

RESOLUTION OF THE JOINT PLANNING AND ZONING BOARD OF
OF THE BOROUGH OF CLEMENTON, STATE OF NEW JERSEY

Grant of Final Site Plan Approval

RESOLUTION #2005-24

APPLICANT: Mount Carmel Land Company, LLC
401 Cooper Landing Road, Suite C-25
Cherry Hill, New Jersey 08002

PROPERTY LOCATION: Brand Avenue and White Horse Pike

TAX MAP DESIGNATION: Block 59, Lots 1.0181 through 1.0300, Block 60, Lot 13

PROPERTY DESCRIPTION: Approximately 12 acres to be developed for age restricted housing

ACTION REQUESTED: Application for Final Site Plan Approval

APPEARANCES:

1. Mr. Kevin DiMedio, Esquire
2. Mr. Gabriel DiMedio, agent for applicant (President)
3. Mr. Brian Mitchell, PE, of Sickels & Associates, Inc. – Engineer for Applicant
4. Mr. David Shropshire, Traffic Consultant for Applicant
5. Mr. Wayne Lucas – Architectural Consultant for Applicant
6. Mr. David Paintin, Engineer from Churchill Engineering – Engineers for the Borough of Clementon
7. Joseph Todd 536 Berlin Road

EXHIBITS/EVIDENCE:

Exhibit 1" -
Plan prepared by Mr. Brian Mitchell, P.E. of Sickels & Associates, Inc. dated 05/05/05, revised on 10/31/05, 18 pages (1 through 17 with a 4A) number of pages (hereinafter the "Plan").

Exhibit 2" -
Report by Churchill Consulting Engineers, William F. Fleming, Jr., P.E., dated November 9, 2005.

DATE OF HEARING: November 10, 2005

FINDINGS OF FACT:

1. Due notice to the public and surrounding properties having been previously provided and no new notice being required for this application, this matter properly came before the Planning/Zoning Board for consideration on November 10, 2005. Applicant previously received Use variance and preliminary site plan approval and final subdivision approval on May 26, 2005 which approvals were memorialized in Resolutions 2005-09 and 2005-10.
2. The property has received an L.O.I. delineation approval from the State of New Jersey, but applicant is applying for amendments thereto.
3. Mr. DiMedio stated that they are already committed for a bond deal for the pumping station and shall post a performance bond with the Borough prior to commencement of any work.
4. Mr. Mitchell stated that there are some areas in the borough's system where applicant would tie into, and applicant agrees to upgrade those in accordance with existing Borough study thereof. Mr. Mitchell stated that all such studies and improvements would be at the applicant's sole cost and expense.
5. There's going to be a deed restriction with every unit sold to any particular owner that no one under 55 can occupy these units.
6. There will be no school children permitted in the proposed community.
7. Home Owners Association (hereinafter the "HOA") will be created and shall be responsible for plowing, lawn service and overall maintenance of the common areas, driveways, sidewalks etc. Association will contract with a snow removal contractor to handle large amounts of snow so that accumulated snow does not inhibit the free flow of traffic on the site and does not inhibit access for fire and other safety issues. The HOA will be responsible for the maintenance and repair of the detention basin and the bylaws shall provide that if not so maintained, the municipality may make such repairs and charge the HOA and the residents of this community for those repairs/maintenance.
8. Mr. DiMedio stated specifically in reference to #19 of the Borough Engineer's letter, applicant is going to dedicate to the borough is a site triangle.
9. In reference to #29 of the Borough Engineer's letter, applicant shall construct a four foot high aesthetically attractive vinyl fence the entire length of that section because it would act as a delineator for the emergency vehicles.
10. Mr. DiMedio stated that applicant has an agreement in principle with Heritage Square homeowners association and the pump station for both Heritage Square and for the proposed development is going to be a private pump station which is going to be maintained by applicant's homeowners association. Heritage Square is going to fund their fair share of that

maintenance, which will secure their right to make use of that pumping station. Applicant agrees to submit this agreement to the board for review and approval.

11. Each building in the development is basically a 3-story building, it will be designed with masonry components as well as siding components. Each building will provide 9 garages within each of the buildings. The buildings contain 18 units per building, three 1-bedroom units and fifteen 2- bedroom units. The garages all have individual garage doors that are accessed from the front and each person that purchases a garage with their unit also gets a driveway in front of their garage, so they get two spaces dedicated for their purposes in front. There will be surface parking throughout the site to facilitate additional parking needs. The square footage of the one bedroom is 660' - 30'D X 24'W , it has a living room, dining room and kitchen, bathroom, closets, laundry, individual heating system, that accesses into the corridor so that repairs can be made without having to come into the unit.
12. The buildings shall have a sprinkler system in the garage areas and hard wired fire alarms connected to the fire department and the HOA shall provide for 24/7 monitoring of same.

CONCLUSIONS OF LAW:

1. The applicant has been previously granted a use variance permitting the proposed use, which variance was set forth in Resolution 2005-09.
2. The applicant has been previously granted a preliminary site plan and final subdivision approval in Resolution 2005-10.

RESOLUTION:

NOW, THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Borough of Clementon that the application for approval of the following is hereby granted subject to the conditions and restrictions set forth below:

Final Site Plan Approval.

CONDITIONS:

1. The buildings shall be designed and constructed in accordance with the exhibits submitted in evidence herein.
2. Applicant shall submit revised plans acceptable to the Borough's engineer showing conformance with the terms of the Engineer's letter, Exhibit B at the hearing.
3. Applicant shall obtain all approvals from municipal, state and federal agencies required and from any other outside agencies, necessary to complete the project.
4. In conformance with #18 of the Borough Engineer's letter, applicant shall create, in a form acceptable to the Board's solicitor, a home owner's association, the bylaws of which shall

incorporate the representations of applicant and in conformance with this approval.

5. In conformance with #19 of the Borough Engineer's letter, applicant shall dedicate to the borough a site triangle acceptable to the Borough engineer and in a form acceptable to the Board's solicitor.
6. Applicant shall submit the agreement with Heritage Square concerning the pump station, to the board for review and approval.
7. Prior to commencement of any work on the site, the Developer's Agreement shall be executed and submitted to the Borough offices.
8. Prior to commencement of any work on the site, the applicant shall provide all required performance bonds in form satisfactory to the Borough.
9. Form of Deed of Conveyance to be used to transfer title to purchasers shall be submitted for approval to the Borough.
10. Applicant shall comply with all conditions of any previous approvals contained in Resolutions 2005-09 and 2005-10.

VOTE:

Motion by Kuns, second by Armbruster

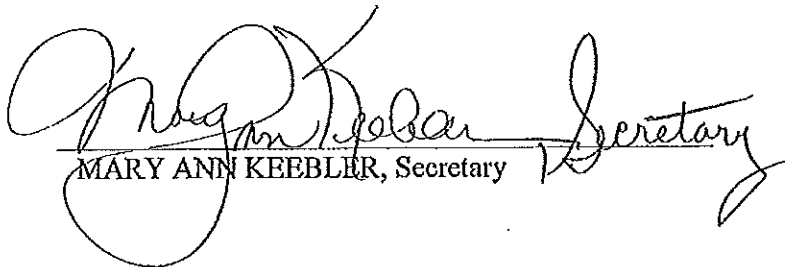
In Favor: Member Kuns, Member Dougherty, Vice Chairman Brewin, Chairman Feldman,

Mayor Armbruster, Member Nicholson

Against: None

CERTIFICATION:

I hereby certify that the foregoing is a true, accurate, and complete copy of the resolution of memorialization adopted by the Borough of Clementon Planning/Zoning Board at a meeting held on 10th day of November, 2005, which resolution memorializes action taken by said Board on December 8, 2005.


MARY ANN KEEBLER, Secretary

State of New Jersey
County of Camden

Alvie Mackay

Of full age, being duly sworn according to law that she is

Legal Clerk of the:

Record Breeze

A legal weekly newspaper published in the County of Camden within the State of New Jersey, that notice of which the annexed is a true copy, as published in said newspaper on:

December 15, 2005 and

continued therein for _____ weeks successfully at least once each week, to wit:

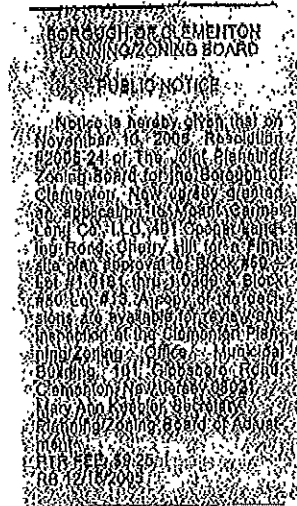
Making in all 1 publications:

Kathleen J. Guthrie
Signature

Sworn and subscribed before me this 16th

Day of December, 2005.

KATHLEEN J. GUTHRIE
NOTARY PUBLIC OF NEW JERSEY
MY COMMISSION EXPIRES JULY 25, 2008



RESOLUTION OF THE JOINT PLANNING AND ZONING BOARD OF
OF THE BOROUGH OF CLEMENTON, STATE OF NEW JERSEY

Grant of Extension of Previously Granted Final Site Plan Approval and Final Subdivision Approval

RESOLUTION #2007-10

APPLICANT: Mount Carmel Land Company, LLC
401 Cooper Landing Road, Suite C-25
Cherry Hill, New Jersey 08002

PROPERTY LOCATION: Brand Avenue and White Horse Pike

TAX MAP DESIGNATION: Block 59, Lot 1 and Block 60, Lot 13

PROPERTY DESCRIPTION: portion of Block 59, Lot 1 (approximately 25.79 acres of Heritage Square property) to be eventually subdivided and consolidated with other lot

ACTION REQUESTED Extension of previously granted final site plan and final subdivision approval

APPEARANCES:

1. Mr. Gabriel DeMedio, agent for applicant (President)

EXHIBITS/EVIDENCE:

None

DATE OF HEARING: October 11, 2007

FINDINGS OF FACT:

1. The application did not require public notice and therefore no notice was given to neighboring property owners in regards to the request for previously granted approvals. .

CONCLUSIONS OF LAW:

1. The applicant previously made application for major site plan approval and major subdivision approval for this property, which were granted pursuant to this Board's Resolutions No. 2005-09, 2005-10 and 2005-24.

2. Applicant has encountered some difficulties in obtaining all necessary outside approvals and has requested additional time within which he will have the protection of the statute against changes in zoning laws and regulations.

RESOLUTION:

1. NOW, THEREFORE, BE IT RESOLVED, by the Planning/Zoning Board of the Borough of Clementon that the applicant's site plan and subdivision approvals be in are hereby extended for the period of one year.

VOTE:

Motion made by Mayor Armbruster and seconded by Member Nicholson.

For: Vinuti McGovern, Kunkel, Williams, Nicholson, Chairman Feldman, Mayor Armbruster

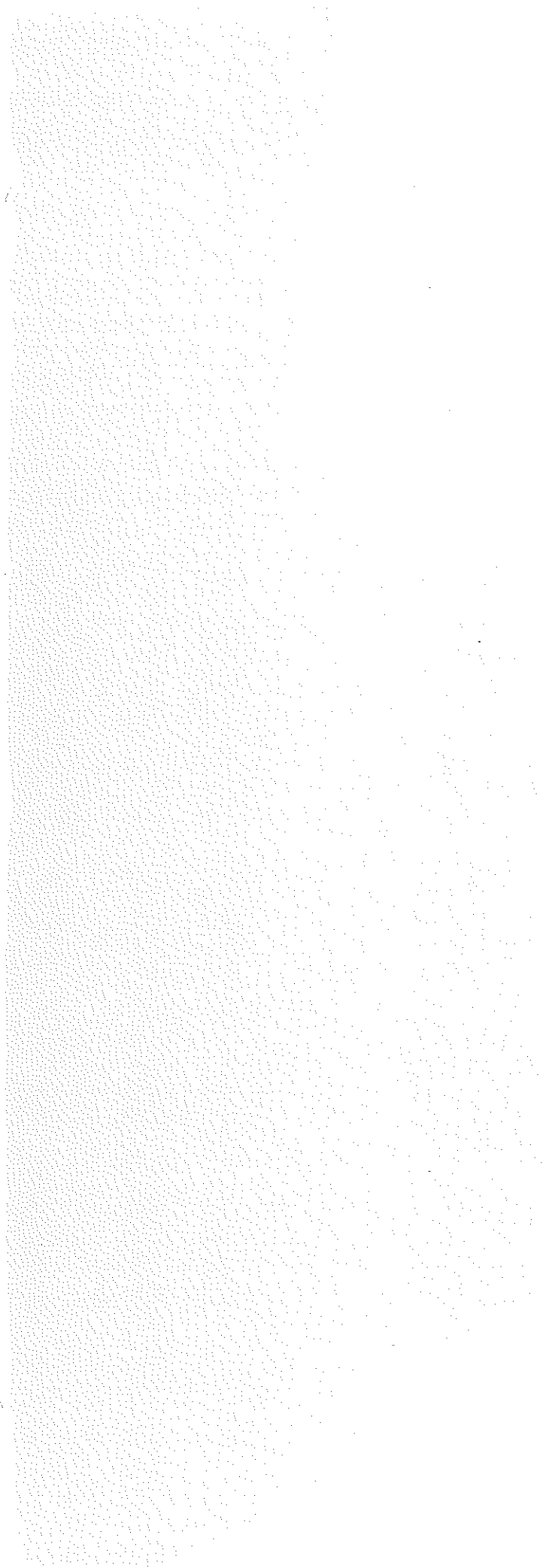
Against: None

CERTIFICATION:

I hereby certify that the foregoing is a true, accurate, and complete copy of the resolution of memorialization adopted by the Borough of Clementon Planning/Zoning Board at a meeting held on 28th day of November, 2007, which resolution memorializes action taken by said Board on October 11, 2007.



Rhonda Smilli, Secretary



**BOROUGH OF CLEMENTON
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

RESOLUTION R06-103

WHEREAS, the Mt. Carmel Land Co., LLC has submitted a New Jersey Department of Environmental Protection (NJDEP) Treatment Works Application (TWA-1) to the Borough of Clementon for its review and consideration in regard to sanitary sewer service for the Village at Silver Lake (Block 59, Lot 1 and Block 60, Lot 13), and

WHEREAS, the NJDEP TWA-1 application requires a Statement of Consent and a Certification by the Wastewater Conveyance System Owner (Borough of Clementon) as follows: "By agreeing to accept wastewater from the project, I (we) hereby certify that to the best of my (our) knowledge the wastewater conveyance system, into which the project proposed under this application will connect has adequate capacity in accordance with N.J.A.C. 7:14A-1.9 ("Adequate Conveyance Capacity"). Furthermore, I (we) am (are) not aware of inadequate conveyance capacity conditions in any portion of the downstream facilities necessary to convey the wastewater from this project to the treatment plant.", and

WHEREAS, the Borough's Consulting Engineer (Churchill Consulting Engineers) reviewed said application and has determined that same can be approved for submission to the appropriate regulatory agencies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Clementon, County of Camden, State of New Jersey, on the recommendation of its engineer, the Treatment Works Application for the Mt. Carmel Land Co. is hereby endorsed and approved, and the appropriate Borough officials are hereby authorized to sign said application.

NOW, THEREFORE, BE IT FURTHER RESOLVED that a conformed copy of this Resolution shall be provided to the appropriate regulatory agencies for further processing.

Jenai L. Johnson

Jenai L. Johnson, Acting Municipal Clerk

Adopted:

Certified to be a true copy of a Resolution adopted by the Mayor and Borough Council of the Borough of Clementon at a special meeting at the Clementon Borough Municipal Building on May 30, 2006.

Jenai L. Johnson

MUNICIPAL CLERK

Dated: 6.13.06

**BOROUGH OF CLEMENTON
COUNTY OF CAMDEN
STATE OF NEW JERSEY**

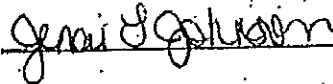
RESOLUTION R06-102

WHEREAS, the Mt. Carmel Land Co., LLC has submitted a New Jersey Department of Environmental Protection (NJDEP) Bureau of Safe Drinking Water application to the Borough of Clementon for its review and consideration in regard to water service for the Village at Silver Lake (Block 59, Lot 1 and Block 60, Lot 13), and

WHEREAS, the Borough's Consulting Engineer (Churchill Consulting Engineers) reviewed said application and has determined that same can be approved for submission to the appropriate regulatory agencies.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Clementon, on the recommendation of its engineer, that the Bureau of Safe Drinking Water application of the Mt. Carmel Land Co. is hereby approved, and that the appropriate Borough officials are hereby authorized to sign said application.


NOW, THEREFORE, BE IT FURTHER RESOLVED that a conformed copy of this Resolution shall be provided to the appropriate regulatory agencies for further processing.



MUNICIPAL CLERK

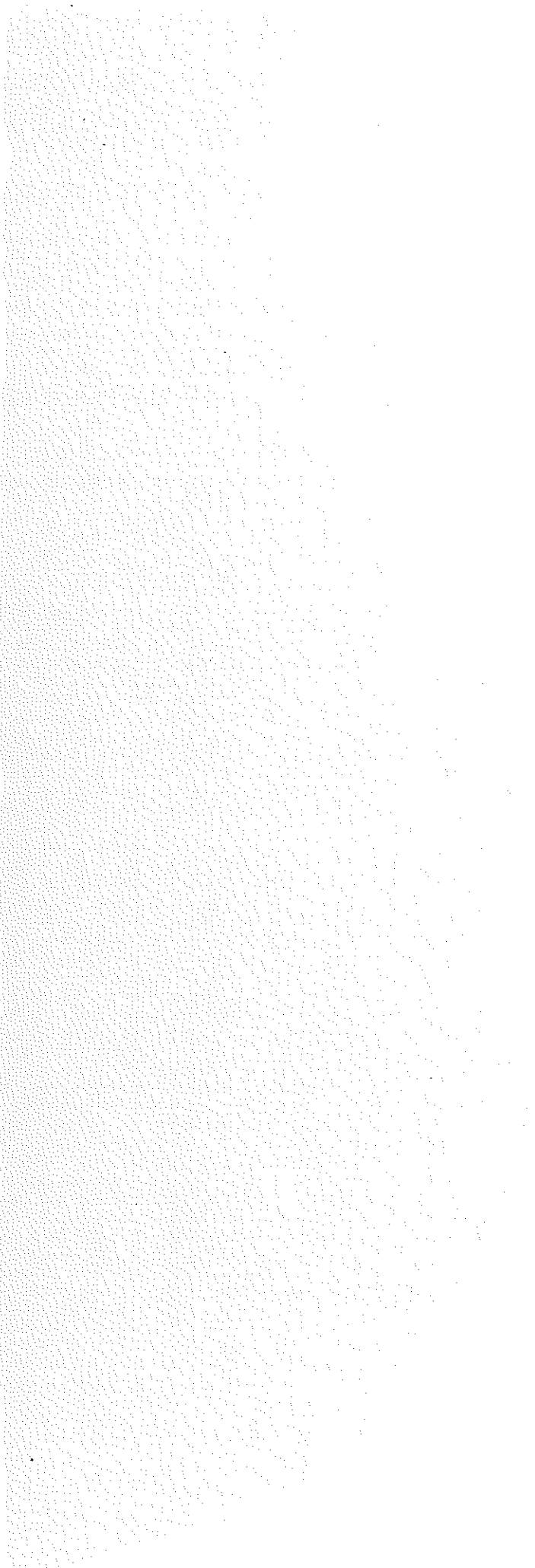
Adopted:

Certified to be a true copy of a Resolution adopted by the Mayor and Borough Council of the Borough of Clementon at a special meeting at the Clementon Borough Municipal Building on May 30, 2006 at 6:30pm.



MUNICIPAL CLERK

Dated: 5.30.06





File

Camden County Soil Conservation District
423 Commerce Lane, Suite 1-W, Berlin, NJ 08091
(856) 767-6299

RECEIVED JUL 17 2006

CERTIFICATION

PROJECT NAME: VILLAGES AT SILVER LAKE

DATE: 7-14-06

APPLICATION #: 5041-01-06

- CERTIFIED
- CONDITIONAL CERTIFICATION (SEE ATTACHED CONDITIONS)

Pursuant to the New Jersey Soil Erosion and Sediment Control Act, the Camden County Soil Conservation District hereby grants its **CERTIFICATION** of the Soil Erosion and Sediment Control Plan for the above referenced project, subject to the following:

1. That the applicant carries out all land disturbance activities in accordance with The Standards for Soil Erosion and Sediment Control in New Jersey.
2. The applicant must notify the District Office, by mail, at least 48 hours prior to initial land disturbance.
3. Changes in the certified plan relating to, or affecting the land disturbance on the site must be submitted to the District Office for re-evaluation and approval.
4. A copy of the Certified Plan must be kept on the job site at all times.
5. A letter must be written notifying the District Office of project completion within 48 hours immediately following completion.
6. This certification is valid for the duration of the initial project approval granted by the municipality. Any renewal of a municipal permit will require resubmission and approval by the District. In no case shall this certification extend beyond three and one half years.

Failure to comply with any of the above conditions may result in the issuance of a stop construction order.

DISTRIBUTION: Applicant
Construction Official
Municipal Engineer
Engineer
District

**CAMDEN COUNTY
SOIL CONSERVATION DISTRICT**

423 COMMERCE LANE, SUITE 1
WEST BERLIN, NJ 08091

(609) 767-6299



For District Use Only	
Application Number	5041-CL-06
Disposition	RECEIVED 5-16-06
	MULTI-FAMILY
	CERTIFIED 7-14-06

APPLICATION FOR SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION

The enclosed soil erosion and sediment control plan and supporting information are submitted for certification pursuant to the Soil Erosion and Sediment Control Act, Chapter 251, P.L. 1975 as amended (NJSA 4:24-39 et seq.). An application for certification of a soil erosion and sediment control plan shall include the items listed on the reverse side of this form.

Name of Project Villages at Silver Lake		Project Location: Municipality Borough of Clementon	
Project Street Address Brand Ave.		Block 59 & 60	Lot 1 & 13 respectively
Project Owner(s) Name Mount Carmel Land Co., L.C.C.		Phone 856-755-1111	
Project Owner(s) Address 401 Cooper Landing Road - Suite C-25		City Cherry Hill	State Zip N.J. 08002
Total Area of Project 26.2 acres	Total Area of Land to be Disturbed 8.53 acres	No. Dwelling or other Units 180 Units, 10 Bldgs	Fee \$ 11,050
Plans Prepared by* Sickels & Associates, Inc.			
Address 833 Kings Highway, Woodbury		State NJ	Zip Phone 08096 856-848-6800

* (Engineering related items of the Soil Erosion and Sediment Control Plan MUST be prepared by or under the direction of and be sealed by a Professional Engineer or Architect licensed in the State of New Jersey, in accordance with NJAC 13:27-6.1 et. seq.)

Agent Responsible During Construction Contract to be awarded			Job Supervisor		
Address			Address		
State	Zip	Phone	State	Zip	Phone

The applicant hereby certifies that all soil erosion and sediment control measures are designed in accordance with current Standards for Soil Erosion and Sediment Control in New Jersey and will be installed in accordance with those Standards and the plan as approved by the Soil Conservation District and agrees as follows:

- To notify the District in writing at least 48 hours in advance of any land disturbance activity. Failure to provide such notification may result in additional inspection fees.
- To notify the District upon completion of the Project. (Note: No certificate of occupancy can be granted until a report of compliance is issued by the District.)
- To maintain a copy of the certified plan on the project site during construction.
- To allow District agents to go upon project lands for inspection.
- That any conveyance of this project or portion thereof prior to its completion will transfer full responsibility for compliance with the certified plan to any subsequent owners.
- To comply with all terms and conditions of this application and certified plan including payment of all fees prescribed by the district fee schedule hereby incorporated by reference.

The applicant hereby acknowledges that structural measures contained in the Soil Erosion and Sediment Control Plan are reviewed for adequacy to reduce offsite soil erosion and sedimentation and not for adequacy of structural design. The applicant shall retain full responsibility for any damages which may result from any construction activity notwithstanding district certification of the subject soil erosion and sediment control plan. It is understood that approval of the plan submitted with this application shall be valid only for the duration of the initial project approval granted by the municipality. All municipal renewals of this project will require resubmission and approval by the district. In no case shall this approval extend beyond three and one half years at which time resubmission and certification by the district will be required.

1. Applicant Certification <i>Gabriel DiMedio</i> 5/17/05 Signature Date Mt. Carmel Land Co. LLC Applicant Name (Print) <i>Gabriel DiMedio</i>	3. Plan determined complete: <i>Christy Sudd</i> 7/13/06 Signature of District Official Date
2. Receipt of fee, plan and supporting documents is hereby acknowledged: <i>Lou A. Hartzel</i> 5-15-06 Signature of District Official Date	4. Plan certified, denied or other action as noted above. Special Remarks
	<i>Christy Sudd</i> 7/14/06 Signature of District Official Date

† If other than project owner, written authorization of owner must be attached.
SSCC 251 App 2/02

AUTHORIZATION TO DISCHARGE STORMWATER



N.J. Department of Environmental Protection
 Bureau of Nonpoint Pollution Control
in cooperation with the
 N.J. Department of Agriculture
 State Soil Conservation Committee
 and Soil Conservation Districts



NJPDES General Permit No. NJG0088323
 Stormwater Discharge Associated with Construction Activity

Ch. 251 App. No. 5041-CL-06

SCD RFA # 04-09-06-0093

1. Project or Facility Name and Address (add State Plane Coordinates if available):
VILLAGES AT SILVER LAKE
BRAND AVENUE
CLEMENTON BOROUGH, CAMDEN COUNTY

2. Permittee Name and Address:
MT. CARMEL LAND CO., L.C.C.
401 COOPER LAND ROAD, SUITE C-25
CHERRY HILL NJ 08002

3. Owner Name and Address:
SAME AS #2

4. Proposed Land Use (check the appropriate category(ies)):
 (A) Residential Dwelling: Single Family Multi-Family
 (B) Commercial Facility (C) Industrial Facility (D) Mining or Quarry
 (E) Public School, Religious or Charitable Institution (F) Other (Specify) GARDEN APARTMENTS

Effective Date 7-14-06 Expiration Date _____

Your Request for Authorization under NJPDES General Permit No. NJG0088323 has been certified in accordance with the provisions of N.J.A.C. 7:14A and the New Jersey Stormwater Permitting Program in coordination with the New Jersey Department of Agriculture, the State Soil Conservation Committee and the Soil Conservation District.

Barry Chalofsky
 Barry Chalofsky, P.P., Chief
 Bureau of Nonpoint Pollution Control
 New Jersey Department of Environmental Protection

FOR DISTRICT USE ONLY

NJ Natural Resources Conservation Program

Expiration of Authorization to Discharge Stormwater

Reason for Expiration:

- Project Completed (Final Report of Compliance Issued)
- Application Withdrawn by Applicant
- Application Denied by District or SSCC
- Project SESC Plan Certification Expired

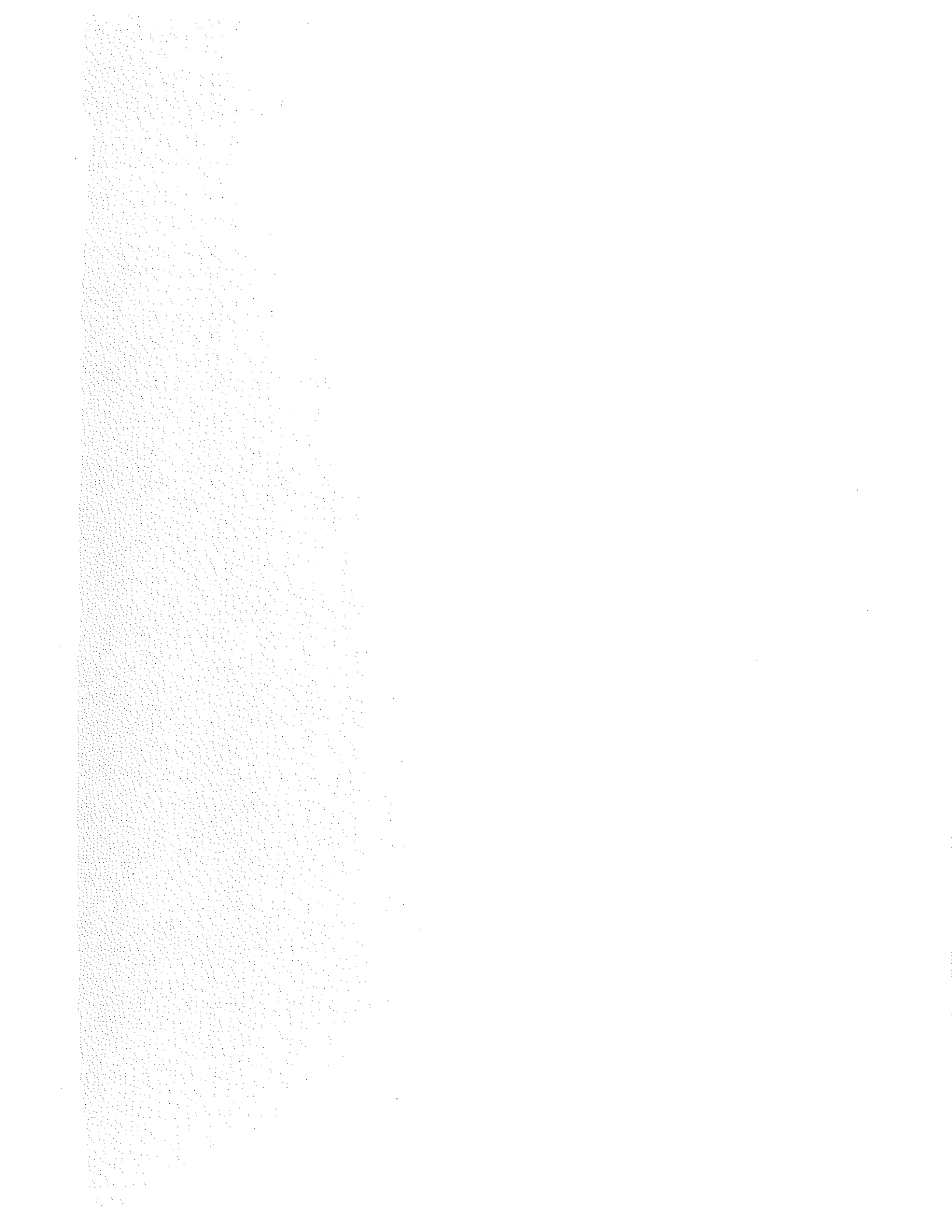
Date of Expiration _____

Authorized by _____
District Official

CERTIFIED BY:
[Signature] 7/14/06
 Signature Date

 DISTRICT SUPERVISOR
 Title

 CAMDEN COUNTY
 Soil Conservation District



Wetlands and Environmental Technology, Inc.

March 8, 2007

Mr. Gabriel DiMedio
Mount Carmel Land Co.
40 Cooper Landing Road, Suite C
Cherry Hill, New Jersey 08002

Sent Via Fax

Re: Freshwater Wetlands Approvals - General Permit and Transition Area Waiver
Our Lady of Mount Carmel, Clementon Borough, Camden County, New Jersey

Dear Mr. DiMedio:

Wetlands and Environmental Technology, Inc. (WET, Inc.) has reviewed the approvals from the New Jersey Department of Environmental Protection (NJDEP), dated February 26, 2007. The approvals include an Authorization for Freshwater Wetlands Statewide General Permit # 11, Water Quality Certificate and Waiver of Transition Area Access and a Freshwater Wetlands Transition Area Averaging Plan.

Items 2 and 3 on page 2 of the TA Averaging Plan provide information regarding compliance with the TA Averaging Plan deed restriction. In order that the plans provide long-term usability for land owners, the site plans that are filed with the county for the deed restriction should clearly show the TA reduction and compensation areas.


The NJDEP also requires that future site development plans reference the wetlands line, approved TA and file number as: Freshwater Wetlands/Wetlands Boundary Line as Verified by the NJDEP, File No. 0411-05-0001.1 LOI, and 0411-05-0001.1FWW060001. The regulations require that the wetlands approvals be maintained on site during construction.

The NJDEP establishes that the wetlands lines are valid for 5 years from the authorization date. Item 10 on the General Permit provides an expiration date of September 4, 2006. This may be a typographical error. I have sent an email to the case manager to request clarification and I will provide you with further information when I hear back.

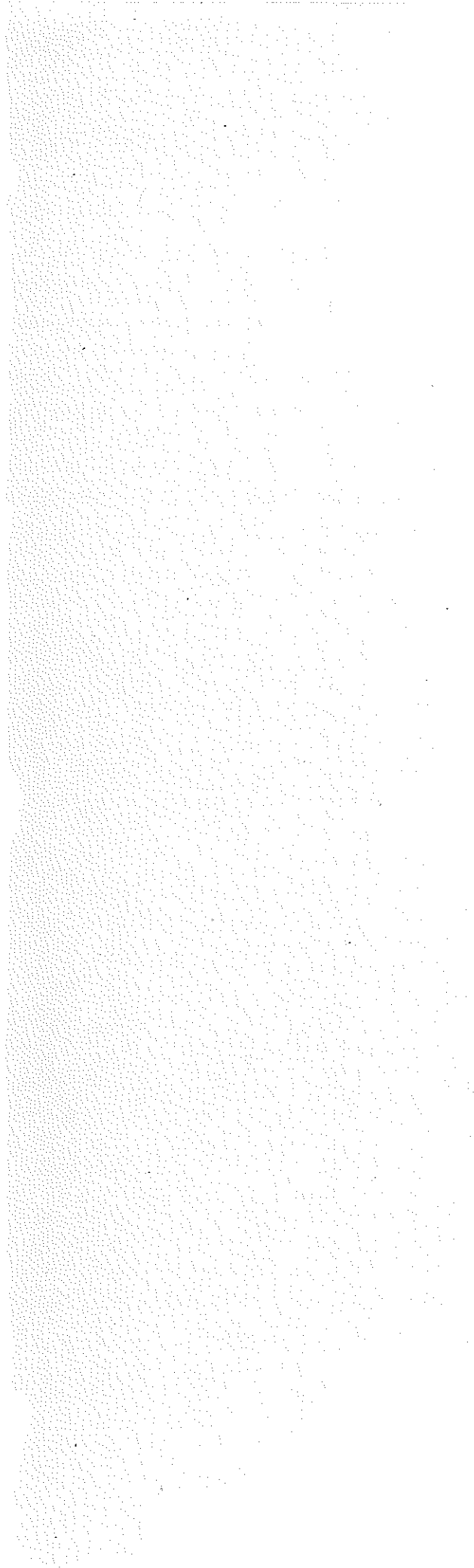
If you have any questions or comments, please do not hesitate to contact me at (856) 686-9560.

Mr. Gabriel DiMedio
March 8, 2007
Page 2

Sincerely,


Patricia C. Burns
President/Principal Scientist

Cc: Alex Makitka, Sickels & Associates





State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Land Use Regulation

P.O. Box 439, Trenton, NJ 08625-0439

Fax # (609) 292-8115

Fax # (609) 777-3656

www.state.nj.us/landuse

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

James F. Sickles, Jr., PE PP CME
Sickles & Associates, Inc.
833 Kings Highway
Woodbury, NJ 08096

FEB 26 2007

RE: Freshwater Wetlands Transition Area Waiver Averaging Plan
File No.: 0411-05-0001.2FWW060001
Applicant: Mt. Carmel & Land Co., LLC
Project: Villages at Silver Lake
Block(s): 59 Lot(s): 1
Block(s): 60 Lot(s): 13
Borough of Clementon, Camden County

Dear Mr. Sickles:

This letter is in response to your request for a transition area waiver-averaging plan to modify the standard transition area on the above referenced property.

The Division of Land Use Regulation Program has determined that the freshwater wetlands present on or adjacent to the above referenced property are of intermediate resource value. Pursuant to N.J.A.C. 7:7A-6, a standard transition area of 50 feet is required adjacent to these wetlands. The submitted plan shows a modification to this standard transition area through the means of a transition area-averaging plan.

Section 7:7A of the Freshwater Wetlands Protection Act Rules discusses the conditions under which the standard transition area may be modified if the Department determines that the modified transition area will continue to feature the purposes and functions set forth in N.J.A.C. 7:7A-6.1(a) and (b). Based upon a review of the submitted information, the Department has determined that the proposed modified transition area boundary line as shown on the plan map entitled: "Total Wetlands Averaging Plan, Villages at Silver Lake, Plate 6, Block 59, Lot 1 & Block 60 Lot 13, Borough of Clementon, Camden County, New Jersey", Sheet 5 of 18, dated October 31, 2005, last revised October 16, 2006, and prepared by Sickles & Associates, Inc., will continue to meet the purposes and functions of a transition area as detailed in the Act and implementing rules providing the following conditions are met.

Waiver Conditions

In addition to the standard conditions set forth in section 7:7A-7, the following special conditions must be met for the activity authorized under this transition area waiver.

- 1: The transition area shall be reduced by 11,985 square feet and compensated by an equal or greater surface (12,788 square feet) area as shown on the referenced plan.

2. The applicant shall sign a Department approved deed restriction for the subject parcel(s) in accordance with N.J.A.C. 7:7A-7.1(g). The restriction shall be included on the deed, and recorded in the office of the County Clerk (the REGISTRAR OF DEEDS AND MORTGAGES), in the county wherein the lands included in the waiver are located. The restriction shall run with the land and be binding upon all successive owners. All individual lot surveys shall show the approved wetlands and transition area boundaries. Any regulated activities undertaken on the site before a copy of the recorded restriction is submitted to the Department will be considered in violation of the Freshwater Wetlands Protection Act.
3. The applicant must inform all potential purchasers of the property that the location of wetlands and transition area on the property may impact future development of the property.

Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:19B-1 et seq.). You are entitled to rely upon this boundary determination for a period of five years from the date of this letter pursuant to the Freshwater Wetlands Protection Act Rules, N.J.A.C. 7:7A-7. This determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labeled with the above DLUR file number and the following note:

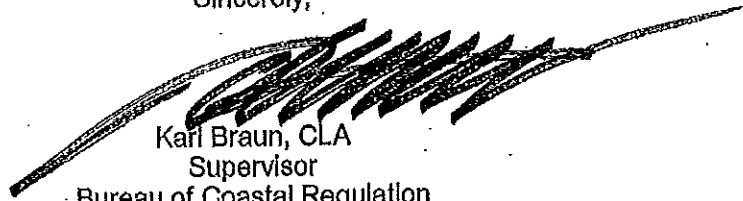
"Freshwater Wetlands/Waters Boundary Line as verified by NJDEP."

Appeal of Decision

In accordance with N.J.A.C. 7:7A-12.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

Please contact Michael Garrity of our staff at (609) 984-0288 should you have any questions regarding this letter. Be sure to indicate the Program's file number in all communication.

Sincerely,



Karl Braun, CLA
Supervisor
Bureau of Coastal Regulation
Division of Land Use Regulation

- c: NJDEP-Bureau of Coastal & Land Use Enforcement
Municipal Clerk
Municipal Construction Official



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

Division of Land Use Regulation
P.O. Box 439, Trenton, NJ 08625-0439
Fax # (609) 292-8115
Fax # (609) 777-3656
www.state.nj.us/landuse

LISA P. JACKSON
Commissioner

FEB 26 2007

James F. Sickles, Jr., PE PP CME
Sickles & Associates, Inc.
833 Kings Highway
Woodbury, NJ 08096

RE: Authorization for Freshwater Wetlands Statewide General Permit #11, Water Quality Certification and Waiver of Transition Area for Access
File No.: 0411-05-0001.2FWW060002
Applicant: Mt. Carmel & Land Co., LLC
Project: Villages at Silver Lake
Block(s): 59 Lot(s): 1
Block(s): 60 Lot(s): 13
Borough of Clementon, Camden County

Dear Mr. Sickles:

The Division of Land Use Regulation has reviewed the referenced application for a Statewide General Permit authorization pursuant to the requirements of the Freshwater Wetlands Protection Act Rules at N.J.A.C. 7:7A. The proposed activity is authorized by **Statewide General Permit No. 11**, which allows regulated activities in a freshwater wetland, transition area, or State open water which is necessary for the construction of stormwater outfall structures and/or energy dissipation structures (such as rip-rap, gablon baskets, and scour holes associated with an outfall or intake). This letter of authorization to conduct a regulated activity in a wetland or open water includes a **Water Quality Certificate** for these activities.

Limit of Authorized Disturbance

Based on the site plan in one (1) sheet entitled "Total Wetlands Averaging Plan, Villages at Silver Lake, Plate 6, Block 59, Lot 1 & Block 60 Lot 13, Borough of Clementon, Camden County, New Jersey", Sheet 5 of 18, dated October 31, 2005, last revised October 16, 2006, and prepared by Sickles & Associates, Inc., the authorized activity involves the disturbance of 0.023 of an acre (1,000 square feet) of freshwater wetlands and freshwater wetlands transition area for the construction of ONE (1) stormwater outfall. Any additional disturbance of freshwater wetlands, State open waters or transition area shall be considered a violation of the Freshwater Wetlands Protection Act unless the activity is exempt or a permit is obtained prior to the start of the disturbance from the Division of Land Use Regulation.

Permit Conditions

The activities allowed by this authorization shall comply with the following conditions. Failure to comply with these conditions shall constitute a violation of the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.).

1. The area of disturbance shall disturb no more than 0.023 of an acre of freshwater wetlands and/or State open waters, including both temporary and permanent disturbance.
2. The area disturbed during installation of the energy dissipation structure shall be no wider than is necessary to comply with the United States Occupational Safety and Health Administration safety standards for excavations, set forth at 29 CFR Part 1926, Subpart P.
3. The amount of rip-rap or other energy dissipating material placed shall be minimum necessary to prevent erosion, and shall not exceed ten (10) cubic yards of fill per outfall.
4. Only clean fill from an upland source shall be used for fill.

In addition to the above conditions and the conditions noted at N.J.A.C. 7:7A 9.2 and 9.3; the following general conditions must be met for the activity authorized under this Statewide General Permit:

General conditions:

1. All fill and other earth work on the lands encompassed within this permit authorization shall be stabilized in accordance with "Standards for Soil Erosion and Sediment Control in New Jersey" to prevent eroded soil from entering adjacent waterways or wetlands at any time during and subsequent to construction.
2. This permit is revocable in accordance with NJDEP regulations and State law.
3. The issuance of this permit shall not be deemed to affect in any way other actions by the Department on any future application.
4. The activities shown on the approved plans shall be constructed and/or executed in conformity with any notes and details on said plans and any conditions stipulated herein.
5. No change in plans or specifications shall be made except with the prior written permission of the Department.
6. The granting of this authorization shall not be construed to in any way affect the title or ownership of the property, and shall not make the Department or the State a party in any suit or question of ownership of the property.
7. This permit is not valid and no work shall be undertaken pursuant to this authorization until all other required federal, state, and local approvals, licenses and permits necessary for commencement of work onsite have been obtained.
8. A complete, legible copy of this permit shall be kept at the work site and shall be exhibited upon request of any person.
9. The permittee shall allow the Program the right to inspect the construction site and also shall provide the Bureau of Coastal and Land Enforcement, NJDEP with written notification 7 days prior to the start of the authorized work.
10. This authorization is valid for five years from the date of this letter unless more stringent standards are adopted by rule prior to this date. The expiration date of the general permits issued by rule is September 4, 2006.

Transition Area

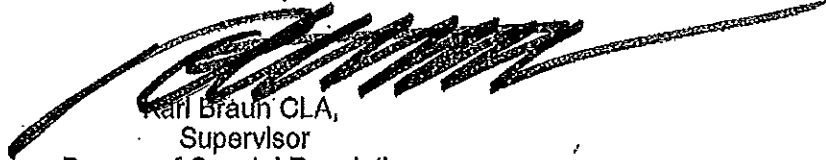
The wetlands affected by this permit authorization are of Intermediate resource value and the standard transition area or buffer required adjacent to these wetlands is 50 feet. This General Permit includes a transition area waiver which allows encroachment only in that portion of the transition area which has been determined by the Department to be necessary to accomplish the regulated activities. Any additional regulated activities conducted within the standard transition area on-site shall require a separate transition area waiver from the Division. Regulated activities within a transition area are defined at N.J.A.C. 7:7A-6.2(a).

Appeal of Decision

In accordance with N.J.A.C. 7:7A-12.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

If you have any questions regarding this authorization, please contact Michael Garrity of our staff at (609)984-0288 or by email at michael.garrity@dep.state.nj.us. Please reference the above file number.

Sincerely,



Karl Braun CLA,
Supervisor
Bureau of Coastal Regulation
Division of Land Use Regulation

c: NJDEP - Bureau of Enforcement
Municipal Clerk
Municipal Construction Official



STATE OF NEW JERSEY
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DIVISION OF LAND USE REGULATION
 P.O. Box 439, Trenton, New Jersey 08625-0439
 Fax: (609) 777-3656 or (609) 292-8115
 www.state.nj.us/dep/landuse



PERMIT **Receipt** COPY

<small>In accordance with the laws and regulations of the State of New Jersey, the Department of Environmental Protection hereby grants this permit to perform the activities described below. This permit is revocable with due cause and is subject to all limitations, terms and conditions listed below and on the attached pages. For the purpose of this document, permit does not constitute approval, certification, registration, authorization, waiver, etc. Violation of any term, condition or limitation of this permit or violation of the implementing rules and may subject the permittee to enforcement actions.</small>	Approval Date AUG 18 2007
	Expiration Date JUL 18 2012

Permit Number(s) 0411-05-0001.3 (FHA 070001)	Type of Approval(s) Stream Encroachment	Enabling Statute(s) N.J.S.A. 13:9B et seq. N.J.S.A. 58:16A-50 et seq. N.J.S.A. 58:10A et seq.
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Applicant Mt. Carmel Land Company, LLC. 401 Cooper Landing Road, Suite C-25 Cherry Hill, New Jersey 08002	Site Location Block: 60 Lot: 13 Municipality: Borough of Clementon County: Camden County
---	--

Description of Authorized Activities and Limit of Disturbance

This permit grants permission to:
 Establish stream encroachment lines for the construction of ten age restricted multi-unit buildings in a development to be known as "Villages at Silver Lake" and a stormwater management system with a discharge to the floodplain of Watson Lake within Block 60, Lot 13 of Clementon Borough, Camden County, New Jersey.

FILED IN
 COUNTY CLERK'S OFFICE
 CAMDEN, NEW JERSEY
 2007 AUG 24 4 29 PM
James [Signature]

Prepared by

Joseph E. Marut III
 Joseph E. Marut III

THIS PERMIT IS NOT EFFECTIVE AND NO CONSTRUCTION APPROVED BY THIS PERMIT, OR OTHER REGULATED ACTIVITY, MAY BE UNDERTAKEN UNTIL THE APPLICANT HAS SATISFIED ALL PRE-CONSTRUCTION CONDITIONS AS SET FORTH IN THIS PERMIT.

Received or Recorded by County Clerk

This permit is not valid unless authorizing signature appears on the last page.

STANDARD CONDITIONS:

1. **Extent of approval:**
 - a. This document grants permission to perform certain activities that are regulated by the State of New Jersey. The approved work is described by the text of this permit and is further detailed by the approved drawings listed herein. All work must conform to the requirements, conditions and limitations of this permit and all approved drawings.
 - b. If you alter the project without prior approval, or expand work beyond the description of this permit, you may be in violation of State law and may be subject to fines and penalties. Approved work may be altered only with the prior written approval of the Department.
 - c. You must keep a copy of this permit and all approved drawings readily available for inspection at the work site.
2. **Acceptance of permit:** If you begin any activity approved by this permit, you thereby accept this document in its entirety, and the responsibility to comply with the terms and conditions. If you do not accept or agree with this document in its entirety, do not begin construction. You are entitled to request an appeal within a limited time as detailed on the attached *Administrative Hearing Request Checklist and Tracking Form*.
3. **Recording with County Clerk:** You must record this permit in the Office of the County Clerk for each county involved in this project. You must also mail or fax a copy of the front page of this permit to the Department showing the received stamp from each County Clerk within 30 days of the issuance date.
4. **Notice of Construction:** You must notify the Department in writing at least 7 days before you begin any work approved by this permit by submitting the attached construction report. The Construction Reports are also available at www.nj.gov/dep/landuse/.
5. **Expiration date:** All activities authorized by this permit must be completed by the expiration date shown on the first page unless otherwise extended by the Division. At that time, this permit will automatically become invalid and none of the approved work may begin or continue until a replacement permit is granted. (Some permits may qualify for an extension of the expiration date. Please contact the Department for further information.)
6. **Rights of the State:**
 - a. This permit is revocable and subject to modification by the State with due cause,
 - b. Representatives from the State have the statutory authority to enter and inspect this site to confirm compliance with this permit and may suspend construction or initiate enforcement action if work does not comply with this permit.
 - c. This permit does not grant property rights. The issuance of this permit shall not affect any action by the State on future applications, nor affect the title or ownership of property, nor make the State a party in any suit or question of ownership.
7. **Other responsibilities:** You must obtain all necessary local, Federal and other State approvals before you begin work. All work must be stabilized in accordance with the *Standards for Soil Erosion and Sediment Control in New Jersey*, and all fill material must be free of toxic pollutants in toxic amounts as defined in section 307 of the Federal Act.

SPECIAL CONDITIONS IN ADDITION TO THE STANDARD CONDITIONS:

8. The permittee shall immediately inform the Department of any unanticipated adverse effects on the environment not described in the application or in the conditions of this permit.
9. Any regulated activities undertaken on the site before a copy of this recorded restriction is submitted to the Department will be considered in violation of the implementing rules and this permit.
10. Consistency with the Areawide Water Quality Management Plan

The Division of Land Use Regulation has not reviewed this application for consistency with the Areawide Water Quality Management Plan and the issuance of this permit shall not be construed as an approval of any wastewater management plan for this project or site. There shall be no construction of any sewage generating structures unless and until the proposed development has been found to be consistent with the appropriate areawide water quality management plan.

11. The issuance of this permit does not waive or affect in any way the right of the State of New Jersey to seek and collect monetary penalties or to take other enforcement action pursuant to any applicable State regulations.
12. Prior to any regulated work, the applicant must obtain all necessary local, Federal and other State approvals that may be required. Specifically, approvals from the following agencies may be necessary prior to construction: Camden County Soil Conservation District.
13. Upon completion of the project, all temporarily disturbed upland areas within or affecting the regulated flood plain must be restored to their original condition using native soils and indigenous vegetation. Said restoration is to be accomplished under the recommendation and discretion of the local soil conservation district having jurisdiction over the project.
14. The time limit for backfilling and stabilizing all earth work and for the removal of all temporary fill and other appurtenances in connection with the placement of storm water outfall structures, pipelines and other utility crossings shall be thirty (30) days after the commencement of construction for each individual stream crossing and/or section of the project along any stream channel. However, if the construction is located within an acid producing area, the backfilling must be completed without exposing any acid producing deposits for more than eight (8) hours.
15. Trees, shrubs, grasses, and other vegetation within 25 feet from the top of all stream banks on site shall not be disturbed for any reason, except as approved by the Department and as shown on the approved site plans. This condition applies to all streams and waterways on site, regardless of the contributory drainage area.
16. All excavated material and dredged spoils must be disposed of in a lawful manner outside of any regulated flood plain, open water, freshwater wetlands or adjacent transition areas, and in such a way as to not interfere with the positive drainage of the receiving area.
17. The applicant must make specific arrangements to ensure the continuous maintenance and efficient operation of all proposed water quality measures on this site in accordance with the Department's Best Management Practices Manual. This includes, but is not limited to the cleaning and inspection of all water quality inlets, devices and stormwater management basins at least 4 times a year and after every major storm, and the continuous implementation of appropriate soil conservation practices within any basins, grassed swales, stormwater outfall structures and other similar appurtenances throughout the site in order to limit soil erosion and sediment discharge into adjacent properties, waterways, or wetlands.

18. During construction, all excavation must be adequately monitored for the presence of acid producing deposits. If any such deposits are encountered, the mitigation and disposal standards outlined in Section 2.5 of the "Stream Encroachment Technical Manual" must be implemented.

19. The drawings hereby approved are six (6) sheets prepared by Sickels & Associates, Inc., entitled:

Villages at Silver Lake, Plate 6, Block 60, Lot 13, Borough of Clementon, Camden County, New Jersey, dated March 23, 2007, last revised April 30, 2007, unless noted:

"Site Plan, Post Development," Sheet 2 of 21;

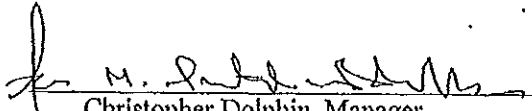
"Grading Plan, Post Development Stream Encroachment," Sheet 3 of 21, last revised 7/9/07;

"Grading Plan, Post Development Stream Encroachment," Sheet 4 of 21;

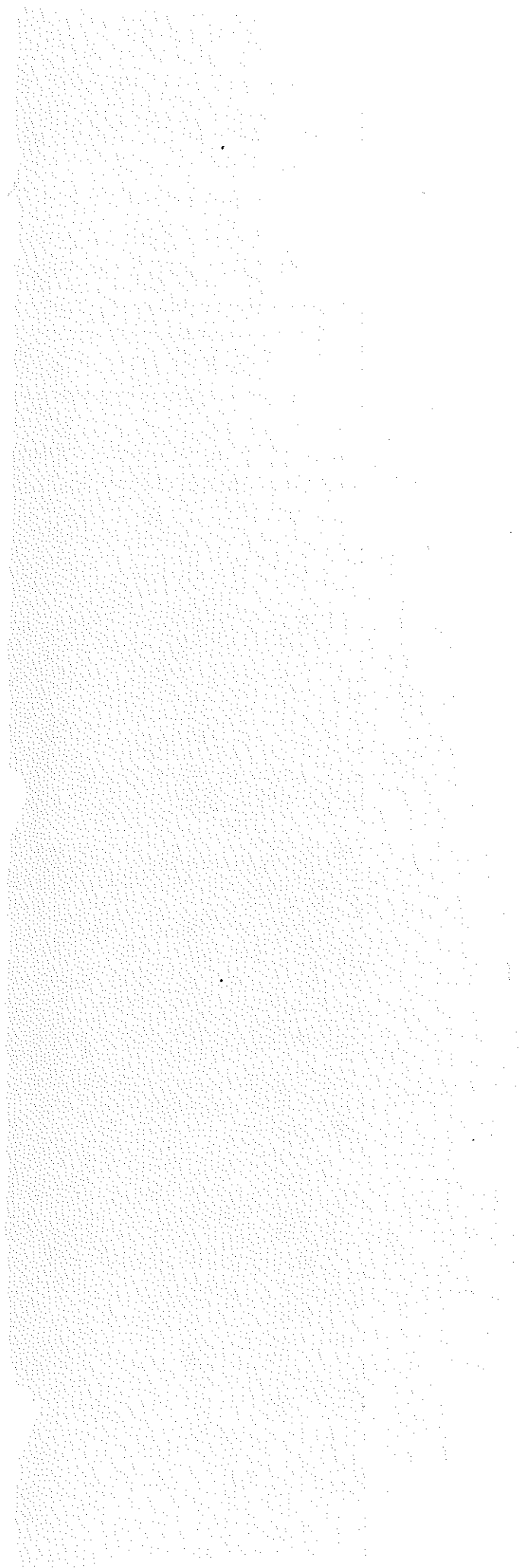
"Pre-Development Stream Encroachment Plan, Stream Encroachment," Sheets 5 & 6 of 21; and

Villages at Silver Lake, Plate 6, Block 59, Lot 13 & Block 60, Lot 13, Borough of Clementon, Camden County, New Jersey, dated March 10, 2005, last revised July 9, 2007:

"Storm Sewer Details," Sheet 15 of 18.


Christopher Dolphin, Manager
Bureau of Coastal Regulation

7/18/07
Date



July 24, 2006

SENT VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

NJDEP, Division of Water Quality
Bureau of Administration and Management
401 East State Street, 3rd Floor West Wing
CN425
Trenton, NJ 08625-0425
Attn: Mr. John Maselli

**Re: Villages at Silverlake
Block 59, Lot 1, Block 60, Lot 13
Borough of Clementon, Camden County, N.J.
NJDEP TWA Permit Application
S&A File No. 4730B**

Dear Mr. Maselli:

On behalf of the applicant (Mt. Carmel Land Co., LLC), we are herein submitting the attached permit application to the New Jersey Department of Environmental Protection (NJDEP) for a Treatment Works Approval Permit. Enclosed, please find the following information required as part of this submission:

- 1.) NJDEP Treatment Works Approval Permit Application (TWA-1) endorsed by the Borough of Clementon (signed & sealed);
- 2.) Engineer's Report (NJDEP Form WQM-006) (signed & sealed);
- 3.) Consent Form (NJDEP Form WQM-003) endorsed by the CCMUA;
- 4.) Review Fee in the amount of \$2,947.00; Check # 1122 made payable to "Treasurer; State of New Jersey;
- 5.) Construction Cost Estimate;
- 6.) Receipts of Public Notification;
- 7.) USGS Quadrangle Map;
- 8.) One (1) set of Project Plans and Profiles (signed & sealed);
- 9.) One (1) set of Construction Specifications (signed & sealed);

Re: Villages at Silverlake
Block 59, Lot 1, Block 60, Lot 13
Borough of Clementon, Camden County, N.J.
NJDEP TWA Permit Application
S&A File No. 4730B

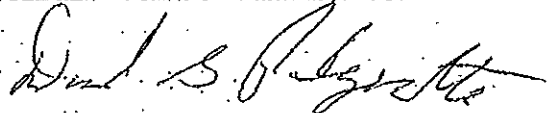
Page 2
July 24, 2006

The project is located along Brand Avenue Plate 6, Block 59, Lot 1 and Plate 6, Block 60, Lot 13 in the Borough of Clementon, Camden County, New Jersey. The project entitled "Villages at Silver Lake" consists of the construction of (30) thirty, 1-bedroom and (150) one-hundred and fifty, 2-bedroom units totaling 180 garden apartments. The project will require the construction of a pump station and approximately 500 linear feet of 4" force main through the development to interconnect with an existing manhole. These infrastructure improvements are being proposed to accommodate anticipated development currently being reviewed.

Should you have any additional information, please feel free to contact us.

Very truly yours,

SICKELS & ASSOCIATES, INC.



David S. Palgutta, PE, CME
Project Engineer

Enclosures

cc: Gabe DiMedio,
Kevin DiMedio, c/o D. R. Horton
James F. Sickels, Jr., PE, PP, CME. (S&A)
Brian A. Mitchell, PE, CME (S&A)

File: 4730B-TWA Permits-July-24-06



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JON S. CORZINE
Governor

LISA P. JACKSON
Comptroller

Division of Water Quality
PO Box 029
Trenton, New Jersey 08625
Fax: (609) 777-0432
www.state.nj.us/dep/dwq

08/16/2006

Mt. Carmel Land Co. LLC
401 Cooper Landing Rd.
Suite C-25
Cherry Hill, NJ 08002

RE: NOTICE OF ADMINISTRATIVE INCOMPLETENESS
TREATMENT WORKS APPROVAL APPLICATION NO. 06-0513
Villages @ Silver Lake
Clementon Boro, Camden County

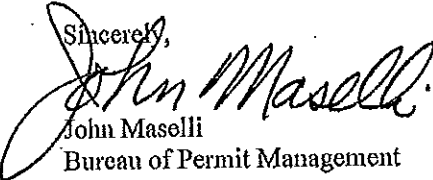
The Department received a treatment works approval application on 07/27/2006 for the above referenced project. This letter confirms administrative incompleteness of the application.

This application has been forwarded to the Bureau of Financing and Construction Permits for further processing. The following information listed below is needed to complete the administrative review of this application. Failure to receive the requested information within twenty (20) days of the date of this letter will delay the technical review of this application and may result in the application being denied.

Description of Administrative Deficiency(ies):

- *A TWA-1 Form with sections 10 & 11 **ORIGINALLY** signed and please print in name and title.
- *A resolution authorizing Jenai Johnson to sign section A1 of the 003 Consent Form.
- *Copies of receipts of public notification (POSTMARKED) from the local planning board and environmental commission.

Please be aware that you may be required to submit additional information during the technical review process of this application. If you have any additional administrative or technical questions on this application, please contact the Bureau of Financing and Construction Permits by calling (609) 633-1169. Please have the application number available when making an inquiry and you will be connected to the assigned review engineer.

Sincerely,

John Maselli
Bureau of Permit Management

cc: Sickels & Assoc.

SICKELS & ASSOCIATES, INC.

Engineers • Planners • Surveyors

September 12, 2006

State of New Jersey
Department of Environmental Protection
Division of Water Quality-Bureau of Permit Management
401 E. State Street -- P.O. Box 029
Trenton, New Jersey 08625

Attn: Mr. Jack Walter
Bureau of Permit Management

RE: Treatment Works Approval
Approval Application No. 06-0513
Villages @ Silver Lake
S&A File Number 4730B

Dear Mr. Walter:

With respect to your phone conversation with our office in regards to supplemental information being requested for the above referenced application. We offer the following:

The following documents are being provided as a part of this submission:

- One (1) copy of the Engineers Report signed and sealed.
- One (1) copy of the WQM-006 Form signed and sealed.
- One (1) copy of Letter of Interpretation/Line Verification as prepared by David B. Fanz.
- One (1) copy of TWA-1 Form.
- One (1) copy of revised Pump Station Plans dated September 12, 2005, last revised September 12, 2006 as prepared by James F. Sickles, Jr., PE, PP, CME.

We offer the following comments numbered in accordance with your phone conversation referenced above:

1. We have provided a revised TWA-1 Form originally signed as requested.
2. The Engineer's Report has been reviewed to include the location of the High Water Alarm, where it sounds and duration of said alarm.
3. Page 3 of the Engineer's Report has been revised to include clarification with respect to the defention time.
4. The Camden County Municipal Utilities Authority NJPDES number has been reviewed as requested.
5. A copy of NJDEP Letter of Interpretation/Line Verification has been included as requested.
6. Pattie Burns of Wetlands and Environmental Technologies, Inc., was responsible for the wetlands delineation.
7. The Engineer's Report, page 1, has been revised to include the actual flow associated with this application.

Sherwood Mews • 833 Kings Highway
Woodbury, New Jersey 08096-3110
(856) 848-6800 FAX (856) 848-8520
www.sickelsassoc.com

SICKELS & ASSOCIATES, INC.

Engineers • Planners • Surveyors

8. The plans have been revised to include notes with regard to abandoning portions of the existing sanitary sewer system.
9. The proposed Pump Station will be terminated at existing downstream manhole. Page 2 of form WQM-006 has been revised for clarification.
10. The improvements are being proposed to accommodate Buildings A thru J as indicated on the plans.
11. We are not aware of any future development/flows for this project.

Please feel free to contact myself or James F. Sickels Jr., P.E. of this office with questions regarding this submission at (856) 848-6800.

Very truly yours,

SICKELS & ASSOCIATES, INC.

David S. Palgutta
David S. Palgutta, P.E., C.M.E.
Project Engineer

cc: Gabe DiMedio
Kevin DiMedio, c/o D. R. Horton
FAWORDS\OTHER\730\Permits\TWA\September-12-06-NJDEP Supplemental-jack walter.doc

Sherwood Mews • 833 Kings Highway
Woodbury, New Jersey 08096-3110
(856) 848-6800 FAX (856) 848-8520
www.sickelsassoc.com



RECEIVED SEP 2 1 2006

State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Municipal Finance and Construction Element

Division of Water Quality

P.O. Box 425

Trenton, New Jersey 08625

Fax: (609) 633-8165

www.state.nj.us/dep/dwq

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

Mount.Carmel Land Company LLC
401 Cooper Landing Road
Suite C-25
Cherry Hill, New Jersey 08002

SEP 25 2006

Re: Treatment Works Approval No. 06-0513
Villages @ Silver Lake
Clementon Borough, Camden County

Gentlemen:

There is enclosed a Treatment Works Approval issued to you pursuant to Title 58 of the Revised Statutes of New Jersey and in consideration of your application received on 07/27/2006 signed by Gabriel DeMedio owner and Brian Mitchell, P.E.

This approval is valid for a period of two (2) years from the issuance date, unless otherwise stated in the attached approval document. This approval shall expire unless building, installing or modifying of the treatment works has begun within the initial approval period. Treatment works approvals may be extended beyond the original two year approval date, to a maximum period of five years from the original issuance date, in accordance with the terms and conditions contained in N.J.A.C. 7:14A-22.12. A time extension request must be received by the Department prior to the permit's expiration date. Time extension requests shall be submitted to the Bureau of Financing and Construction Permits at the address noted in the heading of this letter.

If you have any questions regarding the permit, please contact Jack Walter of this office by calling (609) 633-1169.

Sincerely,

Tracy L. Shevlin P.E., Supervisor

Design Section

Bureau of Financing and Construction Permits

06-0513

Enclosure

cc: Sickels & Associates
Camden County Municipal Utilities Authority
Borough of Clementon

let's protect our world



STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
P.O. Box 402, TRENTON, NJ 08625-0402

PERMIT TO CONSTRUCT AND OPERATE* TREATMENT WORKS

**Local Agency approval required prior to operation*

The New Jersey Department of Environmental Protection grants this approval in accordance with your application, attachments accompanying same application, and applicable laws and regulation.

PERMIT NO.	ISSUANCE DATE	EXPIRATION DATE	DESIGN FLOW
06-0513	09/21/2006	09/20/2008	.0383 M.G.D.

NAME AND ADDRESS OF APPLICANT
Mt. Carmel Land Company LLC
401 Cooper Landing Road
Suite C-25
Cherry Hill, New Jersey 08002

LOCATION OF ACTIVITY
Clementon Borough
Camden County

This permit grants permission to:

Construct and operate approximately 1,571 LF of 8" sanitary sewer extension, a grinder pump station and 600 LF of 4" force main to serve 180 apartment units (thirty 1-bedroom & 150 2-bedroom) in the proposed development known as "Village of Silver Lake", in the Municipality of Clementon, Camden County, New Jersey.

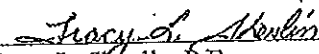
According to the plans entitled:

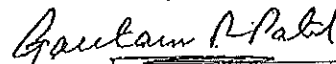
"Village At Silver Lake, Plate 6, Block 59, Lot 1 & Block 60, Lot 13, Borough Of Clementon, Camden County, New Jersey", 10 sheets, prepared by Sickels & Associates, dated March 10, 2005, last revised September 12, 2006.

and according to the specifications entitled:

"Engineer's Report, Pump Station And Sanitary Sewer System For Village At Silver Lake, Borough Of Clementon, Camden Co., NJ, Plate 6, Block 59, Lot 1, Plate 6, Lot 13", prepared by Sickels & Associates, dated September 2009, revised June 2006.

APPROVED by the Department of Environmental Protection


Tracy L. Shevlin, P.E.


Gautam R. Patel, Chief
Bureau of Financing and Construction Permits

This permit is also subject to special provisos and general conditions stipulated on the attached page(s) which are agreed to by the permittee upon acceptance of the permit.

PART I

PROVISOS

A. Project Specific Provisos

1. That pursuant to N.J.A.C. 7:10A-1 et. seq., an appropriate public wastewater collection system licensed operator will be required for your system.
2. That the proper operation and maintenance of the sewer system approved herein is the sole responsibility of the OWNER AND OR APPLICANT named herein or its assignees.
3. That all sewerage conveyance facilities which are to be abandoned shall be emptied of wastes and either removed or abandoned in place in a manner which is acceptable to the administrative authority.
4. That for the purposes of design flow, the design capacity of the pump station approved herein is considered to be 180 gallons per minute with the largest pump out of service.
5. That the project site to be served by the sanitary sewer system approved herein encompasses wetlands as delineated on the U.S. Fish and Wildlife Service National Wetlands Inventory mapping and may require an approval from the Department's Land Use Regulation Program. The issuance of this permit does not exempt the applicant of the responsibility to comply with all applicable requirements of the Freshwater Wetlands Protection Act.
6. That a mapping revision or waiver must be obtained from the USEPA Region 2, 290 Broadway, New York, NY 10007-1866, prior to the initiation of construction. You may contact Grace Musumeci, Chief, Environmental Review Section, Strategic Planning and Multi-Media Programs Branch by calling (212) 637-3504 with any questions regarding this matter.

Prepared by: *Jack Walter* (Jack Walter).

GENERAL CONDITIONS FOR TREATMENT WORKS APPROVALS**Section A. GENERAL CONDITIONS**

1. This permit is revocable, or subject to modification or change, at any time, when in the judgement of the Department of Environmental Protection of the State of New Jersey such revocation, modification or change shall be necessary.
2. The issuance of this permit shall not be deemed to affect in any way action by the Department of Environmental Protection of the State of New Jersey on any future application.
3. The works, facilities, and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and the said conditions.
4. No change in plans or specifications shall be made except with the prior written permission of the Department of Environmental Protection of the State of New Jersey.
5. The granting of this permit shall not be construed to in any way affect the title or ownership of property, and shall not make the Department of Environmental Protection or the State a party in any suit or question of property.
6. This permit does not waive the obtaining of Federal or other State or local government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained.
7. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person.
8. No treatment unit or conveyance system may be by-passed which would result in the discharge of untreated sewage into any of the waters of the state.
9. The full responsibility for adequate design, construction and operation of the treatment works, and the full responsibility for successful collection, treatment, and discharge of pollutants shall be on the applicant.
10. The issuance of approval by the Department shall not relieve the applicant of the continuing responsibility for the successful collection, treatment, or discharge of pollutants for the continuing compliance with any applicable effluent limitations, permits, regulations, statute, or other law.
11. Review and approval is based solely upon the information contained in the application and the contents of the engineer's report as certified by the licensed professional engineer as being in compliance with the Department's Rules and Regulations.

Section B. CONSTRUCTION COMPLETION CERTIFICATION

1. Within 30 days of completion of the treatment works approved herein, the permittee shall submit two executed forms, WQM005 Certification of Approval, to the appropriate sewage treatment plant (STP) for their approval prior to operation. One executed copy approved by the receiving STP shall be forwarded to the appropriate Bureau and address noted on the cover page of this approval. Failure to submit the certification within 30 days of completion of the project may be grounds for revocation of the permit. Should partial operation be required prior to completion, approval will be under local jurisdiction.
2. In cases where the project and the receiving treatment facility are one in the same, the WQM005 Certification of Approval form must be submitted to the Bureau and address noted on the cover page of this approval within 30 days of completion of the treatment works. Failure to submit the certification within this time period may be grounds for revocation of the permit.

Section C. PERMIT EXPIRATION AND EXTENSIONS OF TIME

1. This permit shall remain in force for a period of only two years from the date of approval unless stated otherwise within the special provisos, or construction of said works has begun within the approved time frame. Interruption of construction of said works for a period of more than two years may serve as a basis for permit revocation.
2. Treatment works approvals may be extended beyond the original two year approval date, to a maximum of five years from the original issuance date, in accordance with the terms and conditions in N.J.A.C. 7:14A-22.12, unless stated otherwise within the special provisos. A time extension request must be received by the Department prior to the permit's expiration date. Requests must be submitted to the Bureau and address noted on the cover page.

Section D. ADJUDICATORY HEARING REQUESTS

1. Pursuant to N.J.A.C. 7:1C-1.9 et seq., any interested person who considers himself or herself aggrieved by this action, may, within 10 days of publication of notice of the decision in the DEP Bulletin, request a hearing by addressing a written request for such hearing to the:

Office of Legal Affairs
Attention: Adjudicatory Hearing Requests
Department of Environmental Protection
P.O. Box 402
Trenton, NJ 08625-0402

Such a request should include a completed Administrative Hearing Request Checklist and Tracking form for Approvals or Denials (enclosed herein for Denials). This form is required, as DEP is the transmitting agency to the Office of Administrative Law, pursuant to N.J.A.C. 1:1-8.2.



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Division of Water Supply - Water Supply Permitting Element

Bureau of Water Systems and Well Permitting

401 E. State Street - P.O. Box 426

Trenton, New Jersey 08625-0426

Tel #: (609) 984-6831 - Fax #: (609) 633-1495

<http://www.state.nj.us/dep/watersupply/>

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

November 16, 2006

Clementon Water Department
101 Gibbsboro Road
Clementon, NJ 08021

Dear Water Purveyor:

Enclosed is a construction permit dated November 16, 2006 issued to you pursuant to the New Jersey Safe Drinking Water Act, N.J.S.A. 58:12A, and in consideration of your application dated June 19th, 2006 and signed by Jenal Johnson, Acting Borough Clerk.

Your permit is for:

- ◆ Construction of additions and alterations to an existing water distribution system comprising 2,176 L.F. of 8-inch CLDIP water main extension to serve the Villages at Silver Lake, a 180 unit garden apartment complex; located in Clementon Borough (Block #'s 59 & 60, Lot #'s 1 & 13), County of Camden, New Jersey; and
- ◆ The distribution of water for potable purposes from said works.

Your attention is specifically drawn to the **specific** conditions on aforesaid permit. Enclosed with this permit is the Construction Completion Certification (CCC). The CCC **must** be submitted as required by the Submittal Action Requirements in the attached permit conditions. Should you have any questions about this permit, please contact Ramesh Patel at (609) 984-6831. When contacting the Department regarding this permit, please reference the Permit No. and PWSID No. provided herein.

Sincerely,

Vincent Monaco, P.E., Bureau Chief
Bureau of Water Systems and
Well Permitting

PWSID NO.: NJ0411001
WCP060001
Enclosures

cc: James Sickels, Sickels & Associates, Inc.
Mayor and Council of Clementon Borough
Southern Bureau of Water Compliance and Enforcement
Ramesh Patel, BWSWP
Heather Carson, BSDW

RECEIVED NOV 20 2006



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
 Division of Water Supply - Water Supply Permitting Element
 Bureau of Water Systems and Well Permitting
 401 E. State Street - P.O. Box 426
 Trenton, New Jersey 08625-0426
 Tel #: (609) 984-6831 - Fax #: (609) 633-1495
<http://www.state.nj.us/dep/watersupply/>

JON S. CORZINE
 Governor

LISA P. JACKSON
 Commissioner

PERMIT*

The New Jersey Department of Environmental Protection grants this permit in accordance with your application, attachments accompanying same application, and applicable laws and regulations. This permit is also subject to further conditions and stipulations enumerated in the supporting documents which are agreed to by the permittee upon acceptance of the permit.			
Permit No. WCP080001	Issuance Date	Effective Date	Expiration Date
PWSID No. 0411001	November 16, 2006	Issuance Date	See General Condition No. 17
Name and Address of Applicant		Location of Activity/Facility:	
Clementon Water Department 101 Gibbsboro Road Clementon, NJ 08021		Brand Avenue Block #'s 59 & 60, Lot #'s 1 & 13 Borough of Clementon, Camden County	
		Type of Permit	Statute(s):
		Potable Water Supply	N.J.S.A. 58:12A-1.1 et seq.

This permit grants permission to:

1. Construct additions and alterations to an existing water distribution system comprising 2,176 L.F. of 8-inch CLDIP water main extension to serve the Villages at Silver Lake, a 180 unit garden apartment complex;
2. Operate the facilities approved by this permit and distribute water for potable purposes from said works.

According to an engineer's report entitled:

<u>Document Title</u>	<u>Date</u>	<u>Prepared By</u>
Villages at Silver Lake	06/30/2006	Sickels & Associates

According to plans entitled:

<u>Document Title</u>	<u>Date</u>	<u>Prepared By</u>
Villages at Silver Lake	06/16/2006	Sickels & Associates

According to specifications entitled:

<u>Document Title</u>	<u>Date</u>	<u>Prepared By</u>
Villages at Silver Lake	06/30/2006	Sickels & Associates

Additional Information: 08/29/2006 and 10/13/2006 (signed application, fees and request for GIS extension)

This permit is subject to specific and general conditions contained in the following page(s):

Continued on Requirements Page -- 1 of 2

Approved by the authority of:

Lisa P. Jackson
 Commissioner

Vincent Monaco, P.E., Bureau Chief

The word permit means approval, certification, registration, etc.

CLEMENTON WATER DEPARTMENT
0411001

SDW Construction Permit : WCP060001

Permit Requirements

Submittal/Action Requirements

Applicable Subject Items	Submittal/Action Type	Requirement
Villages at Silverlake (WSYT828286)	completed construction certification report	Within thirty days of completion of the approved facilities the permittee/engineer shall notify the Department of the completion date and certify that the facilities were constructed in accordance with the approved plans and specifications by returning the enclosed Construction Completion Certification (CCC). Submit the CCC Within three years from the date of the approval. [N.J.A.C. 7:10-11]

Text Requirements

All Phases

Villages at Silverlake (WSYT828286)

1. DISTRIBUTION SYSTEM PERMIT SPECIFIC CONDITIONS.
2. The permittee is advised that the peak daily demand associated with this approval is 0.09 MGD. [N.J.A.C. 7:10-11]
3. The permittee is advised that the projected peak daily demand for this water supply is 0.827 MGD versus a current Firm Source/Treatment Capacity of 1.44 MGD. [N.J.A.C. 7:10-11]
4. The permittee is advised that the total water available from diversion privilege as set by Water Allocation Permit 5168 is 30.5 MGM and 320 MGY. With this approval and previously approved water main extensions, the projected peak month and annual demand are 24,243 MGM and 205,516 MGY. [N.J.A.C. 7:10-11]
5. This permit shall not be construed as an approval for any other future development(s) or service connections to be served by this water main extension. Separate permit applications are necessary for these development(s). [N.J.A.C. 7:10-11]
6. The permittee is advised to increase their finished water storage capacity to comply with minimum storage requirement in accordance with N.J.A.C. 7:19-6.7. Within 180 days of this permit issuance date, the permittee shall submit a plan and implementation schedule to remedy the storage capacity deficiency. [N.J.A.C. 7:10-11]
7. PERMIT GENERAL CONDITIONS.
8. The permit is revocable, or subject to modification or change, at any time, when in the judgment of the New Jersey Department of Environmental Protection such revocation, modification or change shall be necessary. [N.J.A.C. 7:10-11]
9. The issuance of this permit shall not be deemed to affect in any way action by the New Jersey Department of Environmental Protection on any future application. [N.J.A.C. 7:10-11]
10. The works, facilities and/or activities shown by plans and/or other engineering data, which are this day approved, subject to the conditions herewith established, shall be constructed and/or executed in conformity with such plans and/or engineering data and said conditions. [N.J.A.C. 7:10-11]
11. No change in plans or specifications shall be made without prior written permission from the New Jersey Department of Environmental Protection. [N.J.A.C. 7:10-11]
12. The granting of this permit shall not be construed in any way to affect the title or ownership of property, and shall not make the New Jersey Department of Environmental Protection or the State a party in any suit or question of ownership of property. [N.J.A.C. 7:10-11]
13. This permit does not waive the obtaining of Federal or other State or Local Government consent when necessary. This permit is not valid and no work shall be undertaken until such time as all other required approvals and permits have been obtained. [N.J.A.C. 7:10-11]
14. A copy of this permit shall be kept at the work site, and shall be exhibited upon request of any person. [N.J.A.C. 7:10-11]

CLEMENTON WATER DEPARTMENT
0411001

SDW Construction Permit : WCP060001

Text Requirements

All Phases

Villages at Silverlake (WSYT828286)

15. In the examination of plans and/or other engineering data, the New Jersey Department of Environmental Protection does not examine the structural features of the design, such as thickness of concrete or its reinforcement, the efficiency of any electrical or mechanical equipment or apparatus, and the approval herewith given does not include these features. [N.J.A.C. 7:10-11].
16. Water distribution by said works shall at all times meet the applicable standards for quality. Additional units for the derivation, treatment and for distribution of the water shall be established if and when required by the New Jersey Department of Environmental Protection. [N.J.A.C. 7:10-11].
17. For this permit to remain valid, the facilities approved in this permit shall be constructed and placed into service within three years from the effective date of the permit. [N.J.A.C. 7:10-11].
18. The operations of the public water facility shall be under the supervision of an operator or operators who shall possess a valid license or licenses issued by the New Jersey Department of Environmental Protection, pursuant to the provisions of the Water Supply and Wastewater Operators' Licensing Act, N.J.S.A. 58:11-64 et seq.
19. The minimum required licensing classification(s) shall be W-2 & T-1 or equivalent and in accordance with the Licensing of Water Supply and Wastewater Treatment System Operators, N.J.A.C. 7:10A-1.1 et seq., and the supplements thereof and amended thereto. [N.J.A.C. 7:10-11].
20. The public water facilities shall be operated in such a manner so as to be in full compliance with the New Jersey Safe Drinking Water Act Rules at N.J.A.C. 7:10-1.1 et seq. and the Water Supply Management Act Rules at N.J.A.C. 7:19-1.1 et seq. [N.J.A.C. 7:10-11].
21. The public water facilities shall be operated in such a manner as to optimize the use of all available sources of water in order to achieve and maintain compliance with Water Diversion Permit No. 5168. [N.J.A.C. 7:10-11].



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Water Supply - Water Supply Permitting Element
Bureau of Water Systems and Well Permitting
401 E. State Street - P.O. Box 426
Trenton, New Jersey 08625-0426
Tel #: (609) 984-6831 - Fax #: (609) 633-1495
<http://www.state.nj.us/dep/watersupply/>

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

CONSTRUCTION COMPLETION CERTIFICATION

Attention: Bureau of Water Systems and Well Permitting
Water Systems Construction Permit Section

PERMIT NO.: WCP080001

ISSUANCE DATE: November 16, 2006

I (We) hereby certify that the following has been built and was completed in accordance with the approved plans, specifications, and other supporting information.

APPLICANT: Clementon Water Department

PWSID: NJ0411001

PROJECT DESCRIPTION: additions and alterations to an existing water distribution system comprising 2,176 L.F. of 8-Inch CLDIP water main extension to serve the Villages at Silver Lake, a 180 unit garden apartment complex

MUNICIPALITY: Borough of Clementon

COUNTY: Camden

COMPLETION DATE: _____

DATE FACILITIES WERE PLACED INTO SERVICE: _____

Signature of Engineer & Embossed Seal

Name of Engineer / New Jersey License Number

Date



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Division of Water Supply - Water Supply Permitting Element
Bureau of Water Systems and Well Permitting
401 E. State Street - P.O. Box 436
Trenton, New Jersey 08625-0436
Tel #: (609) 984-6831 • Fax #: (609) 633-1495
<http://www.state.nj.us/dap/watersupply/>

LISA P. JACKSON
Commissioner

JON S. CORZINE
Governor

October 24, 2006

Clementon Water Department
161 Gibbsboro Road
Boro Hall
Clementon, NJ 08021

Re: GIS Extension of Time Request - Approved
Clementon Water Department
PWSID No. NJ0411001
Activity No. WSG060001

Dear Water Purveyor:

This letter is in response to Clementon Water Department's request for an extension of time dated October 13, 2006.

Accordingly, your application for an extension of time is hereby granted as requested. Please note that if any portion of this digital data submission cannot be completed by the extended date of November 13, 2006, no future permits will be accepted by the Department.

Should you have any questions please contact Robert Hamilton at (609) 984-6831. When contacting the Department regarding this application, always reference the assigned Activity No. WSG060001.

Sincerely,

Robert Hamilton
Bureau of Water Systems
and Well Permitting

cc: William H. Fleming, P.E., Churchill Consulting Engineers
James Montgomery, BSWP
Ramesh Patel, BSWP

NJEMSStd_gis_ext_of_time_accept



State of New Jersey
Department of Environmental
Protection

Telefacsimile

TO: William Fleming Date: 10/25/06

Agency: Churchill Consulting Engineers

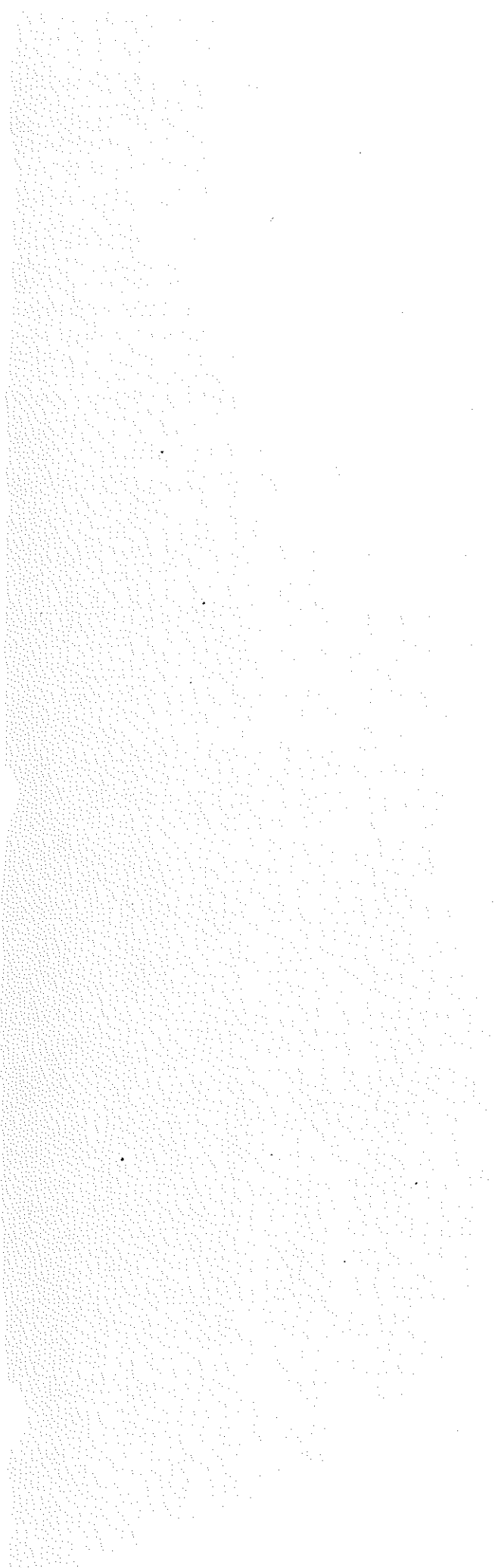
Telephone # 856-767-6901 Fax # 856-767-0272 No. Of pages with cover: 2

FROM Robert Hamilton

Comments _____

If you have any questions, please call 609-984-6831.

Water Supply Division - (609) 292-7219
Bureau of Water Systems and Well Permitting
(609) 984-6831
FAX # (609) 633-1495
401 E. State St., P.O. Box 426
Trenton, NJ 08625-0426



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Small, faint, illegible text or markings.

Chicago Title Insurance Company

ALTA COMMITMENT

Schedule A

Commitment No. 34747-G

1. Commitment Date: August 14, 2006

2. Policy or Policies to be issued:

(a) ALTA Owner's Policy (10/17/92)

Amount \$1,500,000.00

Proposed Insured: Brookside Point, LLC

(b) ALTA Loan Policy (10/17/92)

Amount To Be Advised

Proposed Insured: Amboy National Bank, its successors and/or assigns

(c) Policy Amount

Proposed Insured:

3. The estate or interest in the land described or referred to in the Commitment and covered herein is FEE SIMPLE and is at the effective date hereof vested in:


Mt. Carmel Land Company, LLC by deed from Mt. Carmel Land Company, LLC dated June 21, 2006, recorded July 5, 2006 in Deed OR book 8251, page 212

Mt. Carmel Land Company, L.L.C., by Deed from Our Lady of Mount Carmel, Camden, N.J., a religious corporation of the State of New Jersey, dated September 28, 2004, and recorded October 15, 2004, in the Camden County Clerk's Office in Deed-Or book 7603, page 1847, as File #2004129967.

Mt. Carmel Land Company, LLC, by deed from Oliver Beckworth II, a NJ Partnership, dated 5/16/05 and recorded 5/19/05 in the Camden County Clerk/Register's Office in Deed Book 7827, Page 275, as File #2005057162.

4. The land referred to in this Commitment is situated in the Clementon County of Camden County, State of New Jersey:

Countersigned


Norman G. Copsetta

DESCRIPTION

ALL that certain tract, lot and parcel of land lying and being in Clementon, Camden County and State of New Jersey being more particularly described as follows:

BEGINNING at a point in the Easterly right of way of the White Horse Pike (66" wide) corner to Block 60, Lot 1 and Lot 13 as shown on plan "Villages at Silver Lake" by Sickels & Associates, Inc., said point being distance south 55 degrees 21 minutes 59 seconds East, 101.83' from the intersection of the Easterly right of way of the White Horse Pike and the Southerly right of way of Brand Avenue (35') wide and extending; thence

- 1) Along the division line of Block 60, Lot 1, Lot 1.01, Lot 2, Lot 3, Lot 4, Lot 4.01, Lot 4.02 and Lot 13, North 42 degrees 02 minutes 28 seconds East, a distance of 671.35 feet to a point for a corner; thence
- 2) Along the division line of Block 60, Lot 4.02 and Block 59, Lot 1.01 North 48 degrees 00 minutes 50 seconds West, a distance of 101.67 feet to the Southerly right of way of Brand Avenue (35' wide); thence
- 3) Along said Southerly right of way of Brand Avenue (35' wide) North 41 degrees 59 minutes 02 seconds East, a distance of 432.88 feet to a point for a corner to Block 59, Lots 1 and 1.01; thence
- 4) Along the division line of Block 59, Lots 1 and 1.01, South 42 degrees 41 minutes 09 seconds East, a distance of 101.55 feet to a point of curve; thence
- 5) Still along the division line of Block 59, Lots 1 and 1.01 in a generally Southeasterly direction along an arc curving to the left having a radius of 80.00 feet, an arc distance of 112.11 feet to a point of tangency; thence
- 6) Still along the division line of Block 59, Lot 1 and 1.01 North 57 degrees 01 minutes 09 seconds East, a distance of 129.92 feet to a point for a corner; thence
- 7) Still along the division line of Block 59, Lot 1 and 1.01 South 39 degrees 58 minutes 51 seconds East, a distance of 90.43 feet to a point for a corner; thence
- 8) Still along the division line of Block 59, Lots 1 and 1.01 South 88 degrees 11 minutes 31 seconds East, a distance of 106.81 feet to a point for a corner; thence
- 9) Still along the division line of Block 59, Lots 1 and 1.01 North 42 degrees 32 minutes 09 seconds East, a distance of 40.39 feet to a point for a corner; thence
- 10) Still along the division line of Block 59, Lots 1 and 1.01 South 24 degrees 34 minutes 01 seconds East, a distance of 88.23 feet to a point for a corner; thence
- 11) Still along the division line of Block 59, Lots 1 and 1.01 South 44 degrees 33 minutes 20 seconds East, a distance of 124.15 feet to a point for a corner; thence

DESCRIPTION

-continued-

- 12) Along the division line of Norway Avenue (50' wide) Block 62, Lot 1, Lot 1.02 and Francis Avenue (30' wide) Block 61, Lot 12 and Lot 2, Block 59, Lot 1.01, South 45 degrees 26 minutes 40 seconds West, a distance of 948.50 feet to a point for a corner; thence
- 13) Along the division line of Block 60, Lots 14 and 13, North 55 degrees 21 minutes 59 seconds West, a distance of 26.66 feet to a point for a corner; thence
- 14) Still along the division line of Block 60, Lots 14 and 13, South 55 degrees 14 minutes 21 seconds West, a distance of 139.75 feet to a point for a corner; thence
- 15) Still along the division line of Block 60, Lots 14 and 13, South 69 degrees 01 minutes 41 seconds West, a distance of 45.10 feet to a point for a corner; thence
- 16) Along the division line of Block 60, Lot 13.01 (Tax Map) and Lot 13, North 55 degrees 21 minutes 59 seconds West, a distance of 313.44 feet to a point for a corner; thence
- 17) Still along the division line of Block 60, Lot 13.01 (Tax Map) and Lot 13, South 42 degrees 02 minutes 01 seconds West, a distance of 151.26 feet in the Easterly right of way of the White Horse Pike (66' wide); thence
- 18) Along the said right of way North 55 degrees 21 minutes 59 seconds West, a distance of 40.34 feet to the point and place of Beginning.

FOR INFORMATION ONLY: Being Block 59 Lots 1.0181 to 1.0300 and Block 60, Lot 13, Tax Map.

SCHEDULE B - SECTION 1

The following are requirements to be complied with:

1. Instrument(s) necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record, to wit:
 - a) Deed from Mt. Carmel Land Company, L.L.C. to Brookside Point, L.L.C.
 - b) Mortgage from Brookside Point, L.L.C. to To Be Advised.
2. Payment of the full consideration to, or for the account of the grantor(s) or mortgagor(s).
3. Payment of all taxes assessed against subject premises, which are due and payable.
4. Liability for additional assessment for taxes in connection with new construction pursuant to NJSA 54:4-63.1, et seq.
5. Satisfactory provision for payment of all assessments for municipal improvements assessed which are a lien against the subject premises but not yet due and payable.
6. Satisfactory evidence should be produced that improvements and/or repairs or alterations thereto are completed, that contractors, subcontractors, labor and materialmen are all paid.
7. Furnish a satisfactory survey that is current and certified to this company.
8. Satisfactory evidence should be produced disclosing the rights or claims of parties possession not shown by the public record.
9. Satisfactory disposition of Superior Court and United States District Court judgements, if any, which are disclosed upon return of search.
10. Furnish satisfactory proof of the marital status of

-continued-

SCHEDULE B

**Section 1
(continued)**

Satisfactory disposition of the following:

11. Proof is required that the Certificate of Formation of Mt. Carmel Land Company, L.L.C. (together with any and all amendments thereto), has been filed in the Office of the Secretary of State of New Jersey pursuant to "New Jersey Limited Liability Act", N.J.S.A. 42:2B-1 et seq.
12. A copy of the Operating Agreement of Mt. Carmel Land Company, L.L.C., must be submitted to the Company for review, together with any amendments or supplements thereto. This Company reserves the right to raise additional requirements and/or exceptions upon receipt and review of same.
13. Proof is required that the Operating Agreement has not been modified or amended and that there has been no change in the composition of Mt. Carmel Land Company, L.L.C., since its formation.
14. Proof is required that Mt. Carmel Land Company, L.L.C., continues to be a valid limited liability company in compliance with N.J.S.A. 42:2B-1 et seq.

NOTE: New Jersey State Business Entity Status Report dated August 29, 2006 -vs- Mt. Carmel Land Company, L.L.C., discloses "Active". (See attached)

15. Any Deed used to convey subject premises must be executed by ALL members. In the alternative, the Deed may be executed by a managing member authorized to sign the closing instruments, provided such authorization is in writing and in a form satisfactory to this Company.
16. Proof is required that the Certificate of Formation of Brookside Point, L.L.C. (together with any and all amendments thereto), has been filed in the Office of the Secretary of State of New Jersey pursuant to "New Jersey Limited Liability Act", N.J.S.A. 42:2B-1 et seq.
17. A copy of the Operating Agreement of Brookside Point, L.L.C., must be submitted to the Company for review, together with any amendments or supplements thereto. This Company reserves the right to raise additional requirements and/or exceptions upon receipt and review of same.
18. Proof is required that the Operating Agreement has not been modified or amended and that there has been no change in the composition of Brookside Point, L.L.C., since its formation.
19. Proof is required that Brookside Point, L.L.C., continues to be a valid limited liability company in compliance with N.J.S.A. 42:2B-1 et seq.

NOTE: New Jersey State Business Entity Status Report dated August 29, 2006 -vs- Brookside Point, L.L.C., discloses "Active". (See attached)

20. Any Mortgage used to encumber subject premises must be executed by ALL members. In the alternative, the Mortgage may be executed by a managing member authorized to sign the closing instruments, provided such authorization is in writing and in a form satisfactory to this Company.

continued

SCHEDULE B

Section 1
(continued)

20. Claims, if any, of the Borough of Clementon Sewerage Authority. (Note: Last receipt to be produced)

21. Claims, if any, of the Camden County Municipal Utilities Authority. (Note: Last receipt to be produced)

Note: Tideland Search dated August 31, 2006 attached. Findings: "Unclaimed."

Note: Flood Search dated August 30, 2006 attached. Shows Clear.

The company requires that a Notice of Settlement be filed pursuant to N.J.S.A. 46:16A-1, et seq., in connection with this transaction. Please note that the Notice now has a duration of forty-five (45) days.

NOTICE: New Jersey law requires that the title company give notice to the proposed insured(s) that "there may be conditions, exceptions and limitations of the insurance liability of the title company contained in the commitment to insure, and that the proposed insured is entitled to review the commitment to insure before transfer of title with an attorney at law of the insured's own choosing"

Any Instrument to be recorded must contain the signature of the person who prepared or drafted the Instrument, or the signature of another member of his firm or association. N.J.S.A. 46:15-13. Amended Laws 1981, Ch. 228. Effective March 27, 1983, said signature must appear on the first page of the Instrument.

NOTE: PLEASE BRING TO SETTLEMENT:

- a) Tax Bills (and any receipt for same)
- b) Municipal Improvement Assessments Bills (and any receipts for same)
- c) Municipal Water and/or Sewer Bills (and any receipts for same)
- d) Certificate of Occupancy, if same is required by Municipality.

SCHEDULE B - SECTION 2

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Rights or claims of parties in possession not shown by the public records.
3. Easements, or claims of easements, not shown by the public records.
4. Encroachments, overlaps, boundary line disputes and other matters which would be disclosed by an accurate survey and inspection of the premises. (For an additional charge and upon submission of an acceptable survey, this exception will be deleted by the endorsement and the policy will set forth the matters, if any, affecting title).
5. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
6. Right of Way as in deed book 2943, page 267.
7. Easement as in deed book 2949, page 1.
8. Right of Way as in deed book 2952, page 284.
9. Easement as in deed book 2962, page 393.
10. Right of Way as in deed book 3223, page 93.
11. Easement as in deed book 3413, page 569.
12. Right of Way as in deed book 78, page 352.
13. Slope, grading and drainage rights of the State of New Jersey as in deed book 681, page 274.
14. Easement as in deed book 1357, page 149.
15. Easement as in deed book 3887, page 621.
16. Easement as in deed book 4786, page 662.
17. Subsurface conditions and/or encroachments not disclosed by an Instrument of record.
18. Subject to the provisions of the New Jersey Condominium Act, its supplements and amendments.
19. Developer's Agreement between the Borough of Clementon and Mt. Carmel Land Company, LLC in deed book 8295, page 1988.

CHARLES JONES INC
HEREBY CERTIFIES TO:

NEW JERSEY SUPERIOR COURT,
UNITED STATES DISTRICT COURT AND
UNITED STATES BANKRUPTCY COURT

667-4800-10

RE: 34747-G

COOPER ABSTRACT COMPANY
NORMAN COPSETTA
401 COOPER LANDING RD, STE C-6
CHERRY HILL NJ 08002--

THAT IT HAS SEARCHED THE INDEX OF THE CIVIL JUDGMENT AND ORDER DOCKET OF THE SUPERIOR COURT OF NEW JERSEY, THE INDEX OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY, AND THE INDEX OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY AND DOES NOT FIND REMAINING UNSATISFIED OF RECORD IN ANY OF THESE COURTS A JUDGMENT OR OTHER DOCKETED RECORD REFERRED TO BY THE RESPECTIVE INDICES WHICH CONSTITUTES A GENERAL LIEN ON REAL PROPERTY IN NEW JERSEY, NOR ANY CERCLA LIEN ON SPECIFIC REAL PROPERTY WITHIN NEW JERSEY, NOR ANY PETITION COMMENCING PROCEEDINGS IN BANKRUPTCY EXCEPT AS BELOW SET FORTH AGAINST:

	FROM	TO
MT. CARMEL LAND COMPANY, LLC	08-25-1986	08-25-2006

CLEAR

DATED 08-25-2006
TIME 08:45 AM

RN06-241-01705

241 0584241 02

CHARLES JONES INC
P.O. BOX 8488
TRENTON, NJ 08650

CHARLES JONES INC
HEREBY CERTIFIES TO:

NEW JERSEY SUPERIOR COURT,
UNITED STATES DISTRICT COURT AND
UNITED STATES BANKRUPTCY COURT

667-4800-10

RE: 34747-G

COOPER ABSTRACT COMPANY
NORMAN COPSETTA
401 COOPER LANDING RD, STE C-6
CHERRY HILL NJ 08002-

THAT IT HAS SEARCHED THE INDEX OF THE CIVIL JUDGMENT AND ORDER DOCKET OF THE SUPERIOR COURT OF NEW JERSEY, THE INDEX OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY, AND THE INDEX OF THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEW JERSEY AND DOES NOT FIND REMAINING UNSATISFIED OF RECORD IN ANY OF THESE COURTS A JUDGMENT OR OTHER DOCKETED RECORD REFERRED TO BY THE RESPECTIVE INDICES WHICH CONSTITUTES A GENERAL LIEN ON REAL PROPERTY IN NEW JERSEY, NOR ANY CERCLA LIEN ON SPECIFIC REAL PROPERTY WITHIN NEW JERSEY, NOR ANY PETITION COMMENCING PROCEEDINGS IN BANKRUPTCY EXCEPT AS BELOW SET FORTH AGAINST:

BROOKSIDE POINT, LLC

FROM TO
08-25-1986 08-25-2006

CLEAR

DATED 08-25-2006
TIME 08:45 AM

RN06-241-01736

241 0582241 02

CHARLES JONES INC
P.O. BOX 8488
TRENTON, NJ 08650



New Jersey State Business Gateway Service
Corporate and Business Information Reporting

Business Entity Status Report

Printing Instructions: Open your Browser's Page Setup menu and set your page margins to 0.25". Use your Browser's Print option to print the report as seen on screen.
Saving Instructions: Save this file to your hard drive for later viewing by using the Browser's "Save As" function.
All available information is displayed.

Status Report For: **MT. CARMEL LAND COMPANY, L.L.C.**

Business Name: **MT. CARMEL LAND COMPANY, L.L.C.**
Business ID Number: **0600173226**

Report Date: **08/29/2006**

Transaction Number: Sequence: **957437: 1**

Business Type: **DOMESTIC LIMITED LIABILITY COMPANY**
Status: **ACTIVE**

Filing Date: **06/24/2003** Home Jurisdiction: **NJ**
Status Change Date: Stock Amount: **0**
DOR Suspension Start Date: DOR Suspension End Date:
Tax Suspension Start Date: Tax Suspension End Date:
Annual Report Month: **6**
Last Annual Report Filed: **05/19/2006**
For Last Annual Report Paid Year: **2006**

Incorporator:
Agent: **ADAM D. GREENBERG, ESQ.**
Agent Address: **HONIG & GREENBERG 227 LAUREL ROAD, SUITE 100
VOORHEES, NJ 08043**

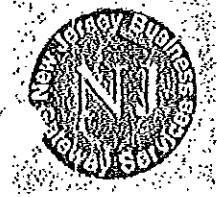
Office Address Status: **Deliverable**
Main Business Address: **401 COOPER LANDING RD STE C 25
CHERRY HILL, NJ 08002**
Principal Business Address: **401 COOPER LANDING RD STE C 25
CHERRY HILL, NJ 08002**

Associated Names
Name:

Type Description:

Officers/Directors/Members

1) Title: **GENERAL PARTNER**
Name: **GABRIEL DIMEDIO**
Address: **401 COOPER LANDING ROAD
CHERRY HILL, NJ 08002**



New Jersey State Business Gateway Service

Corporate and Business Information Reporting

Business Entity Status Report

Printing Instructions: Open your Browser's Page Setup menu and set your page margins to 0.25". Use your Browser's Print option to print the report as seen on screen.
Saving Instructions: Save this file to your hard drive for later viewing by using the Browser's "Save As" function.
All available information is displayed.

Status Report For: BROOKSIDE POINT, L.L.C.	
Business Name: BROOKSIDE POINT, L.L.C.	Report Date: 08/29/2006
Business ID Number: 0600110373	Transaction Number: Sequence: 957503; 1
Business Type: DOMESTIC LIMITED LIABILITY COMPANY	
Status: ACTIVE	
Filing Date: 03/02/2001	Home Jurisdiction: NJ
Status Change Date:	Stock Amount: 0
DOR Suspension Start Date:	DOR Suspension End Date:
Tax Suspension Start Date:	Tax Suspension End Date:
Annual Report Month: 3	
Last Annual Report Filed: 12/20/2005	
For Last Annual Report Paid Year: 2006	
Incorporator:	
Agent: SAM JUFFE	
Agent Address: 1100 CENTENNIAL AVENUE SUITE 201	
PISCATAWAY, NJ 08854 - 0000	
Office Address Status: Deliverable	
Main Business Address: 1100 CENTENNIAL AVE SUITE 201	
PISCATAWAY, NJ 08854	
Principal Business Address: 1100 CENTENNIAL AVE SUITE 201	
PISCATAWAY, NJ 08854	
Associated Names	
Name:	Type Description:
Officers/Directors/Members	
1) Title: GENERAL PARTNER	
Name: JOE STADNIK	
Address: 784 JACQUELINE COURT	
TOMS RIVER, NJ 08753	

DEPARTMENT OF HOMELAND SECURITY FEDERAL EMERGENCY MANAGEMENT AGENCY STANDARD FLOOD HAZARD DETERMINATION	Adapted from FEMA Form 81-93 Oct 02	O.M.B. No. 1660-0040 Expires October 31, 2008
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SECTION I - LOAN INFORMATION

1. LENDER NAME AND ADDRESS THE PROPOSED LENDER	2. COLLATERAL (Building/Mobile Home/Personal Property) <i>(Legal Description may be attached)</i> Owner: MT CARMEL LAND COMPANY LLC Address Supplied: HERITAGE SQUARE CLEMENTON, NJ 08021 BLOCK: 60 LOT: 13 QUALIFIER:	PROPERTY ADDRESS Address Found: 181 WHITE HORSE PIKE CLEMENTON NJ 08021 BLOCK: 60 LOT: 13 QUALIFIER:
3. LENDER ID. NO.	4. LOAN IDENTIFIER	5. AMOUNT OF FLOOD INSURANCE REQUIRED \$

SECTION II

A. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) COMMUNITY JURISDICTION				
1. NFIP Community Name	2. County(ies)	3. State	4. NFIP Community Number	
CLEMENTON BOROUGH	CAMDEN	NJ	340130	

B. NATIONAL FLOOD INSURANCE PROGRAM (NFIP) DATA AFFECTING BUILDING/MOBILE HOME				
1. NFIP Map Number or Community-Panel Number <i>(Community name, if not the same as "A")</i>	2. NFIP Map Panel Effective/Revised Date	3. LOMA/OMR	4. Flood Zone	5. No NFIP Map
340130 0001 B	21-OCT-1983	<input type="checkbox"/> yes Date	C	

C. FEDERAL FLOOD INSURANCE AVAILABILITY (Check all that apply)

Federal Flood Insurance is available (community participates in NFIP)
 Regular Program
 Emergency Program of NFIP

Federal Flood Insurance is not available because community is not participating in the NFIP.

Building/Mobile Home is in a Coastal Barrier Resources Area (CBRA) or Otherwise Protected Area (OPA), Federal Flood Insurance may not be available.

CBRA/OPA designation date: _____

D. DETERMINATION

IS BUILDING/MOBILE HOME IN SPECIAL FLOOD HAZARD AREA (ZONES CONTAINING THE LETTERS "A" OR "V")?

YES NO

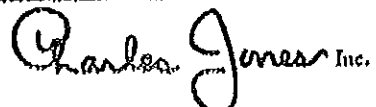
If yes, flood insurance is required by the Flood Disaster Protection Act of 1973.
If no, flood insurance is not required by the Flood Disaster Protection Act of 1973.

E. COMMENTS (Optional):

CHARLES JONES, INC. CERTIFIES THIS DETERMINATION TO THE PROPOSED LENDER FOR THE SOLE PURPOSE OF ITS COMPLYING WITH THE FLOOD DISASTER PROTECTION ACT OF 1973.

Requested by: Customer Name: COOPER ABSTRACT COMPANY Customer Reference: 34747-G
 Attention: IRENE
 Address: 401 COOPER LANDING RD, STE C-6 CHERRY HILL, NJ 08002
 Account: 667480010

This determination is based on examining the NFIP map, any Federal Emergency Management Agency revisions to it, and other information needed to locate the building/mobile home on the NFIP map.

F. PREPARER'S INFORMATION	
NAME, ADDRESS, TELEPHONE NUMBER (if other than Lender)	Date of Determination
Charles Jones, LLC P.O. Box 8488 Trenton, NJ 08650-0488 www.charlesjones.com	30-AUG-2006
	Search Number FLO6-242-1448

Charles Jones Inc.

HEREBY
CERTIFIES TO:

TIDELAND SEARCH CERTIFICATE

ACCOUNT: 667480010

REFERENCE: 34747-G

ATTENTION: IRENE
COOPER ABSTRACT COMPANY
401 COOPER LANDING RD, STE C-6
CHERRY HILL, NJ 08002-

THAT NO PORTION OF THE PROPERTY HEREINAFTER DESIGNATED IS PRESENTLY CLAIMED BY THE STATE OF NEW JERSEY AS AREA NOW OR FORMERLY BELOW MEAN HIGH WATER AS SHOWN ON THE APPLICABLE TIDELANDS MAP PREPARED BY THE OFFICE OF ENVIRONMENTAL ANALYSIS AND APPROVED BY THE TIDELANDS RESOURCE COUNCIL, SUBJECT TO THE RESERVATIONS WHICH APPEAR ON THE ADOPTED MAP AND OVERLAY.

APPLICABLE TIDELANDS MAP

TIDELANDS MAP NUMBER: NO MAP

TIDELANDS MAP DATE:

DESIGNATED PROPERTY

COUNTY: CAMDEN

STATE: NEW JERSEY

MUNICIPALITY: BOROUGH OF CLEMENTON

BLOCK: 60

LOT: 13

STREET NUMBER & NAME: 181 WHITE HORSE PIKE

AS SHOWN ON TAX MAP DATED OR LAST REVISED ON: 01-JAN-2005

SEARCH RESULTS

FINDINGS: UNCLAIMED

DATED: 31-AUG-2006

FEE: \$35.00

IN WITNESS WHEREOF, CHARLES JONES INC. HAS
CAUSED THIS CERTIFICATE TO BE EXECUTED BY
ITS VICE PRESIDENT.



STEPHEN L. PHILLIPS
VICE PRESIDENT

TD06-243-1076

CAMDEN COUNTY, NJ
JAMES BEACH, COUNTY CLERK
DEED-OR BOOK 08251 PG 0212
RECORDED 07/05/2006 09:47:55
FILE NUMBER 2006076438
RCPT#: 388467; REC'D BY: amal
RECORDING FEES 80.00
MARGINAL NOTATION 0.00

Deed of Consolidation

This Deed is made on June 21, 2006, BETWEEN Mt. Carmel Land Company, LLC, whose address is 401 Cooper Landing Road, Suite C-25, Cherry Hill, NJ 08002, hereinafter referred to as the Grantor,

AND Mt. Carmel Land Company, LLC, whose address is 401 Cooper Landing Road, Suite C-25, Cherry Hill, NJ 08002, hereinafter referred to as the Grantee.

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


1. **TRANSFER OF OWNERSHIP.** The Grantor grants and conveys (transfers ownership of) the property (called the "Property") described below to the Grantee. The transfer is made for the sum of \$1.00. The Grantor acknowledges receipt of this money.
2. **TAX MAP REFERENCE.** (N.J.S.A. 46:15-1.1) Municipality of Clementon
TRACT ONE: Block 59, Lots 1.081 through 1.0300 and TRACT TWO: Block 60, Lot 13
THE NEW LOT IS TO BE KNOWN AS BLOCK 60, LOT 13.
 No lot and block or account number is available on the date of this Deed (Check if applicable.)

PROPERTY. The Property consists of the land and all the buildings and structures on the land in the Borough of Clementon, County of Camden, and State of New Jersey. The legal description is:
 Please see attached legal description annexed hereto and made a part hereof. (Check Box if applicable.)

ALL THAT CERTAIN parcel or tract of land situated in the Borough of Clementon, County of Camden, and State of New Jersey, bounded and described as follows:

BEGINNING at a point in the Easterly right of way of the White Horse Pike (66' wide) corner to Block 60, Lot 1 and Lot 13 as shown on plan "Villages at Silver Lake" by Sickels & Associates, Inc., said point being distant south 55 degrees 21 minutes 59 seconds East, 101.83' from the intersection of the Easterly right of way of the White Horse Pike and the Southerly right of way of Brand Avenue (35' wide) and extending; thence

- (1) Along the division line of Block 60, Lot 1, Lot 1.01, Lot 2, Lot 3, Lot 4, Lot 4.01, Lot 4.02 and Lot 13, North 42 degrees 02 minutes 28 second East, a distance of 671.35 feet to a point for a corner; thence
- (2) Along the division line of Block 60, Lot 4.02 and Block 59, Lot 1.01 North 48 degrees 00 minutes 50 seconds West, a distance of 101.67 feet to the Southerly right of way of Brand Avenue (35' wide); thence
- (3) Along said Southerly right of way line of Brand Avenue (35' wide) North 41 degrees 59 minutes 02 seconds East, a distance of 432.88 feet to a point for a corner to Block 59, Lots 1 and 1.01; thence
- (4) Along the division line of Block 59; Lots 1 and 1.01, South 42 degrees 41 minutes 09 seconds East, a distance of 101.55 feet to a point of curve; thence

Prepared by: 
Kevin J. DiMedio, Esquire

- (5) Still along the division line of Block 59, Lots 1 and 1.01 in a generally Southeasterly direction along an arc curving to the left having a radius of 80.00 feet, an arc distance of 112.11 feet to a point of tangency; thence
- (6) Still along the division line of Block 59, Lots 1 and 1.01 North 57 degrees 01 minutes 09 seconds East, a distance of 129.92 feet to a point for a corner; thence
- (7) Still along the division line of Block 59, Lots 1 and 1.01 South 39 degrees 58 minutes 51 seconds East, a distance of 90.43 feet to a point for a corner; thence
- (8) Still along the division line of Block 59, Lots 1 and 1.01 South 88 degrees 11 minutes 31 seconds East, a distance of 106.81 feet to a point for a corner; thence
- (9) Still along the division line of Block 59, Lots 1 and 1.01 North 42 degrees 32 minutes 09 seconds East, a distance of 40.39 feet to a point for a corner; thence
- (10) Still along the division line of Block 59, Lots 1 and 1.01 South 24 degrees 34 minutes 01 seconds East, a distance of 88.23 feet to a point for a corner; thence
- (11) Still along the division line of Block 59, Lots 1 and 1.01, South 44 degrees 33 minutes 20 seconds East, a distance of 124.15 feet to a point for a corner; thence
- (12) Along the division line of Norway Avenue (50' wide), Block 62, Lot 1, Lot 1.02 and Francis Avenue (30' wide) Block 61, Lot 12 and Lot 2, Block 59, Lot 1.01, South 45 degrees 26 minutes 40 seconds West, a distance of 948.50 feet to a point for a corner; thence
- (13) Along the division line of Block 60, Lots 14 and 13, North 55 degrees 21 minutes 59 seconds West, a distance of 26.66 feet to a point for a corner; thence
- (14) Still along the division line of Block 60, Lots 14 and 13, South 55 degrees 14 minutes 21 seconds West, a distance of 139.75 feet to a point for a corner; thence
- (15) Still along the division line of Block 60, Lots 14 and 13, South 69 degrees 01 minutes 41 seconds West, a distance of 45.10 feet to a point for a corner; thence
- (16) Along the division line of Block 60, Lot 13.01 (Tax Map) and Lot 13, North 55 degrees 21 minutes 59 minutes West, a distance of 313.44 feet to a point for a corner; thence
- (17) Still along the division line of Block 60, Lot 13.01 (Tax Map), and Lot 13, South 42 degrees 02 minutes 01 seconds West, a distance of 151.26 feet in the Easterly right of way of the White Horse Pike (66' wide); thence
- (18) Along the said right of way North 55 degrees 21 minutes 59 seconds West, a distance of 40.34 feet to the point and place of BEGINNING.

UNDER AND SUBJECT TO ALL RESERVATIONS AND RESTRICTIONS OF RECORD, IF ANY.

Being the same land and premises which became vested in the Grantor as follows:


TRACT ONE: By Deed from Our Lady of Mount Carmel of Camden, NJ, dated September 28, 2004, recorded October 15, 2004 in the Office of the Camden County Recorder of Deeds in Deed Book 7603, Page 1847, File # 2004129967.

TRACT TWO: By Deed from Oliver Beckworth II (a NJ Partnership), dated May 16, 2005, recorded May 19, 2005, in the Office of the Camden County Recorder of Deeds in Deed Book 7827, page 275, File # 2005057162.

The purpose of this Deed is to consolidate the above referenced tracts of land into one Tax Block and Lot, to be known as Block 60, Lot 13, on the Tax Map of the Borough of Clementon, in conformity with that certain final site plan approval granted by the Borough of Clementon Combined Board on November 10, 2005 and memorialized in Resolution No. 2005-24 on December 8, 2005.

The Street address of the Property is: White Horse Pike and Brand Avenue.

Prepared by:


Peter Rhodes, Esq.

DEVELOPER'S AGREEMENT

THIS AGREEMENT, entered into this 26 day of July, 2006, by and between the **Borough of Clementon**, a municipal corporation of the State of New Jersey located in the County of Camden (hereinafter referred to as the "Borough"), and **Mt. Carmel Land Co., LLC**, a New Jersey Limited Liability Company with an address of 401 Cooper Landing Road, Suite C-25, Cherry Hill, NJ 08002, its successors or assigns (hereinafter referred to as "Developer"); and

WHEREAS, This Agreement affects certain parcels of land located in the Borough of Clementon, Camden County, State of New Jersey, originally known and designated as a portion of Block 59, Lots 1.0181 through 1.0300, and Block 60, Lot 13 on the Borough of Clementon Tax Map (hereinafter referred to as the "Property"); and

WHEREAS, Developer, has received Final Major Site Plan approval on November 10, 2005, to develop and construct 180 age restricted units on the Property (hereinafter referred to as the "Development"); and

WHEREAS, the approval is subject to certain conditions more fully set forth and memorialized in Board Resolution No.2005-24, dated December 8, 2005 (hereinafter "Resolution" or "Approval") which resolution is made a part hereof and incorporated herein; and

WHEREAS, Developer revised its plans reflecting the Property and the Development which plans are filed with the Municipality and are identified as _____; and

WHEREAS, the Developer is in the process of obtaining any and all other governmental

approvals necessary to install and construct the infrastructure necessary to construct the Development.

NOW, THEREFORE, it is agreed by the parties that in consideration of the sum of One (\$1.00) Dollar paid by the Developer, receipt of which is hereby acknowledged, and for other good and valuable consideration hereby agree and are bound for themselves, their successors and assigns as follows:

1. Developer's Agreement: This Developer's Agreement shall be applicable to the entirety of the above-described Property and improvements set forth in the Resolution which pertains to this Development.
2. Scope: The Developer agrees it will construct the Development in accordance with the specifications of the land use/development ordinances of the Borough of Clementon (the "LDO") and in a manner that is satisfactory to the Borough Engineer and in accordance with the improvements set forth on the Plans and the land use approvals as so approved subject to certain conditions more fully set forth and memorialized in Board Resolution Nos.2005-09, 2005-10 and 2005-24. It shall be the Developer's obligation to obtain any and all local, county, state and other governmental approvals necessary to install the improvements on the Property and to build the Development, as generally described on the Plans, and this Agreement shall not be construed to grant such governmental approvals.
3. Hold Harmless Agreement: Developer shall indemnify, defend, and hold the Borough of Clementon and the Combined Board of the Borough of Clementon, their representatives, agents, employees, and professionals, harmless from any cost, liability or claim of damage by any person as a result of this Agreement to place constraints on the issuance of building permits. This shall include the cost of attorney's fees and costs of suit to defend any litigation brought to challenge these conditions of the Development approval or this agreement.

4. Withholding Permits: The Developer understands and agrees that in the event there is a violation of any of the terms of the Resolution or this Agreement, the Borough may in its discretion issue a stop work order, withhold the issuance of any further building permits and/or certificates of occupancy related to this project as applicable until the violations have been corrected.

5. Improvements: In connection with obtaining the necessary governmental approvals to construct the Improvements, the Developer has and will continue to prepare engineering plans and drawings. Those engineering plans and drawings, after they have been approved by the applicable governmental agency, will be submitted to the municipal engineer for Borough of Clementon, Churchhill Associates (the "Municipal Engineer") and shall thereafter be incorporated into and made a part of this Agreement, (the "Approved Plans"). Thereafter the Developer shall construct the Improvements in accordance with the Approved Plans.

Except as otherwise set forth herein the Developer will maintain the Improvements until accepted for dedication by the Borough. Notwithstanding the above, the Borough shall not be responsible to plow the snow from any streets until after the top course of paving has been installed. It shall also be the Borough's obligation to assume the obligation for the payment of street lighting as required by N.J.S.A. 40:55D-53.6.

The Improvements shall, at all times, be installed and constructed in accordance with all local, county, state and federal laws, statutes, regulations and ordinances. The Improvements shall be installed in a good and workmanlike fashion. The Developer, its successors and assigns, agree to indemnify and hold the Borough, its elected officials, employees, professionals, agents, servants, successors and assigns, harmless from and against, any and any claims, actions, liability, and expenses in connection with injury or loss of life to person or damage to property arising from the Developer's performance of its obligations under this Agreement; provided that, such indemnification shall not apply to the negligence or intentional misconduct of the Borough, its agents, servants, contractors,

employees or representatives.

6. Bonding and Inspection Escrows: The Developer will post performance guaranties and inspection escrows for the Improvements in accordance with the LDO and Section 53 of the MLUL. The performance guaranties and the inspection escrows shall be posted prior to the commencement of construction and installation of the Improvements. Promptly after the completion of the Improvements, the Municipal Engineer will perform a final inspection, and subject to the limitations and requirements of the MLUL and the LDO, the performance guaranty shall be released.

The Developer shall be required to post a maintenance guaranty in accordance with the requirements of Section 53 of the MLUL and the LDO. In the event that any damage to public improvements is caused by the Developer and it shall be the Developer's responsibility to repair such damage, and the Borough may draw down upon the Maintenance Guaranty accordingly.

7. Contribution to Borough of Clementon Seniors Fund: Upon the closing of title to each unit of the Development, an amount of 1% of the unit's base sale price will be deducted from Developer's closing proceeds and made payable to the "Borough of Clementon." The title insurance company or closing agent shall be authorized to make said deduction and transmit same directly to the Borough.
8. Compliance with Laws: The Developer shall comply with all laws and regulations of the State of New Jersey, the County of Camden, the Borough of Clementon and any Federal laws that may apply. In addition, The Developer shall comply with all environmental laws and regulations of the Federal and State governments. Failure to comply with these laws and any violations thereof shall be deemed to be a breach of this Agreement. To the extent that the Borough of Clementon must bring an action for compliance with this Agreement, or defend or participate in any litigation with regard to a violation of said laws or regulations related to this Development and/or any actions, whether purposeful or negligent on the part

of the Developer, the Developer agrees to defend, indemnify and hold harmless the Borough of Clementon from any liability.

9. Severability: If any terms or conditions are determined invalid by a Court of competent jurisdiction, the remainder shall remain in full force and effect.

10. Interpretation of Law: This Agreement shall be interpreted under and governed by the laws of the State of New Jersey.

11. Notices: All notices required or permitted under this Agreement shall be in writing and shall be sent by either certified mail return receipt requested, or both by regular mail and facsimile, or by overnight mail, to the addresses set forth herein or as otherwise designated by the parties in writing.

If to Developer:

Mt. Carmel Land Co., LLC
c/o Gabe DiMedio
401 Cooper Landing Road Suite C-25
Cherry Hill, NJ 08002
FAX 856.667.3172

With a copy to:

Kevin J. DiMedio, Esq
700 East gate Dr. Suite 110
Mt. Laurel, NJ 08054
FAX 800.975.1514

and

Ironwood Development
c/o Sam Juffe
1100 Centennial Ave. Suite 201
Piscataway, NJ 08854
FAX 732.270.8439

If to Borough:

Borough of Clementon
101 Gibbsboro Road
Clementon, NJ 08021

FAX

With a copy to

Peter M. Rhodes
Cahill, Wilinski, Rhodes & Joyce
89 Haddon Avenue
Haddonfield, New Jersey 08033
FAX 856-428-1804

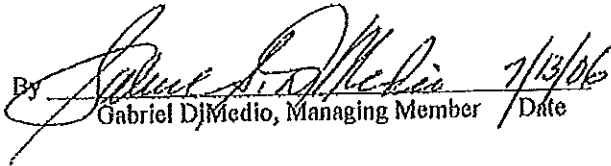
12. Successors: This Agreement shall inure to the benefit of and be binding upon the parties, their heirs, successors in interests, and/or assigns.

By signing below, the parties acknowledge that they have read the terms of this Agreement, understand same and that they agree to be bound hereby.

ATTEST:

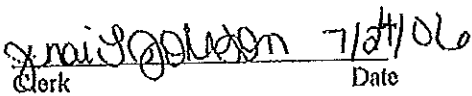
DEVELOPER: Mt. Carmel Land Co., LLC

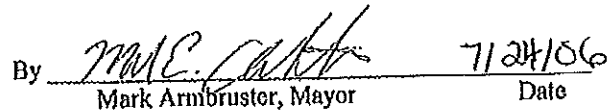

Date 7/13/06

By 
Gabriel DjMedio, Managing Member Date 7/13/06

ATTEST

BOROUGH OF CLEMENTON


Clerk Date 7/27/06

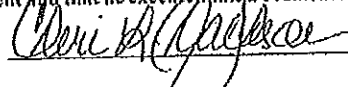
By 
Mark Armbruster, Mayor Date 7/27/06

STATE OF NEW JERSEY :

:SS

COUNTY OF CAMDEN :

I CERTIFY that on JULY 13, 2006, Gabriel DiMedio, Managing Member of Mt. Carmel Land Co., LLC, personally came before me and stated to my satisfaction that this person was the maker of the attached document, was fully empowered to bind the Limited Liability Company to this agreement and that he executed this Document as a fully authorized act on behalf of said company.



CHERI L. JACKSON
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires August 8, 2006

STATE OF NEW JERSEY :

:SS

COUNTY OF CAMDEN :

I CERTIFY that on 7/24, 2006, Mark Armbruster, Mayor of the Borough of Clementon, personally came before me and stated to my satisfaction that he was the maker of the attached document, was fully empowered to bind the Borough to this agreement and that he executed this Document as a fully authorized act on behalf of the Borough of Clementon.



Linda J. Love
Notary Public of New Jersey
My Commission Expires Aug 29, 2010

