

FEB 04 2016

\$28,935.00

8

JAN 26 2016

**DEED**



300MT6

This deed is made on this 11<sup>th</sup> day of December, 2015,

**BETWEEN**

**COCA-COLA REFRESHMENTS USA, INC.**, a Delaware corporation, formerly known as Coca-Cola Enterprises Inc., successor by merger to The Coca-Cola Bottling Company of New York, a Delaware corporation, having its principal office at 2500 Windy Ridge Parkway, Atlanta, Georgia 30339, referred to as the Grantor,

**AND**

**M & M AT NEPTUNE, LLC**, a New Jersey limited liability company, having its principal office at 1260 Stelton Road, Piscataway, New Jersey 08854, referred to as the Grantee.

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

1. **Transfer of Ownership.** The Grantor grants and conveys (transfers ownership of the property (called the "Property") described below to the Grantee. This transfer is made for the sum of Two Million Six Hundred Thousand and no/100 Dollars (\$2,600,000.00).

The Grantor acknowledges receipt of this money.

2. **Tax Map Reference.** 233-1 and 233-1-B, Township of Neptune, Lot 1, Block 233, County of Monmouth New Jersey.
3. **Property.** The Property consists of the land and all the buildings and structures on the land in the Township of Neptune, County of Monmouth and State of New Jersey. The legal description is:

Please see attached Legal Description annexed hereto as Exhibit "A" and made a part hereof.

The Street Address is 704 Highway 35 N, Township of Neptune, County of Monmouth, New Jersey.

SUBJECT to the permitted exceptions listed on Exhibit "B" attached hereto.

Prepared by:

(For Recorder's Use Only)

Celeste H. Burr  
Coca-Cola Refreshments USA, Inc.  
2500 Windy Ridge Parkway, Atlanta, GA 30339



State of New Jersey  
**SELLER'S RESIDENCY CERTIFICATION/EXEMPTION**

(Please Print or Type)

**SELLER'S INFORMATION**

Name(s)  
Coca-Cola Refreshments USA, In.

Current Street Address  
2500 Windy Ridge Dr Way

City, Town, Post Office Box Atlanta State Georgia Zip Code 30331

**PROPERTY INFORMATION**

Block(s) 233 Lot(s) 1 & 1-B01 Qualifier

Street Address 704 Highway 35

City, Town, Post Office Box Township of Neptune State NJ Zip Code

Seller's Percentage of Ownership 100% Total Consideration \$2,600,000.00 Owner's Share 2,600,000.00 Closing Date 12-15-15

**SELLER'S ASSURANCES (Check the Appropriate Box) (Boxes 2 through 14 apply to Residents and Nonresidents)**

1.  Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident gross income tax return, and will pay any applicable taxes on any gain or income from the disposition of this Property.
2.  The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3.  Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4.  Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5.  Seller is not an individual, estate, or trust and is not required to make an estimated gross income tax payment.
6.  The total consideration for the property is \$1,000 or less so the seller is not required to make an estimated income tax payment.
7.  The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey income tax return for the year of the sale and report the recognized gain.  
 Seller did not receive non-like kind property.
8.  The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
9.  The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10.  The deed is dated prior to August 1, 2004, and was not previously recorded.
11.  The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12.  The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13.  The property transferred is a cemetery plot.
14.  The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.

**SELLER'S DECLARATIONS**

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box  I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

12-11-2015  
Date

Matthew J. Fanoie  
Vice President  
Signature (Seller) Please indicate if Power of Attorney or Attorney in Fact

Date

Signature (Seller) Please indicate if Power of Attorney or Attorney in Fact

**EXHIBIT A**

**Description of  
Lot 1 in Block 233  
Township of Neptune, Monmouth County, New Jersey**

Real property in the Township of Neptune, County of Monmouth, State of New Jersey, described as follows:

ALL that certain tract or parcel of land and premises, situate, lying and being in the Township of Neptune, County of Monmouth and State of New Jersey, described as follows to wit:

BEGINNING at a point in the southerly line of Asbury Avenue which point is distant on a course of south seventy two degrees three minutes thirty seconds west one hundred fourteen and forty hundredths feet from a marble monument buried six feet underground, said beginning point also being the intersection of the southerly line of Asbury Avenue and the westerly line of Oxonia Avenue as it curves around to Asbury Avenue thence (1) north sixty three degrees thirteen minutes forty seconds west eleven hundred forty nine and eighty seven hundredths feet along the southerly line of Asbury Avenue to a point; thence (2) north seventy degrees one minute fifty seconds west one hundred and seventy one one-hundredths feet to a monument set by the New Jersey State Highway Department, said monument being on the southerly line of Asbury Avenue as it meets the Circle; thence (3) along a curve with a radius of one hundred five feet, one hundred forty nine and four hundredths feet along the arc to another monument set by the State Highway Department; thence (4) south thirty five degrees twenty six minutes thirty seconds west one hundred fifty one and sixty two hundredths feet to the intersection of the deed line running along Logan Road; thence (5) still along the easterly line of the State Highway one hundred sixty nine and seven hundredths feet along an arc with a radius of one hundred fifty five feet to a State Highway monument; thence (6) south twenty eight degrees nine minutes east one hundred forty nine and fifty five hundredths feet to another State Highway monument; thence (7) still along the new easterly highway line, south thirty five degrees seven minutes east sixty three and fifty hundredths feet to a point; thence (8) still along the easterly State Highway line south thirty two degrees forty minutes east seventy two and fourteen hundredths feet along chord of a curve with a radius of nine hundred eighty five and thirty seven hundredths feet to an iron pipe; thence (9) still along the easterly side of the State Highway south twenty seven degrees fifty three minutes east ninety three and twenty seven hundredths feet along a chord of a curve with a radius of nine hundred eighty five and thirty seven hundredths feet to a point; thence (10) still along the easterly side of the State Highway south twenty two degrees thirty nine minutes twenty seconds east eighty and eighty seven hundredths feet along a chord of a curve with a radius of nine hundred eighty five and thirty seven hundredths feet to a point; thence (11) south nineteen degrees seven minutes east fifty and twenty hundredths feet along a chord of a curve with a radius of nine hundred eighty five and

thirty seven hundredths feet to a point which is the intersection of the easterly line of the state Highway and the southerly line of the Power Company easement; thence (12) south seventy two degrees ten minutes fifty seconds east thirty five and fifty four hundredths feet along the southerly line of the Power Company easement to an angle point; thence (13) still along the southerly line of the Power Company easement, south eighty seven degrees forty two minutes fifty seconds east two hundred eighty nine and ninety four hundredths feet to an angle point; thence (14) north sixty six degrees forty minutes forty seconds east four hundred fifty nine and eighty six hundredths feet still along the southerly line of the easement to a point; thence (15) south sixty three degrees forty seven minutes twenty seconds east one hundred five and eighty three hundredths feet to a point, this line passing through an old stone which is at present three feet under water; thence (16) north sixteen degrees forty five minutes thirty seconds east twenty one and twelve hundredths feet to a point; thence (17) north seventy two degrees three minutes thirty seconds east two hundred seventy three and eighty six hundredths feet to the point or place of beginning, according to a survey made by William D. Ayers, C.E. March-April 1948.

Not Certified Copy

**EXHIBIT B**

1. All unpaid taxes for 2015 and subsequent years, not yet due and payable.
2. Subject to all matters shown on the Plan as recorded in the Recorder's Office of Monmouth County, New Jersey in #73A-20.
3. Ordinance to vacate a portion of Logantown Road as set forth in Vacation Book 1, Page 15.
4. Declaration of Taking as set forth in Deed Book OR 8195, Page 8166.
5. Rights granted to Eastern New Jersey Power Co. as set forth in Deed Book 1542, Page 28.
6. Slope and Drainage Rights to the State of New Jersey as set forth in Deed Book 1820, Page 345 and Deed Book 1841, Page 11.
7. Covenants and Conditions as set forth in Deed Book 2171, Page 489 and Deed Book 2172, Page 423.

Not Certified Copy

STATE OF NEW JERSEY  
AFFIDAVIT OF CONSIDERATION FOR USE BY SELLER  
(Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006) (N.J.S.A. 46:15-5 et seq.)  
BEFORE COMPLETING THIS AFFIDAVIT, PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM.

STATE OF NEW JERSEY ) SS County Municipal Code  
COUNTY Monmouth  
FOR RECORDER'S USE ONLY  
Consideration \$ \_\_\_\_\_  
RTF paid by Seller \$ \_\_\_\_\_  
Date \_\_\_\_\_ By \_\_\_\_\_

MUNICIPALITY OF PROPERTY LOCATION; Township of Neptune \*Use symbol "C" to indicate that fee is exclusively for county use.

(1) PARTY OR LEGAL REPRESENTATIVE (Instructions #3 and #4 on reverse side)

Deponent, Coca-Cola Refreshments USA, Inc being duly sworn according to law upon his/her oath,  
deposes and says that he/she is the Grantee in a deed dated 12/11/15 transferring  
(Grantee, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)

real property identified as Block number 233 Lot number 1 & 1-B01 located at  
704 Highway 35, Neptune Township and annexed thereto.

(2) CONSIDERATION \$2,600,000.00 (Instructions #1 and #5 on reverse side) [ ] no prior mortgage to which property is subject.

(3) Property transferred is Class 4B 4C (circle one). If property transferred is Class 4A, calculation in Section 3A below is required.

(3A) REQUIRED CALCULATION OF EQUALIZED VALUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS:  
(Instructions #5A and #7 on reverse side)

Total Assessed Valuation + Director's Ratio = Equalized Assessed Valuation  
\$4,094,700 + 80.93 % = \$5,015,955.50

If Director's Ratio is less than 100%, the equalized valuation will be an amount greater than the assessed value. If Director's Ratio is equal to or in excess of 100%, the assessed value will be equal to the equalized valuation.

(4) FULL EXEMPTION FROM FEE (Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through C. 66, P.L. 2004; for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

(5) PARTIAL EXEMPTION FROM FEE (Instruction #9 on reverse side)

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. Deponent claims that this deed transaction is exempt from State portions of the Basic, Supplemental, and General Purpose Fee, as applicable, imposed by C. 176, P.L. 1975, C. 113, P.L. 2004, and C. 66, P.L. 2004 for the following reason(s):

A. SENIOR CITIZEN Grantor(s)  62 years of age or over. \* (Instruction #9 on reverse side for A or B) \*  
B. (BLIND PERSON Grantor(s)  legally blind or; \*  
(DISABLED PERSON Grantor(s)  permanently and totally disabled  receiving disability payments  not gainfully employed \*  
Senior citizens, blind persons, or disabled persons must also meet all of the following criteria:  
 Owned and occupied by grantor(s) at time of sale.  Resident of State of New Jersey.  
 One or two-family residential premises.  Owners as joint tenants must all qualify.

\*IN THE CASE OF HUSBAND AND WIFE, PARTNERS IN A CIVIL UNION COUPLE, ONLY ONE GRANTOR NEED QUALIFY IF TENANTS BY THE ENTIRETY.

C. LOW AND MODERATE INCOME HOUSING (Instruction #9 on reverse side)

Affordable according to H.U.D. standards.  Reserved for occupancy.  
 Meets income requirements of region.  Subject to resale controls.

(6) NEW CONSTRUCTION (Instruction #2, #10 and #12 on reverse side)

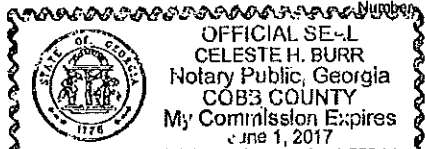
Entirely new improvement.  Not previously occupied.  
 Not previously used for any purpose.  "NEW CONSTRUCTION" printed clearly at top of first page of the deed.

(7) RELATED LEGAL ENTITIES TO LEGAL ENTITIES (Instruction #5, #12, #14 on reverse side)

No prior mortgage assumed or to which property is subject at time of sale.  
 No contributions to capital by either grantor or grantee legal entity.  
 No stock or money exchanged by or between grantor or grantee legal entities.

(8) Deponent makes this Affidavit to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith in accordance with the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me  
this 11<sup>th</sup> Day of December this 2015  
Celeste H. Burr Signature of Deponent Matthew J. Fazio Coca-Cola Refreshments USA, Inc  
704 Highway 35, Neptune Township, NJ 08951 Grantor Name  
Deponent Address VP Real Estate 704 Highway 35, Neptune Township  
Grantor Address at Time of Sale  
Racetrack Title Agency, LLC  
Last 3 digits in Grantor's Social Security Number \_\_\_\_\_ Name/Company of Settlement Officer



FOR OFFICIAL USE ONLY  
Instrument Number \_\_\_\_\_ County \_\_\_\_\_  
Deed Number \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_  
Deed Dated \_\_\_\_\_ Date Recorded \_\_\_\_\_

PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE OF THIS FORM BEFORE COMPLETING THIS AFFIDAVIT.

STATE OF NEW JERSEY } SS County Municipal Code

FOR RECORDER'S USE ONLY  
Consideration \$ \_\_\_\_\_  
RTF paid by Buyer \$ \_\_\_\_\_  
Date \_\_\_\_\_ By \_\_\_\_\_

COUNTY Monmouth

MUNICIPALITY OF PROPERTY LOCATION; Township of Neptune

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

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

XXX-XX-X 276  
Last 3 Digits in Grantee's Social Security Number

Deponent, Michael Huddleston being duly sworn according to law upon his/her oath,  
deposes and says that he/she is the Officer of Title Co. Racetrack Title Agency in a deed dated 12/11/2015 transferring  
(Grantee, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)  
real property identified as Block number 233 Lot number 1 & 1-B01 located at  
704 Highway 35, Neptune Township and annexed thereto.

(2) CONSIDERATION

\$2,600,000.00

(See Instructions #1, #5 and #11 on reverse side)

Entire consideration is in excess of \$1,000,000:

PROPERTY CLASSIFICATION CHECKED BELOW SHOULD BE TAKEN FROM THE OFFICIAL ASSESSMENT LIST (A PUBLIC RECORD) OF THE MUNICIPALITY WHERE THE REAL PROPERTY IS LOCATED IN THE YEAR THAT THE TRANSFER. REFER TO N.J.A.C. 18:12-2.2 ET SEQ.

(A) When Grantee is required to remit the 1% fee, complete (a) by checking off appropriate box or boxes below

- Class 2 - Residential
- Class 3A- Farm property (Regular) and any other real property transferred to same grantee in conjunction with transfer of Class 3A property
- Class 4A - Commercial Properties (if checked, calculation in (E) required below)
- Cooperative unit (four families or less) (See C. 46:8D-3.) Cooperative units are Class 4C.

(B) Grantee is not required to remit the 1% fee (one or more of following classes being conveyed), complete (b) by checking off appropriate box or boxes below:

Property Class. Circle applicable class(es): 1 3B 4B 4C 15  
Property classes: 1-Vacant Land; 3B Farm property (Qualified) 4B-Industrial properties; 4C Apartments; 15 Public Property, etc. (N.J.A.C. 18:12-2.2 et seq.)

- Exempt Organization determined by federal Internal Revenue Service/Internal Revenue Code of 1986, 26 U.S.C. s. 501.
- Incidental to corporate merger or acquisition; equalized assessed valuation less than 20% of total value of all assets exchanged in merger or acquisition. If checked, calculation in (E) required and **MUST ATTACH COMPLETED RTF-4.**

(C) When grantee transfers properties involving block(s) and lot(s) of two or more classes in one deed, one or more subject to the 1% fee (A), with one or more than one subject to the 1% fee (B), pursuant to N.J.S.A. 46:15-7.2, complete (C) by checking off appropriate box or boxes and (D).

Property class. Circle applicable class of class 1 2 3B 4A 4B 4C 15

(D) EQUALIZED VALUE CALCULATION FOR ALL PROPERTIES CONVEYED, WHETHER THE 1% FEE APPLIES OR DOES NOT APPLY

Total Assessed Valuation + Director's Ratio = Equalized Valuation

Property Class	\$		% = \$
Property Class	\$		% = \$
Property Class	\$	+	% = \$
Property Class	\$	+	% = \$

(E) REQUIRED CALCULATION OF EQUALIZED CALCUATION FOR ALL CLASS 4A (COMMERCIAL) PROPERTY TRANSACTIONS: (See Instructions #6 and #7 on reverse side)

Total Assessed Valuation ÷ Director's Ratio = Equalized Assessed Valuation

\$ \_\_\_\_\_ ÷ \_\_\_\_\_ % = \$ \_\_\_\_\_

If Director's Ratio is less than 100% the equalized valuation will be an amount greater than the assessed valuation. If Director's Ratio is equal to or exceeds 100%, the assessed valuation will be equal to the equalized value.

(3) TOTAL EXEMPTION FROM FEE (See Instruction #8 on reverse side)

Deponent states that this deed transaction is fully exempt from the Realty Transfer Fee imposed by C. 49, P.L. 1968, as amended through Chapter 33, P.L. 2006, for the following reason(s). Mere reference to exemption symbol is insufficient. Explain in detail.

(4) Deponent makes Affidavit of Consideration for Use by Buyer to induce county clerk or register of deeds to record the deed and accept the fee submitted herewith pursuant to the provisions of Chapter 49, P.L. 1968, as amended through Chapter 33, P.L. 2006.

Subscribed and sworn to before me

this 3<sup>rd</sup> Day of February, 20 16

Signature of Deponent

1340A Campus Pkwy Wall, NJ 07753

Deponent Address

M & M at Neptune, LLC

Grantee Name

704 Highway 35, Neptune Township

Grantee Address at Time of Sale

Racetrack Title Agency, LLC.

Name/Company of Settlement Officer

County recording officers: forward one copy of each RTF-1EE to:  
Gina Di Maggio  
ID 0 2355007  
STATE OF NEW JERSEY - DIVISION OF TAXATION  
PO BOX 251  
TRENTON, NJ 08646-0251  
ATTENTION: REALTY TRANSFER FEE UNIT  
2/11/17

FOR OFFICIAL USE ONLY  
Instrument Number \_\_\_\_\_ County \_\_\_\_\_  
Deed Number \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_  
Deed Dated \_\_\_\_\_ Date Recorded \_\_\_\_\_

4. **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).
5. **Signatures.** This Deed is signed and attested to by the Grantor's proper corporate officer as of the date at the top of the first page.

Witnessed by:

**COCA-COLA REFRESHMENTS USA, INC.,** a Delaware Corporation

Hannah Grant  
Print Name: Hannah Grant

By: Matthew J. Fanoe

Karen Adesso  
Print Name: Karen Adesso

Its: Matthew J. Fanoe  
Vice President  
Real Estate

CHRISTINE GIORDANO HANLON  
COUNTY CLERK  
MONMOUTH COUNTY, NJ

STATE OF GEORGIA, COUNTY OF COBB

SS:

I CERTIFY that on this 17th day of December, 2015

Personally came before me and stated to my satisfaction that this person:

- (a) Was the maker of the attached Deed;
- (b) Was authorized to make and did execute this Deed as Vice President, Real Estate for the entity named in the Deed;
- (c) Made this deed for Two Million Six Hundred Thousand and No/100 Dollars (\$2,600,000.00) as the full and actual consideration to be paid for the transfer of title (Such consideration is defined in N.J.S.A. 46:15-5); and
- (d) Executed this Deed as the act of the entity.

INSTRUMENT NUMBER  
**2016011349**  
RECORDED ON  
**Feb. 05, 2016**  
**2:47:46 PM**  
**BOOK=OR-9151**  
**PAGE=6174**  
Total Pages: 8

REALTY TRANSFER \$28,935.00  
FEES  
COUNTY RECORDING \$110.00  
FEES  
TOTAL PAID \$29,045.00

Celeste H. Burr

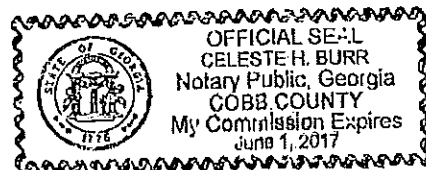
Celeste H. Burr  
NOTARY PUBLIC

My Commission Expires: 6/1/17

NOTARIAL SEAL

RECORD AND RETURN TO

Sheryl Weingarten, Esq.  
1260 Stelton Road  
Piscataway, New Jersey 08854



*Handwritten notes:*  
Race-track  
8/20