

SCHEDULE A

4088 Bk: 02993 Pg: 003.

02

RECORD AND RETURN:

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

Prepared by:

Gregg D. Trautmann, Esq.

DEED

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

This Deed is made on September 23, 2003

**BETWEEN**

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

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

referred to as the Grantor,

**AND**

**Kathleen Smith, unmarried,**

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

referred to as the Grantee.

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

**Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of ONE DOLLAR (\$1.00). The Grantor acknowledges receipt of this money.

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

See attached description

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

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

DBK 2993-332

Rec. 12/8/05

DESCRIPTION

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

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

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

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

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

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

**FOR RECORDER'S USE ONLY**  
 Consideration \$ 0  
 Realty Transfer Fee \$ 0  
 Date 12-8-05 By YR

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

STATE OF NEW JERSEY }  
 COUNTY OF Morris } ss.

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

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

**(2) CONSIDERATION** (See Instruction #6)

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

**(3) FULL EXEMPTION FROM FEE**

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

**(4) PARTIAL EXEMPTION FROM FEE**

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

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

**A. SENIOR CITIZEN** (See Instruction #8)  
 Grantor(s) 62 yrs. of age or over.\*  
 One or two-family residential premises.  
 Owned and occupied by grantor(s) at time of sale.  
 No joint owners other than spouse or other qualified exempt owners.

**B. BLIND** (See Instruction #8)  
 Grantor(s) legally blind.\*  
 One or two-family residential premises.  
 Owned and occupied by grantor(s) at time of sale.  
 No joint owners other than spouse or other qualified exempt owners.

**C. DISABLED** (See Instruction #8)  
 Grantor(s) permanently and totally disabled.\*  
 One or two-family residential premises.  
 Receiving disability payments.  
 Owned and occupied by grantor(s) at time of sale.  
 Not gainfully employed.  
 No joint owners other than spouse or other qualified exempt owners.

**D. LOW AND MODERATE INCOME HOUSING** (See Instruction #8)  
 Affordable According to H.U.D. Standards.  
 Meets Income Requirements of Region.  
 Reserved for Occupancy.  
 Subject to Resale Controls.

**E. NEW CONSTRUCTION** (See Instruction #9)  
 Entirely new improvement.  
 Not previously used for any purpose.  
 Not previously occupied.

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

Subscribed and Sworn to before me this 23<sup>rd</sup> day of September 2003

Nicholas Colavito Name of Deponent  
Nicholas Colavito CA Name of Grantor  
EXECUTOR  
15 Commerce Blvd Suite 300 Address of Deponent  
MCCASONS RD Address of Grantor at Time of Sale

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

Gregg D Trautman  
 Attorney of NJ

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



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

GIT/REP-4  
 (1)

(Please Print or Type)

**OWNER(S) INFORMATION**

Name(s)

Estate of Edward B. Flick

Street Address:

46 West River Styx Road

City, Town, Post Office

Hopatcong

NJ

State

07843

Zip Code

**PROPERTY INFORMATION (Brief Property Description)**

Block(s)

30702

Lot(s)

13

Qualifier

Street Address:

46 West River Styx Road

City, Town, Post Office

Borough of Hopatcong

NJ

State

07843

Zip Code

**DIVISION OF TAXATION WAIVER DECLARATION**

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

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

Nov. 21, 2005

(date)

the Division of Taxation has authorized this waiver.

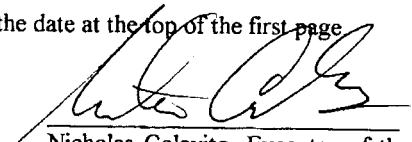
Being the same premises originally acquired by Edward B. Flick and Marjorie Flick, his wife, by deed from George A. Kurtz and Gisela Kurtz, his wife, dated 12/10/75 and recorded 12/15/75 in the Sussex County Clerk's Office in Deed Book 966 Page 146.

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

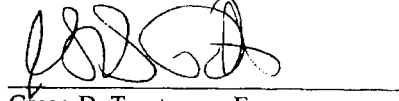
Said Edward B. Flick died testate on 8/26/00 leaving a Will dated 7/21/00 and probated in the Sussex County Surrogate's Office. Nicholas Colavito was appointed Executor with full power of sale.

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

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

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

Witnessed or Attested by:

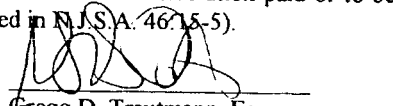
  
Gregg D. Trautmann, Esq.  
Attorney at Law - State of New Jersey

**STATE OF NEW JERSEY, COUNTY OF MORRIS**

I CERTIFY that on September 23, 2003

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

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

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

LAW OFFICES  
ANN, VERES & LUTHER, LLC  
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