

12/5/85

This Instrument Prepared By:

George F. Mayrosh

George F. Mayrosh

GRANT OF EASEMENTS

THIS GRANT OF EASEMENTS is made this 6<sup>th</sup> day of December, 1985, by WM. FLEMER'S SONS, INC., a New Jersey corporation, having an office at RD#3, Kingston, New Jersey 08528 (herein called the "Grantor") to THE TRUSTEES OF PRINCETON UNIVERSITY, a New Jersey corporation, having an office at One Nassau Hall, Princeton, New Jersey 08544 (herein called the "Grantee").

WITNESSETH THAT:

WHEREAS, Grantor is the owner of certain land (herein called the "Grantor's Land") known and designated as Lot 4 in Block 4, Sheet 2, of the Tax Map of, and situate in, Plainsboro Township, Middlesex County, New Jersey; and

WHEREAS, Grantee is desirous of obtaining easements over the Grantor's Land for the purpose of installing, operating and using storm water collection and drainage pipes, conduits and other facilities (herein collectively called "Storm Water Facilities") for the purpose of discharging collected surface waters into, upon and onto the Grantor's Land; and

WHEREAS, Grantor is willing to grant such easements upon the terms and conditions herein set forth.

NOW, THEREFORE, in consideration of One Dollar and other valuable consideration paid by Grantee to Grantor, the

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see map, file 1801-368

receipt whereof is hereby acknowledged, and of the mutual covenants herein contained, Grantor and Grantee do mutually covenant, promise and agree as follows:

1. Grantor hereby gives and grants unto Grantee the free, perpetual and uninterrupted right, liberty, privilege and easement: (a) to use that portion of the Grantor's Land which is identified as "30 Feet Wide Proposed Drainage Easement" on the plan entitled "Plan Showing Property of William Flemer's Sons, Inc., Plainsboro Township, Middlesex County, New Jersey", prepared by Nassau Surveying Company, Inc., Land Surveyors, Research Park, Princeton, New Jersey, dated March 11, 1985, and last revised November 11, 1985, a copy of which is attached hereto as Exhibit "A" and by this reference made a part hereof, and the center line of which is more particularly described in Exhibit "B" attached hereto and by this reference made a part hereof (herein called the "Easement Area") for the purpose of constructing, installing, operating, using, repairing, replacing, maintaining and inspecting the Storm Water Facilities for the collection, transmission and discharge of collected surface waters from lands now owned by Grantee and located to the west of U.S. Route #1 in Plainsboro Township, Middlesex County, New Jersey (herein called the "Grantee's Land") and the improvements now or hereafter erected thereon;

and (b) to discharge collected and other surface waters from the Grantee's Land, and the improvements now or hereafter erected thereon, through the Easement Area by means of the Storm Water Facilities and into the tributary leading to Heathcote Brook which extends through Grantor's Land and other property of Grantor.

2. Grantee shall have the following additional rights with respect to the rights granted in Section 1(a) hereof with respect to Easement Area: to cut, remove and keep clear, all trees, undergrowth and other natural obstructions growing or located in and upon the Easement Area which may impair, endanger or interfere with the rights herein granted.

3. Grantee covenants and agrees with Grantor that Grantee shall construct the Storm Water Facilities in a good and workmanlike manner, and in accordance with all requirements of governmental authorities having jurisdiction, all at the sole cost and expense of Grantee.

4. If Grantor intends to develop and improve Grantor's Land, then Grantor shall have the right to relocate the Easement Area. If road improvements to the intersection of U.S. Route #1 and College Road West shall necessitate a change in the location of the Easement Area, then Grantee shall have the right to relocate the Easement Area. Any relocation of the Easement Area shall be to the location within Grantor's

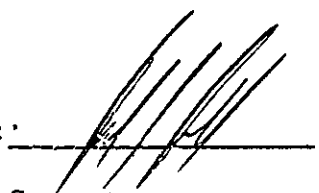
Land which is reasonably determined by Grantor and reasonably approved by Grantee and which will not affect the flow of collected surface waters from Grantee's land. Grantor shall not be obliged to incur any expense in connection with the installation of the Storm Water Facilities within he relocated Easement Area.

5. This Grant shall bind and inure to the benefit of Grantor and Grantee, and their respective successors and assigns.

IN WITNESS WHEREOF, the parties hereto have caused this Grant of Easements to be executed the day and year first above written.

(CORPORATE SEAL)

WM. FLEMER'S SONS, INC.

Attest: 

Secretary

By: 

President

(CORPORATE SEAL)

THE TRUSTEES OF PRINCETON  
UNIVERSITY

Attest: 

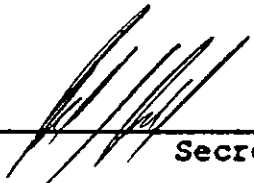
Secretary

By: 

Carl W. Schafer  
Financial Vice President  
and Treasurer

STATE OF NEW JERSEY )  
COUNTY OF Middlesex ) ss.

BE IT REMEMBERED that on this 6<sup>th</sup> day of December, 1985, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared RICHARD J. HENKEL who, being by me duly sworn on his oath, doth depose and make proof to my satisfaction that he is the Secretary of WM. FLEMER'S SONS, INC., the corporation named in the within Instrument; that William FLEMER III, is the President of said corporation; that the execution, as well as the making of this Instrument has been duly authorized by a proper resolution of the Board of Directors of the said corporation and the seal affixed to this Instrument is such corporate seal and was thereto affixed, and said Instrument signed and delivered by said President, as and for his voluntary act and deed and as and for the voluntary act and deed of said corporation, in the presence of deponent, who thereupon subscribed his name thereto as witness.

  
Secretary

Sworn to and subscribed  
before me the date aforesaid.

  
Notary Public

SARA KENT PAPIER  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES JUNE 21, 1988

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STATE OF NEW JERSEY       )  
                                  ) ss.  
COUNTY OF                    )

BE IT REMEMBERED that on this 6<sup>th</sup> day of December 1985, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared Thomas H. Weight who, being by me duly sworn on his oath, doth depose and make proof to my satisfaction that he is the        Secretary of THE TRUSTEES OF PRINCETON UNIVERSITY, the corporation named in the within Instrument; that Carl W. Schafer, is the Financial Vice President and Treasurer of said corporation; that the execution, as well as the making of this Instrument has been duly authorized by a proper resolution of the Board of Directors of the said corporation and the seal affixed to this Instrument is such corporate seal and was thereto affixed, and said Instrument signed and delivered by said Financial Vice President and Treasurer, as and for his voluntary act and deed and as and for the voluntary act and deed of said corporation, in the presence of deponent, who thereupon subscribed his name thereto as witness.

Carl W. Schafer  
Secretary

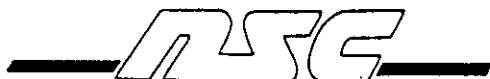
Sworn to and subscribed  
before me the date aforesaid.

Christine A. Faltum  
Notary Public

CHRISTINE A. FALTUM  
A Notary Public of New Jersey  
My Commission Expires Dec. 7, 1988

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EXHIBIT "B"



NASSAU SURVEYING COMPANY

DIVISION OF VAN NOTE-HARVEY ASSOCIATES  
LAND SURVEYORS  
RESEARCH PARK  
359 WALL STREET  
PRINCETON, NEW JERSEY 08540

PHONE: (609) 924-9653

Order No. 22600  
Plainsboro Twp. Tax Map  
Sheet 2  
Block 4  
Through Lot 4

DESCRIPTION OF A DRAINAGE EASEMENT  
OVER AND THROUGH LANDS OF WILLIAM  
FLEMER'S SONS, INC. SITUATE LYING  
AND BEING IN THE TOWNSHIP OF  
PLAINSBORO, COUNTY OF MIDDLESEX,  
STATE OF NEW JERSEY.

October 10, 1985  
Revised 10-11-85

Description of the centerline of a proposed thirty (30)  
feet wide drainage easement, more particularly described as  
follows:

BEGINNING at a point in the future proposed northerly  
right-of-way line of College Road West, one hundred (100) feet in  
width, said point bearing along said northerly line, South eighty-  
four degrees, twelve minutes, fifty-five seconds East (S 84° 12'  
55" E) three hundred five and seventy hundredths (305.70) feet  
from the easterly terminus of a curve having a radius of seven  
hundred sixty-four and twelve hundredths (764.12) feet and from  
said beginning point running thence;

- (1) Through lands of William Flemer's Sons, Inc., North seventeen  
degrees, thirty-two minutes, zero seconds East (N 17° 32' 00"  
E) thirteen hundred twenty-one (1321) feet to a point in the  
centerline of an unnamed tributary to Heathcote Brook, said  
point being the terminus of the herein described easement.

Containing 0.910 acres.

The sidelines of the above described easement being  
parallel to and distant fifteen (15) feet as measured at right  
angles to the above described centerline.

The above described also being known as Part of Lot 4,  
in Block 4, on Sheet 2, of the Plainsboro Twp. Tax Map.

All as shown on a plan entitled, "Plan Showing Property  
Of William Flemer's Sons, Inc., Plainsboro Twp., Middlesex Co.,  
NJ, Scale as shown, March 11, 1985." Last revised 10-10-85. Pre-  
pared by Nassau Surveying Company, Inc., Land Surveyors, Research  
Park, 359 Wall Street, Princeton, NJ, 08540.

According to a description by Nassau Surveying Company,  
Land Surveyors, Research Park, 359 Wall Street, Princeton, NJ,  
08540.

21023

RECORDED AND RETURNED  
DEC 11 9 15 AM '85  
HUGGLES & COMPANY, CLERK  
NEW JERSEY DEPT. OF TREASURY

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*Donald E. Allen*  
NASSAU SURVEYING COMPANY  
DONALD E. ALLEN  
NJ LS #17423

TRUSTEES of Princeton University  
c/o Princeton Forestral Center  
105 College Road East  
Princeton NJ 08540

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