

**BOUNDARY LINE AGREEMENT**

**THIS AGREEMENT** made this 17<sup>th</sup> day of October, 2013,

**BETWEEN DONALD HAINES and LINDA HAINES, His Wife,**  
residing at 215 Forge Road, West Creek, New Jersey 08092,  
parties of the first part;

**AND RAY CLARK and SHARON CLARK, His Wife,**  
residing at 390 Railroad Avenue, West Creek, New Jersey 08092,  
parties of the second part:

**WITNESSETH:**

**THAT WHEREAS,** the lands of the parties of the first part are described in a certain deed dated March 20, 2003, recorded May 23, 2003, in the Ocean County Clerk's Office in OR Book 11422 Page 1393, as follows:

See attached Schedule "A", and

**WHEREAS,** the lands of the parties of the second part are described in a certain deed dated June 15, 1967 recorded June 19, 1967, in the Ocean County Clerk's Office in Deed Book 2694 Page 17, as follows:

See attached Schedule "B", and

**WHEREAS** a controversy has arisen between the parties concerning title to a rectangular-shaped parcel of land lying between their respective lands, which said parcel may be described in accordance with a survey made by John M. Lis dated February 23, 2010, as follows:

See attached Schedule "C", and

**WHEREAS,** the parties of the second part are willing to relinquish any claim they may have to said rectangular-shaped parcel in the interest of achieving an amicable resolution of the controversy.

**NOW THEREFORE,** for and in consideration of the premises and the sum of One (\$1.00) Dollar and other good and valuable consideration mutually paid by each party to the other, the receipt whereof is hereby acknowledged, it is mutually agreed as follows:

1. The fourth (4th) course of the description of the rectangular-shaped parcel (South 38 degrees 04 minutes 25 seconds West 147.98 feet) shall serve as the common boundary line (see attached Schedule C above).

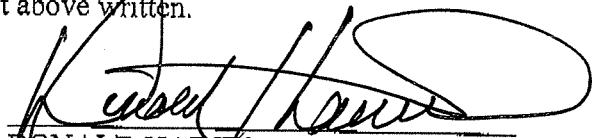
2. The parties of the first part hereby relinquish any claim they, their heirs, successors and assigns may have to any lands lying to the Northwest of the common boundary line.

3. The parties of the second part hereby relinquish any claim they, their heirs, successors and assigns may have to any lands lying to the Southeast of the common boundary line.

4. The lands of the parties of the first part may be described as follows in accordance with surveys made by John M. Lis, PLS, dated February 23, 2010, and September 9, 2013:

See attached Schedule "A" above.

**IN WITNESS WHEREOF**, the parties have set their hands and seals and caused these presents to be executed the day and year first above written.

  
DONALD HAINES

  
LINDA HAINES

  
RAY CLARK

  
SHARON CLARK

STATE OF NEW JERSEY, COUNTY OF OCEAN SS.:

I CERTIFY that on October 17, 2013,

DONALD HAINES and LINDA HAINES, His Wife,

personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this document; and
- (b) signed, sealed and delivered this document as his or her act and deed
- (c) made this Boundary Line Agreement for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

*Mariann G. Wesp*

MARIANN G. WESP  
NOTARY PUBLIC  
STATE OF NEW JERSEY  
MY COMMISSION EXPIRES APRIL 7, 2016

STATE OF NEW JERSEY, COUNTY OF OCEAN SS.:

I CERTIFY that on October 19<sup>th</sup>, 2013,

RAY CLARK and SHARON CLARK, His Wife,

personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this document; and
- (b) signed, sealed and delivered this document as his or her act and deed
- (c) made this Boundary Line Agreement for \$1.00 as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)

*Darlene V. Townsend*

DARLENE V. TOWNSEND  
Notary Public, State of New Jersey  
My Commission Expires  
June 24, 2018

## SCHEDULE A DESCRIPTION

ALL that certain tract, lot and parcel of land lying and being in the Township of Eagleswood, County of Ocean and State of New Jersey, being more particularly described as follows:

BEGINNING at a point along the northerly line of U.S. Route 9, said point being a distance of 398.70 feet along a course of South 38 degrees 06 minutes 00 seconds West from a point where the said U.S. Route 9 intersects with the westerly line of Cox Avenue running; thence

- (1) South 38 degrees 06 minutes 00 seconds West, a distance of 144.15 feet to a point; thence
- (2) North 45 degrees 55 minutes 00 seconds West, a distance of 200.00 feet to a point; thence
- (3) North 38 degrees 06 minutes 00 seconds East, a distance of 148.00 feet to a point; thence
- (4) South 44 degrees 48 minutes 25 seconds East, a distance of 200.00 feet to the point and place of BEGINNING.

**Note For Information Only:**

The land referred to in this Commitment is commonly known as Lot(s) 2 Block 26 on the Tax Map, Township of Eagleswood, in the County of Ocean.

SCHEDULE B

All that certain lot, tract or parcel of land and premises, situate, lying and being in the Village of West Creek, Township of Eagleswood, County of Ocean and State of New Jersey

Beginning at a point on the southwestern side line of the whole tract of which this is a part, the said point being distant 200 feet on a course of north 45 degrees 55 minutes west from a marble monument set in the northwest right of way line of New Jersey State Highway # 9 formerly Route # 4, and 15 feet from the center line of the same, the said marble monument being the beginning point of lands conveyed by William A. Brunell and Mabel Brunell, his wife to George Clark and Adelaide Clark, his wife by deed dated July 25th, 1958, recorded September 10th, 1958 in the Ocean County Clerk's Office in Book 1923 of Deeds page 254, and running thence (1) North 45 degrees 55 minutes West the distance of 326.09 feet to a stake in the former right of way line of the Tuckerton Railroad and running thence (2) North 51 degrees 15 Minutes East 154.02 feet along the former right of way of the Tuckerton Railroad and running thence (3) South 41 degrees 46 minutes 25 seconds East 292.94 feet to a point and running thence (4) South 38 degrees 6 minutes west 142 feet to the point or place of beginning.

Being a portion of the same premises conveyed by William A. Brunell and Mabel Brunell, his wife to George Clark and Adelaide Clark, his wife by deed dated July 25th, 1958, recorded September 10th, 1958, in the Ocean County Clerk's Office in Book 1923 of Deeds page 254.

SCHEDULE C

**LAND LINE SURVEYORS**

703 Mill Creek Road  
Unit F-1  
Manahawkin, NJ 08050  
(609) 978-0073  
FAX:(609) 978-1624  
landlinesurveyors@comcast.net

October 8, 2013

**AGREEMENT DESCRIPTION**

ALL THAT CERTAIN LOT, tract or parcel of land and premises situate, lying and being in the Township of Eagleswood, County of Ocean, and State of New Jersey, bounded and described as follows:

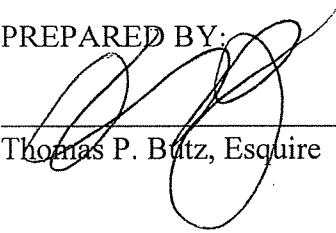
BEGINNING at a concrete monument found at the Southwesterly line of Lot 26, and from said point running:

- 1) South 45 degrees 55 minutes 00 seconds West, 1.31 feet to a point at the Southwesterly terminus of an agreement line; thence
- 2) Along said agreement line, North 38 degrees 06 minutes 00 seconds East, 148.05 feet to a point at the Northeasterly terminus of said agreement line; thence
- 3) South 44 degrees 28 minutes 26 seconds East, 1.26 feet to a monument found; thence
- 3) South 38 degrees 04 minutes 25 seconds West, 147.98 feet the POINT AND PLACE OF BEGINNING.

JOHN M. LIS,  
**Professional Land Surveyor**

# DEED

PREPARED BY:

  
\_\_\_\_\_  
Thomas P. Butz, Esquire

This Deed is made on **SEPTEMBER 6**, 2013

**BETWEEN DONALD HAINES and LINDA HAINES, His Wife**

whose address is **215 Forge Road, West Creek, NJ 08092**

Referred to as Grantor

**AND SMITH & DALEY ASSOCIATES, LLC.**

whose address is **1967 Bricksburg Ct Toms River NJ 08755**

Referred to as Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

**Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of **TWO HUNDRED FIFTY THOUSAND and no/100 (\$250,000.00 ) DOLLARS**. The Grantor acknowledges receipt of this money.

**Tax Map Reference.** (N.J.S.A. 46:15-1.1)

\_\_\_\_\_ No property tax identification number is available on the date of this Deed. (Check box if applicable)

Municipality of the Township of **Eagleswood**, Block No. **26** Lot No. **2** a/k/a **387 Rt. 9, Eagleswood, NJ**

**Property.** The property consists of the land and all the buildings and structures on the land in the Township of **Eagleswood**, County of **Ocean** and State of **New Jersey**. The legal description is:

**SEE ATTACHED SCHEDULE A - Description.**

**SUBJECT** to easements and restrictions of record.

**BEING** the same premises conveyed to the Grantors herein by deed from **William Edwards and Rita K. Edwards**, husband and wife, dated **March 20, 2003**, recorded **May 22, 2003**, in Deed Book **11422**, Page **1393** in the **Ocean County Clerk's Office**.

**Promises by Grantor.** The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

*Signatures.* The Grantor signs this Deed as of the date at the top of the first page.


Witness:

Mariann G Wesp

  
DONALD HAINES

Witness:

Mariann G Wesp

  
LINDA HAINES

STATE OF NEW JERSEY, COUNTY OF OCEAN : SS.:

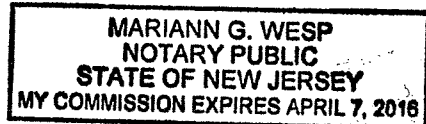
I CERTIFY that on **SEPTEMBER 6, 2013**

DONALD HAINES AND LINDA HAINES, His Wife

Personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached deed;
- (b) executed this deed as his or her own act; and,
- (c) made this Deed for **\$ 250,000.00** as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.)





Record and Return to:

KRISTEN WILSON NEUMANN, LLC  
128 BARTLETT AVE., PO BOX 36  
WEST CREEK, NJ 08092