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### VIA FEDERAL EXPRESS

Hunterdon County Clerk County Clerk's Office 71 Main Street Flemington, NJ 08822

October 10, 2006

Township of Readington v. Solberg Aviation Co., et al. RE: Docket No.: HNT-L-468-06

Dear Sir/Madam:

Enclosed please find an original and one (1) copy of the Declaration of Taking in the abovecaptioned condemnation matter. Kindly record the document and return a copy marked "Filed" to me in the self-addressed, postage-prepaid envelope, which I have provided for your convenience. Enclosed is a check in the sum of \$400.00 to cover the cost of recording. If you need any further information, please do not hesitate to contact me.

Very truly yours,

Joseph M. Murphy

JMM/mxs/Enclosure

Service List (w/encl) (via certified/regular mail) ce:

CONNELL FOLEY LLP 85 Livingston Avenue Roseland, New Jersey 07068 (973) 535-0500 Attorneys for Plaintiff, Township of Readington

TOWNSHIP OF READINGTON, a municipal corporation of the State of New Jersey,

Plaintiff,

-VS.-

SOLBERG AVIATION CO., a New Jersey partnership, JOHN HROMOHO, THOR SOLBERG, JR., WATERS McPHERSON McNEILL, P.C., FOX, ROTHSCHILD, O'BRIEN & FRANKEL, LLP, THOR SOLBERG AVIATION, JOHN DOE NOS. I THROUGH 20, JOHN DOE CORPORATION NOS. I THROUGH 20, NEW JERSEY DEPARTMENT OF THE TREASURY, DIVISION OF TAXATION, TOWNSHIP OF READINGTON,

SUPERIOR COURT OF NEW JERSEY LAW DIVISION: HUNTERDON COUNTY

DOCKET NO.: HNT-L-468-06

CIVIL ACTION

**DECLARATION OF TAKING** 

Defendants.

Plaintiff, TOWNSHIP OF READINGTON ("Readington"), a municipal corporation of the State of New Jersey, having its principal office at Municipal Building, 509 Route 523, Whitehouse Station, Reading, Hunterdon County, New Jersey 08889, by way of Verified Complaint says that:

- 1. Possession of the interests in the premises described in the Verified Complaint filed in this action is being taken by and for the use of Readington.
- 2. The premises hereby taken are described in the attached Exhibit A, and are shown on the map attached as Exhibit B.
- The interest being condemned and taken by Readington is a fee simple interest in the portion of the property designated as the "Open Space Property" on Exhibit "A" and development and easement rights in the portion of the property designated as the "Airport Facilities Area" on Exhibit "A", so that with respect to the Airport Facilities Area, only conservation and passive recreational use, as well as agricultural use, airport uses and uses ancillary to a principal airport use

are permitted, with ancillary airport uses limited to a single restaurant, a single museum, administrative offices, a gift shop, a lounge for transient passengers and pilots, a meeting or conference room for transient passengers, and a classroom for flying lessons (and with the total of such ancillary uses being limited to no more than a 35,000 square foot area), and hangar and maintenance space shall be limited to no more than 150,000 square feet area; provided that the annual balloon festival shall be expressly permitted.

- 4. The sum of money estimated by Readington to be just compensation for the taking is \$21,738,000, which represents the market value of the interests in the property being taken as if unaffected by adverse environmental conditions.
- 5. Readington is entitled to the exclusive possession, title and use of the interests in the premises aforesaid and will forthwith enter into and take possession of such interest, as authorized by N.J.S.A. 40A:12-5 and N.J.S.A. 20:3-17 through 20.
- 6. The names and addresses of all condemnees known to Readington, after reasonable investigation, and the nature of their interest in the property, are as follows:

#### Name of Party

Solberg Aviation Co. P.O. Box 15 Readington, NJ 08870

John Hromoho 124 Pulaski Road Readington, NJ 08870

Thor Solberg c/o Solberg Aviation Co. P.O. Box 15 Readington, NJ 08870

Fox Rothchild O'Brien & Frankel, LLP 997 Lenox Drive Lawrenceville, NJ 08648

#### Nature of Interest

Owner in fee simple of the property excluding the portion thereof designated as Block 56 Lot 8, and mortgagee, by assignment of document dated May 1, 1983 and recorded on May 23, 1983 at Deed Book 633 Page 328, burdening a portion of the property.

Record owner in fee simple of the portion of the property designated as Block 56 Lot 8.

Equitable owner in fee simple of the portion of the property designated as Block 56 Lot 8.

Mortgagee, under document dated March 9, 2002 and recorded on March 10, 2002, at Deed Book 2171 Page 306, with respect to

the property designated as Block 67 Lot 2; and under document dated November 1, 2002 and recorded on March 12, 2003 at Deed Book 2386 Page 908, with respect to the portion of the property designated as Block 48 Lot 23.

Waters McPherson McNeill, P.C. 300 Lighting Way Secaucus, New Jersey 07096 Judgment No. J-164126-2002 entered on July 11, 2002 in the Superior Court of New Jersey Hudson County against Solberg Aviation Company in the amount of \$9,822.07.

Thor Solberg Aviation (Organization Number 916091168
Dreggsalmennig 10-12 c/o advocate firmaet Hurris 5003 Bergen, Norway

Mortgagee under document dated March 14, 2005 and recorded on March 15, 2005 at Book 2836 Page 591, with respect to the portion of the property designated as Block 56 Lot 1.

John Doe Nos. 1 through 20

Tenants at the property.

John Doe Corporation Nos. 1 through 20

Tenants at the property.

New Jersey Department of the Treasury, Division of Taxation P.O. Box 002 Trenton, NJ 08625-0002

New Jersey Department of the Treasury, Division Any State franchise taxes which may be owing with respect to the property.

Township of Readington 509 Route 523 Whitehouse Station, NJ 08889 Any real property taxes, utility and other municipal charges which may be owing with respect to the property and as a possible holder of a lien for rollback taxes under the Farmlands Assessment Act (N.J.S.A. 54:4-23.1; et seq.).

IN WITNESS WHEREOF, READINGTON has caused this Declaration to be signed and sealed on this <u>4th</u> day of October, 2006.

ATTEST:

TOWNSHIP OF READINGTON

Visa MeRauty
Name: Vita Mekovetz, RMC/CMC

Title: Administrator/Municipal Clerk

Name: Gerard Sharney

Title: Mayor

#### **ACKNOWLEDGMENT**

STATE OF NEW JERSEY )

SS:

COUNTY OF HUNTERDON)

I hereby certify that on October 4, 2006, Vita Mekovetz personally appeared before me and acknowledged under oath, to my satisfaction, that:

- a. She/he is the Administrator of the Township of Readington, the condemning municipality named in this declaration of taking;
- b. She/he is the attesting witness to the signing of this declaration of taking by the proper corporate officer, who is Gerard Shamey, the Mayor of Readington;
- c. This declaration of taking was signed and delivered by Readington as its voluntary act duly authorized by a proper resolution;
- d. She/he knows the proper seal of Readington which has been affixed to this declaration of taking; and
  - e. She/he signed this proof to attest to the truth of these facts.

Name: Vita Mekovetz, RMC/CMC

Administrator/Municipal Clerk

Signed and sworn to before me on October 4, 2006.

PATTI JO McCONNELL NOTARY PUBLIC OF NEW JERSEY My Commission Expires July 5, 2010

### Exhibit "A"

## Exhibit "A-1" Open Space Property

(See attached descriptions, less and except the "Airport Facilities Area" as described on Exhibit "A-2")

### Thomas L. Yager & Associates

Civil Engineers - Land Surveyors - Planners

10 Gray Rock Road Clinton, New Jersey 08809 (908) 735-9508 (908) 735-4547 FAX Sheet 1 of 3



### DESCRIPTION OF PROPERTY

Township of Readington Hunterdon County Lands of N/F Solberg Aviation 9/6/00 Revised 01/18/01 Block 48 Lot 23 Lightfield Road

All that certain tract or parcel of land located in the Township of Readington, County of Hunterdon, New Jersey, bounded and described as follows:

Commencing at a point at or near the center of the roadway known as Lightfield Road being a thirty-three foot (33') wide right-of-way per Tax Lightfield Road being a thirty-three foot (33') wide right-of-way per Tax Map, said point being the most northeasterly corner of this tract (Lot 23) and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the most southeasterly corner of lands of N/F Bruce Wales, Tax Map Lot and the Map Lot and the Map Lo

- (1) along the center or thereabout of said roadway South 29°57'33" West one thousand five hundred twenty-five and sixty-seven one-hundredths feet (1,525.67') to a point thence
- (2) leaving said roadway and running along the northerly line of lands of N/F John and Francis Pascale, Tax Map Lot 22.03, (passing over a steel pin set twenty-five feet (25') from the beginning of this course) North 60°40'56" West one thousand six hundred thirteen and ninety-one one-hundredths feet (1,613.91') to an iron pipe found thence
- (3) along the easterly line of said Tax Map Lot 22.03 North 30°19'04" East four hundred ninety-nine and twenty-nine one-hundredths feet (499.29') to an iron pipe found thence
- (4) along the northerly line of said Tax Map Lot 22.03 North 59°10'56" West three hundred thirty and zero one-hundredths feet (330.00') to a point being the easterly corner to lands of N/F Readington Township, Tax Map Lot 21.01, said point being marked by a steel pin set thence
- (5) along the line of said Tax Map Lot 21.01 North 68°00'56" West four hundred thirty-eight and eighty-two one-hundredths feet (438.82') to a point thence
- (6) along an easterly line of said Tax Map Lot 21.01 North 24°43'04" East eight hundred twenty-two and fifty-four one-hundredths feet (822.54') to a steel pin set thence

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- (7) along the line of lands of N/F Frank and Patti Sparrer, Tax Map Lot 26.47, South 71°25'56" East one hundred ninety-three and eighty-two onehundredths feet (193.82') to a steel pin set thence
- (8) along the easterly line of said Tax Map Lot 26.47 North 28°39'04" East one hundred twenty-two and seventy-six one-hundredths feet (122.76') to a planted stone found thence
- (9) along the southerly line of lands of N/F Bruce Wales, Tax Map Lot 24, south 59°57'56" East six hundred fifty-eight and forty-five one-hundredths feet (658.45') to an iron pin found thence
- (10) along the line of said Tax Map Lot 24 South 30°19'04" West two hundred ten and forty-three one-hundredths feet (210.43') to an iron pipe thence
- (11) along the southerly line of said Tax Map Lot 24 North 88°19'04" East five hundred ninety-eight and seventy-two one-hundredths feet (598.72') to a steel pin set thence
- (12) along the same South 78°53'56" East six hundred thirty-two and forty-two one-hundredths feet (632.42') to an iron pipe thence
- (13) along the westerly line of said Tax Map Lot 24.01 South 39°14'04" West one hundred ninety-one and ninety-eight one-hundredths feet (191.98') to a steel pin set thence
- (14) along the southerly line of said Tax Map Lot 23.01 South 60°18'56" East five hundred twenty-eight and seventy-eight one-hundredths feet (528.78') to the point of beginning containing a total area of 72.615± acres of land as calculated by Thomas L. Yager, Professional Land Surveyor, New Jersey License No. 26790, in August, 2000.

subject to the rights of the public in Lightfield Road thirty-three foot (33') wide right-of-way (0.61 ± acres as measured 16.5' from the center of said road).

Subject to general easements granted to NJ Power and Light Company in the following: Deed Book 411, Pages 216 and 217; Deed Book 377, Page 279; Deed following: Book 376, Page 65; Deed Book 462, Page 175; Deed Book 377, Page 283; Deed Book 632, Page 580; and Deed Book 455, Page 295.

Subject to general easements granted to NY and NJ Telephone Company in Special Deed Book 10, Pages 574, 576, and 581.

The New Jersey State Plane 1983 NAD (1986) used as a basis for the bearing system on the above-described courses.

The above description being the same as described in Deed Book 977, Page 1082, Tract 2.

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The above description was written pursuant to a survey of property designated The above description was written pursuant to a survey or property designated as Block 56 Lots 1, 3 and 6, Block 48 Lot 23, Block 67 Lot 2, Block 56 Lot 8, as Block 55, Lot 33 on the Municipal Tax Map of Readington Township, County of Hunterdon, State of New Jersey. Said survey was prepared by Thomas L. Yager and Associates, 10 Gray Rock Road, Clinton, New Jersey, 08809, August, and is marked as File No. VR-Airport Open Space. 2000, and is marked as File No. YR-Airport Open Space.

Thomas L. Yager, NJ license No. 26790 Professional Land Surveyor

### Thomas L. Yager & Associates

Civil Engineers - Land Surveyors - Planners

10 Gray Rock Road Clinton, New Jersey 08809 (908) 735-9508 (908) 735-4547 FAX Y

Sheet 1 of 3

#### DESCRIPTION OF PROPERTY

Township of Readington Hunterdon County Lands of N/F Solberg Aviation 9/6/00 Revised 01/18/01 Block 55 Lot 33 Readington Road

All that certain tract or parcel of land located in the Township of Readington, County of Hunterdon, New Jersey, bounded and described as follows:

Commencing at a point at or near the center of the roadway known as Readington Road (County Route No. 620) being a thirty-three foot (33') wide right-of-way per Tax Map, being the most northwesterly corner of this tract (Lot 33) and the most northeasterly corner of lands of N/F Lucy M. Scanlon, Tax Map Lot 17, said point being located at or near the center of a culvert, said point also having New Jersey State Plane Grid Coordinates of 634140.69 North and 424003.02 East NAD 83, and said point being the same as that in Deed Book 838, Page 118, Tract 1, beginning of course No. 12, and from said beginning point running thence

- (1) along the following eleven (11) courses along the center or thereabout of said roadway South 38°12'33" East one hundred thirty-four and eighty-one one-hundredths feet (134.81') to a point thence
- (2) South 33°33'27" East ninety-three and zero one-hundredths feet (93.00') to a point thence
- (3) South 27°15'50" East sixty-eight and thirty-four one-hundredths feet (68.34') to a point thence
- (4) South 23°00'47" East one hundred fifty and forty-six one-hundredths feet (150.46') to a point thence
- (5) South 33°17'27" East two hundred six and seventy-six one-hundredths feet (206.76') to a point thence
- (6) South 49°17'36" East two hundred three and fifty-one one-hundredths feet (203.51') to a point thence
- (7) South 57°04'06" East forty-five and sixty-one one-hundredths feet (45.61') to a point thence
- (8) South 57°35'49" East seventy-six and seventy-three one-hundredths feet (76.73') to a point thence

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- (9) South 57°25'11" East two hundred thirty-four and four one-hundredths feet (234.04') to a point thence
- (10) South 57°20'16" East two hundred one and sixty one-hundredths feet (201.60') to a point thence
- (11) South 53°54'15" East one hundred ninety-four and ninety-six one-hundredths feet (194.96') to a point near the center of Thor Solberg Road thence
- (12) leaving said roadways and running along lands of N/F Susan Giles, Tax Map Lot 32, South 36°23'07" West four hundred eighty-six and ninety one-hundredths feet (486.90') to a point marked by a forty-two inch (42") oak tree thence
- (13) along the northerly line and generally following a tree row of lands of N/F Readington Township, Tax Map Lot 23.03, North 43°36'25" West eighty-nine and ten one-hundredths feet (89.10') to a point thence
- (14) along the same and line of old fence posts with barbed wire North 49°51′53" West five hundred twenty-two and seventy-two one-hundredths feet (522.72') to a point thence
- (15) along the same to a point North 46°36'53" West four hundred nineteen and ten one-hundredths feet (419.10') to a point in or near the middle of the brook thence
- (16) along the northerly line of said Tax Map Lot 23.03 and running up a portion of said brook South 79°23'07" West one hundred twenty-three and forty-two one-hundredths feet (123.42') to a point thence
- (17) along the northerly line of said lot and running along a portion of said line of trees with barbed wire South 89°23'07" West five hundred sixty-two and forty-one one-hundredths feet (562.41') to a "T" iron found nine feet (9') southeasterly of a thirty inch (30") hickory tree with barbed wire thence
- (18) along the northerly line of lands of N/F Lazelle S. Knocke and crossing said brook North 07°10′51" West two hundred forty-eight and eighty-four one-hundredths feet (248.84′) to an angle iron found in lands of N/F Lucy M. Scanlon, Tax Map Lot 17, thence
- (19) along the southerly line of Lot 17 and running along or near a cedar post line and crossing a stream North 47°48'43" East eight hundred seventy-six and four one-hundredths feet (876.04') (passing over a pin set 25.00' from the terminus of this course) to the point of beginning containing a total area of 20.955± acres of land as calculated by Thomas L. Yager, Professional Land Surveyor, New Jersey License No. 26790, in August, 2000.
- subject to the rights of the public in Readington Road thirty-three foot (33') wide right-of-way  $(0.66 \pm acres as measured 16.5'$  from the center of said road).

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subject to general easements granted to NJ Power and Light Company in Deed Book 377, Page 282.

Subject to general easements granted to NY and NJ Telephone Company in Special Deed Book 10, Page 576.

The New Jersey State Plane 1983 NAD (1986) used as a basis for the bearing system on the above-described courses.

The above description being the same as a portion of Deed Book 838, Page 118, Tracts 1 and 2.

The above description was written pursuant to a survey of property designated as Block 56 Lots 1, 3 and 6, Block 48 Lot 23, Block 67 Lot 2, Block 56 Lot 8, and Block 55 Lot 33 on the Municipal Tax Map of Readington Township, County of Hunterdon, State of New Jersey. Said survey was prepared by Thomas L. Yager and Associates, 10 Gray Rock Road, Clinton, New Jersey, 08809, August, 2000, and is marked as File No. YR-Airport Open Space.

Thomas L. Yager, No License No. 26790

Professional Land Surveyor

### Thomas L. Yager & Associates

Civil Engineers - Land Surveyors - Planners

10 Gray Rock Road Clinton, New Jersey 08809 (908) 735-9508 (908) 735-4547 FAX

Sheet 1 of 6



### DESCRIPTION OF PROPERTY

Township of Readington Hunterdon County Lands of N/F Solberg Aviation 9/6/00
Revised 01/18/01
Block 56 Lots 1, 3 & 6
Thor Solberg Road
Readington Road
Lightfield Road
Pulaski Road

All that certain tract or parcel of land located in the Township of Readington, County of Hunterdon, New Jersey, bounded and described as follows:

Commencing at a point at or near the center of the roadway known as Thor Solberg Road being a thirty-three foot (33') wide right-of-way per Tax Map, said point being the most easterly corner of this tract (Lots 1, 3 and 6) and the most southeasterly corner of lands of N/F John Hromoho, Tax Map Lot 8, the most southeasterly corner of lands of N/F John Hromoho, Tax Map Lot 8, said point also being South 52°08'39" East twenty-five feet (25') from a steel said point also being the common boundary with said Tax Map Lot 8, said point also pin set along the common boundary with said Tax Map Lot 8, said point also having New Jersey State Plane Grid Coordinates of 637411.54 North and having New Jersey State Plane Grid Coordinates of 637411.54 North and 428722.62 East NAD 83, and said point being the beginning course No. 7 of Deed Book 977, Page 1082, Tract 1, and from said beginning point running thence

- (1) along the center or thereabout of said roadway South 42°57'16" West five hundred seventy-five and eighty-nine one-hundredths feet (575.89') to a point thence
- (2) along the same South 50°44'47" West one hundred and zero one-hundredths feet (100.00') to a point thence
- (3) along the same South 72°55'47" West two hundred and zero one-hundredths feet (200.00') to a point thence
- (4) along the same South 72°07'47" West one hundred fifty-nine and forty one-hundredths feet (159.40') to a point thence
- (5) along the same South 35°23'47" West three hundred seventy-six and twenty one-hundredths feet (376.20') to a point thence
- (6) along the same South 36°27'02" West one thousand five hundred forty-three and eighty-one one-hundredths feet (1,543.81') to a point thence
- (7) along the same South 36°33'53" West one thousand one hundred sixty and thirty-nine one-hundredths feet (1,160.39') to a point thence

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- (8) along the same South 36°22'57" West one thousand six hundred eighteen and twenty one-hundredths feet (1,618.20') to a point in or near the centerline of Readington Road (County Route 620) thence
- (9) along the center or thereabouts of said Readington Road North 53°54'17" West one hundred ninety-six and one one-hundredths feet (196.01') to a point thence
- (10) along the same North 57°20'16" West two hundred one and sixty one-hundredths feet (201.60') to a point thence
- (11) along the same North 57°25'11" West two hundred thirty-four and four one-hundredths feet (234.04') to a point thence
- (12) along the same North 57°35'49" West seventy-six and seventy-three one-hundredths feet (76.73') to a point thence
- (13) along the same North 57°04'06" West forty-five and sixty-one one-hundredths feet (45.61') to a point being the southeasterly corner of lands of N/F Michael A. Talias, Tax Map Lot 7, thence
- (14) along the easterly line of said Tax Map Lot 7 (passing over a steel pin set twenty-five feet (25') from the beginning of this course) North 29°39'35" East four hundred nineteen and fifty-seven one-hundredths feet (419.57') to a steel pin to be set thence
- (15) along the northerly property line of said Tax Map Lot 7 North 60°20'25" West two hundred and zero one-hundredths feet (200.00') to an iron pipe found thence
- (16) along the same line of said Tax Map Lot 7 North 83°30'25" West one hundred ninety-five and zero one-hundredths feet (195.00') to an iron pipe found thence
- (17) along the same (passing over an iron pipe found thirty and twenty-three one-hundredths feet (30.23') from the end of this course and also passing over an iron pin set twenty-five feet (25') from the end of this course) south 75°59'35" West one hundred seventy-one and seventy-seven one-hundredths feet (171.77') to a point in or about the center of the roadway thence
- (18) along the center of Readington Road North 27°15'50" West sixty-eight and thirty-four one-hundredths feet (68.34') to a point thence
- (19) along the same North 33°33'27" West ninety-three and zero one-hundredths feet (93.00') to a point thence
- (20) along the same North 38°12'33" West one hundred ninety-six and sixteen one-hundredths feet (196.16') to a point thence

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- (21) along the same North 38°31'23" West one hundred seventy-five and thirty-two one-hundredths feet (175.32') to a point thence
- (22) along the same North 38°51'28" West one hundred seventy-four and twenty-two one-hundredths feet (174.22') to a point thence
- (23) along the same North 39°23'48" West two hundred fifteen and forty-two one-hundredths feet (215.42') to a point in the same being a point on the easterly line of lands of N/F Eugene and Helen James, Tax Map Lot 5, thence
- (24) leaving said roadway and running along the easterly line of said Tax Map Lot 5 (passing over an iron pipe found twenty-seven and forty-one one-hundredths feet (27.41') from the beginning of this course) North 29°32'45" hundredths feet (27.41') from the beginning of this course) North 29°32'45" East one thousand four hundred forty-three and ninety-four one-hundredths feet (1,443.94') to a steel pin set thence
- (25) running along the northerly line of said Tax Map Lot 5 North 60°23'15" West seven hundred eight and eighty-four one-hundredths feet (708.84') to an iron pin found thence
- (26) along the westerly line of said Tax Map Lot 5 South 29°36'45" West four hundred thirty-four and twelve one-hundredths feet (434.12') to a steel pin set, said point being also the northeast corner of lands of N/F Donald and Edna Jensen, Tax Map Lot 4, thence
- (27) along the northerly line of said Tax Map Lot 4 and lands of N/F Craig and Ruby Erkkila, Tax Map Lot 4.01, (passing over and iron pin found twenty-one and ninety one-hundredths feet (21.90') from the end of this course) North 67°30'41" West seven hundred two and eighty-nine one-hundredths feet (702.89') to a point in the center of Readington Road thence
- (28) along a portion of Readington Road and crossing over to Lightfield Road North 29°51'47" East two thousand seven hundred seventy-four and sixty-two one-hundredths feet (2,774.62') to a point thence
- (29) along the same North 29°57'33" East one thousand five hundred twenty-five and sixty-seven one-hundredths feet (1,525.67') to a point marked by a railroad spike found thence
- (30) along the same to a point North 30°02'00" East two thousand sixty-five and twenty-eight one-hundredths feet (2,065.28') to a point marked by a "pk" nail found in or about the center of Pulaski Road thence
- (31) running in Pulaski Road South 57°10'47" East two hundred forty-eight and eighty-nine one-hundredths feet (248.89') to a point thence
- (32) South 58°12'07" East two hundred forty-four and twenty one-hundredths feet (244.20') to a point north of said roadway thence
- (33) South 44°57'07" East one hundred thirty-two and zero one-hundredths feet (132.00') to a point in or near the center of Pulaski Road thence

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- (34) along or near the said center of roadway South 61°12'07" East seven hundred fifty-three and seventy-two one-hundredths feet (753.72') to a point in or near the center of said roadway thence
- (35) leaving said roadway and running along the most westerly line of lands of N/F Stanley Nielwodski, Tax Map Lot 17, (passing over a steel pin set twenty-five feet (25') from the beginning of this course) South 29°32'53" West two hundred sixty-eight and eighty-four one-hundredths feet (268.84') to a steel pin set thence
- (36) along the southerly line of said Tax Map Lot 17 South 46°35'13" East four hundred seventy-three and eighty-four one-hundredths feet (473.84') to a steel pin set thence
- (37) along the same South 58°35'13" East one hundred fifty-eight and zero one-hundredths feet (158.00') to a steel pin set thence
- (38) along the most easterly line of said Tax Map Lot 17 (passing over a steel pin set twenty-five feet (25') from the end of this course) North 44°24'47" East two hundred thirty-six and thirty one-hundredths feet (236.30') to a point in or near the center of said roadway thence
- (39) along said roadway South 46°36'38" East seven hundred sixty-three and sixty-seven one-hundredths feet (763.67') to a point in said roadway thence
- (40) leaving said roadway South 42°59'47" West sixteen and fifty one-hundredths feet (16.50') to a point thence
- (41) South 48°16'16" East one hundred sixteen and eighty one-hundredths feet (116.80') to an iron pipe found being also a westerly corner to lands of N/F Solberg Aviation Company, Tax Map Lot 16, thence
- (42) along westerly lines of said Tax Map Lot 16 and lands of N/F John Hromoho, Tax Map Lot 8, South 50°56′22" West three hundred twenty-six and forty-seven one-hundredths feet (326.47′) to a "T" iron found being the termination of course No. 9 in Deed Book 977, Page 1082, Tract 1, thence
- (43) along the line of lands of said Tax Map Lot 8 South 37°55'30" East one hundred ninety-eight and zero one-hundredths feet (198.00') to a steel pin set thence
- (44) along the westerly line of said Tax Map Lot 8 South 28°02'21" West one thousand three hundred twenty-five and fifty-four one-hundredths feet (1,325.54') to a steel pin set thence
- (45) along the southerly line of said Tax Map Lot 8 South 52°08'39" East one thousand four hundred fifty-one and forty-six one-hundredths feet (1,451.46') to the point of beginning containing a total area of 566.199± acres of land as calculated by Thomas L. Yager, Professional Land Surveyor, New Jersey License No. 26790, in August, 2000.

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Excepting and reserving from above-described properties a 5.433+/- acre exception recorded in Deed Book 977, Page 1082, lands of N/F Phyllis J. Castells, Tax Map Lot 2, and described as follows:

Commencing at a point marked by an iron pipe found, said point being the termination of course No. 1 of deed exception in Deed Book 977, Page 1082, tract 4, said point having New Jersey State Plane Grid Coordinates of 640188.18 North and 425994.26 East NAD 83, said point being the following course from a railroad spike found in Lightfield Road marking the northeast corner of a fifty foot (50') wide access easement to said Tax Map Lot 2 South corner of a thousand two hundred seventeen and eighteen one-hundredths 27°54'33" West one thousand two hundred seventeen and eighteen one-hundredths feet (1,217.18') to the point of beginning of this deed exception and running thence

- (1) North 27°54'33" East four hundred sixty-three and forty one-hundredths feet (463.40') to a point thence
- (2) South  $64^{\circ}10'27"$  East five hundred eleven and zero one-hundredths feet (511.11') to a point thence
- (3) along a line parallel to the first course of this deed exception South 27°54'33" West four hundred sixty-three and forty one-hundredths feet (463.40') to a point thence
- (4) along a line parallel to the second course of this deed exception North 64°10'27" West five hundred eleven and zero one-hundredths feet (511.11') to the point of beginning. (End of exception.)

Subject to a fifty foot (50') wide access and utility easement to Tax Map Lot 2, as cited in Deed Book 977, Page 1082, Tract 4.

Subject to general easements granted to NJ Power and Light Company in the following: Deed Book 411, Pages 216 and 217; Deed Book 377, Page 279; Deed Book 376, Page 65; Deed Book 462, Page 175; Deed Book 377, Page 283; Deed Book 632, Page 580; and Deed Book 455, Page 295.

Subject to general easements granted to NY and NJ Telephone Company in Special Deed Book 10, Pages 574, 576, and 581.

Subject to lease agreements between Solberg Aviation Company and United States of America in Deed Book 1026, Page 791, Deed Book 1067, Page 562 and Deed Book 1122, Page 422 and a thirty foot (30') wide access right-of-way recorded in Deed Book 1026 at Page 795.

The New Jersey State Plane 1983 NAD (1986) used as a basis for the bearing system on the above-described courses.

Subject to the rights of the public in Lightfield Road, Pulaski Road, Readington Road, and Thor Solberg Road thirty-three foot (33') wide right-of-way (6.03± acres as measured 16.5' from the center of said road).

TLYA 9/6/00 Revised 01/18/01 Sheet 6 of 6

The above 566.199± acre description being the same as described in Deed Book 977, Page 1082, Tracts 1 and 4, Deed Book 838, Page 118, Tract 3 and a portion of Deed Book 838, Page 118, Tracts 1 and 2.

The above description was written pursuant to a survey of property designated The above description and 6; Block 48 Lot 23; Block 67 Lot 2; Block 56 Lot 8, as Block 56 Lot 33 on the Municipal Tax Map of Readington Township, County and Block 55 Lot 33 on the Municipal Tax Map of Readington Township, and Block of hot to the multipat tak map of Readington Township, County of Hunterdon, State of New Jersey. Said survey was prepared by Thomas L. Yager and Associates, 10 Gray Rock Road, Clinton, New Jersey, 08809, August, 2000, and is marked as File No. YR-Airport Open Space.

Thomas L. Yager, NJ License No. 26790 Professional Land Surveyor

### Thomas L. Yager & Associates

Civil Engineers - Land Surveyors - Planners

10 Gray Rock Road Clinton, New Jersey 08809 (908) 735-9508 (908) 735-4547 FAX

sheet 1 of 2



### DESCRIPTION OF PROPERTY

Township of Readington Hunterdon County Lands of N/F John Hromoho 9/6/00 Revised 01/18/01 Block 56 Lot 8 Thor Solberg Road

All that certain tract or parcel of land located in the Township of Readington, County of Hunterdon, New Jersey, bounded and described as follows:

Commencing at a point at or near the center of the roadway known as Thor Solberg Road being a thirty-three foot (33') wide right-of-way per Tax Map, said point being the most northeasterly corner of lands of N/F Solberg Aviation, Readington Township Tax Map Lot 3, Block 56, said point being the Aviation, Readington Township Tax Map Lot 3, Block 56, said point being the most southeasterly corner of the herein-described tract, said point also most southeasterly corner of the herein-described tract, said point also having New Jersey State Plane Grid Coordinates of 637411.54 North and having New Jersey State Plane Grid Coordinates of 637411.54 North and 428722.62 East NAD 83, and said point being the point of beginning of course No. 7 of Deed Book 1210, Page 715 (Lot 8), and from said beginning point running thence

- (1) leaving said roadway running along the northeasterly lines of said Tax Map Lot 3 and passing through a steel pin to be set twenty-five feet (25') from the beginning of this course North 52°08'39" West one thousand four hundred fifty-one and forty-six one-hundredths feet (1,451.46') to a steel pin set thence
- (2) along the southeasterly line of said Tax Map Lot 3 North 28°02'21" East one thousand three hundred twenty-five and fifty-four one-hundredths feet (1,325.54') to a steel pin set thence
- (3) along the northeasterly line of said Tax Map Lot 3 North 37°55'30" West one hundred ninety-eight and zero one-hundredths feet (198.00') to a "T" iron found being the termination of course No. 3 in Deed Book 1210, Page 715 (Lot 8), thence
- (4) along the southeasterly line of said Tax Map Lot 3 North 50°56'22" East one hundred fourteen and thirteen one-hundredths feet (114.13') to a steel pin set thence
- (5) along the southeasterly line of lands of N/F Solberg Aviation Corporation, Tax Map Lot 16, South 33°39'29" East four hundred twelve and forty-four one-hundredths feet (412.44') to a steel pin set thence

TLYA 9/6/00 Revised 01/18/01 Sheet 2 of 2

- (6) along the same South 70°17'16" East three hundred ninety-five and seventy one-hundredths feet (395.70') to a point being fifteen one-hundredths feet (0.15') southerly and eighteen one-hundredths feet (0.18') southeasterly of a capped iron pin found thence
- (7) along the northwesterly line of lands of N/F Stephen Nozza and lands of N/F John Hromoho, Tax Map Lots 8.01 and 8.02 Block 56, respectively, South 30°29'01" West one thousand and zero one-hundredths feet (1,000.00') to a capped pin found thence
- (8) along the southwesterly line of said Tax Map Lot 8.02 (passing through a steel pin set twenty-five feet (25') from the end of this course) South 54°23'57" East nine hundred ninety-five and fifty-four one-hundredths feet (995.54') to a point in the center or thereabouts of said roadway thence
- (9) along the center or thereabouts of said roadway South 43°07'54" West five hundred seven and ninety-seven one-hundredths feet (507.97') to a point of beginning containing a total area of 29.888± acres of land as calculated by Thomas L. Yager, Professional Land Surveyor, New Jersey License No. 26790, in August, 2000.

Excepting therefrom as called for in Deed Book 1210, Page 715 (Lot 8) land reserved for public road purposes in Thor Solberg Road thirty-three foot (33') wide right-of-way (0.20t acres as measured from the center of said road) .

The above description was written pursuant to a survey of property designated as Block 56 Lot 8 on the Municipal Tax Map of Readington Township, County of Hunterdon, State of New Jersey. Said survey was prepared by Thomas L. Yager and Associates, 10 Gray Rock Road, Clinton, New Jersey, 08809, August, 2000, and is marked as File No. YR-Airport Open Space.

Thomas L. Yager, NJ Licensono. 267

Professional Land Surveyor

### Thomas L. Yager & Associates

Civil Engineers - Land Surveyors - Planners

10 Gray Rock Road Clinton, New Jersey 08809 (908) 735-9508 (908) 735-4547 FAX Y

Sheet 1 of 2

### DESCRIPTION OF PROPERTY

Township of Readington Hunterdon County Lands of N/F Solberg Aviation 9/6/00 Revised 01/18/01 Block 67 Lot 2 Thor Solberg Road

All that certain tract or parcel of land located in the Township of Readington, County of Hunterdon, New Jersey, bounded and described as follows:

Commencing at a point at or near the center of the roadway known as Thor Solberg Road being a thirty-three foot (33') wide right-of-way per Tax Map, said point being the most northwesterly corner of this tract (Lot 67), said point also being North 49°40'46" West twenty-five feet (25') from a steel pin set on the common boundary line of lands of N/F Daniel Stosman, Tax Map Lot 1.02, said point having New Jersey State Plane Grid Coordinates of 635243.78 North and 426754.81 East NAD 83, and said point being the termination of course No. 2 of Deed Book 977, Page 1082, Tract 3, and from said beginning point running thence

- (1) along the line leaving said roadway (passing through a steel pin set twenty-five feet (25') from the beginning of this course) and running along lands of said Tax Map Lot 1.02, lands of N/F Lawrence and Ellen Schendock, Tax Map Lot 1.05, and a portion of lands of N/F Ronald and Joan E. Vogt, Tax Map Lot 1.01, Block 67 South 49°40'46" East eight hundred twenty-six and two one-hundredths feet (826.02') to a point marked by an iron pipe found thence
- (2) along the westerly line of lands of N/F William and Margaret Maier (Tax Map Lot 19.43), lands of N/F Thomas and Cheryl VanSchalk (Tax Map Lot 19.42), lands of N/F Bruce and Anne Magow (Tax Map Lot 19.41), lands of N/F Richard and Leslie Harding (Tax Map Lot 19.15), lands of N/F Leon and Frances Sikanowicz (Tax Map Lot 19.12), and a portion of lands of N/F Robert and Janet Cole (Tax Map Lot 12), South 34°34′14" West one thousand six hundred Janet Cole (Tax Map Lot 12), South 34°34′14" West one thousand six hundred fifty and twenty-nine one-hundredths feet (1,650.29′) to a point marked by an iron pipe found next to a thirty-inch (30") cherry tree thence
- (3) along the northerly line of lands of N/F Frank Stinson and Sally Rasmussen, Tax Map Lot 6.02 North 70°40'04" West two hundred forty-four and zero one-hundredths feet (244.00') to a point thence
- (4) along the same South 53°09'56" West one hundred thirty and zero one-hundredths feet (130.00') to a point thence
- (5) along the same South 84°51'56" West three hundred twenty-one and twenty-six one-hundredths feet (321.26') to a point marked by an iron pipe found thence

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- (6) along the line of lands of N/F John and Bernadette Mitchell, Tax Map Lot 3, North 35°43'56" West one hundred sixty-five and fifty-eight one-hundredths feet (165.58') to a point thence
- (7) along the northerly line of said Tax Map Lot 3 North 50°18'04" West three hundred sixty-seven and twenty-two one-hundredths feet (367.22') to a point in or near the center of said roadway, said point also being one and fifteen one-hundredths feet (1.15') southerly of a "pk" nail found thence
- (8) along the center or thereabouts of said roadway North 36°22'57" East eight hundred one and seventy-four one-hundredths feet (801.74') to a point thence
- (9) along the same North 36°33'53" West one thousand one hundred twenty-six and fifty-nine one-hundredths feet (1,126.59') to the point of beginning containing a total area of 36.774± acres of land as calculated by Thomas L. Yager, Professional Land Surveyor, New Jersey License No. 26790 in August, 2000.

subject to the rights of the public in Thor Solberg Road thirty-three foot (33') wide right-of-way (0.70 ± acres as measured 16.5' from the center of said road).

Subject to general easements granted to NJ Power and Light Company in the following: Deed Book 411, Pages 216 and 217; Deed Book 377, Page 279; Deed Book 376, Page 65; Deed Book 462, Page 175; Deed Book 377, Page 283; Deed Book 632, Page 580; and Deed Book 455, Page 295.

Subject to general easements granted to NY and NJ Telephone Company in Special Deed Book 10, Pages 574, 576 and 581.

The New Jersey State Plane 1983 NAD (1986) used as a basis for the bearing system on the above-described courses.

The above description being the same as described in Deed Book 977, Page 1082, Tract 3.

The above description was written pursuant to a survey of property designated as Block 56 Lots 1, 3 and 6; Block 48 Lot 23; Block 67 Lot 2; Block 56 Lot 8, and Block 55, Lot 33 on the Municipal Tax Map of Readington Township, County of Hunterdon, State of New Jersey. Said survey was prepared by Thomas L. Yager and Associates, 10 Gray Rock Road, Clinton, New Jersey, 08809, August, 2000, and is marked as File No. YR-Airport Open Space.

Thomas L. Yager, NJ 1/1000se No. 26790

Professional Land Surveyor

# Exhibit "A-2" Airport Facilities Area

(See attached description.)

120 West Main Street Clinton, New Jersey 08809 Phone: (908) 730-6000 Fax: (908) 730-6029

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Drawing no. 5761-F April 19, 2006 YEARS of Engineering Solutions 1946-2006

#### PORTION OF BLOCK 56, LOTS 3 AND 6

### READINGTON TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY

Beginning at a point in the public road leading from Readington to North Branch, known as Thor Solberg Road, said point being the termination of the first course mentioned in a description of a 427.7 acre tract of land conveyed by Lightfield Farms, Inc. to Solberg Aviation Company, a New Jersey partnership, recorded in the Hunterdon County Clerk's Office in book 977 of deeds on page 1082 and running thence,

- along said road south 36 degrees 27 minutes 02 seconds west 868.03 feet to a point; thence the following nine new lines through the above-mentioned property.
- 2. north 60 degrees 21 minutes 11 seconds west 373,67 feet to a point; thence,
- 3. south 29 degrees 38 minutes 49 seconds west 1,826.87 feet to a point; thence,
- 4. north 60 degrees 21 minutes 11 seconds west 800.00 feet to a point; thence,
- 5. north 29 degrees 38 minutes 49 seconds east 3,663.74 feet to a point; thence,
- 6. north 60 degrees 45 minutes 48 seconds west 2,732.55 feet to a point; thence,
- 7. north 29 degrees 14 minutes 12 seconds east 300.00 feet to a point; thence,
- 8. south 60 degrees 45 minutes 48 seconds east 3,394.48 feet to a point; thence,
- 9. south 29 degrees 14 minutes 12 seconds west 1,026.98 feet to a point; thence,
- 10. south 61 degrees 00 minutes 45 seconds east 486.60 feet to a point in the aforementioned Thor Solberg Road; thence,
- along said road, south 35 degrees 23 minutes 47 seconds west 260.70 feet to the place the beginning.

All bearings being in accordance with the New Jersey State plane coordinates NAD'83 and the tract or parcel containing an area of 102.23 acres, more or less, (101.55 acres, more or less exclusive of public road right-of-way as calculated by H. Clay McEldowney, PE, LS, NJ license no. 20891.

Being part of the land and premises conveyed to the grantor herein by a deed dated December 15, 1986 and recorded in the Hunterdon County Clerk's Office in book 977 of deeds on page 1082 and as shown on a map entitled "Property Acquisition for Solberg Aviation Co. Properties", prepared by Thomas L. Yager Associates, dated 8/01/00.

Subject to any easements, or restrictions either recorded or unrecorded.

Subject to any rights-of-way as may have been granted any public utility.

Subject to the rights of the public in and to that portion of the above described premises with lies within the existing right-of-way of Thor Solberg Road, said right-of-way being measured 25 feet westerly of and at right angles to the existing pavements centerline of said road.

H. Clay McEldowney, PE, LS New Jersey License no. 20891

l Clay Will

M:/RT/809055/lands remaining.doc

# <u>Exhibit "B"</u> Map Depicting Open Space Property (Identified as Parcels 1-3 and 5-10 (each inclusive)) and Airport Facilities Area (Identified as Parcel 4)

(See attached)