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Prepared by Jeffrey R. Rich
JEFFREY R. RICH, ESQ.

DEED OF EASEMENT

This Deed is made on December 1, 2004

BETWEEN JOSEPH BELMONTE, JR.
90 Woodbridge Center Drive
Woodbridge, New Jersey 07095

Referred to as the Grantor,

AND TOWNSHIP OF ABERDEEN
One Aberdeen Square
Aberdeen, New Jersey 07747

Referred to as the Grantee.

WITNESSETH:

The Grantor in consideration of the sum of ONE (\$1.00) DOLLAR and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey to the Grantee a permanent easement for road widening and maintenance purposes, sidewalk/curb improvements and utility easement subject to the terms, conditions and covenants hereinafter set forth in, along and upon the easement premises which are all those parcels or tracts of real property situated and lying in the Township of Aberdeen, County of Monmouth and State of New Jersey, (a portion of) block 256, lot 13, being more fully described in Schedule A which is made a part hereof;

The easement is dedicated to the Grantee for the future road widening and maintenance purposes and for such other use or uses which may in the discretion of Grantee be warranted.

Together with the free right of ingress and egress over and across such property insofar as such right of ingress and egress is necessary for the proper use of the rights granted herein provided, however, such right of ingress and egress herein granted across the easement premises shall be exercised and used in such a manner as not to cause any damage or destruction of any nature whatsoever or interruption of the use of the adjoining lands owned by the Grantor, its successors and/or assigns.

The Grantee agrees it will indemnify, defend, save and hold the Grantor harmless from all claims, causes and actions, suits, damages or demands

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COUNTY RECORDING FEES \$8.00
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CERTIFIED COPY

SCHEDULE "A"

DESCRIPTION OF EASEMENT DEDICATION FOR FUTURE ROAD WIDENING

ALL THAT CERTAIN LOT, TRACT OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF ABERDEEN, MONMOUTH COUNTY, NEW JERSEY KNOWN AND DESIGNATED AS A PORTION OF TAX MAP LOT 13 BLOCK 256 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET AT THE INTERSECTION OF THE W^{EST} LY LINE OF SUYDAM PLACE (50' r.o.w.) WITH THE N^{ORTH} LY LINE OF MATHIASSEN AVENUE (40' r.o.w.) AND RUNNING FROM SAID POINT OF BEGINNING; THENCE

- 1) SOUTH 61 DEGREES 52 MINUTES 00 SECONDS WEST ALONG SAID LINE OF MATHIASSEN AVENUE A DISTANCE OF 100.00' TO A POINT IN THE E^{AST} LY LINE OF TAX MAP LOT 12 BLOCK 256; THENCE
- 2) NORTH 28 DEGREES 08 MINUTES 00 SECONDS WEST ALONG SAID LINE A DISTANCE OF 5.00' TO A POINT; THENCE
- 3) NORTH 61 DEGREES 52 MINUTES 00 SECONDS EAST A DISTANCE OF 100.00' TO A POINT IN THE SAID W^{EST} LY LINE OF SUYDAM PLACE; THENCE
- 4) SOUTH 28 DEGREES 08 MINUTES 00 SECONDS EAST ALONG SAID LINE A DISTANCE OF 5.00' TO THE SAID POINT OF BEGINNING.

CONTAINING 500 S.F.

PAUL K. LYNCH
N.J.P.L.S. 35855

whatsoever in law and in equity which may arise out of or as a consequence of the negligence of the Grantee, or its authorized agents, servants or employees, in utilizing said easement for its intended purpose, subject to any statutory provision, including the Tort Claims act, case law, administrative rule or regulation or ordinance provision which may now or hereafter be adopted which may legally affect the liability or immunity of the Grantee, its successors and/or assigns.

Grantor hereby reserves the right to use the easement premises in any manner which will not prevent or interfere with the exercise by the Grantee of the rights granted hereunder provided, however, that Grantor shall not obstruct or permit to be obstructed the easement premises at any time whatsoever without the express written consent of the Grantee.

The Grantor shall have the right to grant other nonexclusive easements under, over, along or upon the easement premises provided, however, that any such other easements shall not substantially interfere with or impair the easement hereby granted.

Should the Grantee for any reason hereafter abandon the use of the easement herein granted, then the rights of the Grantee in and to such easement shall end and terminate and the full and complete title of said property shall revert to the Grantor, its successors and/or assigns.

All rights, title and privileges herein granted, including all benefits and burdens, shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, executors, administrators, successors, assigns and legal representatives.

And the said Grantor does covenant with the said Grantee as follows:

- (1) The said Grantor is seized of the said easement and right-of-way and has good right to convey the same;
- (2) The Grantee shall quietly enjoy the said easement and right-of-way;
- (3) The Grantee shall have quiet possession of the easement free from all encumbrances;
- (4) The Grantor will execute such further assurances of the said lands as may be required by Grantee to correct any title defect;
- (5) The Grantor will warrant generally the easement hereby conveyed.

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

promise means the Grantor has not allowed anyone else to obtain any legal rights which affect the property

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

WITNESSETH:

Joseph Belmonte, Jr. (L.S.)
JOSEPH BELMONTE, JR.

[Signature]
JEFFREY R. RICH

STATE OF NEW JERSEY:

SS:

COUNTY OF MONMOUTH:

I, CERTIFY that on December 1, 2004, JOSEPH BELMONTE, JR., personally came before me and stated to my satisfaction that this person (or if more than one, each person) is the person named in and who executed this instrument and thereupon acknowledged that this instrument was signed and delivered as their voluntary act for the uses and purposes herein expressed.

NOT CERTIFIED COPY

[Signature]
JEFFREY R. RICH
An Attorney at Law of New Jersey

R+L

RECORD & RETURN TO:
Aberdeen Township Clerk
One Aberdeen Square
Aberdeen, NJ 07747

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