

under Lagoons

JED:em

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4/6/55

1648-287

STREET & LAGOON
AREAS

-- 1643-287

THIS INDENTURE, Made the 25th day of April in the year of our Lord One Thousand Nine Hundred and fifty-five BETWEEN CHEMICAL CORN EXCHANGE BANK, formerly Chemical Bank and Trust Company, substituted trustee under a certain Deed of Trust made on April 30, 1928 by Stanley Jordan, a corporation of the State of New York, having its main banking office at 30 Broad Street, New York, N. Y., Party of the first part and ADELINE JORDAN and STANLEY JORDAN, her husband, residing in the Township of Brick, County of Ocean and State of New Jersey, Parties of the second part, and SILVER BEACH ASSOCIATION, a corporation of the State of New Jersey, having its principal office in the Township of Dover, County of Ocean and State of New Jersey, Party of the third part.

WHEREAS, the predecessor in interest to the party of the first part acquired title to certain property (which, when taken together with the property acquired as hereinafter set forth, is now known as Silver Beach) by a certain deed dated December 14, 1942 made by Louis Burfeind, et als., to Title Guarantee and Trust Company as Trustee under a certain Deed of Trust made April 30, 1928 by Stanley Jordan and recorded in the Ocean County Clerk's office in Deed Book 1128, page 234; and

WHEREAS, the parties of the second part acquired title to certain property (which, when taken together with the property acquired as hereinbefore set forth, is now known as Silver Beach) under Final Decree of the Court of Chancery of the State of New Jersey wherein Adeline Jordan is Complainant, and Oliver F. Van Camp, et als. are Defendants, dated April 16, 1941 and recorded May 29, 1941 in the Ocean County Clerk's Office in Book 1097, page 8, and under Amended Final Decree of the Court of Chancery of the State of New Jersey wherein Adeline Jordan is Complainant, and Oliver F. Van Camp, et als. are Defendants, dated March 30, 1944 and recorded April 22, 1944 in the Ocean County Clerk's Office in Book 1150, page 49; and in Stanley Jordan under bargain and sale deed from Oliver F. Van Camp and wife, dated June 20, 1941 and recorded July 25, 1941 in the Ocean County Clerk's Office in Book 1100, page 159; and

WHEREAS, the parties of the first and second parts have excavated certain portions of the lands so acquired to create waterways or lagoons over which land the waters of Barnegat Bay now ebb and flow, said waterways or lagoons being shown on the subdivision maps, Sections C and F hereinafter referred to; and

WHEREAS, the parties of the first and second parts have caused to be filed in the office of the County Clerk of Ocean County the following subdivision maps which subdivide into lots with private-access streets and waterways or lagoons all of the property acquired by the parties of the first and second parts by the above mentioned deeds:

Map of Silver Beach, Division 1, Section A, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #E-389.

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Map of Silver Beach, Division No. 1, Section B, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #A-389.

Map of Silver Beach, Chadwick, Section C, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #D-389.

covering property conveyed in or through deeds or Decrees recorded in Deed Book 1097, page 8, Deed Book 1150, page 49 and Deed Book 1100, page 159.

Map of Silver Beach, Chadwick, Sections D and E, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #B-389.

Map of Silver Beach, Chadwick, Section F, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #C-389.

covering property conveyed in deed recorded in Deed Book 1128, page 234; and

WHEREAS, the parties of the first and second parts have sold and transferred by separate deeds to various persons, firms or corporations the lots shown on said subdivision maps above referred to, retaining title to the land forming the bed of the private access streets and to the lands under the waters of the waterways or lagoons as shown on said filed maps and in said separate deeds to themselves or itself, of the first and second parts reserve to the construction and/or certain rights to approve plans for the construction and in alteration of buildings to be located on said subdivisions with addition impose and burden the lots of said subdivisions with certain restrictions, all of which are more particularly contained in the said separate deeds; and

WHEREAS, the parties of the first and second parts desire to transfer and convey to the party of the third part

1. All their or its right, title and interest in and to the land forming the bed of the private access streets shown on said subdivision maps;
2. All their or its right, title and interest in and to the lands under the waters of the waterways or lagoons shown on said subdivision maps, Sections C and F.
3. All their or its right to pass upon and approve plans for the construction and/or alteration of buildings to be erected on said lots of said subdivisions; and
4. All their or its right to enforce the restrictions placed on said lots of said subdivisions.

WITNESSETH, That the said parties of the first and second parts, for and in consideration of ONE (\$1.) DOLLAR lawful money of the United States of America and other good and valuable consideration to them in hand well and truly paid by the said party of the third part, at or

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before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, and the said parties of the first and second parts being therewith fully satisfied, contented and paid, have given, granted, bargained, sold, aliened, released, enfeoffed, conveyed and confirmed, and by these presents to give, grant, bargain, sell, alien, release, enfeoff, convey and confirm unto the said party of the third part, and to its successors and assigns, forever,

ALL their or its right, title and interest in and to those certain plots, pieces or parcels of land situate, lying and being in the Township of Dover, County of Ocean and State of New Jersey, forming the bed of all the private access streets shown and delineated on the following subdivision maps of Silver Beach:

Map of Silver Beach, Division No. 1, Section A, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #E-389.

Map of Silver Beach, Division No. 1, Section B, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #A-389.

Map of Silver Beach, Chadwick, Section C, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #D-389.

Map of Silver Beach, Chadwick, Sections D and E, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #B-389.

Map of Silver Beach, Chadwick, Section F, made by R. White Morris, filed in Ocean County Clerk's Office November 4, 1954, Map #C-389.

the area and location of said plots, pieces or parcels of land forming the bed of said streets as shown on said filed maps being incorporated herein by reference as though the same had been fully described herein.

SUBJECT TO all utility easements of record to lay and install pipes, conduit, wire and poles over or under the above described premises, if any.

ALSO ALL their or its right, title and interest in and to those certain plots, pieces or parcels of land situate, lying and being in the Township of Dover, County of Ocean, State of New Jersey, described as follows:

The land forming the bed of and lying under, or mostly so, the waters of North Silver Lagoon as shown on said Map of Silver Beach, Section C, filed in the office of the Ocean County Clerk on November 4, 1954 as Map No. D-389, said land being approximately 89 feet in width, running approximately 713 feet on its northerly side and approximately 695 feet on its southerly side.

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The land forming the bed of and lying under, or mostly so, the waters of South Silver Lagoon as shown on said Map of Silver Beach, Section C, filed in the office of the Ocean County Clerk on November 4, 1954 as Map No. D-389, said land being approximately 602 feet on its feet in width, running approximately 590 feet on its northerly side and approximately 590 feet on its southerly side,

The land forming the bed of and lying under, or mostly so, the waters of Osprey Lagoon as shown on said Map of Silver Beach, Section F, filed in the office of the Ocean County Clerk on November 4, 1954 as Map No. C-389, said land being approximately 600 feet on its feet in width, running approximately 584 feet on its northerly side and approximately 584 feet on its southerly side,

The land forming the bed of and lying under, or mostly so, the waters of Heron Lagoon as shown on said Map of Silver Beach, Section F, filed in the office of the Ocean County Clerk on November 4, 1954 as Map No. C-389, said land being approximately 40 feet in width, running approximately 553 feet on its northerly side and approximately 536 feet on its southerly side,

the area and location of said plots, pieces or parcels of land forming the bed of said lagoons as shown on said filed maps being incorporated herein by reference as though the same had been fully described herein.

The party of the third part agrees as part of the consideration for the conveyance of the aforesaid parcels of land that it shall never fill in the area comprising said lagoons so as to preclude navigation over the waters thereof without the written consent of all owners of property directly abutting the lagoon to be so filled in.

ALSO ALL their or its right to enforce the restrictions imposed against and burdening the land described in the deeds made by the parties of the first and second parts to the purchasers of the lots located in the subdivision known as Silver Beach and shown on said filed maps of Silver Beach, Sections A, B, C, D, E and F, hereinabove set forth.

AND ALSO ALL their or its right to pass upon and approve plans for the construction and/or alteration of the buildings to be erected on the lots in the subdivision known as Silver Beach as shown on said filed maps reserved to the parties of the first and second parts in the deeds made by the parties of the first and second parts of the lots located in the said subdivision.

TOGETHER with all and singular the houses, buildings, trees, ways, waters, profits, privileges, and advantages with the appurtenances to the same belonging or in anywise appertaining:

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ALSO, all the estate, right, title, interest, property, claim and demand whatsoever, of the said parties of the first and second parts of, in and to the same, and of, in and to every part and parcel thereof.

TO HAVE AND TO HOLD all and singular the above described land and premises, with the appurtenances, unto the said party of the third part, its successors and assigns forever:

IN WITNESS WHEREOF, the said parties of the first and second parts have hereunto set its and their hands and seals the day and year first above written.

CHEMICAL CORN EXCHANGE BANK

ATTEST:

J. Herbert Handrichman
Assistant Secretary
(J. Herbert Handrichman)

BY *J. Herbert Handrichman* (Herb Handrichman)
Substituted Trustee under a certain
Deed of Trust made on April 30,
1928 by Stanley Jordan.

Party of the 1st Part

Adeline Jordan
Adeline Jordan

Stanley Jordan
Stanley Jordan
Parties of the 2nd Part

STATE OF NEW YORK } SS.:
COUNTY OF NEW YORK }

BE IT REMEMBERED, that on this 25th day of April in the year One Thousand Nine Hundred and Fifty-five before me, the subscriber, a Notary Public in and for the State of New York and County of New York and I hereby certify that I am such Notary Public, as witness my hand and official seal personally appeared *J. Herbert Handrichman* who, being by me duly sworn on his oath, doth depose and make proof to my satisfaction, that he is the Secretary of CHEMICAL CORN EXCHANGE BANK, one of the parties named in the within instrument; that *Adeline Jordan* is the *Van* President of said corporation; that the execution, as well as the making of this Instrument, has been duly authorized by a proper resolution of the Board of Directors of said corporation; that deponent well knows the corporate seal of said corporation; and the seal affixed to said Instrument is such corporate seal and was thereto affixed and said Instrument signed and delivered by said *Adeline Jordan* President, as and for his voluntary act and deed and as and for the voluntary act and deed of said corporation as substituted trustee as aforesaid, in presence of deponent, who thereupon subscribed his name thereto as witness.

Subscribed and sworn to before me, *J. Herbert Handrichman*
at *New York*
the date aforesaid.

J. Herbert Handrichman
Assistant Secretary
(J. Herbert Handrichman)

WILLIAM G. FREES
NOTARY PUBLIC, State of New York
No. 03131715
Qualified in Illinois County
Cert. filed in New York County
Commission expires March 30, 1937

1043-292

STATE OF NEW JERSEY }
COUNTY OF Ocean } SS.:

BE IT REMEMBERED, that on this 17 day of
in the year One Thousand Nine Hundred and Fifty-
five before me, the subscriber, a Notary Public, I am
appeared ADELINE JORDAN and STANLEY JORDAN who, I am
satisfied, are the parties mentioned in the within Instru-
ment, and thereupon they acknowledged that they signed, for
sealed and delivered the same as their act and deed, for
the uses and purposes therein expressed.

Adeline Jordan
(Clarys & Keweenaw) Notary Public
NOTARY PUBLIC OF N. J.
My Commission Expires Nov. 15, 1958

RECORDED
OCEAN COUNTY CLERK'S
OFFICE

1955 JUL 6 PM 1 58

BOOK 1648
PAGE 287
CLERK

Adeline H. Jordan

CERTIFICATION

STATE OF NEW JERSEY) ss.
COUNTY OF OCEAN)

I, M. DEAN HAINES, COUNTY CLERK OF THE COUNTY OF OCEAN, DO HERE-

BY CERTIFY THAT the foregoing is a true full and correct copy of a certain DEED
recorded in my office in Book 1648 of DEEDS

on Page & c. 287

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Official

Seal of said County of Ocean at Toms River, New Jersey, this 3

day of APRIL, A.D., Nineteen hundred and 92

M. DEAN HAINES
County Clerk
County of Ocean

By: Patricia J. Eubank
Special Deputy Clerk

PATRICIA L. PECORA

COUNTY CLERK'S OFFICE M. DEAN HAINES OCEAN COUNTY, NEW JERSEY		CHEMICAL CORN EXCHANGE BANK TO SILVER BEACH ASSOCIATION	CERTIFIED COPY of DEED	
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