estate, or trust) of the State of New J return and pay any applicable taxes of sferred is used exclusively as my print of 1986, 26 U.S.C. s. 121. rtgaged property to a mortgagee in fo agency or authority of the United Stat	on any gain or inco cipal residence wit reclosure or in a tr tes of America, an ome Loan Mortgag	ome from the disposition of this hin the meaning of section 121 ransfer in lieu of foreclosure wit agency or authority of the State ge Corporation, the Governmer
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EXHIBIT A

DESCRIPTION OF PROPERTY

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF UPPER, THE COUNTY OF CAPE MAY AND THE STATE OF NEW JERSEY BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TRACT ONE:

Parcel A:

Beginning at a concrete monument in the northwesterly line of Shore Road, U.S. Route 9 (66.00 feet wide) where the same is intersected by the northeasterly line of block 479, lot 88.01 and from said beginning point runs; thence, along lot 88.01

- 1) North 46 degrees 05 minutes 25 seconds West, 127.68 feet to a concrete monument corner to the same; thence, still along lot 88.01 and also along block 479, lots 88.02, 88.03, 88.04 and 88.05
- North 28 degrees 41 minutes 01 seconds West, 1,191.44 feet to a point corner to lot 88.05 bearing South 62 degrees 49 minutes 39 seconds West, distant 0.59 feet from a concrete monument; thence, along lot 88.05
- 3) South 47 degrees 50 minutes 26 seconds West, 280.39 feet to a point corner common to the same and to block 479, lot 88.06 bearing South 44 degrees 23 minutes 23 seconds West, distant 0.63 feet from a concrete monument; thence, along Lot 88.06 block 479, lot 77; the northwesterly terminus of Wilke Boulevard (50.00 feet wide) and block 677, lot 11
- 4) South 15 degrees 37 minutes 36 seconds West, 990.83 feet to a concrete monument corner to block 677, lot 11; thence, along the same
- 5) South 43 degrees 53 minutes 26 seconds West, 139.73 feet to a point in the northeasterly line of block 661; lot 81; thence, along lot 81 and also along block 479, lot 73
- 6) North 46 degrees 06 minutes 34 seconds West, 2,010 feet more or less (2009.65 feet to a connecting course) to a point in the easterly approximate

mean high water line for the south fork of Flat Creel thence, along the approximate mean high water line for the south fork of Flat Creek, an unnamed tributary of the south for of Flat Creek, the south fork of Flat Creek, the north fork of Flat Creek, the Tuckahoe River, an unnamed tributary of the Tuckahoe River and Great Egg Harbor Bay the various courses and distances with a connecting course of North 28 degrees 09 minutes 02 seconds East, 4,137.64 feet

- 7) Northwardly, 34,426 feet more or less to a point in the approximate mean high water line of the Great Egg Harbor Bay; thence, extending into the Bay
- 8) North 50 degrees 45 minutes 29 seconds East, 827 feet more or less (827.44 feet from the connecting course) to a point in the modified pierhead line established for the Great Egg Harbor Bay thence, continuing through the Great Egg Harbor Bay along said modified pierhead line.
- 9) South 39 degrees 14 minutes 31 seconds East, 1,600.00 feet to a point in the same; thence, continuing through the Great Egg Harbor Bay
- 10) South 50 degrees 45 minutes 29 seconds West, 300.00 feet to a point in the exterior line for a solid fill for the Great Egg Harbor Bay; thence, along the same
- 11) South 39 degrees 14 minutes 31 seconds East, 675.45 feet to a point where the same is intersected by the northeastwardly prolongation of the northwesterly line of block 479, lot 107; thence, along said northeastwardly prolongation of the northwesterly line of block 479, lot 107 and continuing along the northwesterly line of lot 107
- 12) South 20 degrees 39 minutes 45 seconds West, 861.08 feet to a concrete monument in the northeasterly line of Clay Avenue (50.00 feet wide); thence, along the same
- 13) North 69 degrees 20 minutes 15 seconds West 50.00 feet to a concrete monument in the same; thence, crossing the northwesterly terminus of Clay Avenue and extending along block 479, lots 106.02, 106.01, 105 and 101
- 14) South 20 degrees 39 minutes 45 seconds West, 650.48 feet, passing A-2

- over a concrete monument 0.94 feet from the corner, to a point in the northeasterly line of Harding Avenue (50.00 feet wide); thence, along the same
- 15) North 69 degrees 28 minutes 34 seconds West, 501.08 feet to a concrete monument set for a corner where the same is intersected by the southwesterly line of Spencer Avenue (50.00 feet wide); thence, along the southwesterly line of Spencer Avenue
- 16) South 21 degrees 16 minutes, 34 seconds East, 1,127.00 feet to an angle point in the same marked marked by a concrete monument set for a corner; thence, still along the same
- 17) South 57 degrees 21 minutes 32 seconds East, 168.09 feet to a concrete monument set in the aforementioned northwesterly line of Shore Road; thence, along the same
- 18) South 20 degrees 31 minutes 26 seconds West, 414.67 feet to a concrete monument set in the same corner to block 479, lot 96; thence, along the same
- 19) North 69 degrees 28 minutes 34 seconds West, 150.53 feet to a point corner to the same bearing South 32 degrees 23 minutes 06 seconds West, distant 1.50 feet from a rebar; thence, still along the same
- 20) South 70 degrees 24 minutes 02 seconds West, 38.08 feet to a rebar in the northeasterly line of block 479, lot 95; thence, along lot 95 passing over a monument 0.33 feet from the aforementioned corner
- 21) North 20 degrees 40 minutes 22 seconds West, 54.82 feet to a concrete monument set corner to the same; thence, still along the same and also block 479, lot 94.02
- 22) South 65 degrees 51 minutes 10 seconds West, 303.03 feet to a concrete monument corner to lot 94.02l thence, along lot 94.02
- 23) South 26 degrees 25 minutes 53 seconds East, 101.55 feet to a point corner to block 479, lot 93 bearing South 63 degrees 51 minutes 01 seconds West, distant 0.21 feet from a concrete monument; thence, along lot 93 and

also along block 479, lot 92

- 24) South 63 degrees 51 minutes 01 seconds West, 217.32 feet to a concrete monument corner to lot 92 thence, along lot 92 and also along block 479, lot 91
- 25) South 26 degrees 08 minutes 59 seconds East, 350.00 feet to a stone corner to lot 91; thence, along the same
- 26) South 46 degrees 06 minutes 34 seconds East, 149.72 feet to a concrete monument in the aforementioned northwesterly line of Shore Road; thence, along said line of Shore Road
- 27) South 43 degrees 53 minutes 26 seconds West, 160.87 feet to the point and place of beginning

Said above described tract of land containing within said bounds 332.3 acres more or less

PARCEL B:

ALL THAT CERTAIN tract or parcel of land situate in the Township of Upper, the County of Cape May and the State of New Jersey being more particularly described as follows

BEGINNING at a point in the approximately mean high water line on the westerly bank of the south fork of Flat Creek where the same is intersected by the northeasterly line of block 479, lot 73, said point being the following two courses from where the northeasterly line of block 479, lot 73 intersects the northwesterly line of block 661, lot 81; thence, along the northeasterly line of lot 73

- A. North 46 degrees 06 minutes 34 seconds West, 1,193.65 feet to a point in the approximate mean high water line on the easterly bank of the south fork of Flat Creek; thence, crossing the south fork of Flat Creek
- B. South 80 degrees 24 minutes 56 seconds West, 93.47 feet to the point and place of beginning and from said beginning point runs; thence, along Lot 73 the following four courses:

- 1) North 50 degrees 06 minutes 04 seconds West, 715.67 feet to a point; thence
- 2) North 27 degrees 35 minutes 43 seconds East, 165.00 feet to a point; thence
- 3) North 43 degrees 07 minutes 25 seconds West, 1,468.55 feet to a point; thence
- 4) South 36 degrees 37 minutes 41 seconds West, 722 feet more or less (721.98 feet to a connecting course) to a point in the easterly approximate mean high water line of Schooner Creek; thence, along said approximate mean high water line of Schooner Creek the various courses and distances with a connecting course o north 19 degrees 26 minutes 59 seconds west, 424.10 feet
- 5) Northwestwardly, 556 feet more or less to appoint in the same where it is intersected by the easterly line of block 479, lot 71 thence, along the easterly line of lot 71
- 6) North 19 degrees 11 minutes 41 seconds East, 299 feet more or less (229.25 feet to a connecting course) to a point in the approximate mean high water line of the Tuckahoe River; thence, along the southerly approximate mean high water line of the Tuckahoe River the various courses and distances with a connecting course of north 59 degrees 03 minutes 27 seconds east, 1,781.00 feet
- 7) Eastwardly, 5,404 feet more or less to a point where the same is intersected by the northwesterly line of block 479 lot 75; thence, along lot 75 the following three courses
- 8) South 31 degrees 52 minutes 41 seconds West, 1,134 feet more or less (1,133.76 from the connecting course) to a point; thence
- 9) South 49 degrees 54 minutes 14 seconds East, 651.75 feet to a point; thence
- 10) South 32 degrees 06 minutes 26 seconds East, 408 feet more or less (408.07 feet to a connecting course) to a point in the aforementioned

westerly approximate mean high water line of the south fork of Flat Creek; thence, along the same the various courses and distances with a connecting course of south 17 degrees 32 minutes 08 seconds east, 1,014.98 feet

11) Southwardly, 1,172 feet more or less to the point and place of beginning.

Said above described tract of land containing with said bounds 35.9 acres more or less.

EXCEPTING THERE OUT AND THEREFROM THE FOLLOWING TWO TRACTS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FIRST EXCEPTION:

(Lot 97)

BEGINNING at a monument found on the Northwesterly line of U.S. Route No. 9 (66 feet wide) at the division line of Lot 97 and Lot 96 in Block 479 said point being South 20 degrees 33 minutes and 33 seconds West 435.04 feet from the Southerly line of Spencer Lane (25 feet wide), and extending thence.

1.North 69 degrees 28 minutes and 34 seconds West along said division line 130.74 feet to an angle point in said division line; thence

2.South 70 degrees 24 minutes and 02 seconds West still along said division line 38.08 feet to the division line of Lot 97 and Lot 95; thence

3.North 20 degrees 40 minutes and 22 seconds West along said division line 49.12 feet (Deed) (47.9 feet, File Map) to the division line of Lot 97 and Lot 100; thence

4.North 20 degrees 31 minutes and 26 seconds East along said division line 137.58 feet to the division line of Lot 97 and Lot 98; thence

5.South 69 degrees 28 minutes and 35 seconds East along said division line 212.00 feet to the Northwesterly line of U.S. Route No. 9; thence

6.South 20 degrees 31 minutes and 26 seconds West along U.S. Route No. 9 150.00 feet to the point and place of Beginning.

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SAID above described tract of land containing 32,307 square feet, more or less, also known as Block 479 Lot 97 on the Tax Map of the Township of Upper, Cape May County, New Jersey.

SECOND EXCEPTION:

(Lot 98)

BEGINNING on the Northwesterly line of U.S. Route No. 9 (66 feet wide) at the division line of Lot 98 and Lot 99 in Block 479 said point being South 20 degrees 33 minutes and 33 seconds West 145.59 feet from the Southerly line of Spencer Lane (25 feet wide); and extending thence.

1.South 20 degrees 31 minutes and 26 seconds West along U.S. Route No. 9 a distance of 139.45 feet to the division line of Lot 98 and Lot 97; thence

2.North 69 degrees 28 minutes and 35 seconds West along said division line 212.00 feet to the division line of Lot 98 and Lot 100; thence

3.North 20 degrees 31 minutes and 26 seconds East along said division line 139.45 feet to the division line of Lot 99 and Lot 98; thence

4.South 69 degrees 28 minutes and 35 seconds East along said division line 212.00 feet to the Northwesterly line of U.S. Route No. 9 and the point and place of Beginning.

SAID above described tract of land containing 29,563 square feet, more or less, also known as Block 479 Lot 98 on the Tax Map of the Township of Upper, Cape May County, New Jersey.

In compliance with Chapter 157 of 1977 Parcels A and B, less exceptions hereon are known as Lots 74, 76, 76.01, 94.01, 99 Block 479 on the Tax Map of Upper Township, New Jersey.

RECITAL

BEING as to part thereof, the same premises which Southern Properties (a New Jersey Corporation) by a deed dated December 14, 1959 recorded January 15,

1960 in Cape May County in Deed Book 1010 page 412 granted and conveyed unto the Atlantic City Electric Company, in fee.

BEING as to another part thereof, the same premises which Southern Properties (a New Jersey Corporation) by a deed dated October 24, 1960 recorded November 15, 1960 in Cape May County in Deed Book 1035 page 452 granted and conveyed unto the Atlantic City Electric Company, in fee

BEING as to another part thereof, the same premises which Olaf Pearson, divorced, by a deed dated January 5, 1960 recorded January 8, 1960 in Cape May County in Deed Book 1010 page 117 granted and conveyed unto Atlantic City Electric Company, in fee

BEING as to another part thereof, the same which vested in Atlantic City Electric Company by Grant from the State of New Jersey dated February 27, 1962 recorded April 17, 1962 in Deed Book 1069 page 830

BEING as to another part thereof, the same premises which the Atlantic City Electric Company by a deed dated August 30, 1989 recorded September 28, 1989 in Cape May County in Deed Book 1967 page 287 granted and conveyed unto the Atlantic City Electric Company, in fee

BEING as to another part thereof, the same premises which James M. Meis and Doreen A. Meis, his wife, by a deed dated October 28, 1992 recorded October 29, 1992 in Cape May County in Deed Book 2300 page 88 granted and conveyed unto Atlantic City Electric Company, in fee

BEING as to another part thereof, the same premises which Charles M. Plageman, singleman, and Kathleen P. Heath, single, by a deed dated November 12, 1993 recorded November 16, 1993 in Cape May County in Deed Book 2409 page 132 granted and conveyed unto Atlantic City Electric Company, in fee



Block 1001 Lot 4.05

Bk D3276 P9565 RECORDED COUNTY OF CAPE MAY *63 Rita Marie Fulsiniti, County Clerk Recording Fee 160.00 Date 02-28-2007 0 08:51a

Grantee, dated of even date herewith, and to be recorded with the Office of the Clerk of Cape May County, New Jersey immediately following the recordation of this Deed.

AND 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).

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

(Corporate Seal)

Attest:

J. MACK WATHEN VICE PRESIDENT

ş

By: Jack M Name: Jos & P.H.

ATLANTIC CITY ELECTRIC COMPANY

BE IT REMEMBERED, that on this 5^{-1} day of February, 2007, before me, the subscriber, a Notary Public of 0.2^{-1} , personally appeared 0^{12} before me, the am satisfied, is the 5^{-12} of Atlantic City Electric Company, the corporation named in and which executed the foregoing instrument, and he is the person who signed said instrument as such officer for and on behalf of said corporation, and he acknowledged that said instrument was made by said corporation and sealed with its corporate seal as the voluntary act and deed of said corporation. The full and actual consideration paid or to be paid for the transfer of title to realty evidenced by the within Deed, as such consideration is defined in P.L. 1968, C. 49, Sec. 1(c), is \$<u>7,548,055</u>.

Notary Public of

My commission expires: 8-14-09

[Notarial Seal]

3555	an County sument Summary Sh	neet		
OCEAN COUNTY CLERK PO BOX 2191 COURTHOUSE TOMS RIVER NJ 08754			INSTR # 2017030812 OR BK 16692 PG 591 RECORDED 03/24/2017 11:50:21 AM SCOTT M. COLABELLA, COUNTY CLERK ØCEAN COUNTY, NEW JERSEY RECORDING FEES 142.00 (*INCLUDES \$2 E RECORD CONVENIENCE FE REALTY TRANSFER TAX 47, 193.90.	
Transaction Identification Number			2974773 2346553	
Submission Date(m		03/23/2017	Return Address (for recorded documents)	
No. of Pages (exclu	ding Summary Sheet)	11	FIRST AMERICAN TITLE NCS - PRINCETON	
Recording Fee (exc (Convenience Charge	of \$2,00 included)	\$142.00	104 CARNEGIE CENTER, SUITE 101 PRINCETON, NJ 08540	
Realty Transfer Ta	X	\$47,193.90		
Total Amount		\$47,335.90		
Document Type	DEED/NO EXEMPTION FROM H	REALTY TRANSFER FEE		
Municipal Codes LACEY TOWNSI		13		
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Consideration	\$4,109,000.00						
Submitted By	SIMPLIFILE, LLC. (SIMPLIFILE)						
Document Date	03/23/2017						
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Book D	Book	Beginn	ing Page	Instrument No.	Recorded/File Da		
GRANTOR		Name					
	FORKED RIVER				ddress		
	FORKED RIVER POWER LLC			C/O MAXIM POWER (USA), INC SUITE 1210, 715 FIFTH AVENUE SW, CALGARY, AB T2P2X			
FRANTEE	Name			Address			
	FORKED RIVER	ΠLLC		SUFTE 1210, 715 FIFT	THAVENUE		
	<u> -</u>						
Property Type					Municipality		
·	13	1001	4.05		13		
. 74	I <u> _</u>		<u> </u>		<u></u>		
	Submitted By Document Date Reference Info Book ID GRANTOR	Submitted By SUMPLIFILE, LL Document Date 03/23/2017 Reference Info Book ID Book GRANTOR FORKED RIVER FORKED RIVER Parcel Info	Submitted By SIMPLIFILE, LLC. (SIMPLIFILE Document Date 03/23/2017 Reference Info Book Book ID FORKED RIVER POWER LLC PRANTEE Name FORKED RIVER II LLC Parcel Info Image: Comparison of the second	Submitted By SIMPLIFILE, LLC. (SIMPLIFILE) Document Date 03/23/2017 Reference Info Book ID Beginning Page FORKED RIVER POWER LLC FORKED RIVER POWER LLC PORKED RIVER II LLC PORKED RIVER II LLC Porter II LLC Porter II LLC Property Type Tax Dist. Block Lot	Submitted By SIMPLIFILE, LLC. (SIMPLIFILE) Document Date 03/23/2017 Reference Info Book ID Book Beginning Page Instrument No. GRANTOR FORKED RIVER POWER LLC C/O MAXIM POWER SUITE 1210, 715 PIF: SW, CALGARY, AB PORKED RIVER II LLC FORKED RIVER II LLC FORKED RIVER II LLC PORKED RIVER II LLC Qualifier Property Type Tax Dist. Block Lot Qualifier		

A5307D66-FB88-8388-46A0-9046D9363EE5/2974773 2346553

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RECORD AND RETURN TO:

Chiesa Shahinian & Giantomasi PC One Boland Drive West Orange, New Jersey 07052 Attn: Chad Yablonsky, Esq.

PREPARED BY: Chad Yablonsky, Esq.

<u>DEED</u>

835254

Bet of Sec. 28 to a

THIS DEED is dated as of March 23, 2017

BETWEEN

FORKED RIVER POWER LLC, a Delaware limited liability company having an address at c/o Maxim Power (USA), Inc., Suite 1210, 715 Fifth Avenue SW, Calgary, Alberta, Canada T2P 2X6 (the "Grantor"),

AND

FORKED RIVER II, LLC, a Delaware limited liability company having an address c/o Forked River II, Inc., Suite 1210, 715 Fifth Avenue SW, Calgary, Alberta, Canada T2P 2X6 (the "Grantee").

1. <u>Transfer of Ownership</u>. In consideration for the sum of Four Million One Hundred Nine Thousand and 00/100 (\$4,109,000.00) Dollars, the receipt and sufficiency of which are hereby acknowledged, the Grantor hereby sells, grants and conveys the Property (as defined below) to the Grantee.

2. <u>Tax Map Reference</u>. The Property is known and designated as Block 1001, Lot 4.05 on the official tax map of the Township of Lacey, County of Ocean, State of New Jersey.

3. <u>Property</u>. The property conveyed by this Deed (the "Property") consists of the land, together with all of the buildings, improvements and other fixtures on the land and all of the Grantor's rights relating to the land, located in the Township of Lacey, County of Ocean and State of New Jersey. The Property is commonly known as Rear of So Main Street, Lacey, New Jersey, and the legal description of the Property is as follows:

See Schedule A attached hereto and made a part hereof.

BEING part of the same property conveyed to the Grantor herein by deed from Jersey Central Power & Light Company dated April 17, 2008 and recorded on June 2, 2008 in the office of the Clerk of Ocean County, New Jersey in Deed Book 14026, Page 126.

<u>SCHEDULE A</u> Legal Description

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FEE PARCEL: (LOT 4.05)

BEGINNING at a point on the most Easterly corner of new Lot 4.05, Block 1001. Said point being the following five (5) courses from a monument found in the Westerly line of Lot 1 in Block 61.01, (also formerly known as the Barnegat Branch of the Central railroad of New Jersey), at the division line between Lots 42.03 and 43 in Block 41, Ocean Township, Ocean County, New Jersey. Said Monument also being opposite Centerline Station 2012+18.87 of New Jersey State Highway Route 9.

A. South 76 degree 01 minutes 57 seconds West, a distance of 1514.05 feet along the Northerly line of Lot 42.03, Block 41, in Ocean Township, to a monument found; thence

B. North 04 degrees 06 minutes 08 seconds West, a distance of 200.00 feet to a point; thence

C. North 41 degrees 45 minutes 19 seconds West, a distance of 545.01 feet to a point; thence

D. North 66 degrees 05 minutes 00 seconds West, a distance of 624.35 feet to a point; thence

E. North 65 degrees 00 minutes 39 seconds West, a distance of 245.66 feet to a point and place of beginning; thence running the following twelve (12) courses along the division line between new Lots 4.05 and 4.06, Block 1001

1. South 32 degrees 12 minutes 24 seconds West, a distance of 299.00 feet to a point; thence

2. South 74 degrees 20 minutes 15 seconds West, a distance of 970.00 feet to a point; thence

3. South 15 degrees 20 minutes 00 seconds East, a distance of 85.06 feet to a point; thence

4. South 47 degrees 55 minutes 27 seconds West, a distance of 397.56 feet to a point; thence

5. North 80 degrees 26 minutes 32 seconds West, a distance of 950.93 feet to a point; thence

6. North 14 degrees 30 minutes 44 seconds West, a distance of 439.00 feet to a point; thence

7. North 75 degrees 52 minutes 53 seconds East, a distance of 398.00 feet to a point; thence

8. North 75 degrees 06 minutes 24 seconds East, a distance of 1,482.00 feet to a point of curvature; thence

9. Along a curve to the right, having a radius of 360.00 feet, a central angle of 40 degrees 00 minutes 09 seconds, a chord bearing of South 84 degrees 55 minutes 26 seconds East a chord distance of 246.27 feet and an arc length of 251.34 feet to a point of tangency; thence

10. South 64 degrees 55 minutes 22 seconds East, a distance of 114.50 feet to a point; thence

11. South 55 degrees 14 minutes 29 seconds East, a distance of 66.12 feet to a point; thence

12. South 65 degrees 00 minutes 39 seconds East, a distance of 212.00 feet to the point or place of BEGINNING.

BEING in accordance with a survey prepared by DPK Consulting, dated September 27, 2016, PROJECT NO. 16-7389,

TOGETHER with those beneficial easement rights as set forth in that certain easement agreement by and between Jersey Central Power & Light Company and Forked River Power LLC dated April 17, 2008, recorded June 2, 2008, in the office of the Clerk/ Register of Ocean County, in Deed Book 14026, Page 140, Instr #2008060644, said easement being described as follows:

Easement Parcel 1:

Ingress/Egress Easement:

BEGINNING at a point on the division line of proposed Lot 4.06 and existing Lot 4.02, Block 1001. Said point being located following three (3) courses from the monument found in the Westerly line of Lot 1 in Block 61.01, Ocean Township, (also formerly known as the Barnegat Branch of the Central Railroad of New Jersey), at the division line between Lots 42.03 and 43 in Block 41, Ocean Township. Said monument also being opposite centerline station 2012+18.87 of New Jersey State Highway Route 9, a North 76 degrees 01 minute 57 seconds East, a distance of 1514.05 feet to a monument found; thence B. South 04 degrees 06 minutes 08 seconds East, a distance of 200.00 feet to a point; thence C. South 41 degrees 45 minutes 19 seconds East, a distance of 545.01 feet to the point and place of beginning; thence running 1. North 66 degrees 05 minutes 00 seconds West, a distance of 624.35 feet to a point; thence 2. North 65 degrees 00 minutes 39 seconds West, a distance of 457.66 feet to a point; thence 3. North 55 degrees 14 minutes 29 seconds West, a distance of 66.12 feet to a point; thence 4. North 64 degrees 55 minutes 22 seconds West, a distance of 37.44 feet to a point; thence 5. North 07 degrees 07 minutes 49 seconds West, a distance of 85.08 feet to a point; thence 6. North 25 degrees 21 minutes 40 seconds East, a distance of 204.42 feet to a point; thence 7. North 14 degrees 30 minutes 44 seconds West, a distance of 224.33 feet to a point; thence 8. North 75 degrees 29 minutes 16 seconds East, a distance of 45.00 feet to a point; thence 9. South 14 degrees 30 minutes 44 seconds East, a distance of 240.65 feet to a point; thence 10. South 25 degrees 21 minutes 40 seconds West, a distance of 198.32 feet to a point; thence 11. South 07 degrees 07 minutes 49 seconds East, a distance of 79.21 feet to a point; thence 12, South 64 degrees 25 minutes 37 seconds East, a distance of 106.12 feet to a point; thence 13. North 75 degrees 27 minutes 16 seconds East, a distance of 12.11 feet to a point; thence 14. South 65 degrees 00 minutes 39 seconds East, a distance of 402.36 feet to a point; thence 15. South 66 degrees 05 minutes 00 seconds East, a distance of 524.39 feet to a point; thence 16. South 41 degrees 45 minutes 19 seconds East, a distance of 109.23 feet to the point or place of BEGINNING.

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Easement Parcel 2:

Access Easement:

Beginning at a point on the division line between Lot 1 Block 1000 and Lot 4.06 Block 1001. Said point being South 00 degrees 26 minutes 47 seconds West, a distance of 296.37 feet measured along said division line from the most Northeasterly corner Lot 4.06 Block 1001. Thence running 1. North 89 degrees 33 minutes 13 seconds West, a distance of 28.42 feet to a point; thence 2. South 54 degrees 55 minutes 50 seconds West, a distance of 102.23 feet to a point of curvature; thence 3. Along a curve to the right, having a radius of 260.00 feet, a central angle of 29 degrees 27 minutes 55 seconds, a chord bearing of South 69 degrees 39 minutes 48 seconds West and chord distance of 132.24 feet, an arc length of 133.71 feet to a point of

reverse curvature; thence 4. Along the division line between Lots 4.02 and 4.06 Block 1001 on a curve to the left, having a radius of 1,590.00 feet, a central angle of 54 degrees 02 minutes 40 seconds, a chord bearing of South 57 degrees 22 minutes 25 seconds West and chord distance of 1,444.79 feet, an arc length of 1,499.77 feet to a point of reverse curvature; thence 5. Along a curve to the right, having a radius of 2,000.00 feet, a central angle of 02 degrees 20 minutes 14 seconds, a chord bearing of South 31 degrees 31 minutes 11 seconds West and chord distance of 81.57 feet, an arc length of 81.58 feet to a point of tangency; thence 6. South 32 degrees 41 minutes 18 seconds West, a distance of 768.77 feet. along the division line, in part, of Lots 4.04 and 4.06 Block 1001 to a point of curvature; thence 7. Continuing along said division line on a curve to the right, having a radius of 380.00 feet, a central angle of 42 degrees 44 minutes 19 seconds, a chord bearing of South 54 degrees 03 minutes 28 seconds West and chord distance of 276.93 feet, an arc length of 283.45 feet to a point of tangency; thence 8. South 75 degrees 25 minutes 37 seconds West, a distance of 647.46 feet continuing along said division line to a point; thence 9. North 14 degrees 50 minutes 08 seconds West, a distance of 30.00 feet to a point; thence 10. North 75 degrees 25 minutes 37 seconds East, a distance of 647.59 feet to a point of curvature; thence 11. Along a curve to the left, having a radius of 350.00 feet, a central angle of 42. degrees 44 minutes 19 seconds, a chord bearing of North 54 degrees 03 minutes 28 seconds East and chord distance of 255.06 feet, an arc length of 261.08 feet to a point of tangency; thence 12. North 32 degrees 41 minutes 18 seconds East, a distance of 674.68 feet to a point of curvature; thence 13. Along a curve to the left, having a radius of 2,000.00 feet, a central angle of 03 degrees 48 minutes 14 seconds, a chord bearing of North 30 degrees 47 minutes 11 seconds East and chord distance of 132.76 feet, an arc length of 132.78 feet to a point of reverse curvature; thence 14. Along a curve to the right, having a radius of 1,625.00 feet, a central angle of 55 degrees 30 minutes 41 seconds, a chord bearing of North 56 degrees 38 minutes 25 seconds East and chord distance of 1,513.53 feet, an arc length of 1,574.39 feet to a point of reverse curvature; thence 15. Along a curve to the left, having a radius of 225.00 feet, a central angle of 29 degrees 27 minutes 55 seconds, a chord bearing of North 69 degrees 39 minutes 48 seconds East and chord distance of 114.44 feet, an arc length of 115.71 feet to a point of tangency; thence 16. North 54 degrees 55 minutes 50 seconds East, a distance of 162.12 feet to a point; thence 17. South 00 degrees 26 minutes 47 seconds West, a distance of 63.28 feet to the point or place of BEGINNING.

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Easement Parcel 3:

Gas System Easement:

BEGINNING at a point on the division line between Lot 1 Block 1000 and Lot 4.06 Block 1001. Said point being South 00 degrees 26 minutes 47 seconds West, a distance of 296.37 feet measured along said division line from the most Northeasterly corner Lot 4.06 Block 1001. Thence running 1. North 89 degrees 33 minutes 13 seconds West, a distance of 28.42 feet to a point; thence 2. South 54 degrees 55 minutes 50 seconds West, a distance of 102.23 feet to a point of curvature; thence 3. Along a curve to the right, having a radius of 260.00 feet, a central angle of 29 degrees 27 minutes 55 seconds, a chord bearing of South 69 degrees 39 minutes 48 seconds West and chord distance of 132.24 feet, an arc length of 133.71

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feet to a point of reverse curvature; thence 4. Along the division line between Lots 4.02 and 4.06 Block 1001 on a curve to the left, having a radius of 1,590.00 feet, a central angle of 54 degrees 02 minutes 40 seconds, a chord bearing of South 57 degrees 22 minutes 25 seconds West and chord distance of 1,444.79 feet, an arc length of 1,499.77 feet to a point of reverse curvature; thence 5. Along a curve to the right, having a radius of 2,000.00 feet, a central angle of 02 degrees 20 minutes 14 seconds, a chord bearing of South 31 degrees 31 minutes 11 seconds West and chord distance of 81.57 feet, an arc length of 81.58 feet to a point of tangency; thence 6, South 32 degrees 41 minutes 18 seconds West, a distance of 768.77 feet along the division line, in part, of Lots 4.04 and 4.06 Block 1001 to a point of curvature; thence 7. Continuing along said division line on a curve to the right, having a radius of 380.00 feet, a central angle of 42 degrees 44 minutes 19 seconds, a chord bearing of South 54 degrees 03 minutes 28 seconds West and chord distance of 276.93 feet, an arc length of 283.45 feet to a point of tangency; thence 8. South 75 degrees 25 minutes 37 seconds West, a distance of 647.46 feet continuing along said division line to a point; thence 9. North 14 degrees 50 minutes 08 seconds West, a distance of 30.00 feet to a point; thence 10. North 75 degrees 25 minutes 37 seconds East, a distance of 647.59 feet to a point of curvature; thence 11. Along a curve to the left, having a radius of 350.00 feet, a central angle of 42 degrees 44 minutes 19 seconds, a chord bearing of North 54 degrees 03 minutes 28 seconds East and chord distance of 255.06 feet, an arc length of 261.08 feet to a point of tangency; thence 12. North 32 degrees 41 minutes 18 seconds East, a distance of 674.68 feet to a point of curvature; thence 13. Along a curve to the left, having a radius of 2,000.00 feet, a central angle of 03 degrees 43 minutes 14 seconds, a chord bearing of North 30 degrees 47 minutes 11 seconds East and chord distance of 132,76 feet, an arc length of 132.78 feet to a point of reverse curvature; thence 14. Along a curve to the right, having a radius of 1,625.00 feet, a central angle of 55 degrees 30 minutes 41 seconds, a chord bearing of North 56 degrees 38 minutes 25 seconds East and chord distance of 1,513,53 feet, an arc length of 1,574.39 feet to a point of reverse curvature; thence 15. Along a curve to the left, having a radius of 225.00 feet, a central angle of 29 degrees 27 minutes 55 seconds, a chord bearing of North 69 degrees 39 minutes 48 seconds East and chord distance of 114.44 feet, an arc length of 115.71 feet to a point of tangency; thence 16. North 54 degrees 55 minutes 50 seconds East, a distance of 162.12 feet to a point, thence 17. South 00 degrees 26 minutes 47 seconds West, a distance of 63.28 feet to the point or place of BEGINNING.

Easement Parcel 4:

Sewer System Easement:

BEGINNING at a point on the division line between Lot 1 Block 1000 and Lot 4.06 Block 1001. Said point being South 00 degrees 26 minutes 47 seconds West, a distance of 296.37 feet, measured along said subdivision line from the most Northeasterly corner Lot 4.06 Block 1001. Thence running 1. North 89 degrees 33 minutes 13 seconds West, a distance of 28.42 feet to a point; thence 2. South 54 degrees 55 minutes 50 seconds West, a distance of 102.23 feet to a point of curvature; thence 3. Along a curve to the right, having a radius of 260.00 feet, a central angle of 29 degrees 27 minutes 55 seconds, a chord bearing of South 69 degrees 39

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minutes 48 seconds West and chord distance of 132.24 feet, an arc length of 133.71 feet to a point of reverse curvature; thence 4. Along the division line between Lots 4.02 and 4.06 Block 1001 on a curve to the left, having a radius of 1,590.00 feet, a central angle of 54 degrees 02 minutes 40 seconds, a chord bearing of South 57 degrees 22 minutes 25 seconds West and chord distance of 1,444.79 feet, an arc length of 1,499.77 feet to a point of reverse curvature; thence 5. Along a curve to the right, having a radius of 2,000.00 feet, a central angle of 02 degrees 20 minutes 14 seconds, a chord bearing of South 31 degrees 31 minutes 11 seconds West a chord distance of 81.57 feet, an arc length of 81.58 feet to a point of tangency; thence 6. South 32 degrees 41 minutes 18 seconds West, a distance of 768,77 feet along the division line, in part, of Lots 4.04 and 4.06 Block 1001 to a point of curvature; thence 7. Continuing along said division line on a curve to the right, having a radius of 380.00 feet, a central angle of 42 degrees 44 minutes 19 seconds, a chord bearing of South 54 degrees 03 minutes 28 seconds West and chord distance of 276.93 feet, an arc length of 283.45 feet to a point of tangency; thence 8. South 75 degrees 25 minutes 37 seconds West, a distance of 647.46 feet continuing along said division line to a point; thence 9. North 14 degrees 50 minutes 08 seconds West, a distance of 30.00 feet to a point; thence 10. North 75 degrees 25 minutes 37 seconds East, a distance of 647,59 feet to a point of curvature; thence 11. Along a curve to the left, having a radius of 350.00 feet, a central angle of 42 degrees 44 minutes 19 seconds, a chord bearing of North 54 degrees 03 minutes 28 seconds East and chord distance of 255.06 feet, an arc length of 261.08 feet to a point of tangency; thence 12. North 32 degrees 41 minutes 18 seconds East, a distance of 674.68 feet to a point of curvature; thence 13. Along a curve to the left, having a radius of 2,000.00 feet, a central angle of 03 degrees 48 minutes 14 seconds, a chord bearing of North 30 degrees 47 minutes 11 seconds East and chord distance of 132.76 feet) an arc length of 132.78 feet to a point of reverse curvature; thence 14. Along a curve to the right, having a radius of 1,625.00 feet, a central angle of 55 degrees 30 minutes 41 seconds, a chord bearing of North 56 degrees 38 minutes 25 seconds East and chord distance of 1,513,53 feet, an arc length of 1,574.39 feet to a point of reverse curvature; thence 15. Along a curve to the left, having a radius of 225,00 feet, a central angle of 29 degrees 27 minutes 55 seconds, a chord bearing of North 69 degrees 39 minutes 48 seconds East and chord distance of 114.44 feet, an arc length of 115.71 feet to a point of tangency; thence 16. North 54 degrees 55 minutes 50 seconds East, a distance of 162.12 feet to a point; thence 17. South 00 degrees 26 minutes 47 seconds West, a distance of 63,28 feet to the point or place of BEGINNING.

NOTE: FOR INFORMATION ONLY: Being Lot 4.05, Block 1001; Tax Map of the Township of Lacey, County of Ocean, State of New Jersey

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State of New Jersey SELLER'S RESIDENCY CERTIFICATION/EXEMPTION

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(Please Print or Type)			
SELLER'S INFORMATION			
Name(s)	;		
FORKED RIVER POWER LLC			
Current Street Address		· · · · · · · · · · · · · · · · · · ·	
c/o Maxim Power (USA), Inc., Suite 1210	1		
City, Town, Post Office Box		State	Zip Code
715 Fifth Avenue SW, Calgary, Alberta, C	anada T2P 2X6		
PROPERTY INFORMATION			
Block(s) 1001	Loi(s)	Qua	alifier
Street Address	4.05	· · · · · · · · · · · · · · · · · · ·	
Rear of South Main Street			
City, Town, Post Office Box		State	Zip Code
Township of Lacey Seller's Percentage of Ownership		NJ	08731
	Total Consideration 109,000.00	Owner's Share of Consideration	Closing Date
	to Aportonista Real (Dev	\$4,109,000.00 es 2 through 14 apply to Residents	3/23/17
 Seller is a resident taxpayer (individual of the seller is a resident gross income taxpayer), property. The real property sold or transferred. 	ridual, estate, or trust) of the St ax return, and will pay any appli ad is used exclusively as a prior	ate of New Jersey pursuant to the New Je cable taxes on any gain or income from th	rsey Gross Income Tax Act, e disposition of this
additional consideration. 4. Seller, transferor, or transferee is	an addition or authority of the Li	rgagee in foreclosure or in a transfer in lie	u of foreclosure with no
Association, or a private mortgage	insurance company.	tome Loan Mortgage Corporation, the Gov	emment National Mortgage
6. The total consideration for the pro-	or must and is not required to m	nake an estimated gross income tax payme	ent.
THE APPLICABLE SECTION). If obligation to file a New Jersey inc. Seller did not receive non-like kind 8. The real property is being transfer	the indicated section does not i ome tax return for the year of th 1 property. Ted by an executor or administr	eller is not required to make an estimated urposes under 26 U.S. Code section 721, ultimately apply to this transaction, the sell he sale and report the recognized gain. ator of a decedent to a devisee or heir to ent's will or the intestate laws of this State.	1031, or 1033 (CIRCLE
 The real property being sold is sut proceeds from the sale and the ma 	pject to a short sale instituted by ortgagee will receive all proceed	y the mortgagee, whereby the seller agree ds paying off an agreed amount of the mor	
10. []] The deed is dated prior to August	1, 2004, and was not previously	recorded.	••
11. The real property is being transfer property from the seller and then s	red under a relocation company ells the house to a third party b	/ transaction where a trustee of the relocat uyer for the same price.	ion company buys the
 The real property is being transferr U.S. Code section 1041. The property transferred is a come 14. The seller is not receiving net proc 	terv plot.	t to a divorce decree or property settleme ds from the sale means the net amount du	
settlement sheet.	and the second process	as even die seie means me net smonnt dr	ie to the seller on the
SELLER'S DECLARATION		· · · · · · · · · · · · · · · · · · ·	
The undersigned understands that this declar statement contained herein may be punished	d complete. By checking this box litaneously with the deed to which t	osed or provided to the New Jersey Division of inthermore declare that I have examined this de I certify that a Bower of Attorney to represent his form is attented. Signature siler) Please indicate if Power of Attorney or Attorney i	claration and, to the best of nt the selier(s) has been
Date	(5*	Signature Her) Flease indicate If Power of Attorney or Attorney i	n Fact

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		IS AFFIDAVIT, PLEASE READ	THE INSTRUCTIONS O	IN THE REVERSE SIDE THIS FORM.
- Aw	Hertr	}\$\$, County Munic	iosl Cade	FOR RECORDER'S USE ONLY
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UNICIPALITY	OF PROPERTY LOCATION	LACEY TWP.	*Use s	Date By symbol "C" to indicate that fee is exclusively for county
PARTY OR	LEGAL REPRESENTATIVE (See Instructions #3 and #4 on reverse sid		· · · · · · · · · · · · · · · · · · ·
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		(Street Address, Town)	····	· · · · · · · · · · · · · · · · · · ·
	TION \$ 4,109,000.00			prior mortgage to which property is subject.
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(See Instru	ctions #5A and #7 on reverse sid			OPERTY TRANSACTIONS:
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Director's Ratio	is less than 100%, the equalized e equalized valuation.	J valuation will be an amount greater that	n the assessed value. If Director	's Ratio is equal to or in excess of 100%, the assessed vo
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		ALL BOXES IN APPROPRIATE CA	TEGORY MUST BE CHECK	CED. Failure to do so will void claim for partial excepti-
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THIS CONVEYANCE IS SUBJECT TO (i) those exceptions set forth in title commitment number NCS-835254-NJ issued by First American Title Insurance Company, dated February 2, 2017 (ii) the lien of taxes not yet due and payable, (iii) municipal zoning ordinances and other applicable federal, state and local laws, ordinances, regulations and requirements, (iv) easements, covenants, restrictions, agreements, encumbrances and other matters of record as of the date hereof, (v) such state of facts as an accurate survey would disclose and (vi) all other liens, encumbrances, claims and rights of others.

4. <u>Covenant As To Grantor's Acts</u>. The Grantor hereby covenants that, except as set forth above, 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 created).

[Intentionally Left Blank; Signatures on Following Page]

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IN WITNESS WHEREOF, the Grantor has signed this Deed as of the date set forth above.

FORKED RIVER POWER LLC, a Delaware limited liability company By: Kyle Mitton, President & Secretary-Treasurer

Provide oc STATEOF Alberte) Country OF Conside)

I certify that on March $\underline{/4}$, 2017, KYLE MITTON personally appeared before me and that this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the President and Secretary-Treasurer of FORKED RIVER POWER LLC, the entity named in the attached document;
- (b) this person executed and delivered the attached document as the voluntary act and deed of such entity; and
- (c) this person was authorized by such entity to execute and deliver the attached document on behalf of such entity.

[Signature Page – Bargain & Sale Deed]

Notary public

ydollins

Payton J Holliss A Commissioner for Oaths/Notary Public In and for the Province of Alberta

> Payton J Holliss Student-at-Law