

Exempt

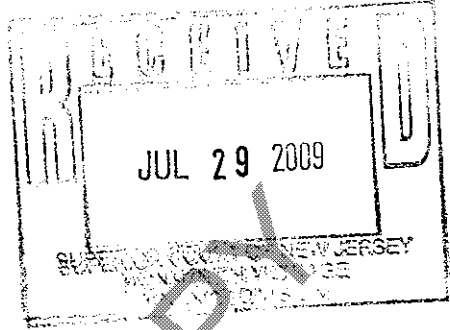
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SEP 1 | 2009

MALCOLM V. CARTON, ESQUIRE
Monmouth County Counsel
BY: Donald L. Beekman, Esq.
Special County Counsel



THE BEEKMAN LAW FIRM, LLC
Counselors at Law
47 Main Avenue, P.O. Box 395
Ocean Grove, New Jersey 07756
(732) 774-8262
Attorneys for Plaintiff

RHP

COUNTY OF MONMOUTH,

Plaintiff,

vs.

PRIYA SHAH; SONA SHAH; JOHN DOE I or
JANE DOE I, the spouse or civil union partner of
Priya Shah and/or JOHN DOE II or JANE DOE II,
the spouse or civil union partner of Sona Shah;
COUNTRYWIDE HOME LOANS, INC.;
TOWNSHIP OF ABERDEEN; PHILOMENA
MULLEN (a/k/a PHILOMENA G. MULLEN) and
KEVIN F. MULLEN, husband and wife; JOHN
DOE III or JANE DOE III, the spouse or civil union
partner of Philomena Mullen; JOHN DOE IV or
JANE DOE IV, the spouse or civil union partner of
Kevin F. Mullen; and BNB BANK, NATIONAL
ASSOCIATION.

Defendants.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION
MONMOUTH COUNTY

DOCKET#: MON-L- 3660-09

Civil Action

TOTAL PAID \$110.00
COUNTY RECORDING FEES \$110.00
Total Pages: 8
PAGE: 9065
BOOK: 08-8796
10:07:45 AM
SEP 11, 2009
RECORDED ON
2009105392
INSTRUMENT NUMBER

DECLARATION OF TAKING

Plaintiff, COUNTY OF MONMOUTH, hereby declares that:

1. Possession of the property interests described in the Verified Complaint, and as set forth in the description of the property interests appended hereto as Exhibit A being designated as

portions of **Block 94, Lot(s) 11 and Block 89, Lot 12** on the Tax Map of the Township of Aberdeen, County of Monmouth, State of New Jersey, is hereby being taken by and for the use of the County of Monmouth, for the purposes indicated in Exhibit A herein.

2. The County of Monmouth is entitled to the exclusive possession and use of the property and to forthwith enter and take possession of the property pursuant to the provisions of N.J.S.A. 20:3-17 and the Eminent Domain Laws of the State of New Jersey.

3. The property consists of the same property interests described in Exhibits B and F of the Verified Complaint, and set forth in Exhibit A attached hereto.

4. The sums of money estimated by the Plaintiff to be just compensation for the taking of the respective property interests is:

A. **\$15,300.00** to acquire the property interests over property being commonly known as 261 Lloyd Road, Aberdeen, New Jersey 07747, and designated as Block 94, Lot 11 on the Tax Map of the Township of Aberdeen; and

B. **\$21,000.00** to acquire the property interests over property being commonly known as 6 Oxford Lane, Aberdeen, New Jersey 07747, and designated as Block 89, Lot 12 on the Tax Map of the Township of Aberdeen; which sums are consistent with the amount arrived at and offered to the respective Defendants in accordance with N.J.S.A. 20:3-6 and the same amount which shall be deposited with the Clerk of the Superior Court, as required by N.J.S.A. 20:3-18.

5. This action and the filing of this Declaration of Taking are authorized pursuant to and in accordance with N.J.S.A. 40A:12-1 et seq. for the purposes included in, but not limited to, those authorized by N.J.S.A. 27:16-1 et seq.

6. The names and addresses of all condemnees known to the Plaintiff and the nature of their alleged interest in said property are as follows:

A. As to the property interests to be acquired on Block 94, Lot 11 on the Tax Map of the Township of Aberdeen:

<u>NAME OF CONDEEMNEE</u>	<u>ADDRESS</u>	<u>INTEREST OF CONDEEMNEE</u>
PRIYA SHAH and SONA SHAH	261 Lloyd Road Aberdeen, NJ 07747	Fee Owner of Record as to Block 94, Lot(s) 11, recorded in DB 5524, Page 919 on August 12, 1996 in the Monmouth County Clerk's office
JOHN DOE I, JANE DOE I, JOHN DOE II and/or JANE DOE II	261 Lloyd Road Aberdeen, NJ 07747	Legal or Equitable interest in Block 94, Lot 11, Aberdeen Twp., as spouse or civil union partner(s) of Priya Shah and/or Sona Shah
COUNTRYWIDE HOME LOANS, INC.,	4500 Calabasas, CA 91302-1613	Mortgagee in Mortgage Book OR-8358, Page 247, recorded on May 03, 2004, as Instrument Number 2004098448 in the Monmouth County Clerk's Office, as to Block 94, Lot 11, Aberdeen Township
TOWNSHIP OF ABERDEEN	1 Aberdeen Square Aberdeen, NJ 07747	Collector of Real Property Taxes as to Block 94, Lot 11, Aberdeen

B. As to the property interests to be acquired on Block 89, Lot 12 on the Tax Map of the Township of Aberdeen:

<u>NAME OF CONDEEMNEE</u>	<u>ADDRESS</u>	<u>INTEREST OF CONDEEMNEE</u>
PHILOMENA MULLEN (a/k/a PHILOMENA G. MULLEN)	6 Oxford Lane Aberdeen, NJ 07747	Fee Owner of Record as to Block 89, Lot 12, recorded in DB 5086, Page 622 on August 19, 1991 in the Monmouth County

Clerk's office

KEVIN F. MULLEN (a/k/a
KEVIN MULLEN)

6 Oxford Lane
Aberdeen, NJ 07747

Legal or Equitable Interest as
to Block 89, Lot 12, Aberdeen
Township, as the spouse or
civil union partner of Philomena
Mullen (a/ka/ Philomena G. Mullen)

JOHN DOE III, JANE DOE III
JOHN DOE IV and/or JANE
DOE IV

6 Oxford Lane
Aberdeen, NJ 07747

Legal or Equitable Interest as
to Block 89, Lot 12, Aberdeen
Township, as the spouse or
civil union partner of Philomena
Mullen (a/k/a Philomena G. Mullen)
or Kevin F. Mullen (a/k/a Kevin
Mullen)

BNB BANK NATIONAL
ASSOCIATION

250 Fifth Avenue
New York, NY 10001

Mortgagee in Mortgage Book
OR-8741, Page 4885, recorded on
September 30, 2008 as Instrument
Number 2008104265 in the
Monmouth County Clerk's Office,
as to Block 89, Lot 12, Aberdeen

TOWNSHIP OF ABERDEEN

1 Aberdeen Square
Aberdeen, NJ 07747

Collector of Real Property
Taxes as to Block 89, Lot 12,
Aberdeen Township

Dated: _____, 2009

By: 

DONALD L. BEEKMAN, ESQ.
Special County Counsel
for the County of Monmouth
Attorney for Plaintiff

Exhibit A

**INTERSECTION IMPROVEMENTS
AT C.R. 3, LLOYD ROAD AND STATE
HIGHWAY 34**

**PARCEL E2
BLOCK 94, LOT 11
TOWNSHIP OF ABERDEEN
MONMOUTH COUNTY, NJ**

**ACQUISITION OF PERMANENT EASEMENTS REQUIRED FOR THE
RECONSTRUCTION OF LLOYD ROAD (C.R. 3) IN THE TOWNSHIP OF ABERDEEN**

OWNER OF RECORD

Sona and Priya Shah
261 Lloyd Road
Matawan, NJ 07747-1847

Permanent easement with the right to construct and maintain for utility (aerial and underground), construction, drainage, maintenance, and slope purposes within that portion of lands as far as the line or area indicated: "Limit of Permanent Easement" as shown on the plan entitled "Intersection Improvements at C.R. 3, Lloyd Road and State Highway 34, Township of Aberdeen, Monmouth Co., NJ, N/F Sona & Priya Shah, Parcel No. 2" prepared by Edward S. McConnell, P.L.S., dated January 31, 2008, which plan is on file in the office of the County Engineer;

Said easement shall include the right to construct, relocate, etc., utility poles, guy wires and overhead utility wires, slope, grade, fill, concrete sidewalk, bituminous driveway, topsoil, seed, plant trees, vines and shrubs and to maintain same; construct, relocate and maintain public utilities, etc.

Beginning at a point of intersection of the existing northerly right-of-way line of C.R. 3 (Lloyd Road) with the existing westerly right-of-way line of Oxford Lane, said point being 40.00 feet \pm (right), measured at right angles to C.R. 3 (Lloyd Road) baseline station 14+03.82 \pm ; thence

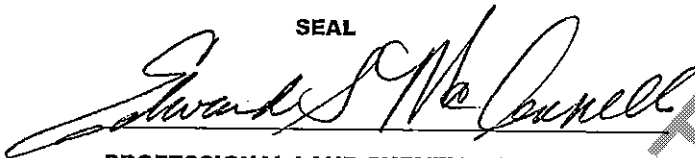
1. South 44 degrees 05 minutes 18 seconds West, along the existing northerly right-of-way line of C.R. 3, a distance of 106.74 feet \pm to a point on the common property line of Lot 11 and Lot 12 in Block 94, said point being 40.00 feet \pm (right), measured at right angles to C.R. 3 (Lloyd Road) baseline station 15+10.56 \pm ; thence
2. North 45 degrees 54 minutes 42 seconds West, along the common property line of Lot 11 and Lot 12 in Block 94, a distance of 12.75 feet \pm to a point on the limit of permanent easement being hereby established, said point being 52.75 feet (right), measured at right angles to C.R. 3 (Lloyd Road) baseline station 15+10.56 \pm ; thence
3. North 44 degrees 05 minutes 18 seconds East, along the limit of permanent easement being hereby established, a distance of 10.00 \pm feet to a point being 52.75 feet (right), measured at right angles to baseline station 15+00.56; thence
4. South 45 degrees 54 minutes 42 seconds East, along the limit of permanent easement being hereby established, a distance of 11.81 feet to a point being 40.94 feet (right), measured at right angles to baseline station 15+00.56; thence

Exhibit A

5. North 43 degrees 05 minutes 07 seconds East, along the limit of permanent easement being hereby established, a distance of 96.76 feet \pm to a point on the westerly right-of-way line of Oxford Avenue, said point being 42.63 feet (right), measured at right angles to C.R. 3 (Lloyd Road) baseline station 14+03.81 \pm ; thence
6. Southwardly, along the westerly right-of-way line of Oxford Lane, being an arc, curving to the left, having a radius of 397.05 feet and a chord of 2.63 feet bearing South 45 degrees 43 minutes 18 seconds East, an arc distance of 2.63 feet \pm to the point and place of beginning.

Being intended to be a portion of Lot 11 in Block 94 as shown on the tax map of the Township of Aberdeen, containing 300 \pm square feet (0.007 acre) and being Parcel E2 as shown on the plan entitled "Intersection Improvements at C.R. 3, Lloyd Road and State Highway 34, Township of Aberdeen, Monmouth Co., NJ, N/F Sona & Priya Shah, Parcel No. 2" prepared by Edward S. McConnell, P.L.S., dated January 31, 2008.

SEAL



PROFESSIONAL LAND SURVEYOR'S SIGNATURE

2/05/08
DATE

Edward S. McConnell, NJ License No. 17432

PROFESSIONAL LAND SURVEYOR'S NAME AND LICENCE NUMBER

161 Gaither Drive, Mount Laurel, NJ 08054

PROFESSIONAL LAND SURVEYOR'S ADDRESS AND PHONE NUMBER

Exhibit A

**INTERSECTION IMPROVEMENTS
AT C.R. 3, LLOYD ROAD AND STATE
HIGHWAY 34**

**PARCEL E3
BLOCK 89, LOT 12
TOWNSHIP OF ABERDEEN
MONMOUTH COUNTY, NJ**

**ACQUISITION OF PERMANENT EASEMENTS REQUIRED FOR THE
RECONSTRUCTION OF LLOYD ROAD (C.R. 3) IN THE TOWNSHIP OF ABERDEEN**

OWNER OF RECORD

Philomena Mullen
6 Oxford Lane
Matawan, NJ 07747-2111

Permanent easement with the right to construct and maintain for utility (aerial and underground), construction, drainage, maintenance, and slope purposes within that portion of lands as far as the line or area indicated: "Limit of Permanent Easement" as shown on the plan entitled "Intersection Improvements at C.R. 3, Lloyd Road and State Highway 34, Township of Aberdeen, Monmouth Co., NJ, N/F Philomena Mullen, Parcel No. 3" prepared by Edward S. McConnell, P.L.S., dated January 31, 2008, which plan is on file in the office of the County Engineer;

Said easement shall include the right to: construct, relocate, etc., utility poles, guy wires and overhead utility wires, slope, grade, fill, concrete sidewalk, bituminous driveway, topsoil, seed, plant trees, vines and shrubs, etc and to maintain same; construct, relocate and maintain public utilities, etc.

Beginning at a point of intersection of the existing northerly right-of-way line of C.R. 3 (Lloyd Road) with the existing easterly right-of-way line of Oxford Lane, said point being 40.00 feet \pm (right), measured at right angles to C.R. 3 (Lloyd Road) baseline station 13+53.82 \pm ; thence

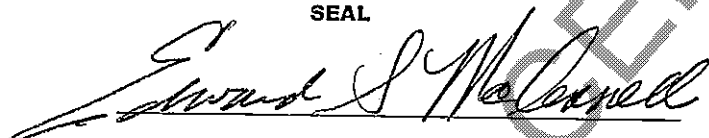
1. Northwardly, along the easterly right-of-way line of Oxford Lane, being an arc, curving to the right, having a radius of 347.05 feet and a chord of 2.88 feet \pm bearing North 45 degrees 40 minutes 26 seconds West, an arc distance of 2.88 feet \pm to a point being 42.88 feet (right), measured at right angles to baseline station 13+53.81 \pm ; thence
2. North 43 degrees 18 minutes 03 seconds East, along the limit of permanent easement being hereby established, a distance of 15.24 feet \pm to a point being 43.08 feet (right), measured at right angles to baseline station 13+38.57; thence
3. North 16 degrees 35 minutes 47 seconds West, along the limit of permanent easement being hereby established, a distance of 6.34 feet to a point being 48.62 feet (right), measured at right angles to baseline station 13+35.47; thence
4. North 73 degrees 24 minutes 13 seconds East, along the limit of permanent easement being hereby established, a distance of 10.00 feet to a point being 43.72 feet (right), measured at right angles to baseline station 13+26.75; thence

Exhibit A

5. South 16 degrees 35 minutes 47 seconds East, along the limit of permanent easement being hereby established, a distance of 0.73 feet to a point being 43.08 feet (right), measured at right angles to baseline station 13+27.10; thence
6. North 44 degrees 07 minutes 17 seconds East, along the limit of permanent easement being hereby established, a distance of 89.51 feet ± to a point on the common property boundary line of Lot 12 and Lot 11 in Block 89, said point being 43.03 feet (right), measured at right angles to baseline station 12+37.59 ±; thence
7. South 25 degrees 15 minutes 07 seconds East, along the common property boundary line of Lot 12 and Lot 11 in Block 89, a distance of 3.24 feet ± to a point on the existing northerly right-of-way line of C.R. 3, said point being 40.00 feet ± (right), measured at right angles to baseline station 12+38.73 ±; thence
8. South 44 degrees 05 minutes 18 seconds West, along the existing northerly right-of-way line of C.R. 3, a distance of 115.08 feet ± to the point and place of beginning.

Being intended to be a portion of Lot 12 in Block 89 as shown on the tax map of the Township of Aberdeen, containing 389 ± square feet (0.009 acre) and being Parcel E3 as shown on the plan entitled "Intersection Improvements at C.R. 3, Lloyd Road and State Highway 34, Township of Aberdeen, Monmouth Co., NJ, N/F Philomena Mullen, Parcel No. 3" prepared by Edward S. McConnell, P.L.S., dated January 31, 2008.

SEAL



PROFESSIONAL LAND SURVEYOR'S SIGNATURE

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