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July 12, 2016

VIA ELECTRONIC AND REGULAR MAIL

Walter Mugdan, Director Emergency and Remedial Response Division  
United States Environmental Protection Agency  
290 Broadway  
New York, NY 10007-1866

**Re: Ringwood Mines Landfill Superfund Site – O'Connor Disposal Area**

Dear Mr. Mugdan:

On behalf of the Borough of Ringwood ("Borough"), please accept this letter in furtherance of the Borough's request that the United States Environmental Protection Agency ("EPA") agree and provide written confirmation that for the O'Connor Disposal Area at Block 601, Lot 14 ("OCDA"), the Borough is exempt from liability under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA") for the reasons more fully set forth below.

For the OCDA, the Borough of Ringwood meets the requirements for exemption from CERCLA liability under pursuant to Section 101(20)(D) of CERCLA, 42 U.S.C. § 9601(20)(D). Section 101(20)(D) of CERCLA provides:

The term "owner or operator" does not include a unit of State or local government which acquired ownership or control involuntarily through bankruptcy, tax delinquency, abandonment, or other circumstances in which the government involuntarily acquires title by virtue of its function as sovereign. The exclusion provided under this paragraph shall not apply to any State or local government which has caused or contributed to the release or threatened release of a hazardous substance from the facility, and such a State or local government shall be subject to the provisions of this chapter in the same manner and to the same extent, both procedurally and substantively, as any nongovernmental entity, including liability under section 9607 of this title.

### Local Government Unit

Ringwood was incorporated as a Borough under an act of the New Jersey Legislature on February 23, 1918 (See Chapter 122 of the Acts of the 142<sup>nd</sup> Legislature of the State of New Jersey and 74<sup>th</sup> under the New Constitution, at p. 277-284, attached hereto as **Exhibit A**). Therefore, the Borough is a unit of local government.

### Involuntary Acquisition of Ownership

Please see the below ownership history for the OCDA relevant to the subject of this letter:

1. December 21, 1973 – By ***Deed of Gift***, the Housing Operation with Training Opportunity, Corp. acquired from Ringwood Realty Corp., ownership of the Block 601, Lot 14.

(See Deed of Gift between Ringwood Realty Corp. and the Housing Operation with Training Opportunity dated December 21, 1973 and recorded on October 31, 1974, attached hereto as **Exhibit B**).

2. February 2, 1981 – As a result of a ***tax foreclosure action***, the Borough was vested fee simple in Block 601, Lot 14 pursuant to the Final Judgment of the Superior Court of New Jersey, Chancery Division.

(See Borough of Ringwood vs. Block 601, Lot 14, assessed to Housing Operation with Training Opportunity, Corp., et. al., Docket No. F 5948-79, Final Judgment, attached hereto as **Exhibit C**).

Since the Borough acquired ownership of the OCDA through a tax foreclosure action and Final Judgment, the acquisition was involuntary.

### Exception from Definition of Owner or Operator

Since the Borough is a local government unit and acquired ownership of the OCDA involuntarily through tax delinquency, the Borough is not an “owner or operator” pursuant to Section 101(20)(D) of CERCLA.

### Exemption from CERCLA Liability

Since the Borough is not an “owner or operator” as defined by CERCLA, the Borough cannot be held liable as an “owner” or “operator” under Section 107(a) of CERCLA, 42 U.S.C. 9607(a).

Walter Mugdan, Director Emergency and Remedial Response Division  
United States Environmental Protection Agency  
July 12, 2016  
Page 3

The Borough respectfully requests that the EPA agree and provide written confirmation that for the O'Connor Disposal Area, the Borough meets the requirements exempting the Borough from status as "owner or operator" pursuant to Section 101(20)(D) of CERCLA, and is therefore exempt from liability under CERCLA.

Very truly yours,  
SEDTA, CAMPISANO & CAMPISANO, LLC



WANDA CHIN MONAHAN

WCM/bt  
Enclosures

(Via E-Mail and Regular Mail, w/enclosures)

cc: Scott Heck, Borough Manager, Borough of Ringwood  
Doug Garbarini, USEPA  
Joe Gowers, USEPA  
Sal Badalamenti, USEPA  
Frank Cardiello, Esq., USEPA

# EXHIBIT A

# ACTS

OF THE

**One Hundred and Forty-second Legislature**

OF THE

STATE OF NEW JERSEY

AND

**Seventy-fourth Under the New Constitution**



UNION BLDG., N. J.  
HUDSON PRINTING COMPANY

1918

minutes east, along the line between the lands of Artistic Weaving Company and those of formerly Martin W. Berry, twenty-three chains to the middle of the public road from Pompton Lakes to Ringwood; thence (8) north seven degrees twelve minutes east along the middle of said road, four chains to a point opposite the middle of a lane, a corner of lands of the Fuse Works and William Beck; thence (9) south eighty-three degrees thirty-six minutes east along the middle of said lane one chain sixty-two links to another corner of said lands; (10) about north seventy-six degrees fifty minutes east along the line between the lands of E. I. du Pont de Nemours and Company's Haskell Plant and that of the Fuse Works twenty-seven chains fifty links to the place of beginning, are hereby set off from the township of Pompton in the county of Passaic and annexed to and made a part of the borough of Pompton Lakes in the county of Passaic.

2. This act shall take effect immediately.

Approved February 23, 1918.

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## CHAPTER 122.

An Act to incorporate the borough of Ringwood, in the county of Passaic.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

1. The inhabitants of that portion of the township of Pompton, in the county of Passaic, hereinafter mentioned and described, are hereby constituted and declared to be a body corporate in fact

Part of  
Pompton  
township in-  
corporated as  
Ringwood.

and in law by the name of "The Borough of Ringwood," and as such shall be governed by the general laws of this State relating to boroughs.

Boundaries of  
Ringwood  
defined.

2. The boundaries of said borough shall be as follows:

Beginning at a point in the boundary line between the counties of Bergen and Passaic, said point being where the division line between a tract of 1611.93 acres owned by Heitaro Fujita, and that of the land of Julien J. Durand, if projected easterly, would intersect the aforesaid county line, and from said point running (1) north seventy degrees eight minutes west, in part along said division line, about fifty chains to the middle of the Conklintown road a few feet south of the intersection of the Greenpoint road; (2) along the middle of the said Conklintown road, southwesterly and northwesterly to the middle of a right of way leading to the lands of the said Heitaro Fujita, and thence along said right of way northerly about eight chains fifty links to a point opposite the corner of lands of the said Heitaro Fujita and that of a tract of 3.30 acres now or formerly owned by J. Gaston Drew; (3) about north sixty-nine degrees thirty minutes west thirty chains forty-five links to the middle of the public road from Pompton to Ringwood at a point eighteen chains thirty-five links northerly on said road from its intersection with the center line of the Conklintown road; (4) northerly along the middle of said road about twenty-nine chains to its intersection on the west with the center line of the Forge road at the southerly side of the new overhead bridge crossing the New York and Greenwood Lake Railroad; (5) westerly along the middle of the Forge road, about fifteen chains to a point where same is crossed by a line of Ringwood Company's Forge lot. From said point running along these several lines of Ringwood Company's lands (6) south ten degrees forty-eight minutes east along the third line of the Forge lot about nine

chains to the fourth corner of said lot; (7) south fifty-five degrees twenty-four minutes west along the fourth line of the said tract eighteen chains eighty-eight links to a corner in the line of formerly Josiah Ricker's "Cooper Tract;" (8) south sixty-one degrees forty-two minutes east along a line of said lot nine chains to another corner of same; (9) south twenty-eight degrees twenty-one minutes west along a line of the same three chains eighty links to another corner; (10) south eighty-four degrees twenty-one minutes west fifty links; (11) south twenty-five degrees three minutes west six chains thirty-five links; (12) south thirty-eight degrees three minutes west five chains thirty-nine links; (13) south twenty-five degrees eighteen minutes west thirteen chains sixty links; (14) north seventy-two degrees twenty-seven minutes west three chains seventy-one links; (15) south seventeen degrees twenty-seven minutes west fifteen chains seventy-four links; (16) north fifty-four degrees thirty-nine minutes west seven chains thirty links; (17) south twenty-one degrees forty-eight minutes west twenty-one chains seventy links to a corner on the north side of the Furnace road; (18) south twenty-one degrees eighteen minutes west fifteen chains to an old stone heap where stood two hickory trees on Sheep Hill, called Line's and Holloway's corner; (19) north sixty-three degrees twelve minutes west nine chains ten links; (20) continuing along the line of land of Ringwood Company, northwesterly up to the Wanaque river the several courses thereof, about nine chains to a pin oak tree a little west of the west bank of the said river, a corner of 17.70 acres called the "Hook Lot," conveyed by the heirs of the estate of Philip B. George, deceased, to Ringwood Company, November 10, 1909; thence along the lines of said tract and lands of Wanaque River Paper Company; (21) south eighteen degrees fifty-seven minutes west four chains sixty-one links; (22) south thir-



teen degrees twenty-seven minutes west two chains seventy-two links to a corner of land of East Jersey Water Company in said Wanaque River Paper Company's line; thence (23) north fifty-seven degrees twenty-one minutes west along said East Jersey Water Company's line twenty-one chains thirty-four links to a corner of a tract of 33.63 acres known as the "Parry Place;" (24) along the line of same north thirty-two degrees six minutes west twenty-one chains eight links; (25) thence along the northerly boundary of said land, north sixty degrees thirty-six minutes east eighty links; (26) south fifty-six degrees twenty-four minutes west two chains seventy-five links; (27) north sixty-three degrees six minutes west eight chains; (28) north eighty-five degrees six minutes west eight chains forty links; (29) north sixty degrees thirty-six minutes west about four chains to the middle of the Hook road; (30) northeasterly along the middle of said Hook road to its entrance into the West Brook road and along the West Brook road northwesterly to its intersection with the easterly line of a tract of 2.11 acres conveyed to Ringwood Company by Demonica Morella by deed dated August 13, 1912, and recorded in Book Z-22 of Deeds on pages 485, &c.; thence from said point running along the lines of said Ringwood Company's land; (31) south seventy-six degrees six minutes west two chains sixty-four links; (32) north fifteen degrees thirty-nine minutes west six chains fifty links; (33) north eighty-five degrees fifty-one minutes east three chains fifty-four links to the middle of the aforesaid West Brook road; (34) thence along the middle of the West Brook road, northwesterly and southwesterly, the several courses thereof to its junction with the Snake Den road and along the middle of said road to a point where the second line of a tract of 40.85 acres conveyed by Edward Cooper et al. to Samuel Carragon by deed dated April 5, 1875, and recorded in Book

H-5 of Deeds on pages 501, &c., if extended northerly would intersect the center line of said road; (35) south seven degrees thirty-nine minutes east in part along the second line of said 40.85-acre tract about nine chains to the sixth corner of a tract of 180 acres returned to Richard Ashfield, April 2, 1740, and recorded in the office of the Surveyor General at Perth Amboy in Book S, page 143; (36) south one degree twelve minutes east along a part of the sixth line of said tract three chains to the fourth corner of aforesaid tract of 40.85 acres; (37) south eighty-seven degrees six minutes west along the fourth line of said tract twenty-nine chains fifty links to the middle of Snake Den road; (38) southwesterly along the middle of said road ten chains twenty-three links to the southeasterly corner of a tract of 73.57 acres returned to Andrew Bell, February 28, 1809, and recorded in the office of the Surveyor General at Perth Amboy in Book S-15, on pages 208, &c., said lot being known as the "Winfield Tract;" (39) south seventy-five degrees three minutes west along the southerly line of said tract sixty-eight chains sixty links to the southwesterly corner of same, and continuing the same course in all about ninety-one chains to the line between the townships of Pompton and West Milford; (40) northeasterly along said township line "to the mouth of a road a few rods east of the house occupied by Richard G. Ryerson, running with said road a northerly course to the New York State line"; (41) southeasterly along the line between the States of New York and New Jersey to the line between the counties of Bergen and Passaic; (42) southwesterly along the line between the aforesaid counties to the place of beginning.

3. This act shall take effect immediately; *provided*, it shall not operate to effect the incorporation of the inhabitants of the above-described territory as a borough of this State until it shall have

Referendum.

been adopted by a vote of a majority of the legal voters of the said described territory voting thereon at a special election to be held within the said territory within thirty days from the approval of this act, at which special election shall be submitted the question of the approval or disapproval of this act; such special election shall be held within said territory between the hours of six o'clock A. M. and seven o'clock P. M. of a day and at a place within the said territory to be fixed by the clerk of the township of Pompton, in the county of Passaic, who shall cause public notice thereof to be given by advertisements signed by himself, set up in at least five public places within said described territory, and published once in one newspaper circulating therein at least ten days prior to the day so fixed for such election.

4. Such special election shall be held at the time and place so appointed and shall be conducted by the board of registry and election of the election district most nearly corresponding in extent to the limits of said territory within said township, and which conducted the general election next preceding the holding of such election in said township, and shall be by ballot. The registry of voters used at the last general election in such district shall be used at said special election in such election district, and the said board of registry and election shall meet one week next preceding the day fixed for said special election, at the place where the same is to be held from one o'clock to nine o'clock P. M., for the purpose of revising and correcting the registry lists in the manner provided under the general election laws of this State; *provided*, that said list, for the purpose of this election, shall be revised so as to include all and only such voters of said township who may then reside within the territory comprised within the limits of the borough created by this act. The clerk of the township of Pompton shall give public notice of such

**Special election.**

**Notice given.**

**Election, how conducted.**

**Registry.**

**Proviso.**

**Notice of meeting.**

meeting of said board of registry and election at the time and in the manner hereinbefore provided for the giving of the notice of the time and place of holding of said special election, and shall provide a suitable place for the holding of said special election and the necessary ballots for the electors voting thereat, upon which ballots shall be printed the proposition to be submitted to the voters, with instructions, in the following form:

Ballots.

Form of ballot.

“If you favor the proposition printed below make an X mark in the square to the left of and opposite the word ‘Yes’; if you are opposed thereto make an X mark in the square to the left of and opposite the word ‘No.’ ”

	Yes.	Shall an act entitled “An act to incorporate the borough of Ringwood, in the county of Passaic,” be adopted?
	No.	

“If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word ‘Yes,’ it shall be counted as a vote in favor of such proposition.”

Marking and counting ballots.

“If the voter makes an X mark in black ink or black pencil in the square to the left of and opposite the word ‘No,’ it shall be counted as a vote against such proposition; and in case no mark shall be made in the square to the left of and opposite either the word ‘Yes’ or ‘No,’ it shall not be counted as a vote for or against such proposition.”

5. The officers holding said election shall, within two days after such election, make a return in duplicate of the result of such election by statements in writing and under their hands, one of which certificates or returns shall be filed forthwith with the clerk of the township of Pompton and entered in full upon the minutes of the township com-

Result of election filed in duplicate.

mitte of the township of Pompton, and one of which certificates or returns shall be filed forthwith with the clerk of the county of Passaic.

Approved February 23, 1918.

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CHAPTER 123.

A Supplement to an act entitled "An act concerning public utilities; to create a Board of Public Utility Commissioners and to prescribe its duties and powers," approved April twenty-first, nineteen hundred and eleven.

*BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:*

Additional  
public utility  
commis-  
sioners.

1. The Governor is hereby authorized to appoint, by and with the advice and consent of the Senate, two additional persons, citizens of this State, not under thirty years of age, to be members of the Board of Public Utility Commissioners, so that said board shall consist of five instead of three members; said additional members shall have the same qualifications, powers, privileges, compensation, be subject to the same limitations and serve for the same term, as provided in the act to which this is a supplement, and in all things be subject to and governed by said act.

2. This act shall take effect immediately.

Approved February 25, 1918.

# EXHIBIT B

71970-

### FORECLOSED PROPERTY LEDGER

BLOCK 601

LOT 14

DATE RECORDED 1-28-81

BOOK NO. H 80 PAGE 415

Mine Road

STREET AVENUE

FORECLOSURE COSTS \$

DESCRIPTION 2 36 Acres

SOLD TO

ADDRESS

	DATE	ITEM	Additions		Total		PAYMENT ACTION		CASH BOOK FOLIO
							DATE	Amount	
		Amt. Trans. from Tax Lien Ledger			9	746	67		
					26	753	33		
		ASSESSMENT			36	500	00		

E. Usher, J. Pilate Co., 702 Somerset St., Plainfield, N.J. 07060

2003

3186.00

6-601-14

DEED OF GIFT

C94A25

THIS INDENTURE, made this 21 day of December, 1973 between RINGWOOD REALTY CORP., A Delaware corporation duly authorized to do business in New Jersey, with offices at 581 Broad Street, Newark, New Jersey, as Grantor, and THE HOUSING OPERATION WITH TRAINING OPPORTUNITY, a New Jersey corporation not for profit, having a mailing address of P. O. Box 568, Greenwood Lake Turnpike, Hewitt, New Jersey, as Grantee,

W I T N E S S E T H:

That Grantor hereby does give, remise, release and quit claim, without warranty, either express or implied, to Grantee and its successors and assigns, forever, all of Grantor's right, title and interest in and to the real estate described in the attached Exhibit A, hereby made a part hereof.

Together with all the hereditaments and appurtenances thereto belonging or in any wise appertaining; TO HAVE AND TO HOLD the premises as before described, with the appurtenances, to Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused its corporate seal to be affixed hereto and these presents to be signed by W. J. O'Sullivan and attested by E. D. Thomson on the day and year stated in these commencement of this Deed of Gift.

RINGWOOD REALTY CORP

By W. J. O'Sullivan  
W. J. O'Sullivan  
President

COUNTY OF PASSAIC  
CONSIDERATION  
REALTY TRANSFER FEE  
DATE 1/28/74

ATTEST

E. D. Thomson  
E. D. Thomson  
Secretary

STATE OF MICHIGAN }  
COUNTY OF WAYNE } SS

RECEIVED  
PASSAIC CO. N.J.  
1974 JAN 28 AM 11:48  
EDWARD J. WOLAN  
REGISTER

On this 21 day of December, 1973, before me the subscriber, a Notary Public in the County of Wayne and State of Michigan, personally appeared E. D. Thomson who being by me duly sworn on his oath, says that he is Secretary of RINGWOOD REALTY CORP., the Grantor named in the foregoing instrument, that he well knows the corporate seal of said corporation; that the seal affixed to said instrument is the corporate seal of said corporation; that the said seal was so affixed and the said instrument signed and delivered by W. J. O'Sullivan who was at the date thereof President of said corporation in the presence of this deponent, and said W. J. O'Sullivan at the time acknowledged that he signed, sealed and delivered the same as his voluntary act and deed and as the voluntary act and deed of said corporation, by virtue of authority from its Board of Directors, and that deponent, at the same time, subscribed his name to said instrument as an attesting witness to the execution thereof.

*Notary Public in and for the State of Michigan*  
I, E. D. Thomson, do hereby certify that the foregoing is a true and correct copy of the original instrument as the same appears to me and as the same is contained in the records of my office.

E. D. Thomson  
Secretary

Sworn and subscribed before me at  
Dearborn, Michigan the date aforesaid

Robert S. Larson  
ROBERT S. LARSON  
Notary Public, Wayne County, Michigan  
My Commission expires December 4, 1976

95 PAGE 328  
OCT 31 1974  
REGISTER

INSTRUMENT PREPARED BY

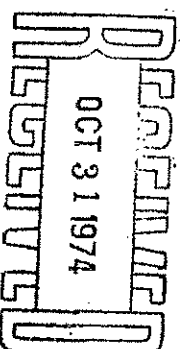


EXHIBIT A  
DESCRIPTION OF PARCEL OF LAND

All that certain tract or parcel of land situated in the Borough of Ringwood, Passaic County, New Jersey, being the southerly portion of Lot No. 14 in Block 601 as delineated on Sheet 6 of the Tax Assessment Map, dated September 30, 1973 and being also a southerly portion of that certain Parcel Seven described in Deed of Gift, dated November 2, 1970, between Ringwood Realty Corp. and Ringwood Solid Waste Management Authority, recorded in the Passaic County Register's Office in Deed Book T-89, Pages 208 through 213 and being more particularly described as follows:

Beginning at the point of intersection of the division line between lands now or formerly of Tuxedo Homes, Inc. and lands of the Ringwood Realty Corp., and the division line between the State of New Jersey and the State of New York said beginning point being also the northeasterly corner of lands now or formerly of Tuxedo Houses Incorporated marked by a three inch pipe monument as described in the deed from Pittsburgh Pacific Company to Ringwood Realty Corp. dated December 3, 1964 and recorded January 8, 1965 in the Passaic County Register's Office in Book X-80 of Deeds page 434; thence proceeding from said beginning point along said division line between the State of New Jersey and the State of New York. (1) South 58 degrees 38 minutes 06 seconds East 71.73 feet to the Northwesterly line of Public Service Electric and Gas Company right-of-way; thence (2) South 47 degrees 42 minutes 50 seconds West 110.10 feet along said Northwesterly line; thence (3) South 28 degrees 37 minutes 00 seconds West 44.40 feet along said Northwesterly line; thence (4) South 58 degrees 38 minutes 06 seconds East along the line of Public Service Electric and Gas Company right-of-way parallel with and distant 150 feet Southwestwardly at right angles from the aforementioned division line between the State of New Jersey and the State of New York 869.00 feet to the Northwesterly line of Public Service Electric and Gas Company, Branchburg to New York State line; right-of-way (300 feet wide);

F 95 329



DESCRIPTION OF PARCEL OF LAND

thence (5) South 44 degrees 53 minutes 27 seconds West along said Northwesterly line 1613.77 feet; thence (6) South 20 degrees 19 minutes 20 seconds West along said Northwesterly line 2095.43 feet; to the true point of beginning;

thence (1) South 20 degrees 19 minutes 20 seconds West continuing along said Northwesterly line 2762.07 feet; thence (2) South 34 degrees 48 minutes 30 seconds West 376.16 feet; thence (3) North 55 degrees 11 minutes 30 seconds West 173.19 feet to the Easterly line of Peter's Mine Road (33 feet wide) and continuing along the curved and tangent Easterly line of said Peter's Mine Road the following fourteen courses:

thence (4) Northeastwardly curving to the right along a line with a radius of 1183.50 feet, an arc distance of 129.60 feet to a point of tangency;

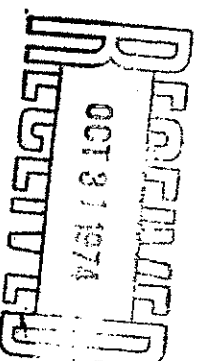
thence (5) North 01 degree 43 minutes 02 seconds East 333.58 feet to a point of curvature; thence (6) Northeastwardly curving to the right along a line with a radius of 1583.50 feet, an arc distance of 197.42 feet to a point of tangency;

thence (7) North 08 degrees 51 minutes 38 seconds East 149.57 feet to a point of curvature; thence (8) Northeastwardly curving to the right along a line with a radius of 883.50 feet, an arc distance of 166.17 feet;

thence (9) North 19 degrees 38 minutes 13 seconds East 46.00 feet to a point of curvature; thence (10) Northeastwardly curving to the right along a line with a radius of 2483.50 feet, an arc distance of 180.55 feet to a point of tangency;

thence (11) North 23 degrees 48 minutes 08 seconds East 928.22 feet to a point of curvature; thence (12) Northeastwardly curving to the left along a line with a radius of 766.50 feet, an arc distance of 251.80 feet to a point of tangency;

thence (13) North 04 degrees 58 minutes 48 seconds East 36.25 feet to a point of curvature; thence (14) Northwardly curving to the left along a line with a radius of 916.50 feet, an arc distance of 205.32 feet to a point of tangency;



DESCRIPTION OF PARCEL OF LAND

thence (15) North 07 degrees 51 minutes 22 seconds West 56.74 feet to a point of curvature; thence (16) Northwestwardly curving to the left along a line with a radius of 3216.50 feet, an arc distance of 277.41 feet to a point of tangency; thence (17) North 12 degrees 47 minutes 51 seconds West 272.50 feet; thence (18) South 69 degrees 40 minutes 40 seconds East 882.95 feet to the true point of beginning containing 35.475 acres more or less.

A non-exclusive easement runs with the hereinbefore described parcel of land; said non-exclusive easement being described in Exhibit A, attached to and made part of the Deed of Gift, dated November 2, 1970, between Ringwood Realty Corp. and Ringwood Solid Waste Management Authority, recorded in the Passaic County Register's Office in Deed Book T-89, Pages 208, through 213; and said non-exclusive easement being for ingress and egress between the hereinbefore described parcel of land and Margaret King Avenue over and across a strip of land thirty-three (33) feet wide commonly known as Peter's Mine Road.

Subject to all leases, agreements, right-of-ways, easements and restrictions of record including:

Agreement right-of-way, 150 feet wide, for Rockland Electric Transmission Lines. Also Agreement, for an easement, 20 feet wide, granted to American Telephone and Telegraph Company of New Jersey.

December 12, 1973

F 95 PAGE 331

Page 3 of 3

6018 1974  
REGISTERED

6-601-14814

EXHIBIT A

EXCEPTED PARCEL SEVEN

789 MAR 208 - 213

All that certain tract or parcel of land situate in the Borough of Ringwood, County of Passaic and State of New Jersey, more particularly described as follows:

Beginning at the point of intersection of the division line between lands now or formerly of Tuxedo Homes, Inc. and lands of the Ringwood Realty Corp., and the division line between the State of New Jersey and the State of New York said beginning point being also the northeasterly corner of lands now or formerly of Tuxedo Houses Incorporated marked by a three inch pipe monument as described in the deed from Pittsburgh Pacific Company to Ringwood Realty Corp. dated December 3, 1964 and recorded January 8, 1965 in the Passaic County Register's Office in Book X-80 of Deeds page 434, thence proceeding from said beginning point along said division line between the State of New Jersey and the State of New York.

- (1) South 58°38'06" East 71.73 feet to the Northwesterly line of Public Service Electric and Gas Company right-of-way;
- thence (2) South 47°42'50" West 110.10 feet along said Northwesterly line;
- thence (3) South 28°37'00" West 44.40 feet along said Northwesterly line;
- thence (4) South 58°38'06" East along the line of Public Service Electric and Gas Company right-of-way parallel with and distant 150 feet Southwesterly at right angles from the aforementioned division line between the State of New Jersey and the State of New York 869.00 feet to the Northwesterly line of Public Service Electric and Gas Company, Branchburg to New York State Lane; right of way (300 feet wide);
- thence (5) South 44°53'27" West along said Northwesterly line 1613.77 feet;
- thence (6) South 20°19'20" West along said Northwesterly line 4857.50 feet;
- thence (7) South 34°48'30" West 376.16 feet;
- thence (8) North 55°11'30" West 173.19 feet to the Easterly line of Peter's

## EXCEPTED PARCEL SEVEN (continued)

Mine Road (33 feet wide) and continuing along the curved and tangent Easterly line of said Peter's Mine Road the following fourteen courses:

thence (9) Northeastwardly curving to the right along a line with a radius of 1183.50 feet, an arc distance of 129.60 feet to a point of tangency;

thence (10) North 01°04'31"02" East 333.58 feet to a point of curvature;

thence (11) Northeastwardly curving to the right along a line with a radius of 1583.50 feet, an arc distance of 197.42 feet to a point of tangency;

thence (12) North 08°51'38" East 149.57 feet to a point of curvature;

thence (13) Northeastwardly curving to the right along a line with a radius of 883.50 feet, an arc distance of 166.17 feet;

thence (14) North 19°38'13" East 46.00 feet to a point of curvature;

thence (15) Northeastwardly curving to the right along a line with a radius of 2483.50 feet, an arc distance of 180.55 feet to a point of tangency;

thence (16) North 23°48'08" East 908.22 feet to a point of curvature;

thence (17) Northeastwardly curving to the left along a line with a radius of 766.50 feet, an arc distance of 251.80 feet to a point of tangency;

thence (18) North 04°58'48" East 36.25 feet to a point of curvature;

thence (19) Northwestwardly curving to the left along a line with a radius of 916.50 feet, an arc distance of 205.32 feet to a point of tangency;

thence (20) North 07°51'22" West 56.74 feet to a point of curvature;

thence (21) Northwestwardly curving to the left along a line with a radius of 3216.50 feet, an arc distance of 277.41 feet to a point of tangency;

thence (22) North 12°47'51" West 272.50 feet to the southerly line of lands of Ringwood Realty Corp.;

thence (23) North 87°05'45" West along said lands of Ringwood Realty Corp. 278.95 feet;

EXCEPTED PARCEL SEVEN (continued)

789<sup>part</sup> 210

thence (24) North 31°54'58" West still along remaining lands of Ringwood Realty Corp., 1524.91 feet (calculated distance), to a corner to lands now or formerly Tuxedo Homes, Inc. and continuing along lands now or formerly Tuxedo Homes, Inc. the following three courses, the bearings and distances of said three courses as described in the deed from Pittsburgh Pacific Company to Ringwood Realty Corp., dated December 3, 1964 and recorded January 8, 1965 in the Passaic County Register's Office in Book X-80 Page 434

thence (25) North 69°12'58" East along said lands of Tuxedo Homes, Inc. 2210.30 feet;

thence (26) South 61°43'58" East still along said lands of Tuxedo Homes, Inc. 250.20 feet;

thence (27) North 28°54'49" East still along said lands of Tuxedo Homes, Inc. 1638.60 feet to the point and place of beginning.

CONTAINING 144.75 Acres more or less.

109.25 to State will be 144  
 Remain. 36.50 ? lot 14

EXHIBIT A

Together with all right, title, and interest but subject to the liabilities and obligations of Grantor in and to (a) any and all leases between Grantor and occupants of the above described real estate, (b) Agreement dated May 17, 1926 between North Jersey District Water Supply Commission and Ringwood Company (Grantor's predecessor in title to the above-described real estate), recorded July 6, 1926 in Deed Book B-33, page 234, Passaic County Register's Office, (c) Agreement for Cold Spring Water Supply dated November 30, 1926, between North Jersey District Water Supply Commission, Sarah C. Hewitt and Ringwood Company recorded August 30, 1951, in Deed Book M-56, page 401, Passaic County Register's Office, (d) Assignment from Ringwood Company to Defense Plant Corporation, dated December 1, 1942, and recorded December 10, 1942 in Deed Book K-43, page 162, Passaic County Register's Office, and (e) Agreement dated July 27, 1943 between North Jersey District Water Supply Commission and Dufense Plant Corporation, recorded August 30, 1951 in Deed Book M-56, page 397, Passaic County Register's Office.

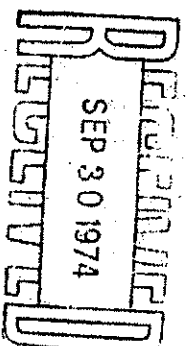
Subject to indenture dated March 3, 1961 between Pittsburgh Pacific Company and Borough of Ringwood in the County of Passaic for the grant and dedication of a public highway now commonly known as Margaret King Avenue and recorded in the Passaic County Register's Office in Book U-74 of Deeds Page 47.

Also subject to existing easements and visible easements and easements and restrictions of record.

Also subject to all restrictions, reservations and agreements contained in prior instruments of record.

Reserving to Grantor a non-exclusive easement for ingress and egress between Grantor's land hereinbefore described as Excepted Parcel Seven and Margaret King Avenue over and across a strip of land, thirty-three (33) feet wide, commonly known as Peter's Mine Road, with an easterly line described as follows:

TS9 MAR 21 1974



189  
212

Beginning at the intersection of the northerly line of Margaret King Avenue with the existing easterly line of Peter's Mine Road, thence proceeding northerly along said easterly line of Peter's Mine Road to the terminus of course five as described in the heretofore recited Excepted Parcel Survey; thence along the curved and tangent easterly line of said Peter's Mine Road the following fourteen courses:

- (1) Northeastwardly curving to the right along a line with a radius of 1183.50 feet, an arc distance of 129.60 feet to a point of tangency;
- thence (2) North  $01^{\circ}43'02''$  East 333.58 feet to a point of curvature;
- thence (3) Northeastwardly curving to the right along a line with a radius of 1583.50 feet, an arc distance of 197.42 feet to a point of tangency;
- thence (4) North  $08^{\circ}51'38''$  East 149.57 feet to a point of curvature;
- thence (5) Northwardly curving to the right along a line with a radius of 883.50 feet, an arc distance of 166.17 feet;
- thence (6) North  $19^{\circ}38'13''$  East 46.00 feet to a point of curvature;
- thence (7) Northeastwardly curving to the right along a line with a radius of 2483.50 feet, an arc distance of 180.55 feet to a point of tangency;
- thence (8) North  $23^{\circ}48'08''$  East 928.22 feet to a point of curvature;
- thence (9) Northeastwardly curving to the left along a line with a radius of 766.50 feet, an arc distance of 251.80 feet to a point of tangency;
- thence (10) North  $04^{\circ}58'48''$  East 36.25 feet to a point of curvature;
- thence (11) Northwestwardly curving to the left along a line with a radius of 916.50 feet, an arc distance of 205.32 feet to a point of tangency;
- thence (12) North  $07^{\circ}51'22''$  West 56.74 feet to a point of curvature;
- thence (13) Northwestwardly curving to the left along a line with a radius



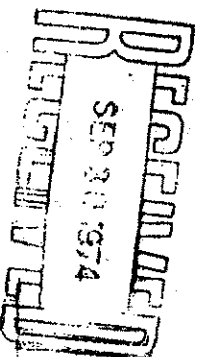
EXHIBIT A

of 3216.50 feet, an arc distance of 277.41 feet to a point of tangency; thence (14) North 12°47'51" West 272.50 feet and terminating in the southerly line of the lands of Ringwood Realty Corp.

This easement may be used only for vehicular and pedestrian traffic and for utility lines necessary to service the Grantor's land hereinbefore described as Excepted Parcel Seven and this easement shall run with Grantor's land.

TR90 213

Page 22 of 22



# EXHIBIT C

cc: *Wm Sheehan*  
*De Deput 2/13*

**AUGUST W. FISCHER**

COUNSELLOR AT LAW  
190 MOORE STREET  
HACKENSACK, N. J. 07601  
(201) 342-4800

February 12, 1981

Borough Clerk  
Borough Hall  
60 Margaret King Avenue  
Ringwood, New Jersey 07456

RE: 1980 TAX FORECLOSURES  
Borough of Ringwood vs. Block 601,  
Lot 14, et al  
Docket No. F 5948-79

Dear Mrs. Cenicola:

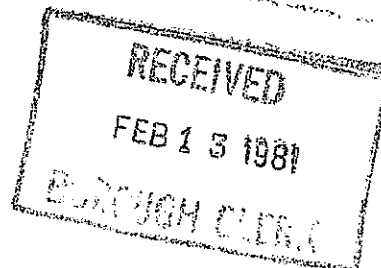
Enclosed herewith please find Final Judgment in connection with the above entitled action which was filed by the Clerk of the Superior Court on January 28, 1981 and recorded in the Passaic County Register of Deeds Office on February 9, 1981 in Deed Book T 106 at Page 132.

Enclosed also find my invoice for services rendered in this matter in the amount of \$1,637.36.

Sincerely yours,

AUGUST W. FISCHER, ESQ.

AWF:rjr  
Encl.



FILED  
JAN 23 1981  
W.L.F.  
C.

F30667

AUGUST W. FISCHER, ESQUIRE  
190 Moore Street  
Hackensack, New Jersey 07601  
(201) 342-4800  
Attorney for Plaintiff

BOROUGH OF RINGWOOD, a Municipal Corporation,	:	SUPERIOR COURT OF NEW JERSEY
	:	CHANCERY DIVISION: PASSAIC COUNTY
	:	
Plaintiff	:	
	:	
vs.	:	DOCKET NO. F 5948-79
	:	
Block 601, Lot 14, assessed to Housing Operation with Training Opportunity, Corp.	:	
	:	
Block 702, Lot 3A, assessed to Jacob Kurzer	:	CIVIL ACTION
	:	
Block 742, Lots 18 & 19, assessed to John J. Lonsiak & Kathleen Mary Lonsiak, his wife	:	FINAL JUDGMENT
	:	
Block 929, Lot 26, assessed to William H. Miller	:	
	:	
Defendants	:	

RECEIVED  
PASSAIC CO. N.J.  
1981 FEB -9 AM 10:42  
BETTY M. KORDJA  
REGISTER

1981-132

This cause being opened to the Court by AUGUST W. FISCHER, ESQUIRE, Attorney for Plaintiff, and it appearing that plaintiff filed its complaint pursuant to the provisions of N.J.S.A. 54:5-104.29 et seq. as amended and the Rules of this Court governing such practice and procedure to foreclosure in rem, four (4) Tax Sale Certificates as follows:

SCH. NO.	RECORDED IN OFFICE OF PASSAIC COUNTY CLERK		OWNER OF LAST TAX DUPLICATE	DESCRIPTION ON TAX DUPLICATE AND IN CERT. OF SALE	
	BOOK	PAGE		BLOCK	LOT
1.	H 80	415	How-To Inc.	601	14
2.	H 80	416	Jacob Kurzer	702	3A
3.	B 71	262	John Lonsiak & Kathleen Lonsiak	742	18,19
4.	B 71	278	William H. Miller	929	26

that notice of this foreclosure suit in the form prescribed by said statute and the Rules of this Court was published once in the Ringwood Bulletin Argus Today, a newspaper circulating in the Borough of Ringwood, the municipality wherein the lands to be affected are located; and

It further appearing that no answer has been filed in this

2306-137

cause by any person having or claiming to have a right, title or interest in or to, or lien upon any parcel of land described in the Complaint filed herein within the time fixed by said statute; and

It further appearing that the plaintiff has filed a copy of the Complaint in the Office of the Tax Collector of the Borough of Ringwood, Office of the Passaic County Clerk, and in the Office of the Attorney General of the State of New Jersey, and the Court having read and considered the verified Complaint filed herein together with the Proofs of Publication, Mailing and Posting of said Notice of Foreclosure, and the Affidavit showing that there has been no redemption of any of the Tax Sale Certificates, and the Court being satisfied and having determined that there has been a compliance with said statute:

IT IS THEREUPON, ON THIS *28th* day of *January*, 1981,  
ORDERED AND ADJUDGED, that all persons having a vested or contingent title or interest in or lien or claim upon or against those lands unredeemed, including the State of New Jersey, any agency and their heirs, devisees and personal representatives and their or and political subdivision thereof, /any/their heirs, devisees, of  
executors, administrators, grantees, assigns or successors in right, title or interest, notwithstanding any infancy or incompetency of such person or persons, and all other persons, /their heirs, devisees, executors, administrators, grantees, assigns or

successors in right, title or interest, be barred of the right of redemption and be foreclosed of all prior or subsequent alienation and descents of said lands and encumbrances thereupon, and that an absolute and indefeasible estate of inheritance in fee simple in said lands be vested in the Plaintiff, Borough of Ringwood, in the County of Passaic and State of New Jersey:

SCH. NO.	TRANSFEREE OR PURCHASER OF TITLE	DATE	DATE RECORDED	BOOK	PAGE
1.	Housing Operation with Training Op- portunity, Corp.	12/21/73	10/31/74	F 95	328
2.	Jacob Kurzer	3/31/69	4/11/69	K 87	685
3.	John J. Lonsiak & Kathleen Mary Lon- siak, his wife	2/8/66	2/11/66	U 82	434
4.	William H. Miller	1/31/61	2/15/61	S 74	383

W. LEWIS BAMBRICK  
Clerk

W. LEWIS BAMBRICK,  
Clerk of the Superior Court

2106-135

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION, PASSAIC COUNTY

BOROUGH OF RINGWOOD

Plaintiff,

vs

BLOCK 601, LOT 14,

Defendant.

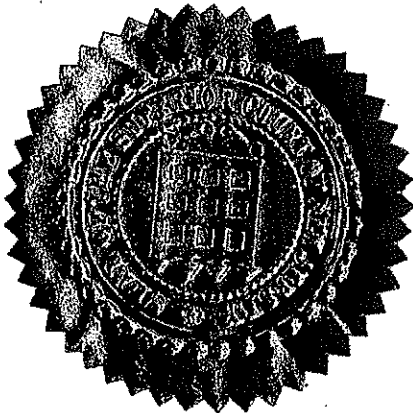
CERTIFICATION

I, W. Lewis Bambrick, Clerk of the Superior Court of New Jersey, the same being a court of record, do hereby certify that the foregoing is a true copy of \_\_\_\_\_

FINAL JUDGMENT

now on file in my office.

In testimony whereof, I have hereunto set my hand and the seal of the court this 2nd day of FEBRUARY, 1981 .



*W. Lewis Bambrick*

Clerk Clerk