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MIDDLESEX COUNTY CLERK

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MCCARTHY AND SCHATZMAN
731 ALEXANDER ROAD
SUITE 201 PO BOX 2329
PRINCETON NJ 08543

TRUSTEES OF PRINCETION UNIVERS
ITY

Index DEED BOOK

Book 05498 Page 0593

No. Pages 0012

Instrument DEED W/O ABSTRA

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INST# DE 2005 009305

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NJPRPA	\$	22.00
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STATE OF NEW JERSEY
MIDDLESEX COUNTY CLERK

ELAINE FLYNN
COUNTY CLERK



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B05498P0593

RECORDED
ELAINE M. FLYNN
MIDDLESEX CITY CLERK
G. CHRISTOPHER BAKER, ESQ.
McCARTHY AND SCHATZMAN, P.A.
PO BOX 2329

Prepared by Lewin Weyl 2005 MAY 31 AM 11: 17 PRINCETON, NJ 08543-2329
Lewin Weyl, Deputy Attorney General

CONSERVATION EASEMENT AGREEMENT

This Conservation Easement Agreement (the Agreement), made as of the 27th of July, 2004 (date)

by and between Trustees of Princeton University having a mailing address of July, 2004 (month, year) (applicant's name)

c/o Princeton Forrestal Center, 105 College Road East, Princeton, New Jersey 08540 (the Owner),

and the Delaware and Raritan Canal Commission of the State of New Jersey, with offices located in Stockton, New Jersey (the Commission).

WITNESSETH:

WHEREAS, Owner is the owner of certain real property designated as Lot(s) Ref. Staff Report Block(s) Ref. DRCC Staff Report, on the tax map of Plainsboro/South Brunswick in the county of Middlesex (township, borough, city)

Middlesex (the Property); and,

WHEREAS, pursuant to the Commission's regulations set forth at N.J.A.C. 7:45 et seq. (the Regulations), the Commission has reviewed and issued an approval (the Approval) on June 23, 2004 (date), for a project located on the Property which is known as

Princeton Nurseries General Development Plan, and identified by the (name of project)

Commission as DRCC # 03-3012; and,

WHEREAS, the Approval granted by the Commission requires Owner to enter into a stream corridor conservation easement agreement with the Commission to insure that additional encroachments likely to follow from the Approval will not have an adverse impact on the stream corridor and will otherwise comply with the Commission's requirements and with the Master

Plan for the Delaware and Raritan Canal State Park; and,

WHEREAS, a portion of the stream corridor (the Corridor) of Harry's Brook,
(name of stream)

which is subject to Stream Corridor Impact review by the Commission, is located on the

Property, and this portion of the stream corridor is shown on the plan(s) entitled

DRCC Stream Corridor Plan, prepared by Van Note-Harvey Associates, P.C.,

and dated August 13, 2004, and is more fully described in Exhibit A, which is attached hereto and

incorporated herein by reference. The information on this plan (or plans) shall supersede any
information in this Agreement.

NOW THEREFORE, in consideration of the Approval granted by the Commission, Owner and
the Commission agree as follows:

1. The Corridor is regulated by the Commission pursuant to the Regulations effective the date of the issuance of the Commission's Approval for this project.
2. The following uses shall be permitted in the Corridor without the review or approval of the Commission:
 - (a) Any agricultural use or activity which does not require a permit from a municipal approving agency;
 - (b) Wildlife sanctuary, woodland preserve, and arboretum, except facilities subject to damage by flooding;
 - (c) Game farms, fish hatcheries, or hunting and fishing reserves, operated for the protection and propagation of wildlife, but excluding enclosed structures; and
 - (d) Any uses approved by the Commission as part of this Approval and as depicted on the plan(s) in Exhibit A (hereinafter collectively referred to as the "Permitted Uses").
3. Except for the Permitted Uses, all other uses are prohibited.
4. The Commission and its successors shall have the right to enforce the terms and

conditions of this Agreement in accordance with law.

5. This Agreement is binding upon the Owner, its successors and assigns. It shall be construed as a conservation easement running with the land and shall be binding upon any person to whom title to the Property or any portion thereof within the Corridor is transferred, as well as upon the heirs, successors and assigns of all such persons.
6. Owner agrees to record this Conservation Easement Agreement and any amendment thereto and to provide the Commission with evidence of same.
7. Any written notices to Owner or to the Commission shall be directed to them as follows:
If to Owner: The Trustees of Princeton University
c/o Princeton Forrestal Center
105 College Road East
Princeton, New Jersey 08540

If to Commission: Delaware and Raritan Canal Commission
Post Office Box 539
Stockton, NJ 08559

IN WITNESS WHEREOF, The Owner has caused these presents to be duly executed and

acknowledged, this 5 day of October, 2004

ATTEST:

Owner/Contract Purchaser

BY: Ann Halliday
Name: Ann Halliday
Title: Assoc. Secretary

Christopher McCrudden
Name: Christopher McCrudden,
Title: Treasurer

Executed and acknowledged by the Canal Commission this 27th day of October, 2004.

ATTEST:

DELAWARE AND RARITAN CANAL
COMMISSION OF THE STATE OF
NEW JERSEY

BY: James C. Amon

James C. Amon
James C. Amon
Executive Director

STAFF REPORT



**PLEASE REFER TO DRCC # WHEN SUBMITTING
ADDITIONAL DOCUMENTS**

**DELAWARE AND RARITAN
CANAL COMMISSION**

DRCC #: 03-3012
DATE: June 11, 2004
PROJECT NAME: Princeton Forrestal GDP
Applicant: The Trustees of Princeton University
c/o Princeton Forrestal Center
105 College Road East
Princeton, NJ 08543-2329
Engineer: Richard K. Wizeman, PE
Van Note-Harvey Associates
777 Alexander Road
Princeton, NJ 08540
Attorney: G. Christopher Baker, Esq.
McCarthy and Schatzman, PA
PO Box 2329
Princeton, NJ 08543-2329

RECEIVED

JUN 21 2004

**VAN NOTE-HARVEY
ASSOCIATES, P.C.**

Project Location:

Road: Route One, Ridge Road and Mapleton Road
Municipality: South Brunswick & Plainsboro Twps. **County:** Middlesex
Blocks: South Brunswick: **Lots:**
98 10.02
99 3.021, 8.04, 9.01, 10.021, 10.05, 12.03, 13
100 2, 3, 4, 6.01
102 1.01, 2.031, 4, 5.01 ..
103 2, 3.01
261 2.011
Plainsboro:
4 3.05, 4.03, 5

This application is for a General Development Plan Approval for the following: 1) stormwater management design for Detention Basins 1A and 1B; 2) approval of the stream corridor location, including verification of the 100-year floodplain delineation, Loop Road crossing, and a buffer-averaging proposal; 3) approval with regard to traffic impact of the intersection of the Loop Road with College Road West and Seminary Drive.

Project Description:

	Residential	X	Non-residential
	Zone A	X	Zone B
X	Major Project		Minor Project
X	Class I		Class II
Subject to Review for:	X	Drainage	Visual
	X	Traffic Impact	X Stream Corridors

PO BOX 539 STOCKTON, NJ 08559 609-397-2000 FAX 609-397-1081

B05498P 597

THIS STAFF REPORT IS ISSUED AS A GUIDE TO APPLICANTS IN COMPLYING WITH DRCC REGULATIONS. IT IS NOT AN APPROVAL. NO CONSTRUCTION SHALL BEGIN UNTIL A CERTIFICATE OF APPROVAL HAS BEEN ISSUED.

Documents received: Floodplain Delineation Plans, dated last revised 4/30/04; Floodplain Delineation Amendment #1—Loop Road Crossing, dated 4/30/04; Princeton Forrestal Center General Development Plan: Overall Stormwater Management Facilities, dated 5/4/19 and 5/19/04; Stormwater Management Facilities 1A & 1B, dated last revised 3/26/04; DRCC Stream Corridor Averaging Plan, dated 5/19/04; Engineering Report, dated last revised 4/30/04; Engineering Report for Stormwater Facilities 1A and 1B, dated last revised 5/19/04 (all documents prepared by Van Note-Harvey Associates); Traffic Impact Assessment of Princeton Forrestal Center, dated 8/1/03, prepared by Orth-Rodgers Associates, Inc.

Drainage Impact Review:

1. Commission staff recommends that the application for the overall stormwater management design be approved with the following condition:

As each phase of the project is being designed, grading and layout plans must be submitted for verification of the drainage and impervious area limits for the 9 detention basins as proposed by the General Development Permit plans.

2. Please submit two copies of conservation and maintenance easements for these detention facilities, with original signatures on both copies.

Traffic Impact Review:

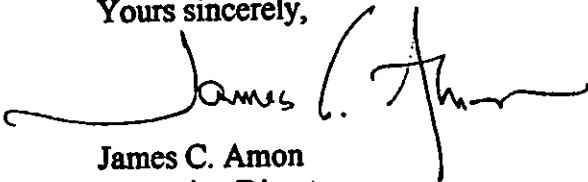
Commission staff will recommend that the intersection location of the proposed Loop Road with College Road West and Seminary Drive be approved.

Stream Corridor Impact Review:

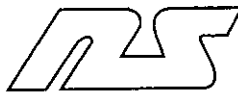
1. Commission staff will recommend approval of the conditional uses of detention basins and the Loop Road crossing.
2. We require two copies of conservation easements and a legal description of metes and bounds of the stream corridor.

Please call this office should you have any questions regarding the above.

Yours sincerely,


James C. Amon
Executive Director

B05498P 598



Phone: (609) 243-0428
Fax: (609) 987-0005

NASSAU SURVEYING
Division of Van Note-Harvey Associates, P.C.
Land Surveyors
777 Alexander Road
P.O. Box 3227
Princeton, New Jersey 08543-3227

<http://www.vannotcharvey.com>
E-mail: vnha@aol.com

Order No. 34334-430-21
South Brunswick Township Tax Map
Sheet 34
Block 99
Part of Lots 9.01, 3.021, & 13
Plainsboro Township Tax Map
Sheet 2
Block 4
Part of Lot 4.03

DESCRIPTION OF P.O. LOTS 9.01, 3.021,
& 13 IN BLOCK 99 AS SHOWN ON SHEET
34 OF THE SOUTH BRUNSWICK
TOWNSHIP TAX MAP AND P.O. LOT
4.03, BLOCK 4, SHEET 2 OF THE
PLAINSBORO TOWNSHIP TAX MAP
BEING COMMONLY KNOWN AS A
DRCC STREAM CORRIDOR SITUATE
LYING AND BEING IN THE TOWNSHIP
OF SOUTH BRUNSWICK AND
TOWNSHIP OF PLAINSBORO, COUNTY
OF MIDDLESEX, STATE OF NEW
JERSEY

August 11, 2004

BEGINNING at a **POINT** in the northwesterly right-of-way line of US Highway Route No. 1, a variable width right-of-way, said point being, S 43 degrees 41 minutes 20 seconds W, 242.21 feet from the common corner of the southeasterly corner of Lot 13, Block 99 with the northeasterly corner of Lot 4.03, Block 4 and from said **BEGINNING POINT** running, thence;

- (1) Along the said northwesterly right-of-way line of US Highway Route 1, the following two courses; S 42 degrees 57 minutes 49 seconds W, 196.44 feet to a point of curvature, thence;
- (2) Along a curve bearing to the right in a southwesterly direction having a radius of 490.00 feet, an arc length of 491.62 feet, a delta angle of 57 degrees 29 minutes 06 seconds, a chord bearing of S 71 degrees 42 minutes 23 seconds W, a chord distance of 471.26 feet to a point, thence;
- (3) Through Lot 4.03, Block 4 of Plainsboro Township, the following 16 courses; N 41 degrees 01 minutes 23 seconds W, 38.22 feet to a point, thence;
- (4) N 12 degrees 58 minutes 41 seconds W, 47.99 feet to a point, thence;
- (5) N 09 degrees 26 minutes 18 seconds E, 41.29 feet to a point, thence;
- (6) N 37 degrees 06 minutes 48 seconds E, 46.40 feet to a point, thence;
- (7) N 20 degrees 49 minutes 57 seconds E, 31.33 feet to a point, thence;
- (8) N 81 degrees 27 minutes 49 seconds W, 543.41 feet to a point, thence;
- (9) N 71 degrees 01 minutes 09 seconds W, 46.44 feet to a point, thence;
- (10) N 41 degrees 35 minutes 45 seconds W, 45.06 feet to a point, thence;

- (16) N 52 degrees 56 minutes 00 seconds W, 40.50 feet to a point, thence;
- (17) N 29 degrees 30 minutes 21 seconds W, 36.57 feet to a point, thence;
- (18) N 48 degrees 00 minutes 26 seconds W, 55.79 feet to a point, thence;
- (19) Through said Lot 4.03, Block 4 of Plainsboro Township, and continuing into Lot 3.021, Block 99 of South Brunswick Township, N 24 degrees 27 minutes 02 seconds W, 49.59 feet to a point, thence;
- (20) Through said Lot 3.021, Block 99 of South Brunswick Township, the following 27 courses; N 37 degrees 20 minutes 23 seconds W, 38.09 feet to a point, thence;
- (21) N 26 degrees 45 minutes 57 seconds W, 55.83 feet to a point, thence;
- (22) N 36 degrees 44 minutes 59 seconds W, 44.12 feet to a point, thence;
- (23) N 28 degrees 32 minutes 33 seconds W, 55.83 feet to a point, thence;
- (24) N 34 degrees 12 minutes 50 seconds W, 100.05 feet to a point, thence;
- (25) N 43 degrees 08 minutes 16 seconds W, 105.66 feet to a point, thence;
- (26) N 24 degrees 24 minutes 12 seconds W, 42.32 feet to a point, thence;
- (27) N 07 degrees 23 minutes 58 seconds W, 30.59 feet to a point, thence;
- (28) N 29 degrees 09 minutes 06 seconds W, 71.17 feet to a point, thence;
- (29) N 17 degrees 32 minutes 05 seconds W, 49.23 feet to a point, thence;
- (30) N 55 degrees 04 minutes 25 seconds W, 28.80 feet to a point, thence;
- (31) N 36 degrees 22 minutes 59 seconds W, 35.70 feet to a point, thence;
- (32) N 18 degrees 48 minutes 00 seconds W, 38.60 feet to a point, thence;
- (33) N 39 degrees 04 minutes 33 seconds W, 73.66 feet to a point, thence;
- (34) N 27 degrees 20 minutes 26 seconds W, 34.75 feet to a point, thence;
- (35) N 04 degrees 53 minutes 56 seconds W, 36.01 feet to a point, thence;
- (36) N 32 degrees 32 minutes 25 seconds W, 36.64 feet to a point, thence;
- (37) N 11 degrees 57 minutes 27 seconds W, 36.79 feet to a point, thence;
- (38) N 23 degrees 21 minutes 37 seconds W, 78.43 feet to a point, thence;
- (39) N 26 degrees 16 minutes 46 seconds W, 37.68 feet to a point, thence;
- (40) N 13 degrees 02 minutes 42 seconds W, 33.68 feet to a point, thence;
- (41) N 02 degrees 47 minutes 54 seconds E, 97.91 feet to a point, thence;
- (42) N 50 degrees 02 minutes 00 seconds W, 39.15 feet to a point, thence;

- (47) Along said division line, the following three courses; N 15 degrees 13 minutes 02 seconds E, 710.32 feet to a point, thence;
- (48) S 75 degrees 01 minutes 07 seconds E, 30.76 feet to a point, thence;
- (49) N 15 degrees 13 minutes 06 seconds E, 282.52 feet to a point, thence;
- (50) Through said Lot 3.021, Block 99 the following six courses; S 72 degrees 25 minutes 33 seconds E, 95.26 feet to a point, thence;
- (51) S 24 degrees 48 minutes 39 seconds W, 127.03 feet to a point, thence;
- (52) S 15 degrees 27 minutes 54 seconds W, 111.66 feet to a point, thence;
- (53) S 01 degrees 22 minutes 44 seconds E, 112.90 feet to a point, thence;
- (54) S 15 degrees 43 minutes 59 seconds E, 138.74 feet to a point, thence;
- (55) S 48 degrees 47 minutes 00 seconds E, 49.17 feet to a point, thence;
- (56) Through said Lot 3.021, Block 99, and continuing into Lot 9.01, Block 99, S 77 degrees 41 minutes 50 seconds E, 89.59 feet to a point, thence;
- (57) Through said Lot 9.01, Block 99 the following two courses; S 13 degrees 09 minutes 59 seconds W, 92.35 feet to a point, thence;
- (58) S 16 degrees 22 minutes 51 seconds E, 228.05 feet to a point, thence;
- (59) Through said Lot 9.01, Block 99 and continuing into Lot 3.021, Block 99, S 13 degrees 42 minutes 29 seconds E, 141.46 feet to a point, thence;
- (60) Through said Lot 3.021, Block 99, the following eleven courses; S 04 degrees 32 minutes 51 seconds E, 137.83 feet to a point, thence;
- (61) S 68 degrees 18 minutes 20 seconds E, 116.11 feet to a point, thence;
- (62) S 30 degrees 50 minutes 22 seconds W, 17.28 feet to a point, thence;
- (63) S 26 degrees 32 minutes 54 seconds E, 48.75 feet to a point, thence;
- (64) S 00 degrees 26 minutes 40 seconds W, 36.97 feet to a point, thence;
- (65) S 17 degrees 44 minutes 00 seconds W, 30.50 feet to a point, thence;
- (66) N 84 degrees 24 minutes 38 seconds W, 24.63 feet to a point, thence;
- (67) S 04 degrees 06 minutes 43 seconds W, 136.30 feet to a point, thence;
- (68) S 05 degrees 05 minutes 53 seconds E, 120.48 feet to a point, thence;
- (69) S 17 degrees 37 minutes 47 seconds E, 107.11 feet to a point, thence;
- (70) S 47 degrees 11 minutes 01 seconds E, 219.61 feet to a point, thence;
- (71) Through said Lot 3.021, Block 99 and continuing into Lot 13, Block 99, S 23 degrees 23 minutes 56 seconds E, 100.46 feet to a point, thence;

- (76) S 27 degrees 11 minutes 05 seconds E, 42.63 feet to a point, thence;
- (77) S 17 degrees 27 minutes 58 seconds E, 61.81 feet to a point, thence;
- (78) S 08 degrees 09 minutes 55 seconds E, 64.45 feet to a point, thence;
- (79) S 18 degrees 41 minutes 25 seconds E, 41.89 feet to a point, thence;
- (80) S 52 degrees 54 minutes 04 seconds E, 64.15 feet to a point, thence;
- (81) S 68 degrees 41 minutes 31 seconds E, 27.76 feet to a point, thence;
- (82) S 53 degrees 30 minutes 50 seconds E, 53.83 feet to a point, thence;
- (83) S 05 degrees 55 minutes 55 seconds E, 58.49 feet to a point, thence;
- (84) Through said Lot 13, Block 99 and continuing into Lot 4.03, Block 4 of Plainsboro Township, S 42 degrees 16 minutes 41 seconds E, 62.42 feet to a point, thence;
- (85) Through said Lot 4.03, Block 4 of Plainsboro Township, the following ten courses; S 63 degrees 00 minutes 57 seconds E, 222.72 feet to a point, thence;
- (86) S 49 degrees 49 minutes 14 seconds E, 100.23 feet to a point, thence;
- (87) S 38 degrees 38 minutes 45 seconds E, 89.00 feet to a point, thence;
- (88) S 64 degrees 04 minutes 44 seconds E, 70.20 feet to a point, thence;
- (89) S 68 degrees 44 minutes 35 seconds E, 77.50 feet to a point, thence;
- (90) S 66 degrees 25 minutes 14 seconds E, 286.91 feet to a point, thence;
- (91) S 78 degrees 17 minutes 16 seconds E, 60.85 feet to a point, thence;
- (92) N 84 degrees 42 minutes 24 seconds E, 60.27 feet to a point, thence;
- (93) S 58 degrees 07 minutes 21 seconds E, 39.67 feet to a point, thence;
- (94) S 27 degrees 21 minutes 42 seconds E, 40.65 feet to the **POINT and PLACE of BEGINNING.**

Containing 35.035 acres of land more or less.

The above described DRCC Stream Corridor as being shown on a plan entitled, "DRCC Stream Corridor Plan for The General Development Plan of the Princeton Nursery, prepared for Princeton Forestal Center, South Brunswick Township and Plainsboro Township, Middlesex County, New Jersey, Scale 1" = 150', dated August 13, 2004, prepared by Van Note-Harvey Associates, P.C., Consulting Engineers, Planners, and Land Surveyors, 777 Alexander Road, Princeton, New Jersey 08540.

According to a legal description by Nassau Surveying, a Division of Van Note-Harvey Associates, P.C., Land Surveyors, 777 Alexander Road, Princeton, New Jersey, 08540.

B05498P0602

STATE OF NEW JERSEY)
) ss.:
COUNTY OF MIDDLESEX)

I CERTIFY that on *May 18*, 2005, CHRISTOPHER McCRUDDEN personally came before me, a Notary Public of the State of New Jersey, and this person acknowledged under oath, to my satisfaction, that:

(a) this person signed and delivered the attached document as the Treasurer of The Trustees of Princeton University, the corporation named in this document;

(b) this document was signed and made by the corporation as its voluntary act and deed by virtue of authority from its Board of Directors.

Signed and sworn to before
me on *May 18*, 2005

Diane Vernickas

DIANE VERNICKAS
Notary Public of New Jersey
My Commission Expires Dec. 12, 2005

B05498P 603



STATE OF NEW JERSEY:

: SS

COUNTY OF HUNTERDON:

BE IT REMEMBERED that on this 27th day of October 2004, before me the subscriber, personally appeared James C. Amon, Executive Director of the Delaware and Raritan Canal Commission, who I am satisfied is the person named in and who executed the within instrument, and thereupon he acknowledged that he signed, sealed and delivered the same as his voluntary act and deed, for the purposes therein expressed, and that the full and actual consideration paid for this easement, as such consideration is defined in P.L. 1968, c.49, Sec. 1(c), is for the approval of the Delaware and Raritan Canal Commission of the State of New Jersey, of the stream corridor designation for a certain project located within the Delaware and Raritan Canal State Park review zone proposed by the owner.

Janice Holms
Notary Public
State of New Jersey

JANICE HOLMS
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires 10/4/2009

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION
James E. McGreevey, Governor Bradley M. Campbell, Commissioner

PRALLSVILLE MILLS 33 RISLER STREET P.O. BOX 539 STOCKTON, NJ 08559-0539
609-397-2000 FAX 609-397-1081 www.dandrcanal.com

B05498P 604