

RJR
LEGACY TITLE, LLC
54 MAIN STREET
HADDONSBURG NJ 07601

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DEED NOTICE

IN ACCORDANCE WITH N.J.S.A. 58:10B-13, THIS DOCUMENT IS TO BE RECORDED IN THE SAME MANNER AS ARE DEEDS AND OTHER INTERESTS IN REAL PROPERTY

Prepared by
[Signature]

Mark W. Wagner

[Print name below signature]

Mark W. Wagner

Recorded by

9873 NON ABSTRACTED DEED
Kathleen A. Donovan Recordings Fee 330.00
Bergen County Clerk
Recorded 02/04/2008 14:27

[Signature, Officer of County Recording Office]

[Print name below signature]

DEED NOTICE

This Deed Notice is made as of the 17th day of August 2007 by River Rock Equities, Inc. located at 30 Cross Street, Bogota, New Jersey 07603 (together with his/her/its/their successors and assigns, collectively "owner")

1. THE PROPERTY River Rock Equities, Inc. located at 30 Cross Street, Bogota, New Jersey 07603 is the owner in fee simple of certain real property designated as Block 113, Lots 7 and 8 on the tax map of the Borough of Bogota, Bergen County, New Jersey and Block 152 01 Lots 1 and 2 on the tax map of the Village of Ridgefield Park Bergen County, New Jersey. the New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is 94-10-04-1845-15 and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof (the "Property")
2. DEPARTMENT'S ASSIGNED BUREAU The Bureau of Field Operations - Northern Field Office was the New Jersey Department of Environmental Protection program that was responsible for the oversight of the remediation of the Property. The matter was Case No. 94-10-04-1845-15
3. SOIL CONTAMINATION Spencer An of River Rock Equities, Inc. has remediated contaminated soil at the Property, and the New Jersey Department of Environmental Protection approved a remedial action on May 24, 2001, such that soil contamination remains in certain areas of the Property which contains contaminants in concentrations that do not allow for the unrestricted use of the Property; this soil contamination is

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described, including the type, concentration and specific location of such contaminants, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Deed Notice: and engineering controls in accordance with N.J.S.A. 58:10B-13.

4. CONSIDERATION. In accordance with the New Jersey Department of Environmental Protection's approval of the remedial action work plan for the remediation of the site which included the Property, and in consideration of the terms and conditions of that approval, and other good and valuable consideration, Owner has agreed to subject the Property to certain statutory and regulatory requirements which impose restrictions upon the use of the Property, to restrict certain uses of the Property, and to provide notice to subsequent owners, lessees and operators of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Deed Notice and required by law, as set forth herein.

5A. RESTRICTED AREAS. Due to the presence of these contaminants, the Owner has agreed, as part of the remedial action for the site, to restrict the use of certain parts of the Property (the "Restricted Areas"); a narrative description of these restrictions, along with the associated monitoring and maintenance activities and the biennial certification requirements are provided in Exhibit C, which is attached hereto and made a part hereof. The Owner has also agreed to maintain a list of these restrictions on site for inspection by governmental enforcement officials.

5B. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, the Owner has also agreed, as part of the remedial action for the Property, to the placement of certain engineering controls on the Property; a narrative description of these engineering controls, along with the associated monitoring and maintenance activities and the biennial certification requirements are provided in Exhibit C.

6A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES

i Except as provided in Paragraph 6B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first obtaining the express written consent of the Department of Environmental Protection. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration. To request the consent of the Department of Environmental Protection, contact:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance, and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

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ii Notwithstanding subparagraph 6A.i, above, the Department of Environmental Protection's express written consent is not required for any alteration, improvement, or disturbance provided that the owner, lessee or operator:

(A) Notifies the Department of Environmental Protection of the activity by calling the DEP Hotline, at 1-877-WARN-DEP or 1-877-927-6337, within twenty-four (24) hours after the beginning of each alteration, improvement, or disturbance;

(B) Restores any disturbance of an engineering control to pre-disturbance conditions within sixty (60) calendar days after the initiation of the alteration, improvement or disturbance;

(C) Ensures that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration;

(D) Ensures that exposure to contamination in excess of the applicable remediation standards does not occur;

(E) Submits a written report, describing the alteration, improvement, or disturbance, to the Department of Environmental Protection within sixty (60) calendar days after the end of each alteration, improvement, or disturbance. The owner, lessee or operator shall include in the report the nature of the alteration, improvement, or disturbance, the dates and duration of the alteration, improvement, or disturbance, the name of key individuals and their affiliations conducting the alteration, improvement, or disturbance, a description of the notice the Owner gave to those persons prior to the disturbance, the amounts of soil generated for disposal, if any, the final disposition and any precautions taken to prevent exposure. The owner, lessee, or operator shall submit the report to:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance, and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

6B EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, any person may temporarily breach any engineering control provided that that person complies with each of the following:

i. Immediately notifies the Department of Environmental Protection of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;

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ii. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;

iii. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination.

iv. Notifies the Department of Environmental Protection when the emergency has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;

v. Restores the engineering control to the pre-emergency conditions as soon as possible, and provides a written report to the Department of Environmental Protection of such emergency and restoration efforts within sixty (60) calendar days after completion of the restoration of the engineering control. The report must include all information pertinent to the emergency, potential discharges of contaminants, and restoration measures that were implemented, which, at a minimum, should specify: (a) the nature and likely cause of the emergency, (b) the potential discharges of or exposures to contaminants, if any, that may have occurred, (c) the measures that have been taken to mitigate the effects of the emergency on human health and the environment, (d) the measures completed or implemented to restore the engineering control, and (e) the changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future. The owner, lessee, or operator shall submit the report to:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance, and Monitoring
Deed Notice Inspection Program
P.O. Box 413
401 E. State Street
Trenton, NJ 08625-0413

7A. MONITORING AND MAINTENANCE OF DEED NOTICE, AND PROTECTIVENESS CERTIFICATION. The persons in any way responsible, pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq., for the hazardous substances that remain at the Property, the persons responsible for conducting the remediation, the Owner, and the subsequent owners, lessees, and operators, shall monitor and maintain this Deed Notice, and certify to the Department on a biennial basis that the remedial action that includes this Deed Notice remains protective of the public health and safety and of the environment. The subsequent owners, lessees and operators have this obligation only during their ownership, tenancy, or operation. The specific obligations to monitor and maintain the deed notice shall include all of the following:

i. Monitoring and maintaining this Deed Notice according to the requirements in Exhibit C, to ensure that the remedial action that includes the Deed Notice continues to be protective of the public health and safety and of the environment;

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ii. Conducting any additional remedial investigations and implement any additional remedial actions, that are necessary to correct, mitigate, or abate each problem related to the protectiveness of the remedial action for the site prior to the date that the certification is due to the Department pursuant to iii, below, in order to ensure that the remedial action that includes this Deed Notice remains protective of the public health and safety and of the environment.

iii. Certify to the Department of Environmental Protection as to the continued protectiveness of the remedial action that includes this Deed Notice, on a form provided by the Department and consistent with N.J.A.C. 7:26C-1.2 (a)1, every two years on the anniversary of the date stamped on the deed notice that indicates when the deed notice was recorded.

7B. MONITORING AND MAINTENANCE OF ENGINEERING CONTROLS, AND PROTECTIVENESS CERTIFICATION The persons in any way responsible, pursuant to the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11a et seq., for the hazardous substances that remain at the Property, the person responsible for conducting the remediation, and, the Owner, and the subsequent owners, lessees, and operators, shall maintain all engineering controls at the Property and certify to the Department on a biennial basis that the remedial action of which each engineering control is a part remains protective of the public health and safety and of the environment. The subsequent owners, lessees and operators have this obligation only during their ownership, tenancy, or operation. The specific obligations to monitor and maintain the engineering controls shall include the following:

i. Monitoring and maintaining each engineering control according to the requirements in Exhibit C, to ensure that the remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment.

ii. Conducting any additional remedial investigations and implement any additional remedial actions, that are necessary to correct, mitigate, or abate each problem related to the protectiveness of the remedial action for the site prior to the date that the certification is due to the Department pursuant to iii, below, in order to ensure that the remedial action that includes the engineering control remains protective of the public health and safety and of the environment.

iii. Certify to the Department of Environmental Protection as to the continued protectiveness of the remedial action that includes the engineering control, on a form provided by the Department and consistent with N.J.A.C. 7:26C-1.2 (a)1, every two years on the anniversary of the date. Stamped on the deed notice that indicates when the deed notice was recorded.

8. ACCESS. The Owner and the subsequent owners, lessees and operators agree to allow the Department, its agents and representatives access to the Property to inspect and evaluate the continued protectiveness of the remedial action that includes this Deed Notice and to conduct additional remediation to ensure the protection of the public health and safety and of the environment if persons responsible for monitoring the

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protectiveness of the remedial action, as described in Paragraph 7, above, fail to conduct such remediation pursuant to this Deed Notice as required by law. The Owner, and the subsequent owners and lessees, shall also cause all leases, subleases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring that all holders thereof provide such access to the Department.

9. NOTICES

i. The Owner and the subsequent owners and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.

ii. Owner and all subsequent owners and lessees shall notify any person intending to conduct invasive work or excavate within the Restricted Area at the property, including, without limitation, tenants, employees of tenants, and contractors of the nature and location of contamination in the Restricted Area, and, of the precautions necessary to minimize potential human exposure to contaminants.

iii. The Owner and the subsequent owners shall provide written notice to the Department of Environmental Protection at least thirty (30) calendar days before the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the owner's interest in the Restricted Area.

iv. The Owner and the subsequent owners shall provide written notice to the Department within thirty (30) calendar days following the owner's petition for or filing of any document initiating a rezoning of the Property. The Owner and the subsequent owners shall submit the written notice to:

Department of Environmental Protection
Division of Remediation Management and Response
Bureau of Operation, Maintenance, and Monitoring
Deed Notice Inspection Program
P.D. Box 413
401 E. State Street
Trenton, NJ 08625-0413.

10. ENFORCEMENT OF VIOLATIONS.

i. This Deed Notice itself is not intended to create any interest in real estate in favor of the Department of Environmental Protection, nor to create a lien against the Property, but merely is intended to provide notice of certain conditions and restrictions on the Property and to reflect the regulatory and statutory obligations imposed as a conditional remedial action for this site.

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ii. The restrictions provided herein may be enforceable solely by the Department against any person who violates this Deed Notice. To enforce violations of this Deed Notice, the Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11u and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11g

11. SEVERABILITY. If any court of competent jurisdiction determines that any provision of this Deed Notice requires modification, such provision shall be deemed to have been modified automatically to conform to such requirements. If a court of competent jurisdiction determines that any provision of this Deed Notice is invalid or unenforceable and the provision is of such a nature that it cannot be modified, the provision shall be deemed deleted from this instrument as though the provision had never been included herein. In either case, the remaining provisions of this Deed Notice shall remain in full force and effect.

12. SUCCESSORS AND ASSIGNS. This Deed Notice shall be binding upon Owner and upon Owner's successors and assigns, and subsequent owners, lessees and operators while each is an owner, lessee, or operator of the Property.

13. MODIFICATION AND TERMINATION.

i. Any person may request in writing, at any time, that the Department modify this Deed Notice where performance of subsequent remedial actions, a change of conditions at the site, or the adoption of revised remediation standards suggest that modification of the Deed Notice would be appropriate.

ii. Any person may request in writing, at any time, that the Department terminate this Deed Notice because the conditions which triggered the need for this Deed Notice are no longer applicable

iii. This Deed Notice may be revised or terminated only upon filing of an instrument, executed by the Department, in the office of the County Clerk/Register of Bergen County, New Jersey, expressly modifying or terminating this Deed Notice

14A. EXHIBIT A. Exhibit A includes the following maps of the Property and the vicinity:

i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the property.

ii. Exhibit A-2: Metes and Bounds Description - A metes and bounds description of the property, including reference to tax lot and block numbers for the property;

iii. Exhibit A-3: Property Map - A scaled map of the property, scaled at one inch to 200 feet or less, and if more than one map is submitted, the maps shall be presented as overlays, keyed to a base map; and the property map shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

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14B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Areas:

i. Exhibit B-1: Restricted Area Map - A separate map for each restricted area that includes:

(A) As-built diagrams of each engineering control, including caps, fences, slurry walls, ground water monitoring wells, and ground water pumping system,

(B) As-built diagrams of any buildings, roads, parking lots and other structures that function as engineering controls, and

(C) Designation of all soil and sediment sample locations within the restricted areas that exceed any soil or sediment standard that are keyed into one of the tables described in the following paragraph.

ii. Exhibit B-2: Restricted Area Data Table - A separate table for each restricted area that includes.

(A) Sample location designation from Restricted Area map (Exhibit B-1);

(B) Sample elevation based upon mean sea level;

(C) Name and chemical abstract service registry number of each contaminant with a concentration that exceeds the unrestricted use standard;

(D) The restricted and unrestricted use standards for each contaminant in the table; and

(E) The remaining concentration of each contaminant at each sample location at each elevation (or if historic fill, include data from the Department's default concentrations at N.J.A.C. 7:26E-4.6, Table 4-2).

14C. EXHIBIT C. Exhibit C includes narrative descriptions of the institutional controls and engineering controls as follows:

i. Exhibit C-1: Deed Notice as Institutional Control: Exhibit C-1 includes a narrative description of the restriction and obligations of this Deed Notice that are in addition to those describe above, as follows:

(A) General Description of this Deed Notice:

(1) Description and estimated size of the Restricted Areas as described above;

(2) Description of the restrictions on the Property by operation of this Deed Notice; and

(3) The objective of the restrictions;

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(B) Description of the monitoring necessary to determine whether:

- (1) Any disturbances of the soil in the Restricted Areas did not result in the unacceptable exposure to the soil contamination;
- (2) There have been any land use changes subsequent to the filing of this Deed Notice or the most recent biennial certification, whichever is more recent;
- (3) The current land use on the property is consistent with the restrictions in this Deed Notice;
- (4) Any newly promulgated or modified requirements of applicable regulations or laws apply to the site; and
- (5) Any new standards, regulations, or laws apply to the site that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling; and

(C) Description of the following items that will be included in the biennial certification:

- (1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;
- (2) Land use at the site is consistent with the restrictions in this Deed Notice; and
- (3) The remedial action that includes this Deed Notice continues to be protective of the public health and safety and of the environment.

ii. Exhibit C-2: Asphalt, Concrete, Artificial Turf and Landscaped Cap: Exhibit C-2 includes a narrative description of an asphalt, concrete, artificial turf and landscaped cap as follows:

(A) General Description of the engineering control:

- (1) Description of the engineering control;
- (2) The objective of the engineering control; and
- (3) How the engineering control is intended to function

(B) Description of the operation and maintenance necessary to ensure that:

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(1) Periodic inspections of each engineering control are performed in order to determine its integrity, operability, and effectiveness;

(2) Each engineering control continues as designed and intended to protect the public health and safety and the environment;

(3) Each alteration, excavation or disturbance of any engineering control is timely and appropriately addressed to maintain the integrity of the engineering control;

(4) This engineering control is being inspected and maintained and its integrity remains so that the remedial action continues to be protective of the public health and safety and of the environment;

(5) A record of the self-inspection dates, name of the Inspector, results of the inspection and conditions of this engineering control. Sampling, for example, may be necessary if it is not possible to visually evaluate the integrity/performance of this engineering control; and

(6) Any new standards, regulations, or laws apply to the site that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Deed Notice, and conduct the necessary sampling; and

(C) Description of the following items that will be included in the biennial certification:

(1) A monitoring report that describes the specific activities, pursuant to (A) and (B), above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Deed Notice;

(2) The engineering controls continues to operate as designed, and

(3) The remedial action that includes the engineering control continues to be protective of the public health and safety and of the environment.

15. SIGNATURES. IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

ATTEST:

River Rock Equities, Inc.

Kyo C. Hwang
Director
[Print name and title]

By Spencer An
[Signature], President

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10.

STATE OF NEW JERSEY SS
COUNTY OF BERGEN

I certify that on August 17, 2007 Spencer An on behalf of River Rock Equities, Inc. personally came before me, and this person acknowledged under oath, to my satisfaction, that

- (a) this person is the President of River Rock Equities, Inc., the corporation named in this document,
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is the Director of the corporation,
- (c) this document was signed and delivered by the corporation as its voluntary act and was duly authorized,
- (d) this person knows the proper seal of the corporation which was affixed to this document, and
- (e) this person signed this proof to attest to the truth of these facts

[Signature]
[Signature]

Kyo C. Hwang, Director
[Print name and title of attesting witness]

Signed and sworn before me on 8, 17, 2007
[Signature] Notary Public

[Print name and title]



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EXHIBIT A
Property & Vicinity Descriptions

Exhibit A-1: Vicinity Map

Exhibit A-2: Metes & Bounds Description

Exhibit A-3: Property Map

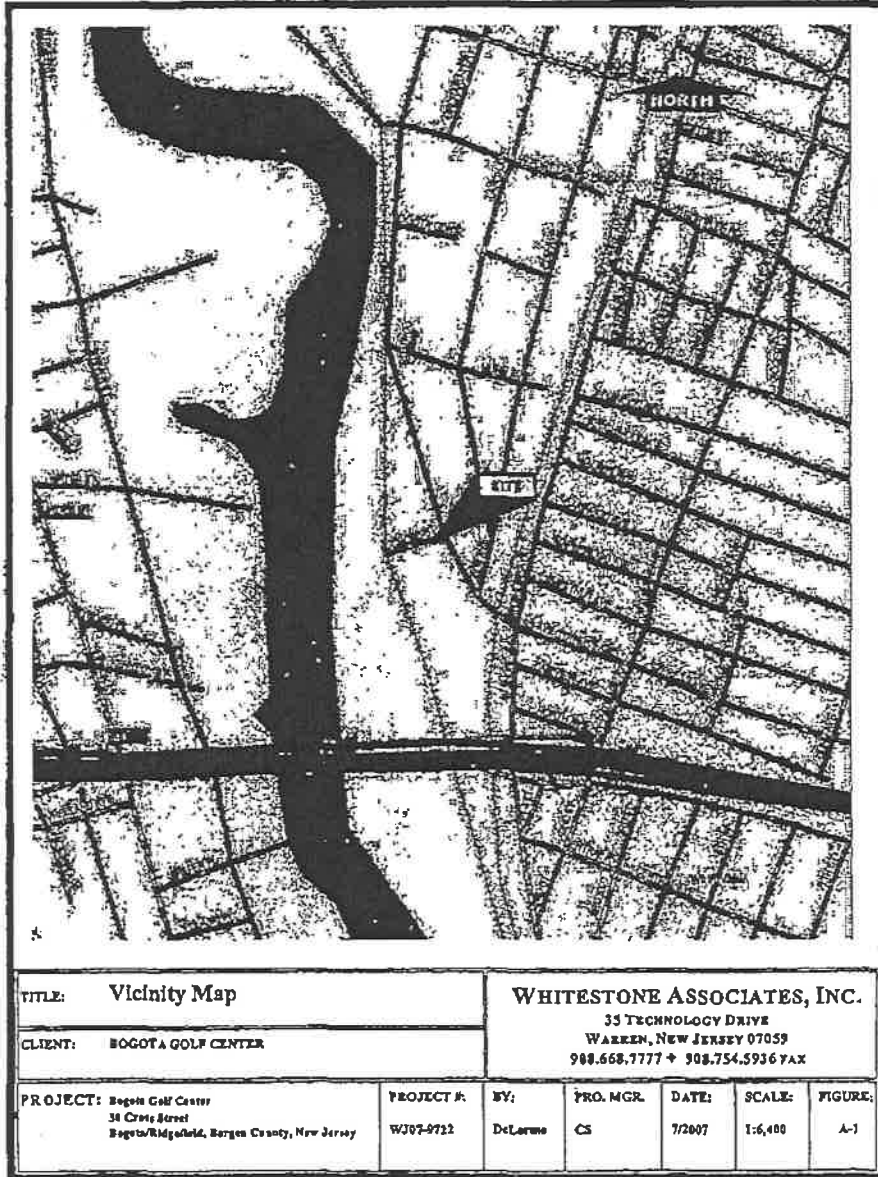
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Exhibit A-1
Vicinity Map

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**Exhibit A-2
Metes & Bounds Description**

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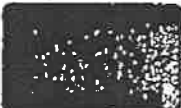
Charles S. Reed

County \$20,000.00
City \$450,000.00
Town \$0.00
Total \$470,000.00

This Deed is made in
BETWEEN
P&L LAND DEVELOPMENT COMPANY

RECORD - RETURN TO:

whose post office address is
one Manhattan Entertainment, Inc.
100 Edge Plaza North, Suite 210
Fort Lee, New Jersey 07024



referred to as the Grantee,
AND
EVELE BOGE BOOTTLES, INC.,

ACQUAINTED WITH SAID
1000000
HADDONFIELD, N.J.

whose post office address is
30 CROSS STREET, BOGOTA, N.J. 07603

referred to as the Grantor.
The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

1. Transfer of Ownership. The Grantor grants and conveys freehold ownership of the property (herein the "Property") described below to the Grantee. This transfer is made for the sum of TWO MILLION NINE HUNDRED FIFTY THOUSAND (\$2,950,000) DOLLARS. The Grantee acknowledges receipt of this money.

2. Tax Map Reference. (N.J.A.C. 17-27.1) Municipality of Hightstown Park
Block No. 10101
Lot No. 1, 2, 3 and 4. Quarter No. 1. Assessed No. 1000000
 No property tax identification number is provided on the date of this Deed. (Check box if applicable.)

3. Property. The Property consists of or best and all the buildings and structures on the land in the Village of Hightstown and the Borough of Bogota and State of New Jersey. The legal description is:

Please see attached Legal Description annex hereto and make a part hereof. (Check box if applicable.)
BCHD the same premises surveyed to the Grantor by deed from Hightstown Properties, Inc. dated July 11, 1967, recorded August 6, 1967 in the Bergen County Clerk's Office in Deed Book 7132, Page 760.

In accordance with a survey made by Frank W. Kowatow Associates, Professional Engineers & Surveyors dated June 4, 1964.

* Block 101, Lot 7, 8 on the tax map of the Borough of Bogota

1000000
1000000
1000000

RECORDED BY COUNTY CLERK
JUL 11 1967

Prepared by (print name) _____
John A. ...

(For Recorder's Use Only)

1000 - Bond - Sample and Fee
See in Recorder's Act, Book 10, at Page 1000
Post-Completion Fee, 1965 Price Book 1000

PAID BY ALL STATES LAW
A Division of ALL STATES LAW
and Finance

BK094896056

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DESCRIPTION

Commitment No.: AT-009471

ALL that certain tract, lot and parcel of land lying and being in the Village of Ridgfield Park/Borough of Bogota, County of Bergen and State of New Jersey, being more particularly described as follows:

PARCEL 1 (RIDGFIELD PARK)

TRACT I

BEGINNING at a point in the northerly line of Interstate Highway Route 10 which point is distant 324.12 feet westerly from the intersection of the northerly line of Interstate Highway Route 80 and the westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company, and from thence running

- (1) South 87 degrees 37 minutes 30 seconds West and along the northerly line of Interstate Highway Route 80, 61.25 feet to a point of definition; thence
- (2) South 22 degrees 34 minutes 20 seconds West, continuing along the northerly line of Interstate Highway Route 90, 157.28 feet to a point in the platted and bulkhead line of the Hackensack River approved by the Assistant Secretary of War, June 28, 1921 and adopted January 21, 1924 by the Board of Commerce and Navigation; thence
- (3) North 17 degrees 41 minutes 00 seconds West and along the aforementioned platted and bulkhead line of the Hackensack River, 71.13 feet to a point; thence
- (4) North 02 degrees 06 minutes 00 seconds West and still along the aforementioned platted and bulkhead line of the Hackensack River, 515.60 feet to a point in the division line between the Village of Ridgfield Park and the Borough of Bogota; thence
- (5) South 69 degrees 31 minutes 14 seconds East and along the aforementioned division line between the Village of Ridgfield Park and the Borough of Bogota, 257.07 feet to a point; thence
- (6) South 02 degrees 22 minutes 10 seconds East, 485.05 feet to the point or place of BEGINNING.

TRACT II

BEGINNING at a point formed by the intersection of the northerly line of Interstate Highway Route 80 and the westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company, and from thence running

- (1) South 87 degrees 37 minutes 30 seconds West and along the northerly line of Interstate Highway Route 80, 324.12 feet to a point; thence

ACCURATE TITLE INSURANCE COMPANY

68-818816554

Approved by ACCURATE TITLE SERVICES, INC. 100 Market Street, PO Box 224, Newark, NJ 07102-0224 (201) 222-3777

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DESCRIPTION

Commitment No.: AT-009471

- (2) North 02 degrees 22 minutes 10 seconds West, 425.03 feet to a point in the division line between the Village of Ridgefield Park and the Borough of Bogota; thence
- (3) South 69 degrees 31 minutes 14 seconds East and along the aforementioned division line between the Village of Ridgefield Park and the Borough of Bogota, 257.76 feet to a point in the westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company; thence
- (4) South 15 degrees 19 minutes 40 seconds East and along the aforementioned westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company, 395.02 feet to the point or place of BEGINNING.

THE ABOVE TWO TRACTS are described in accordance with a MINOR SUBDIVISION made by Frank W. Koester Associates, Professional Engineers and Surveyors approved July 18, 1984, embodied by deed recorded in the Bergen County Clerk's Office in Deed Book 7262 page 790 and shown on a survey prepared by Koester Associates, Professional Engineers and Land Surveyors dated June 4, 1999.

PARCEL II (BOGOTA)

BEGINNING at a point in the westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company where the same is intersected by the division line between the Village of Ridgefield Park and the Borough of Bogota which point is distant 395.02 feet northerly from the corner formed by the intersection of the westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company with the northerly line of Interstate Highway Route 80 and from thence running

- (1) North 69 degrees 31 minutes 14 seconds West and along the aforementioned division line between the Village of Ridgefield Park and the Borough of Bogota 514.83 feet to a point in the pierhead and bulkhead line of the Hackensack River approved by the Assistant Secretary of War, June 28, 1921 and adopted January 21, 1924 by the Board of Commerce and Navigation; thence
- (2) North 02 degrees 06 minutes 00 seconds West and along the aforementioned pierhead and bulkhead line of the Hackensack River, 647.08 feet to a point in the southerly line of lands now or formerly of Public Service Electric and Gas Company; thence
- (3) South 83 degrees 42 minutes 40 seconds East and along the aforementioned southerly line of lands now or formerly of the Public Service Electric and Gas Company, 203.11 feet to a point of deflection in the same; thence
- (4) South 66 degrees 02 minutes 40 seconds East and still along the southerly line of lands now or formerly of the Public Service Electric and Gas Company, 104.70 feet to a point

TICOR TITLE INSURANCE COMPANY

BK 818055565

Issued by ACCUMSEARCH TITLE SERVICES, INC.

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DESCRIPTION

Commitment No.: AT-009471

is the aforementioned westerly line of lands or formerly of the New York Susquehanna and Western Railroad Company; thence

- (5) In a general southerly direction and along the westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company and along the arc of a curve bearing to left with a radius of 2944.43 feet an arc distance of 11.56 feet to a point of curvature; thence
- (6) South 15 degrees 19 minutes 40 seconds East, continuing along the westerly line of lands now or formerly of the New York Susquehanna and Western Railroad Company, 773.76 feet to the point or place of BEGINNING.

BEING IN ACCORDANCE with a survey made by Kuestner Associates, Professional Engineers & Land Surveyors dated June 4, 1999.

THE ABOVE TWO PARCELS BEING DESCRIBED AS A COMBINED ONE TRACT DESCRIPTION in accordance with a survey made by Kuestner Associates, Professional Engineers & Land Surveyors dated June 4, 1999 as follows:

BEGINNING at a point formed by the intersection of the northerly line of Interstate Highway Route 80 and the westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company and from thence running

- (1) South 87 degrees 37 minutes 50 seconds West, and along the northerly line of Interstate Highway Route 80, 3493.37 feet to a point of deflection; thence
- (2) South 88 degrees 34 minutes 20 seconds West, continuing along the northerly line of Interstate Highway Route 80, 157.28 feet to a point in the pierhead and bulkhead line of the Hackensack River approved by the Assistant Secretary of War, June 28, 1921 and adopted January 21, 1924 by the Board of Navigation; thence
- (3) North 17 degrees 41 minutes 00 seconds West and along the aforementioned pierhead and bulkhead line of the Hackensack River, 71.13 feet to a point of deflection; thence
- (4) North 02 degrees 06 minutes 00 seconds West, and still along the aforementioned pierhead and bulkhead line of the Hackensack River 1150.88 feet to a point in the southerly line of lands now or formerly of the Public Service Electric and Gas Company; thence
- (5) South 25 degrees 42 minutes 40 seconds East and along the aforementioned southerly line of lands now or formerly of the Public Service Electric and Gas Company, 303.11 feet to a point of deflection; thence

TICOR TITLE INSURANCE COMPANY

AK01009556

Based on ACCURACY TITLE SERVICES, INC.
 100 Main Street, PO Box 215, Middletown, NJ 07940-0215 (609) 427-7777

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DESCRIPTION

Commitment No.: AT-009471

- (6) South 66 degrees 02 minutes 40 seconds East containing along the southerly line of lands now or formerly of the Public Service Electric and Gas Company, 104.30 feet to a point on the aforementioned westerly line of land now or formerly of New York Susquehanna and Western Railroad Company; thence
- (7) In a general southerly direction and along the westerly line of lands now or formerly of New York Susquehanna and Western Railroad Company and along the arc of a curve bearing to the left with a radius of 2944.43 feet in an distance of 11.56 feet to a point of curvature; thence
- (8) South 15 degrees 19 minutes 40 seconds East, continuing along the aforementioned westerly line of land now or formerly of New York Susquehanna and Western Railroad Company, 1171.73 feet to the point or place of BEGINNING.

Note For Information Only:

In compliance with Chapter 137, Laws of 1977, premises are also known as Lot(s) 1.1.01.2 Block 131.01 on the Tax Map of the Village of Ridgely Park, in the County of Bergen, also known as Industrial Avenue and Lot(s) 7.1 Block 113 on the Tax Map of the Borough of Bogota, in the County of Bergen, also known as West Of Nys And Wrr.

TICOR TITLE INSURANCE COMPANY

2014080166

AccurSearch Title Services, Inc.
170 Market Street, PO Box 213, Burlington, NJ 08016-0213

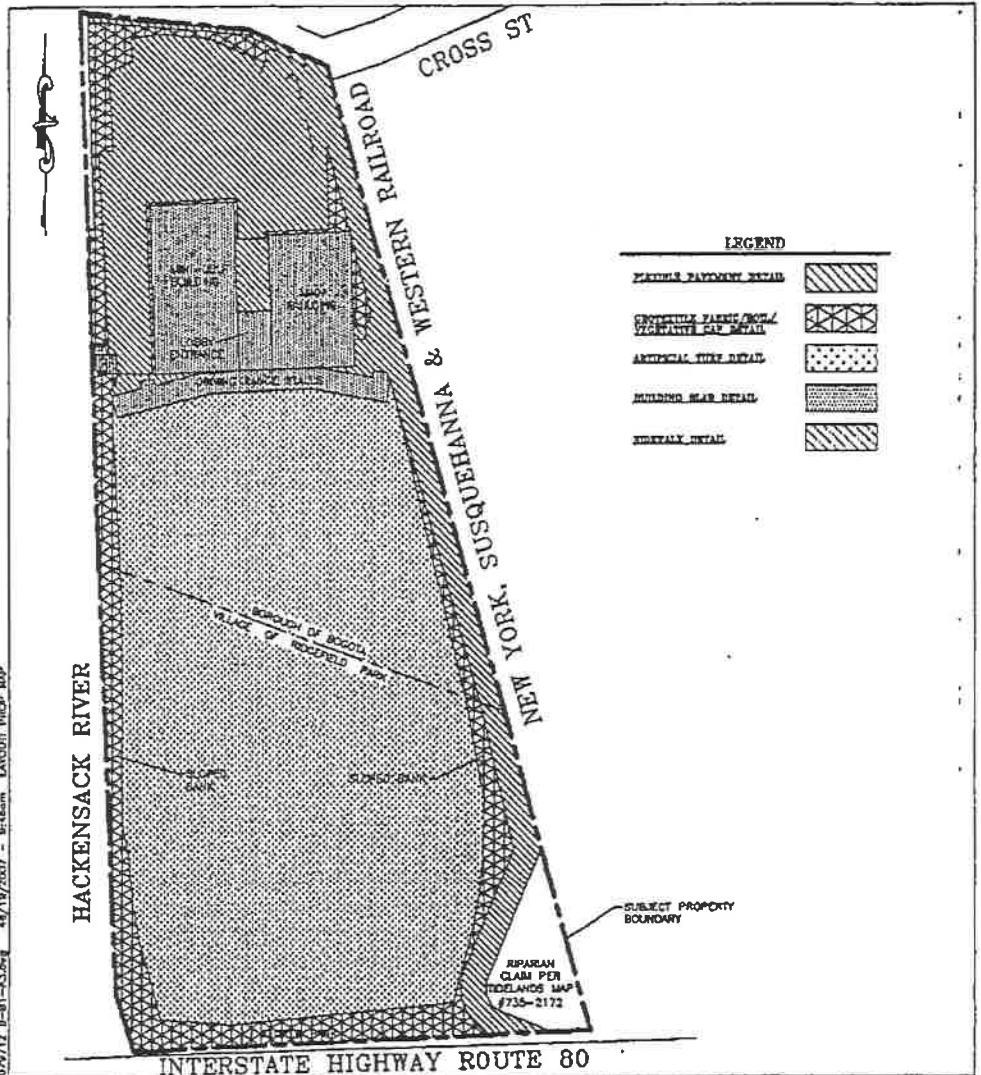
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Exhibit A-3
Property Map

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EXHIBIT B
Restricted Area Description

Exhibit B-1: Restricted Area Map

Exhibit B-2: Restricted Area Data Tables

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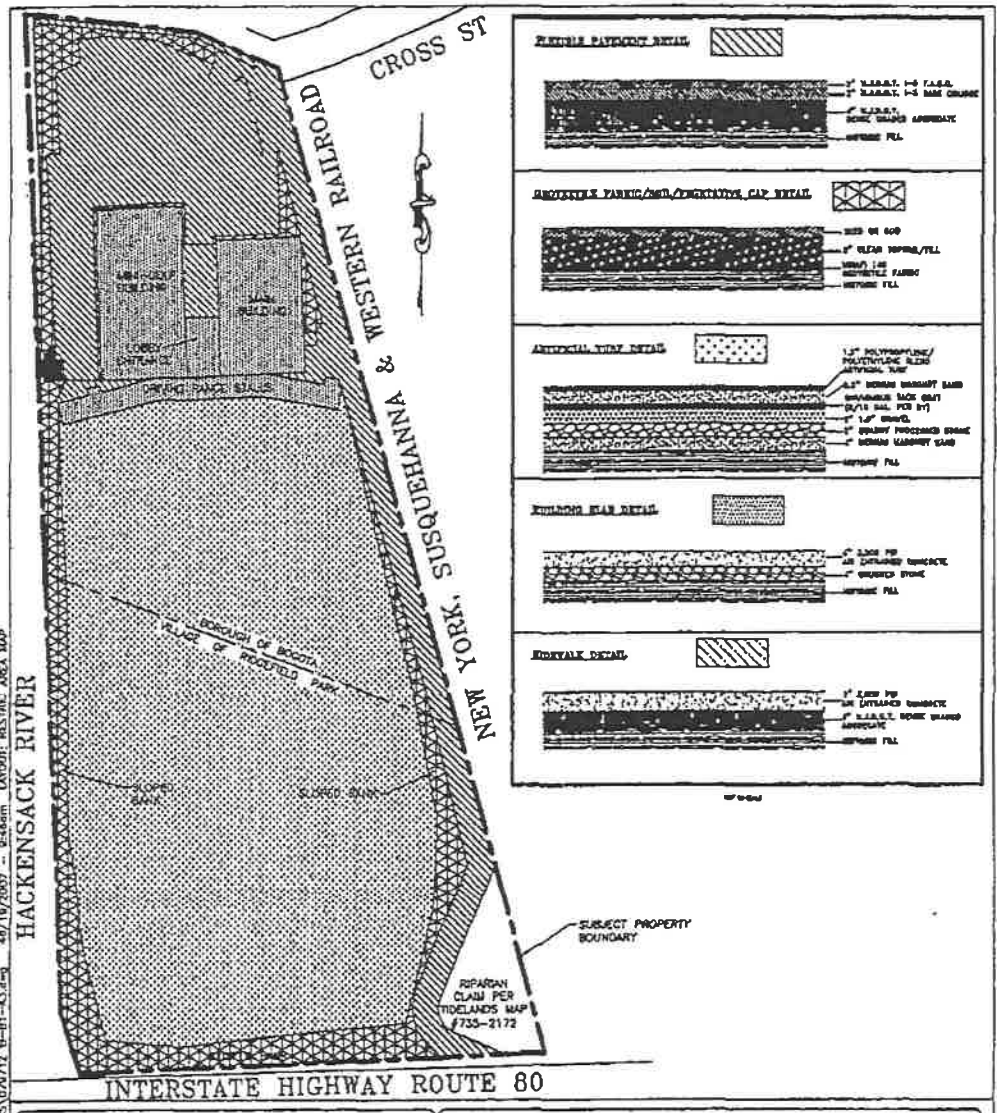
23


Exhibit B-1
Restricted Area Map

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TITLE: RESTRICTED AREA MAP		 WHITESTONE ASSOCIATES, INC. 35 TECHNOLOGY DRIVE WARREN, NEW JERSEY 07059 908.668.7777 • 908.754.5936 FAX	
CLIENT: BOGOTA GOLF CENTER		PROJECT #: WJ07-9712	
PROJECT: BOGOTA GOLF CENTER 30 CROSS STREET BOGOTA, BERGEN COUNTY, NEW JERSEY		BY: EF	PROJ. MGR.: CS
DATE: 07/18/07		SCALE: 1" = 150'	FIGURE: B-1

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**Exhibit B-2
Restricted Area Data Table**

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Table B-2

Boggs Golf Center
30 Cross Street
Boggs/Edgewood Park, New Jersey

Exceedences of Soil Cleanup Criteria
(Page 2 of 2)

Sample ID Sample Depth (ft) Sample Date Cleanup Standard	RDSCC mg/kg	NSDSCC mg/kg	ICVSCC mg/kg	Table 4.2 Average mg/kg	D-2 6-10 TWCI mg/kg	D-3 6-10 TWCI mg/kg	B-1 674-25 TWCI mg/kg	B-2 675-25 TWCI mg/kg	B-3 676-25 TWCI mg/kg	2008 TP8 WAI mg/kg	2008 TP9 WAI mg/kg	2008 TP10 WAI mg/kg	2008 TP11 WAI mg/kg	2008 TP12 WAI mg/kg	2008 TP13 WAI mg/kg	2008 TP14 WAI mg/kg	
Total Petroleum Hydrocarbons	10,000				46,500	37,000	74,400	97,500	14,000								
Benzo(a)anthracene	0.9	4	600	1.37/100						5.97	18.00	1.80	1.83	1.28	1.04		
Benzo(b)fluoranthene	0.9	4	600	1.37/100						7.43	19.80	2.74	2.04	1.62	1.43		
Benzo(k)fluoranthene	0.9	4	600	1.70/100						1.90	7.00	0.04	0.91				
Benzo(a)pyrene	0.9	4	600	1.37/100						4.18	13.50	1.70	1.81	1.13	1.00		
Benzo(e)pyrene	0.9	4	600	1.41/100						0.15	5.50	0.84	0.84				
Chrysene	0.9	4	600	1.24/100							2.50						

Notes:
 1. TWCI = The Whelan Companies, Inc.
 2. WAI = Wilcoxon Associates, Inc.
 3. RDSCC = Residential Direct Contact Soil Cleanup Criteria
 4. NSDSCC = Non-Residential Direct Contact Soil Cleanup Criteria
 5. ICVSCC = Institutional Care Contact Soil Cleanup Criteria
 6. Table 4.2 from Technical Requirements for Site Remediation
 7. CAS # = Chemical Abstract Service Registry Number (where applicable)

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EXHIBIT C
Descriptions of Institutional & Engineering Controls

Exhibit C-1: Deed Notice as Institutional Control

Exhibit C-2: Asphalt & Concrete Cap

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EXHIBIT C-1
Deed Notice as Institutional Control

The 11 acre property which encompasses Lots 7 and 8 of Block 113 in the Borough of Bogota, Bergen County, New Jersey and Lots 1 and 2 of Block 152.01 in the Village of Ridgely Park, Bergen County, New Jersey is underlain by fill material. The Deed Notice will apply to the entire site. The polynuclear aromatic hydrocarbon (PAH), metals, polychlorinated biphenyl (PCB), and total petroleum hydrocarbon (TPHC) impacted fill which exists at the site currently is and will be kept contained by building foundations and pads; an asphalt and concrete cap in parking, walkway and roadway areas; clean topsoil/geotextile material in landscaped areas; artificial turf in the driving range landing area, and rip-rap and geotextile material near the river bank.

With regard to institutional controls, the Deed Notice is being implemented to restrict and prevent exposure to the subsurface fill, ensure that future property owners are aware of the soil/fill conditions which exist at the site, and to restrict site use to non-residential applications.

The asphalt, concrete, landscape and artificial turf cover at the site will be monitored semi-annually for integrity. Maintenance will be performed as necessary to ensure that the cap remains intact. Maintenance will include patching and repairing cracks and holes in the cap.

Biannual certification will be submitted to New Jersey Department of Environmental Protection. The certification will include monitoring reports of specific maintenance and repair activities which may have been implemented along with confirmation that the land use remains consistent with the restrictions in this Deed Notice and the remedial action/restrictive cap continues to be protective of public health, safety and the environment.

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EXHIBIT C-2
Asphalt, Concrete, Landscape & Artificial Turf Cap

The fill material underlying the entire site will be kept contained by engineering controls consisting of building foundations and pads; an asphalt and concrete cap in parking, walkway and roadway areas; landscaping including clean topsoil over a woven geotextile fabric material; artificial turf; and rip-rap and geotextile material near the river bank. These engineering controls will restrict and prevent exposure to the subsurface fill, ensure that future property owners are aware of the soil/fill conditions which exist at the site, and restrict site use to non-residential applications.

Operations and maintenance activities of the cap will include:

- (1) Semi-annual inspection of the engineering control to confirm its integrity, operability, and effectiveness to ensure that the control continues as designed and intended to protect the public health and safety and the environment;
- (2) Any alteration, excavation or disturbance to the engineering control will be appropriately repaired to maintain the integrity of the engineering control;
- (3) Formal written records will be kept to document the self-inspection dates, name of the inspector, results of the inspection and conditions of this engineering control, and
- (4) Semi-annual evaluation of the engineering controls in relation to new standards, regulations, or laws which may be established.

The biannual certification which will be submitted to New Jersey Department of Environmental Protection will include:

- (1) A monitoring report that describes the specific activities conducted in support of the continued protectiveness of the remedial action included in this Deed Notice;
- (2) Confirmation that the engineering controls continue to operate as designed; and
- (3) Confirmation that the remedial action which includes the engineering control continues to be protective of the public health and safety and of the environment.

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END OF DOCUMENT

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