

SCHEDULE A

4088 Bk: 02993 Pg: 003.

02

RECORD AND RETURN:

Dennis R. McConnell, Esq.
McConnell, Lenard & Griggs, Esqs.
4 Waterloo Road, Box 111
Stanhope, New Jersey 07874

Prepared by:

Gregg D. Trautmann, Esq.

DEED

REC'D & RECORDED
12/08/2005 09:46:20AM
ERMA GORMLEY
SUSSEX COUNTY CLERK
NEWTON, NJ

This Deed is made on September 23, 2003

BETWEEN

Nicholas Colavito, Executor of the Estate of Edward B. Flick

whose address is 15 Commerce Boulevard, Suite 301, Succasunna, New Jersey 07876

referred to as the Grantor,

AND

Kathleen Smith, unmarried,

whose address is about to be 46 W. River Styx Road, Hopatcong, New Jersey

referred to as the 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 ONE DOLLAR (\$1.00). The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-2.1) Municipality of the Borough of Hopatcong, County of Sussex and State of New Jersey being known and designated as Lot No. 13 and Block No. 30702. The legal description is:

See attached description

LAW OFFICES
ANN, VERES & LUTHER, LLC
101 EAST MAIN STREET
KAWAY, NJ 07866
973-316-8100

Consideration : \$1.00		Exempt Code: E Date: 12/08/2005			
County	State	N.P.N.R.F	Public	Extra	Total
0.00	0.00	0.00	0.00	0.00	0.00
General = 0.00		1% Tax = 0.00			

DBK 2993-332

Rec. 12/8/05

DESCRIPTION

ALL that tract or parcel of land and premises, situate, lying and being in the Borough of Hopatcong in the County of Sussex and the State of New Jersey, more particularly described as follows:

BEING designated as Lot No. 97 in Block "A" on the arm of River Styx as designated on a map of lands of the Byram Cove Land Company made by W.E. King, C.E. in June 1891 and being at a point in high water mark line of said River Styx in Lake Hopatcong being the Northwesterly corner in common Lots Nos. 97 & 98 and runs thence Southeasterly along the dividing line of said Lots 209 feet more or less to a point in the center line of a street designated on said map, which is now West River Styx Road, thence

- (2) along the center line of said street Northeasterly 100 feet to a corner common to Lots Nos. 96 & 97, thence
- (3) along the dividing line of said last named Lots Northwesterly 240 feet more or less to the corner in common of Lots Nos. 96 & 97 in high water mark line of Lake Hopatcong, thence
- (4) Southwesterly along said high water mark line, 104 feet more or less to the place of **BEGINNING**. Excepting one-half the width of said street along the second line of this Lot.

LAW OFFICES
MANN, VERES & LUTHER, LLC
EAST MAIN STREET
OKAWAY, NJ 07866
973-316-8100

STATE OF NEW JERSEY
A DAVIT CONSIDERATION OR EXEMPT
 (c. 49, P.L. 1968)
 OR
PARTIAL EXEMPTION
 (c. 176, P.L. 1975)

To Be Recorded With Deed Pursuant to c. 49, P.L. 1968, as amended by c. 225, P.L. 1985 (N.J.S.A. 46:15-5 et seq.)

FOR RECORDER'S USE ONLY	
Consideration \$	<u>0</u>
Realty Transfer Fee \$	<u>0</u>
Date	<u>12-8-05</u> By <u>NR</u>

*Use symbol "C" to indicate that fee is exclusively for county use.

STATE OF NEW JERSEY }
 COUNTY OF Morris } ss.

(1) PARTY OR LEGAL REPRESENTATIVE (See Instructions #3, 4 and 5 on reverse side)

Deponent, NICHOLAS COLAVITO (Name), being duly sworn according to law upon his/her oath deposes and says that he/she is the GRANTOR in a deed dated 9/23/03 transferring real property identified as Block No. 30702 Lot No. 13 located at 46 W. RIVER STYX RD., HOPATCONG, SUSSEX COUNTY and annexed hereto.

(2) CONSIDERATION (See Instruction #6)

Deponent states that, with respect to deed hereto annexed, the actual amount of money and the monetary value of any other thing of value constituting the entire compensation paid or to be paid for the transfer of title to the lands, tenements or other realty, including the remaining amount of any prior mortgage to which the transfer is subject or which is to be assumed and agreed to be paid by the grantee and any other lien or encumbrance thereon not paid, satisfied or removed in connection with the transfer of title is \$ 1.00

(3) FULL EXEMPTION FROM FEE

Deponent claims that this deed transaction is fully exempt from the realty transfer fee imposed by c. 49, P.L. 1968, for the following reason(s): Explain in detail. (See Instruction #7.) Mere reference to exemption symbol is not sufficient.
CONSIDERATION < \$100.00

(4) PARTIAL EXEMPTION FROM FEE

NOTE: All boxes below apply to grantor(s) only. ALL BOXES IN APPROPRIATE CATEGORY MUST BE CHECKED. Failure to do so will void claim for partial exemption. (See Instructions 8 and 9.)

Deponent claims that this deed transaction is exempt from the increased portion of the Realty Transfer Fee imposed by c. 176, P.L. 1975 for the following reason(s):

A. SENIOR CITIZEN (See Instruction #8)		<input type="checkbox"/> Owned and occupied by grantor(s) at time of sale.
<input type="checkbox"/> Grantor(s) 62 yrs. of age or over.*	<input type="checkbox"/> One or two-family residential premises.	<input type="checkbox"/> No joint owners other than spouse or other qualified exempt owners.
B. BLIND (See Instruction #8)		DISABLED (See Instruction #8)
<input type="checkbox"/> Grantor(s) legally blind.*	<input type="checkbox"/> One or two-family residential premises.	<input type="checkbox"/> Grantor(s) permanently and totally disabled.*
<input type="checkbox"/> Owned and occupied by grantor(s) at time of sale.	<input type="checkbox"/> No joint owners other than spouse or other qualified exempt owners.	<input type="checkbox"/> One or two-family residential premises.
<small>IN THE CASE OF HUSBAND AND WIFE, ONLY ONE GRANTOR NEED QUALIFY</small>		<input type="checkbox"/> Receiving disability payments.
C. LOW AND MODERATE INCOME HOUSING (See Instruction #8)		<input type="checkbox"/> Owned and occupied by grantor(s) at time of sale.
<input type="checkbox"/> Affordable According to H.U.D. Standards.	<input type="checkbox"/> Meets Income Requirements of Region.	<input type="checkbox"/> Not gainfully employed.
<input type="checkbox"/> Reserved for Occupancy.	<input type="checkbox"/> Subject to Resale Controls.	<input type="checkbox"/> No joint owners other than spouse or other qualified exempt owners.
D. NEW CONSTRUCTION (See Instruction #9)		
<input type="checkbox"/> Entirely new improvement.	<input type="checkbox"/> Not previously used for any purpose.	<input type="checkbox"/> Not previously occupied.

Deponent makes this Affidavit to induce the County Clerk or Register of Deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of c. 49, P.L. 1968.

Subscribed and Sworn to before me this 23rd day of September 2003

Nicholas Colavito Name of Deponent
Nicholas Colavito Name of Grantor
15 Commerce Blvd Suite 300 Address of Deponent
MECAQUONAS NJ 07876 Address of Grantor at Time of Sale

Gregg D Trautman
 Attorney of NJ

FOR OFFICIAL USE ONLY	
This space for use of County Clerk or Register of Deeds.	
Instrument Number	<u>74058</u> County <u>Sussex</u>
Deed Number	Book _____ Page _____
Deed Dated	<u>9-23-03</u> Date Recorded <u>12-8-05</u>

WHITE AND YELLOW COPIES MUST BE SUBMITTED WITH DEED TO COUNTY RECORDING OFFICER



State of New Jersey
**WAIVER OF SELLER'S FILING REQUIREMENT OF
 GIT/REP FORMS AND PAYMENT**
 (C.55, P.L. 2004)

GIT/REP-4
 (1)

(Please Print or Type)

OWNER(S) INFORMATION

Name(s)

Estate of Edward B. Flick

Street Address:

46 West River Styx Road

City, Town, Post Office

Hopatcong

NJ

State

07843

Zip Code

PROPERTY INFORMATION (Brief Property Description)

Block(s)

30702

Lot(s)

13

Qualifier

Street Address:

46 West River Styx Road

City, Town, Post Office

Borough of Hopatcong

NJ

State

07843

Zip Code

DIVISION OF TAXATION WAIVER DECLARATION

This waiver form with the raised seal of the New Jersey Division of Taxation at the bottom right hand corner may be presented to the appropriate county recording officer for recording along with the deed of the owner as identified in the information above. This form represents that the Division of Taxation has granted a waiver of the requirement that the grantor/seller/transferor of the subject real property named herein need not file a GIT/REP-1, GIT/REP-2 or GIT/REP-3 form or pay any tax on estimated gain from the transfer pursuant P.L. 2004, c. 55, and that the county recording officer is hereby authorized to accept this waiver form in lieu of any other GIT/REP form without payment of any tax on estimated income gain.

By affixing the Seal of the Director, Division of Taxation, this date

Nov. 21, 2005

(date)

the Division of Taxation has authorized this waiver.

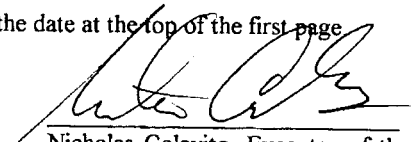
Being the same premises originally acquired by Edward B. Flick and Marjorie Flick, his wife, by deed from George A. Kurtz and Gisela Kurtz, his wife, dated 12/10/75 and recorded 12/15/75 in the Sussex County Clerk's Office in Deed Book 966 Page 146.

Said Marjorie Flick died 9/16/99 leaving Edward B. Flick as surviving tenant by the entirety.

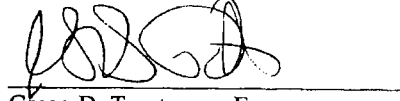
Said Edward B. Flick died testate on 8/26/00 leaving a Will dated 7/21/00 and probated in the Sussex County Surrogate's Office. Nicholas Colavito was appointed Executor with full power of sale.

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 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


Nicholas Colavito, Executor of the Estate of Edward B. Flick

Witnessed or Attested by:

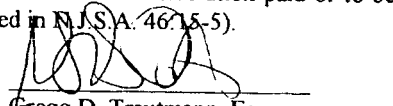

Gregg D. Trautmann, Esq.
Attorney at Law - State of New Jersey

STATE OF NEW JERSEY, COUNTY OF MORRIS

I CERTIFY that on September 23, 2003

Nicholas Colavito, Executor of the Estate of Edward B. Flick, personally came before me and acknowledged under oath, to my satisfaction, that this person(s):

- (a) are named in and personally signed this Deed.
- (b) signed, sealed and delivered this Deed as their act and deed; and
- (c) made this Deed 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).


Gregg D. Trautmann, Esq.
Attorney at Law - State of New Jersey

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