

Bargain and Sale (Covenant as to Grantor's Acts)

DEED

Prepared by:

Robert S. Rothenberg, Esq.

This Deed is made on February 25, 2016

BETWEEN

LESLIE OHORI, unmarried and DAVID ROBERT OHORI, as Executor of the Last Will and Testament of Hiroshi D. Ohori and DAVID ROBERT OHORI, as Trustee of the Hiroshi Ohori Trust

whose address is 166 Varsity Avenue, West Windsor, NJ 08540

referred to as the Grantor,

AND

VARSITY 266 LLC

whose address is 463 Jefferson Road, Princeton, NJ 08540

referred to as the Grantee.

The words "Grantor" and "Grantee" shall mean all Grantors and 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 four hundred sixty-two thousand five hundred dollars and zero cents (\$462,500.00). The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 46:15-1) Municipality of the Township of West Windsor
Block No. 38 Lot No. 25

Property. The property consists of the land and all the buildings and structures on the land in the Township of West Windsor, County of Mercer and State of New Jersey. The legal description is attached hereto and made a part hereof.

BEING THE SAME PREMISES conveyed to Leslie Ohori, unmarried and Hiroshi Ohori, married individual, as tenants in common by Deed from Tracey Ann de Bruyne dated August 12, 1999 and recorded November 1, 1999 in the Office of the Mercer County Clerk in Deed 3702 Book 229. The said Hiroshi Ohori departed this life on June 25, 2008, appointing David Robert Ohori as Executor of his Last Will and Testament and David Robert Ohori as Trustee for the Hiroshi Ohori Trust.

ALSO COMMONLY KNOWN AS: 266 Varsity Avenue, West Windsor, NJ 08540

Being subject to easements, restrictions, covenants of record and such facts as an accurate survey might disclose

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 the 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.




LESLIE OHORI (Seal)

STATE OF NEW JERSEY :
COUNTY OF MERCER : SS:

I CERTIFY that on Feb 2, 2016

Leslie Ohori personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached deed;
- (b) executed this deed as his or her own act; and,
- (c) made this Deed for \$462,500.00 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.)



Robert S. Rothenberg
Attorney at Law
State of New Jersey

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 the 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.

David Robert Ohori, Executor of the Last Will and Testament of Hiroshi D. Ohori
(Seal)
DAVID ROBERT OHORI, Executor

David Robert Ohori, Trustee of the Hiroshi Ohori Trust
(Seal)
DAVID ROBERT OHORI, Trustee

STATE OF *New Mexico* :
COUNTY OF *Santa Fe* : SS:

I CERTIFY that on *02-15-*
David Robert Ohori, 2016

David Robert Ohori, Executor personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached deed;
- (b) executed this deed as his or her own act; and,
- (c) made this Deed for \$462,500.00 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.)

My commission expires 01-12-20

Denise M Zandl

STATE OF *New Mexico* :
COUNTY OF *Santa Fe* : SS:

I CERTIFY that on *02-15-16*, 2016

David Robert Ohori, Trustee personally came before me and stated to my satisfaction that this person (or if more than one, each person):

- (a) was the maker of the attached deed;
- (b) executed this deed as his or her own act; and,
- (c) made this Deed for \$462,500.00 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.)

My commission expires
01-12-20

Denise M Zandl

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT FOR TITLE INSURANCE

SCHEDULE A
(Continued)

File No. ORN5934

LEGAL DESCRIPTION


ALL that certain lot, parcel or tract of land, situate and lying in the Township of West Windsor, County of Mercer, State of New Jersey, and being more particularly described as follows:

BEGINNING at an iron pipe in the southwest line of a proposed street, 55' wide, bearing South 34° 59' 30" East, 200.00' from an iron pipe at the intersection of the southwest line of said proposed street and the southeast line of the Trenton and New Brunswick Turnpike; thence running

- (1) **along said southwest line of the proposed street, South 34° 59' 30" East, 116.65' to an iron pipe; thence**
- (2) **along other lands n/w of Julius C. Wildermuth the following courses: South 55° 00' 30" West, 200.00' to an iron pipe; thence**
- (3) **North 34° 59' 30" West, 108.32' to an iron pipe; thence**
- (4) **North 52° 37' 30" East, 200.17' to the place of beginning.**

FOR INFORMATIONAL PURPOSES ONLY: Also known as Lot 25 in Block 38 on the Township of West Windsor Tax Map.

Countersigned:


Cortes & Hay, Inc.
110 Main Street
PO Box 454
Flemington, NJ 08822

ORT Form 4308 NJ
NJRB 3-07 Effective: 02/15/07 Revised: 09/10/07
ALTA Title Insurance Commitment Adopted 06/17/06



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION

GIT/REP-3
(9-2015)

Please Print or Type)

State
NJ

Zip Code
08540

Lot(s)

Qualifier

25

266 Varsity Av
City, Town,
West Windsor

State
NJ

Zip Code
08540

Seller's Percentage of

Total Consideration

Owner's Share of Consideration

Closing Date

50%

\$452,500.00

~~\$257,500.00~~ \$231,250.00

2/25/16

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.

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Leslie

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

State of New Jersey
NONRESIDENT SELLER'S TAX DECLARATION

Name s

David Robert Ohori, Executor of the Last Will and Testament of Hiroshi D. Ohori

Current Street Address:

717 Calle De Leon

City, Town, Post Office Box

State

Zip Code

Santa Fe

NM

87505

Block(s)

Lot(s)

Qualifier

38

Street Address:

266 Varsity Avenue

City, Town, Post Office Box

State

Zip Code

West Windsor

NM

08540

Seller's Percentage of Ownership

Total Consideration

Closing Date

50%

2/25/16

Date

Signature (Seller)

(Please cut along dotted line)

NONRESIDENT SELLER'S TAX DECLARATION

David Robert Ohori, Trustee of the Hiroshi Ohori Trust

Current Street Address:

717 Calle De Leon

City, Town, Post Office Box

State

Zip Code

Santa Fe

NM

87505

Block(s)

Lot(s)

Qualifier

38

25

Street Address:

266 Varsity Avenue

City, Town, Post Office Box

State

Zip Code

West Windsor

NM

08

Seller's Percentage of Ownership

Total Consideration

50%

\$462,500.00

22 116

February 15, 2016

Date

Signature (Seller)

Date

Signature (Seller)

n Fact

(Please cut along dotted line)