

BOARD OF SUPERVISORS OF LOWER NAZARETH TOWNSHIP
NORTHAMPTON COUNTY, PENNSYLVANIA

RESOLUTION No. CNT. 24-09

WHEREAS, under the Authority of the Act of May 1, 1933, P.L. 103, Article XI, Section 1140, as amended (53 P.S. Section 66140, as amended) and of the Act of May 1, 1933, P.L. 103, Section 1140, as amended (53 P.S. Section 66140, as amended), the Supervisors of Lower Nazareth Township in the exercise of their official duties, may from time to time accept certain dedicated roads, streets and alleys in Lower Nazareth Township as part of the public road system of said Township, and

WHEREAS, Toll PA, LP, by its Indenture dated the 10th day of December, 2009, conveyed all of its right, title and interest in a certain tract of land situated in Lower Nazareth Township, County of Northampton, and Commonwealth of Pennsylvania. Said Deed of Dedication shall be recorded in the Office for the Recording of Deeds in and for Northampton County, Pennsylvania, further bounded and described in Exhibit "A", attached hereto and made a part hereof.

NOW, THEREFORE, be it resolved that the Board of Supervisors of Lower Nazareth Township accept the aforesaid dedicated right-of-way as part of the public highway system of Lower Nazareth Township, and

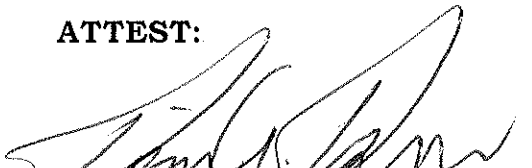
FURTHER, BE IT RESOLVED, that a certain copy of this Resolution together with a draft or survey of same showing location and width thereof, be filed and recorded in the Office of the Clerk of Court of Quarter Sessions of Northampton County (now Clerk of Criminal Courts of Northampton County), Pennsylvania.

DULY PASSED AND RESOLVED This 16 day of December, 2009.

**BOARD OF SUPERVISORS
LOWER NAZARETH TOWNSHIP**

BY: 
DR. ALAN DILSAVER, Chairman

ATTEST:


TIMM TENGES, Secretary

I HEREBY CERTIFY that I am the Secretary of the Board of Supervisors of Lower Nazareth Township and that the foregoing is a true and correct copy of a Resolution passed on the 16 day of December, 2009, at a Regular Meeting of said Board.


TIMM TENGES, Secretary

DEED OF DEDICATION

THIS INDENTURE, Made this 10 day of December, 2009.

BETWEEN: TOLL PA, LP, a Pennsylvania limited partnership, with principal offices located at P.O. Box 4002, Clinton, New Jersey, 08809-4002, Party of the First Part, (hereinafter called "GRANTOR");

A
N
D

TOWNSHIP OF LOWER NAZARETH, Northampton County, Pennsylvania, Party of the Second Part, (hereinafter called the "GRANTEE").

W I T N E S S E T H :

That the said Grantor, for and in consideration of the advantage to it accruing well as for divers other considerations affecting the public welfare which it seeks to advance, has granted, bargained, sold, aliened, enfeoffed, released and confirmed and by these presents does grant, bargain, sell, alien, enfeoff, release and confirm unto the said Grantee, its successors and assigns:

Exhibit "A" - West Greomar Road

Exhibit "B" - Briarwood Drive

Exhibit "C" - Homestead Drive

Exhibit "D" - Rockbridge Road

Exhibit "A"

Metes and Bounds Description
West Greinar Road
Lower Nazareth Township, Northampton County, Pennsylvania

ALL THAT CERTAIN lot or tract of land situated in Lower Nazareth Township, Northampton County, Pennsylvania, being identified as West Greinar Road as shown on a plan entitled "Final Plan Record Subdivision Plan for Foxwood Farms" prepared by Van Cleef Engineering Associates of Bethlehem, PA, dated September 22, 2003 last revised September 3, 2004, recorded in Plan Book 2004-5 on page 67 1, and being more particularly described as follows:

BEGINNING at a point on the northerly sideline of West Greinar Road at its intersection with the easterly sideline of Newburg Road (SR 3020), and from said point running:

thence (1) along the aforementioned northerly sideline of West Greinar Road, North $38^{\circ}31'21''$ East, a distance of 251.55 feet to a point of curvature;

thence (2) still along the northerly sideline of West Greinar Road, on a curve to the right having a radius of 330.00 feet, an arc length of 233.87 feet, a delta of $40^{\circ}36'18''$ and whose chord bears North $58^{\circ}49'30''$ East, a distance of 229.00 feet to a point of tangency;

thence (3) still continuing along the northerly sideline of West Greinar Road, North $79^{\circ}07'39''$ East, a distance of 140.00 feet to a point;

thence (4) crossing West Greinar Road, South $10^{\circ}52'21''$ East, a distance of 60.00 feet to a point;

thence (5) along the southerly sideline of West Greinar Road, South $79^{\circ}07'39''$ West, a distance of 140.00 feet to a point of curvature;

thence (6) still along the southerly sideline of West Greinar Road, on a curve to the left having a radius of 270.00 feet, an arc length of 191.35 feet, a delta of $40^{\circ}36'18''$ and whose chord bears South $58^{\circ}49'30''$ West, a distance of 187.37 feet to a point of tangency;

thence (7) still continuing along the southerly sideline of West Greinar Road, South $38^{\circ}31'21''$ West, a distance of 41.73 feet to a point of curvature;

thence (8) still continuing along the southerly sideline of West Greinar Road, on a curve to the left having a radius of 200.00 feet, an arc length of 39.03 feet, a delta of $11^{\circ}10'56''$ and whose chord bears South $32^{\circ}55'53''$ West, a distance of 38.97 feet to a point of tangency;

thence (9) still continuing along the southerly sideline of West Greinar Road, South $27^{\circ}20'25''$ West, a distance of 130.95 feet to a point of curvature;

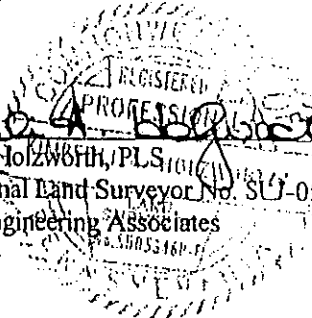
thence (10) still continuing along the southerly sideline of West Greinar Road, on a curve to the left having a radius of 50.00 feet, an arc length of 69.00 feet, a delta of $79^{\circ}04'01''$ and whose chord bears South $12^{\circ}11'36''$ East, a distance of 63.65 feet to a point of tangency;

thence (11) along the northerly ultimate right of way of Newburg Road (SR 3020), on a curve to the left having a radius of 5769.65 feet, an arc length of 138.48 feet, a delta of $01^{\circ}22'31''$ and whose chord bears North $52^{\circ}24'52''$ West, a distance of 138.48 feet to the POINT OF BEGINNING.

Containing a calculated area of 40,071 square feet or 0.920 acres

IT BEING PART OF THE SAME PREMISES more particularly described in Deed Book Volume 2003-1, Page 523404.

UNIFORM PARCEL IDENTIFIER NO.: K9-19-19

A circular seal for a Professional Land Surveyor in Pennsylvania. The seal contains the text "REGISTERED PROFESSIONAL LAND SURVEYOR" around the perimeter and "PA PROFESSIONAL LAND SURVEYOR NO. SU-053468-E" in the center. The seal is partially obscured by a signature and a date.
Kimberli A. Holzworth 5-14-09
Kimberli A. Holzworth, PLS
PA Professional Land Surveyor No. SU-053468-E
Van Cleeve Engineering Associates
July 29, 2006

Metes and Bounds Description
Briarwood Drive
Lower Nazareth Township, Northampton County, Pennsylvania

ALL THAT CERTAIN lot or tract of land situated in Lower Nazareth Township, Northampton County, Pennsylvania, being identified as Briarwood Drive as shown on a plan entitled "Final Plan Record Subdivision Plan for Foxwood Farms" prepared by Van Cleef Engineering Associates of Bethlehem, PA, dated September 22, 2003 last revised September 3, 2004, recorded in Plan Book 2004-5 on page 671, and being more particularly described as follows:

BEGINNING at a point on the northeasterly sideline of Rockbridge Road at its intersection with the northwesterly sideline of Briarwood Drive, and from said point running;

thence (1) along the aforementioned northwesterly sideline of Briarwood Drive, on a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet, a tangent of 25.00 feet, a delta of $90^{\circ}00'00''$ and whose chord bears North $82^{\circ}01'03''$ East, a distance of 35.36 feet to a point of tangency;

thence (2) still along the northwesterly sideline of Briarwood Drive, North $37^{\circ}01'03''$ East, a distance of 27.70 feet to a point of curvature;

thence (3) still along the northwesterly sideline of Briarwood Drive, on a curve to the right having a radius of 225.00 feet, an arc length of 165.37 feet, a tangent of 86.62 feet, a delta of $42^{\circ}06'36''$ and whose chord bears North $58^{\circ}04'21''$ East, a distance of 161.67 feet to a point of tangency;

thence (4) along the northerly sideline of Briarwood Drive, North $79^{\circ}07'39''$ East, a distance of 131 7.46 feet to a point;

thence (5) along the easterly sideline of Briarwood Drive with TMP K7-19-18, South $08^{\circ}36'07''$ East, a distance of 50.04 feet to a point;

thence (6) along the southerly sideline of Briarwood Drive, South $79^{\circ}07'39''$ West, a distance of 131 5.47 feet to a point a point of curvature;

thence (7) along the southwesterly sideline of Briarwood Drive, on a curve to the left having a radius of 175.00 feet, an arc length of 128.62 feet, a tangent of 67.37 feet, a delta of $42^{\circ}06'36''$ and whose chord bears South $58^{\circ}04'21''$ West, a distance of 125.74 feet to a point of tangency;

thence (8) still along the southwesterly sideline of Briarwood Drive, South $37^{\circ}01'03''$ West, a distance of 27.70 feet to a point of curvature;

thence (9) still continuing along the southwesterly sideline of Briarwood Drive, on a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet, a tangent of 25.00 feet, a delta of $90^{\circ}00'00''$ and whose chord bears South $07^{\circ}58'57''$ East, a distance of 35.36 feet to a point of tangency on the northeasterly sideline Rockbridge Road;

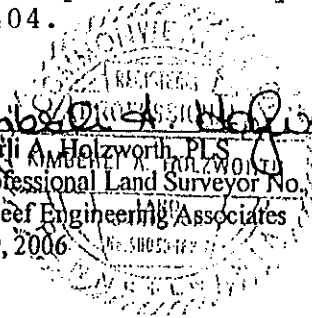
thence (10) along the aforementioned northeasterly sideline of Rockbridge Road as it follows the westerly sideline of Briarwood Drive, North 52°58'57" West, a distance of 100.00 feet to the POINT OF BEGINNING.

Containing a calculated area of 76,076 square feet or 1.747 acres

IT BEING PART OF THE SAME PREMISES more particularly described in Deed Book Volume 2003-1, Page 523404.

UNIFORM PARCEL IDENTIFIER
NO.: K9-19-19

Kimberly A. Holzworth 5.14.09
Kimberly A. Holzworth, PLS
PA Professional Land Surveyor No. SU-053468-E
Van Cleef Engineering Associates
July 29, 2006



Metes and Bounds Description
Homestead Drive
Lower Nazareth Township, Northampton County, Pennsylvania

ALL THAT CERTAIN lot or tract of land situated in Lower Nazareth Township, Northampton County, Pennsylvania, being identified as Homestead Drive as shown on a plan entitled "Final Plan Record Subdivision Plan for Foxwood Farms" prepared by Van Cleef Engineering Associates of Bethlehem, PA, dated September 22, 2003 last revised September 3, 2004, recorded in Plan Book 2004-5 on page 671, and being more particularly described as follows:

BEGINNING at a point on the northeasterly sideline of Rockbridge Road at its intersection with the northwesterly sideline of Homestead Drive, and from said point running:

thence (1) along the aforementioned northwesterly sideline of Homestead Drive, on a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet, a tangent of 25.00 feet, a delta of $90^{\circ}00'00''$ and whose chord bears North $82^{\circ}01'03''$ East, a distance of 35.36 feet to a point of tangency;

thence (2) still along the northwesterly sideline of Homestead Drive, North $37^{\circ}01'03''$ East, a distance of 27.93 feet to a point of curvature;

thence (3) still along the northwesterly sideline of Homestead Drive, on a curve to the right having a radius of 225.00 feet, an arc length of 165.37 feet, a tangent of 86.62 feet, a delta of $42^{\circ}06'36''$ and whose chord bears North $58^{\circ}04'21''$ East, a distance of 161.67 feet to a point of tangency;

thence (4) along the northerly sideline of Homestead Drive, North $79^{\circ}07'39''$ East, a distance of 1792.95 feet to a point;

thence (5) along the easterly sideline of Homestead Drive with TMP K7-19-18, South $08^{\circ}36'07''$ East, a distance of 50.04 feet to a point;

thence (6) along the southerly sideline of Homestead Drive, South $79^{\circ}07'39''$ West, a distance of 1790.97 feet to a point a point of curvature;

thence (7) along the southwesterly sideline of Homestead Drive, on a curve to the left having a radius of 175.00 feet, an arc length of 128.62 feet, a tangent of 67.37 feet, a delta of $42^{\circ}06'36''$ and whose chord bears South $58^{\circ}04'21''$ West, a distance of 125.74 feet to a point of tangency;

thence (8) still along the southwesterly sideline of Homestead Drive, South $37^{\circ}01'03''$ West, a distance of 27.93 feet to a point of curvature;

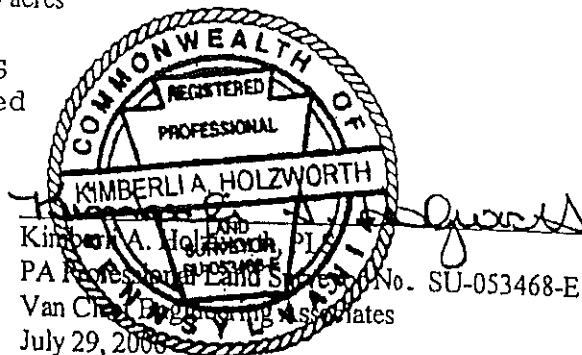
thence (9) still continuing along the southwesterly sideline of Homestead Drive, on a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet, a tangent of 25.00 feet, a delta of $90^{\circ}00'00''$ and whose chord bears South $07^{\circ}58'57''$ East, a distance of 35.36 feet to a point of tangency on the northeasterly sideline Rockbridge Road;

thence (10) along the aforementioned northeasterly sideline of Rockbridge Road as it follows the westerly sideline of Homestead Drive, North 52°58'57" West, a distance of 100.00 feet to the POINT OF BEGINNING.

Containing a calculated area of 99,862 square feet or 2.293 acres

IT BEING PART OF THE SAME PREMISES more particularly described in Deed Book Volume 2003-1, Page 523404.

UNIFORM PARCEL IDENTIFIER NO.:
K9-19-19



Metes and Bounds Description
Rockbridge Road
Lower Nazareth Township, Northampton County, Pennsylvania

ALL THAT CERTAIN lot or tract of land situated in Lower Nazareth Township, Northampton County, Pennsylvania, being identified as Rockbridge Road as shown on a plan entitled "Final Plan Record Subdivision Plan for Foxwood Farms" prepared by Van Cleef Engineering Associates of Bethlehem, PA, dated September 22, 2003 last revised September 3, 2004, recorded in Plan Book 2004-5 on page 671, and being more particularly described as follows:

BEGINNING at a point on the westerly sideline of Rockbridge Road at its intersection with the southerly sideline of West Greemar Road, and from said point running:

thence (1) along the northerly sideline of Rockbridge Road with the southerly sideline of West Greemar Road, North $79^{\circ}07'39''$ East, a distance of 100.00 feet to a point;

thence (2) along the easterly sideline of Rockbridge Road, on a curve to the left (non-radial to the prior course) having a radius of 25.00 feet, an arc length of 39.27 feet, a tangent of 25.00 feet, a delta of $90^{\circ}00'00''$ and whose chord bears South $34^{\circ}07'39''$ West, a distance of 35.36 feet to a point of tangency;

thence (3) still along the easterly sideline of Rockbridge Road, South $10^{\circ}52'21''$ East, a distance of 92.84 feet to a point of curvature;

thence (4) still continuing along the easterly sideline of Rockbridge Road, on a curve to the left having a radius of 275.00 feet, an arc length of 202.11 feet, a tangent of 105.87 feet, a delta of $42^{\circ}06'36''$ and whose chord bears South $31^{\circ}55'39''$ East, a distance of 197.60 feet to a point of tangency;

thence (5) along the northeasterly sideline of Rockbridge Road, South $52^{\circ}58'57''$ East, a distance of 1346.06 feet to a point of curvature;

thence (6) still along the northeasterly sideline of Rockbridge Road, on a curve to the left having a radius of 875.00 feet, an arc length of 147.80 feet, a tangent of 74.08 feet, a delta of $09^{\circ}40'41''$ and whose chord bears South $57^{\circ}49'17''$ East, a distance of 147.62 feet to a point of tangency;

thence (7) still continuing along the northeasterly sideline of Rockbridge Road, South $62^{\circ}39'38''$ East, a distance of 438.82 feet to a point;

thence (8) along the easterly sideline of Rockbridge Road, South $07^{\circ}53'13''$ West, a distance of 53.03 feet to a point;

thence (9) along the southwesterly sideline of Rockbridge Road, North $62^{\circ}39'38''$ West, a distance of 456.48 feet to a point of curvature;

thence (10) still along the southwesterly sideline of Rockbridge Road, on a curve to the right having a radius of 925.00 feet, an arc length of 156.24 feet, a tangent of 78.31 feet, a delta of 09°40'41" and whose chord bears North 57°49'17" West, a distance of 156.06 feet to a point of tangency;

thence (11) still continuing along the southwesterly sideline of Rockbridge Road, North 52°58'57" West, a distance of 1346.06 feet to a point of curvature;

thence (12) still continuing along the southwesterly sideline of Rockbridge Road, on a curve to the right having a radius of 325.00 feet, an arc length of 238.86 feet, a tangent of 125.11 feet, a delta of 42°06'36" and whose chord bears North 31°55'39" West, a distance of 233.52 feet to a point of tangency;

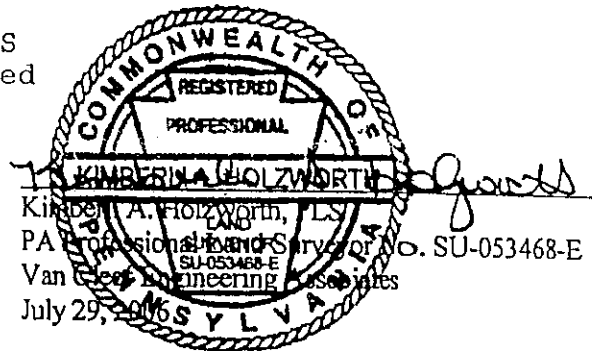
thence (13) along the westerly sideline of Rockbridge Road, North 10°52'21" West, a distance of 92.84 feet to a point of curvature;

thence (14) still along the westerly sideline of Rockbridge Road, on a curve to the left having a radius of 25.00 feet, an arc length of 39.27 feet, a tangent of 25.00 feet, a delta of 90°00'00" and whose chord bears North 55°52'21" West, a distance of 35.36 feet to the POINT OF BEGINNING.

Containing a calculated area of 114,471 square feet or 2.628 acres

IT BEING PART OF THE SAME PREMISES
more particularly described in Deed
Book Volume 2003-1, Page 523404.

UNIFORM PARCEL IDENTIFIER NO.:
K9-19-19



TO HAVE AND TO HOLD the said lots or pieces of ground above described unto the said Grantee, to and for the only proper use and behalf of the said Grantee, its successors and assigns forever as and for public streets and highways and for no other use or purpose whatsoever and to the same extent and with the same effect as if the said streets had been opened by a Decree of the Court of Quarter Sessions of the Peace for the County of Northampton, after proceedings duly had for that purpose under and in pursuance of the Road Laws of the Commonwealth of Pennsylvania.

And the said Grantor, for itself, its successors and assigns, by these presents covenants, promises and agrees to and with the said Grantee, its successors and assigns, that neither the Grantor nor its successors and assigns, shall nor will at any time thereafter, ask, demand or recover or receive of or from the said Grantee, its successors and assigns any sum or sums of money as and for damages for or by reason of the physical grading of said streets to the grade as now established by the Board of Supervisors of the Township of Lower Nazareth, Grantee, and if such grade shall not be established at the day of the date of these presents that neither the said Grantor, nor its successors and assigns, shall nor will at any time thereafter ask, demand, recover, or receive any such damage by reason of the physical grading of said streets to conform to the grade as first thereafter established or confirmed by the said Board of Supervisors of the Township of Lower Nazareth, Grantee.

And the said Grantor, for itself, its successors and assigns, does by these presents further covenant, promise and agree to and with said Grantee, its successors and assigns, that the said lots of ground above described unto the said Grantee, its successors and assigns, against it, the said Grantor, its successors and assigns, and against all and any persons or person whomsoever lawfully claiming or to claim the same or any part thereof, by, from or under him or them or any of them shall and will warrant and forever defend.

This being a conveyance of public streets to a Second Class Township, pursuant to the Second Class Township Code, no realty transfer taxes apply.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal the day and year first above written.

TOLL PA, LP

ATTEST:

Sherry Cooper

BY: James A Majewski Jr
James A MAJEWski JR
SR. V. P.

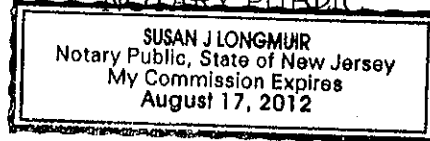
STATE OF NEW JERSEY
COUNTY OF HUNTERDON

} SS:

On this, the 10th day of DECEMBER, 2009, before me, the undersigned officer, personally appeared JAMES A MAJEWski JR, who acknowledged himself to be the SR. VICE PRES of Toll PA, LP, a Pennsylvania limited partnership, and that he, as such SR VICE PRES, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the company by himself as SR VICE PRES.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Susan Longmuir
NOTARY PUBLIC



I HEREBY CERTIFY THAT The correct address of the Grantee is 306 Butztown Road, Bethlehem, Pennsylvania 18020-9684.

Gary Neil Astek
GARY NEIL ASTEAK, ESQUIRE