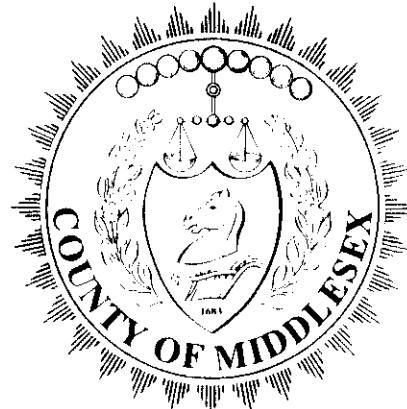


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BARCLAY SQUARE AT PRINCETON FOR  
RESTAL, L.L.C.

Index DEED BOOK  
Book 05063 Page 0860  
No. Pages 0018  
Instrument DEED W/O ABSTRA  
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ELAINE FLYNN  
COUNTY CLERK

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B05063P-860

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McCARTHY & SCHATZMAN  
731 Alexander Road, Suite 201  
P.O. Box 2329  
Princeton, NJ 08543-2329

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R/R TO PAGE # OF PAGES  
**ACRES LAND TITLE AGENCY INC.**  
PO. Box 769  
286 Essex St.  
Millburn, NJ 07041  
Case No. 249002

G. Christopher Baker, Esq.

### DRAINAGE EASEMENT AGREEMENT

THIS DRAINAGE EASEMENT AGREEMENT (this "Agreement") made this 24<sup>th</sup> day of June, 2002, by BARCLAY SQUARE AT PRINCETON FORRESTAL, L.L.C., a New Jersey limited liability company, having an office at 1065 Route 22 West, Bridgewater, New Jersey 08807 ("Grantor") to THE TRUSTEES OF PRINCETON UNIVERSITY, a New Jersey corporation, whose address is One Nassau Hall, Princeton, New Jersey 08544 ("Grantee").

#### PRELIMINARY STATEMENT

Grantor is the owner of certain land (herein called the "Grantor Property") situate in Plainsboro Township, Middlesex County, New Jersey, more particularly described in Exhibit A attached hereto and made a part hereof; and

Grantee is the owner of certain premises (herein called "Grantee Property") situate in Plainsboro Township, Middlesex County, New Jersey which adjoin the Grantor's Land, more particularly described in Exhibit B attached hereto and made a part hereof; and

Grantor has agreed to grant to Grantee an easement over a portion of the Grantor Property for the purpose of operating and using stormwater piping and other drainage improvements to be constructed by Grantor in connection with the residential project known as Barclay Square at Princeton Forrestal ("Drainage Facilities") to serve improvements on the Grantee Property, which Drainage Facilities are shown and more particularly described on certain plans prepared by Lynch Giuliano & Associates, Inc., dated July 31, 2000; last revised April 9, 2002, and the original of which plans is on file with the Secretary of the Planning Board of the Township of Plainsboro ("Drainage Facilities Plans").

NOW, THEREFORE, in consideration of good and valuable consideration paid by Grantee to Grantor, the receipt of which is hereby acknowledged, and of the mutual covenants herein contained, Grantor and Grantee do mutually covenant, promise and agree as follows:

1. Grant of Easement. Grantor hereby gives and grants unto Grantee and any contractor, principal, officer, employee, lessee, sublessee, agent, guest or invitee of Grantee (collectively, "Grantee's Permittees") the nonexclusive, free, perpetual and uninterrupted right, liberty, privilege and easement, the same to be appurtenant to and run with the Grantee Property, to use that portion of Grantor Property in the locations described on Exhibits C-1, C-2 and C-3, attached hereto (collectively, the "Easement Area") for the purpose of inspecting, operating and using the Drainage Facilities within the Easement Area.

2. Approval of Plans. The Drainage Facilities Plans were approved by the Plainsboro Township Planning Board by Resolution P00-17 adopted on December 18, 2000. Grantor shall be responsible for obtaining all additional approvals for the construction of the Drainage Facilities.

3. Construction. Grantor agrees to construct or cause to be constructed the Drainage Facilities in a good and workmanlike manner and in accordance with the Drainage Facilities Plans and all applicable requirements of governmental authorities having jurisdiction thereof, all at the sole cost and expense of Grantor.

4. Maintenance. Grantor agrees to maintain the Drainage Facilities in good operating condition, in accordance with the Drainage Facilities Plans and all applicable requirements of governmental authorities having jurisdiction thereof, all at the sole cost and expense of Grantor.

5. Reservation of Rights. Grantor reserves unto itself and others to whom easements shall be granted the right to use the Easement Area for all purposes not inconsistent with this Agreement.

6. Binding Effect. This Agreement shall bind and inure to the benefit of Grantor and Grantee, and their respective successors and permitted assigns.

7. Counterparts. This Agreement may be executed by one or more of the parties to this Agreement on any number of separate counterparts, with the same effect as if the signature thereto and hereto were upon the same instrument, and all of said counterparts taken together shall be deemed to constitute one and the same instrument.

8. Release. The Grantor and Grantee, whose names are set forth above, shall be released from all obligations under this Agreement accruing from and after the sale of their respective interests in the Grantee Property or the Grantor Property respectively, provided however, that such obligations shall run with the land and shall be binding upon and shall benefit all future owners of the Grantor Property and the Grantee Property.

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

BARCLAY SQUARE AT PRINCETON FORRESTAL,  
L.L.C.

By:



Name: KENNETH S. P. (Handwritten)  
Title: Managing Member

THE TRUSTEES OF PRINCETON UNIVERSITY

By:



Christopher McCrudden  
Title: Treasurer

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

BE IT REMEMBERED that on this 20 day of June, 2002, before me, the subscriber, personally appeared Christopher McCrudden, who, being by me duly sworn on his oath, did dispose and make proof to my satisfaction that he is Treasurer of THE TRUSTEES OF PRINCETON UNIVERSITY, the corporation named in and which made the foregoing instrument, and that he signed, sealed and delivered the foregoing Instrument as the act and deed of said corporation, duly authorized by resolution of its Board of Trustees for the uses and purposes state therein.

Diane Chinnikos

## Notary Public

(Notarial Seal)

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

STATE OF *New Jersey*,  
COUNTY OF *Essex*, ) ss.:

**BE IT REMEMBERED** that on June 24, 2002, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared KENNETH S. PIZZO, SR. Managing Member of BARCLAY SQUARE AT PRINCETON FORRESTAL, L.L.C., and he signed the foregoing instrument in such capacity and that said Instrument is the voluntary act and deed of said limited liability company, made by virtue of authority from its Management Committee.

Sworn to and subscribed  
before me this 24 day  
of June, 2002.

*Barnet Epstein*  
BARNET EPSTEIN  
(Notarial Seal)

Notarial Seal) *ATTORNEY AT LAW in N.J.*

EXHIBIT A

Grantor Property

THIS APPEARS ON YOUR  
DOCUMENT SO THAT IT WILL BE  
RECOGNIZED BY OUR SCANNER...  
THANK YOU

6255

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

**NASSAU SURVEYING**  
 Division of Van Note-Harvey Associates, P.C.

<http://www.vnnotcharvey.com>  
 E-mail: [vnha@aol.com](mailto:vnha@aol.com)

Land Surveyors  
 777 Alexander Road  
 P.O. Box 3227  
 Princeton, New Jersey 08543-3227

Order No. 04-11-32050-15  
 Plainsboro Township Tax Map  
 Sheet 2  
 Block 4  
 Proposed Lot 3.04

**DESCRIPTION OF PROPOSED LOT 3.04**  
 IN BLOCK 4 AS SHOWN ON SHEET 2 OF  
 THE PLAINSBORO TOWNSHIP TAX  
 MAP, SITUATE, LYING AND BEING IN  
 THE TOWNSHIP OF PLAINSBORO,  
 COUNTY OF MIDDLESEX, STATE OF  
 NEW JERSEY

January 17, 2001  
 Revised March 2, 2001  
 Revised May 3, 2002

**BEGINNING** at a **POINT** in the existing northerly right-of-way line of Seminary Road, 16.5 feet as measured at right-angles from the centerline thereof, said point being the easterly terminus of a 426.37 foot radius connecting the said existing northerly right-of-way line of Seminary Road with the new northeasterly right-of-way line of Seminary Road, and from said **BEGINNING POINT** running, thence;

- (1) Along the aforesaid new northeasterly right-of-way line of Seminary Road, the following two (2) courses: Along a curve bearing to the right in a northwesterly direction, having a radius of 426.37 feet, an arc length of 325.73 feet, a delta angle of 43 degrees 46 minutes 18 seconds, to a point of compound curvature, thence;
- (2) Along a curve bearing to the right in a northwesterly direction, having a radius of 367.00 feet, an arc length of 104.05 feet, a delta angle of 16 degrees 14 minutes 38 seconds, to a point, said point being the southwesterly terminus of a transition line connecting the aforesaid new northeasterly right-of-way line of Seminary Road with a new easterly right-of-way line of Mapleton Road, variable width, thence;
- (3) Along the aforesaid transition line, N 35 degrees 16 minutes 59 seconds E, 40.41 feet to a point in the aforesaid new easterly right-of-way line of Mapleton Road, thence;
- (4) Along Mapleton Road, the following seven (7) courses: Along a curve bearing to the right in a northerly direction, having a radius of 337.00 feet, an arc length of 44.03 feet, a delta angle of 07 degrees 29 minutes 10 seconds, to a point, thence;
- (5) N 48 degrees 43 minutes 32 seconds W, 40.34 feet to a point, thence;
- (6) Along a curve bearing to the right in a northerly direction, having a radius of 367.00 feet, an arc length of 210.21 feet, a delta angle of 32 degrees 49 minutes 05 seconds, to a point, thence;
- (7) N 34 degrees 17 minutes 44 seconds E, 66.74 feet to a point of curvature, thence;
- (8) Along a curve bearing to the left in a northeasterly direction, having a radius of 625.48 feet, an arc length of 61.33 feet, a delta angle of 05 degrees 37 minutes 04 seconds, to a point, thence;
- (9) N 34 degrees 17 minutes 45 seconds E, 578.61 feet to a point of curvature, thence;
- (10) Along a curve bearing to the left in a northerly direction, having a radius of 3,634.75 feet, an arc length of 473.69 feet, a delta angle of 07 degrees 28 minutes 01 second, to a point in the southerly line of Lot 3.021 in Block 99, said point also being in the municipal boundary line between South Brunswick Township, to the north, and Plainsboro Township, to the south, thence;

- (11) Along the southerly line of said lands, S 74 degrees 01 minute 15 seconds E, 404.45 feet to a point corner to Proposed Lot 3.05 in Block 4, thence;
- (12) Along said lands, the following three (3) courses: S 15 degrees 14 minutes 55 seconds W, 760.96 feet to a point, thence;
- (13) S 74 degrees 45 minutes 05 seconds E, 38.15 feet to a point, thence;
- (14) S 15 degrees 14 minutes 55 seconds W, 860.00 feet to a point in the aforesaid northerly right-of-way line of Seminary Road, said point having NJSH values of N 555785.792, E 2013338.101, thence;
- (15) Along said right-of-way line, N 74 degrees 49 minutes 45 seconds W, 412.52 feet to the **POINT** and **PLACE** of **BEGINNING**.

Containing 1,029,921 square feet or 23.644 acres of land more or less.

The above described premises being subject to or together with any easements as shown on the hereinafter referenced plan.

The above described premises being subject to or together with any other easements and/or declarations of record.

The above described premises as being shown on a certain map entitled "Preliminary/Final Subdivision Plan of Property of Trustees of Princeton University," situate in Plainsboro Township, Middlesex County, N.J., Scale: 1" = 100', prepared by Nassau Surveying, a Division of Van Note-Harvey Associates, P.C., dated June 15, 2000, and duly filed in the Middlesex County Clerk's Office on May 30, 2001 as Map No. 6123, File No. 985.

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



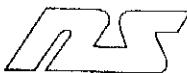
MASSAU SURVEYING  
DIVISION OF VAN NOTE-HARVEY ASSOCIATES, P.C.  
HARRY J. SYPNIEWSKI  
NEW JERSEY LAND SURVEYOR #20808

B05063P-868

EXHIBIT B

Grantee Property

THIS APPEARS ON YOUR  
DOCUMENT SO THAT IT WILL BE  
RECOGNIZED BY OUR SCANNER...  
THANK YOU



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](mailto:vnha@aol.com)

Order No. 04-11-32050-15  
Plainsboro Township Tax Map  
Sheet 2  
Block 4  
Proposed Lot 3.05

**DESCRIPTION OF PROPOSED LOT 3.05**  
IN BLOCK 4 AS SHOWN ON SHEET 2 OF  
THE PLAINSBORO TOWNSHIP TAX  
MAP, SITUATE, LYING AND BEING IN  
THE TOWNSHIP OF PLAINSBORO,  
COUNTY OF MIDDLESEX, STATE OF  
NEW JERSEY

January 17, 2001  
Revised March 2, 2001  
Revised May 3, 2002

**BEGINNING** at a **POINT** in the northerly right-of-way line of Seminary Road, 16.5 feet as measured at right-angles from the centerline thereof, said point being S 74 degrees 49 minutes 45 seconds E, 412.52 feet, along said right-of-way line, from the easterly terminus of a 426.37 foot radius connecting the said northerly right-of-way line of Seminary Road with the new northeasterly right-of-way line of Seminary Road, and from said **BEGINNING POINT** running, thence;

- (1) Along Proposed Lot 3.04 in Block 4, the following three (3) courses: N 15 degrees 14 minutes 55 seconds E, 860.00 feet to a point, thence;
- (2) N 74 degrees 45 minutes 05 seconds W, 38.15 feet to a point, thence;
- (3) N 15 degrees 14 minutes 55 seconds E, 760.96 feet to a point in the southerly line of Lot 3.021 in Block 99, said point also being in the municipal boundary line between South Brunswick Township, to the north, and Plainsboro Township, to the south, thence;
- (4) Along said lands, S 74 degrees 01 minutes 15 seconds E, 1,240.92 feet to a point corner to Lot 4.03 in Block 4, said point having NJSW values of N 557018.105, E 2014920.593, thence;
- (5) Along said lands, the following three (3) courses: S 14 degrees 43 minutes 45 seconds W, 358.02 feet to a point, thence;
- (6) N 73 degrees 44 minutes 45 seconds W, 526.02 feet to a point, thence;
- (7) S 17 degrees 00 minutes 15 seconds W, 1,256.08 feet to a point in the aforesaid northerly right-of-way line of Seminary Road, said point having NJSW values of N 555617.911, E 2013957.238, thence;
- (8) Along said right-of-way line, the following two (2) courses: N 74 degrees 45 minutes 05 seconds W, 2.08 feet to a point, thence;
- (9) N 74 degrees 49 minutes 45 seconds W, 639.41 feet to the **POINT** and **PLACE** of **BEGINNING**.

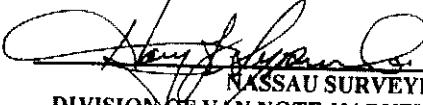
Containing 1,290,508 square feet or 29.626 acres of land more or less.

The above described premises being subject to or together with any easements as shown on the hereinafter referenced plan.

The above described premises being subject to or together with any other easements and/or declarations of record.

The above described premises as being shown on a certain map entitled "Preliminary/Final Subdivision Plan of Property of Trustees of Princeton University," situate in Plainsboro Township, Middlesex County, N.J., Scale: 1" = 100', prepared by Nassau Surveying, a Division of Van Note-Harvey Associates, P.C., dated June 15, 2000, and duly filed in the Middlesex County Clerk's Office on May 30, 2001 as Map No. 6123, File No. 985.

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

  
NASSAU SURVEYING  
DIVISION OF VAN NOTE-HARVEY ASSOCIATES, P.C.  
HARRY J. SYPNIEWSKI  
NEW JERSEY LAND SURVEYOR #20808

805063P-871

EXHIBITS C -1, C-2 and C-3

Easement Area

THIS APPEARS ON YOUR  
DOCUMENT SO THAT IT WILL BE  
RECOGNIZED BY OUR SCANNER...  
THANK YOU



# LYNCH, GIULIANO & ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND AND HYDROGRAPHIC SURVEYORS  
 MARINE CONSULTING • ENVIRONMENTAL STUDIES • LAND PLANNERS  
 LANDSCAPE ARCHITECTS

John L. Wuestneck  
 Michael J. Giuliano  
 David G. Eareckson

0662-21

May 6, 2002

#### Registered Professional Staff:

Donald M. Abbott  
 Danny J. Barker  
 Eric R. Ballou  
 Frank J. Barlowski  
 Jeffrey J. Carr  
 Paul D. Cray  
 Frank R. DeSantis

Richard A. Finlay  
 Steven J. Lopes  
 Joshua W. Mihaly  
 Thomas Pianetti  
 Richard Picataggi  
 Andrew W. Raichle  
 Michael S. Sinnema  
 R. Niels Sperling

**DESCRIPTION OF 20.00 FOOT WIDE DRAINAGE EASEMENT  
 LOT 3.04, BLOCK 4  
 SITUATED IN  
PLAINSBORO TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY**

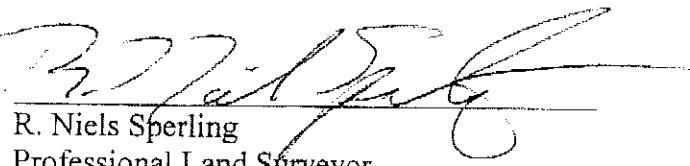
BEGINNING at a point on a curve of the easterly line, (36.00 feet from centerline), of Mapleton Road. Said point being an arc length of 11.68 feet, measured along said line of road, in a southerly direction, from its intersection with the municipal boundary line between South Brunswick and Plainsboro Township. Thence running the following two, 2, courses through Lot 3.04.

- 1) North 86 degrees 23 minutes 47 seconds East, 9.42 feet to a point; thence
- 2) South 71 degrees 38 minutes 27 seconds East, 398.40 feet to a point on the division line between Lots 3.04 and 3.05, Block 4; thence
- 3) South 15 degrees 27 minutes 24 seconds West, 25.06 feet along said division line to a point. Thence the following four, 4, courses through Lot 3.04, Block 4.
- 4) North 36 degrees 45 minutes 17 seconds West, 8.79 feet to a point; thence
- 5) North 71 degrees 38 minutes 27 seconds West, 383.55 feet to a point on a curve; thence
- 6) Along a curve to the right, in a southerly direction, having a radius of 3654.75 feet, an arc length of 106.14 feet, and a delta of 1 degree 39 minutes 51 seconds to a point; thence
- 7) North 60 degrees 38 minutes 41 seconds West, 20.00 feet to a point on a curve of the aforementioned line of Mapleton Road; thence

B05063P-873

8) Along said line of road on a curve to the left, in a northerly direction, having a radius of 3634.75 feet, an arc length of 118.96 feet and a delta of 1 degree 52 minutes 31 seconds, to the point and place of BEGINNING.

Containing 10,260 s.f.



R. Niels Sperling  
Professional Land Surveyor  
New Jersey License #27503

H:\WINWORD\06620021\DESC\DrainageEasemt Lot 3.04 B4.doc

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# LYNCH, GIULIANO & ASSOCIATES, INC.

CONSULTING ENGINEERS • LAND AND HYDROGRAPHIC SURVEYORS  
 MARINE CONSULTING • ENVIRONMENTAL STUDIES • LAND PLANNERS  
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0662-21

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**DESCRIPTION OF 20.00 FOOT WIDE DRAINAGE EASEMENT  
 LOT 3.04, BLOCK 4  
 SITUATED IN  
PLAINSBORO TOWNSHIP, MIDDLESEX COUNTY, NEW JERSEY**

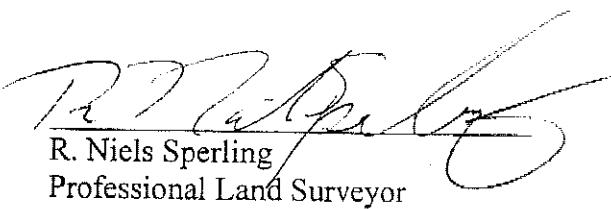
BEGINNING at a point on the division line between Lots 3.04 and 3.05, Block 4. Said point being South 15 degrees 27 minutes 24 seconds West, 628.19 feet measured along said division from its intersection with the municipal boundary line between South Brunswick and Plainsboro Township. Thence running:

- 1) South 15 degrees 27 minutes 24 seconds West, 29.80 feet continuing along said division line to a point. Thence the following eleven, 11, courses through said Lot 3.04, Block 4.
- 2) South 57 degrees 36 minutes 20 seconds West, 65.87 feet to a point; thence
- 3) North 30 degrees 22 minutes 07 seconds West, 174.02 feet to a point; thence
- 4) North 27 degrees 43 minutes 59 seconds West, 59.90 feet to a point; thence
- 5) North 08 degrees 30 minutes 12 seconds West, 119.72 feet to a point; thence
- 6) North 67 degrees 54 minutes 25 seconds West, 29.71 feet to a point; thence
- 7) North 23 degrees 10 minutes 01 seconds East, 20.00 feet to a point; thence
- 8) South 67 degrees 54 minutes 25 seconds East, 40.75 feet to a point; thence
- 9) South 08 degrees 30 minutes 12 seconds East, 127.74 feet to a point; thence
- 10) South 27 degrees 43 minutes 59 seconds East, 56.06 feet to a point; thence

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- 11) South 30 degrees 22 minutes 07 seconds East, 152.84 feet to a point; thence
- 12) North 57 degrees 36 minutes 20 seconds East, 67.25 feet to the point and place of BEGINNING.

Containing 8,939 s.f.



R. Niels Sperling  
Professional Land Surveyor  
New Jersey License #27503

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