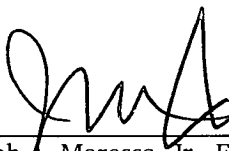




Docket# 50985 Type: DEE Pages: 5
James N. Hogan, Gloucester County Clerk
Receipt#: 47025 02:20:52 P.M. 12/28/2010
Recording Fee: \$80.00 DB 4835 92

Prepared by:


Joseph A. Maressa, Jr., Esquire
MARESSA • PATTERSON, LLC
191 W. White Horse Pike, Berlin, NJ 08009
Voice (856) 767-1471 • Fax 767-7888

Deed of New Construction

This Deed is made on December 14, 2010

Between

PROCACCI DEVELOPMENT CO., INC.
a New Jersey Corporation
239A Taunton Boulevard, Medford, NJ 08055

referred to as the Grantor.

And

JAPHETH MBALUKA MUTIE and PENINAH MUTHUE MBALUKA
Husband and Wife
102 Tuscan Lane, Mullica Hill, NJ 08062-1895

referred to as the Grantee.

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

Transfer of Title. The grantor does hereby grant and convey the property described below to the Grantee.

Consideration. This transfer of ownership is made for the sum and consideration of **\$480,050.00**. The Grantor acknowledges receipt of this money.

Tax Map Reference. The property located in the Municipality of the Township of Harrison, Block 45.26, Lot 12.

Property Description. The property consists of all the land, buildings, structures and improvements contained on the property, and is located in the Township of Harrison, County of Gloucester, State of New Jersey, and is described as follows:

Being known as Block 45.26, Lot 12, as shown on Plan of Lots "Casella Farms," filed August 31, 2006 as Map #4165.

More commonly known as 102 Tuscan Lane, Mullica Hill, NJ 08062-1895.

Under and Subject to Declaration of Restrictions for "Casella Farms Homeowner's Association," filed in the Gloucester County Clerk's Office in Deed Book 4272, page 135.

The within conveyance is made under and subject to all easement(s), restrictions(s) and all other matters, if any, of record, and more specifically all items as set forth on Plan of Lots "Casella Farms," filed August 31, 2006 as Map #4165.

Being the same land and premises which became vested in Procacci Development Co., Inc., a New Jersey Corporation, by Deed from MiPro Homes, L.L.C., a New Jersey Limited Liability Company, bearing even date and intended to be recorded simultaneously.

Consideration: \$480,050.00 Exempt Code: D
Cnty: \$480.50 St: \$.00
N.J.A.H.T.F.: \$1,397.00 P.H.P.F.A.: \$240.25
E.A.A.: \$1,005.15 Gen Purp: \$864.90
C) \$1M: \$.00 REALTY TOTAL: \$3,987.80



State of New Jersey
SELLER'S RESIDENCY CERTIFICATION/EXEMPTION
(C.55, P.L. 2004)

(Please Print or Type)

SELLER(S) INFORMATION (See Instructions, Page 2)

Name(s)

Procacci Development Co., Inc.

Current Resident Address:

Street: 239A Taunton Boulevard

City, Town, Post Office

Medford

State

NJ

Zip Code

08055

PROPERTY INFORMATION (Brief Property Description)

Block(s)

45.26

Lot(s)

12

Qualifier

Street Address:

102 Tuscan Lane

City, Town, Post Office

Mullica Hill

State

NJ

Zip Code

08062

Seller's Percentage of Ownership

100%

Consideration

\$480,050.00

Closing Date

12/14/10

SELLER ASSURANCES (Check the Appropriate Box) (Boxes 2 through 8 apply to Residents and Non-residents)

1. ☐ I am a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to N.J.S.A. 54A:1-1 et seq. and will file a resident gross income tax return and pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property being sold or transferred is used exclusively as my principal residence within the meaning of section 121 of the federal Internal Revenue Code of 1986, 26 U.S.C. s. 121.
3. ☐ I am 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 as such not required to make an estimated payment pursuant to N.J.S.A.54A:1-1 et seq.
6. ☐ The total consideration for the property is \$1,000 or less and as such, the seller is not required to make an estimated payment pursuant to N.J.S.A. 54A:5-1-1 et seq.
7. ☐ The gain from the sale will not be recognized for Federal income tax purposes under I.R.C. Section 721, 1031, 1033 or is a cemetery plot. (CIRCLE THE APPLICABLE SECTION). If such 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 (see instructions).
- ☐ No non-like kind property received.
8. ☐ Transfer 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.

SELLER(S) DECLARATION

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 could 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 the 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.

12/14/10

Date

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

Date

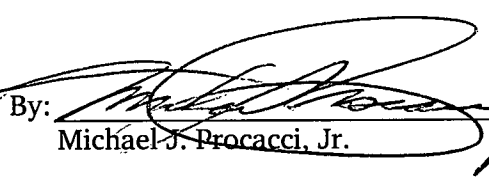
(Seller) Please indicate if Power of Attorney or Attorney in Fact

Promises by Grantor. The Grantor promises and warrants that Grantor, by acts of the Grantor, has not encumbered the property. This promise means that the Grantor has not allowed anyone else to obtain any legal right which would affect the property being transferred (such as a mortgage or entering a judgment against the Grantor).

Signatures. The Grantor signs this Deed as of date first above written.

Witnessed by:

Procacci Development Co., Inc.
a New Jersey Corporation

 By:  President

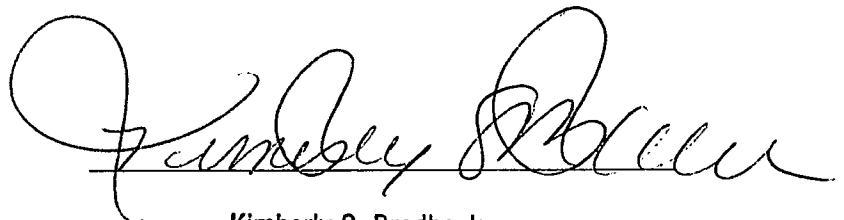
State of New Jersey :

ss:

County of Camden :

I CERTIFY that on December 14, 2010, Michael J. Procacci, Jr., personally came before me and acknowledged under oath, to my satisfaction, that:

- (a) he signed, sealed and delivered the attached Deed as President of Procacci Development Co., Inc., a New Jersey Corporation, the corporation named in this Deed;
- (b) this Deed was signed and delivered by the corporation as its voluntary act duly authorized by a proper resolution of its Board of Directors;
- (c) he knows the proper seal of the corporation which was affixed to this Deed;
- (d) the full and actual consideration paid or to be paid for the transfer of title as defined by N.J.S.A.46:15-5, is **\$480,050.00**.



Kimberly S. Brodbeck
Notary Public of New Jersey
My Commission Expires Sept. 19, 2011

Deed of New Construction	
PROCACCI DEVELOPMENT CO., INC. a New Jersey Corporation Grantor, TO JAPHETH MBALUKA MUTIE and PENINAH MUTHUE MBALUKA Husband and Wife Grantee	Record and return to: Title America Agency Corp. 185 W. White Horse Pike Berlin, NJ 08009 Agent File No. TA-47424

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

COUNTY

Camden

} SS. County Municipal Code
0808

MUNICIPALITY OF PROPERTY LOCATION Harrison Township

FOR RECORDER'S USE ONLY

Consideration \$ _____
RTF paid by seller \$ _____
Date _____ By _____

*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, Michael J. Procacci, Jr., being duly sworn according to law upon his/her oath,
(Name)
deposes and says that he/she is the Pres., Procacci Development Co. in a deed dated 12/14/10 transferring
(Grantor, Legal Representative, Corporate Officer, Officer of Title Company, Lending Institution, etc.)
real property identified as Block number 45.26 Lot number 12 located at
102 Tuscan Lane, Mullica Hill and annexed thereto.
(Street Address, Town)

(2) CONSIDERATION \$ 480,050.00 (Instructions #1 and #5 on reverse side) ☒ no prior mortgage to which property is subject.

(3) Property transferred is Class 4A 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

\$ _____ + _____ % = \$ _____

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 Fees, 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 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 (Instructions #2, #10, #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 (Instructions #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 14 day of Dec, 20 10

Signature of Deponent

239A Taunton Blvd., Medford, NJ
Deponent Address

xxx-xxx- 4 6 3

Last three digits in Grantor's Social Security Number

Procacci Development Co., Inc.
Grantor Name

239A Taunton Blvd., Medford, NJ
Grantor Address at Time of Sale

Title America Agency Corp.
Name/Company of Settlement Officer

Kimberly S. Brodbeck
Notary Public of New Jersey
My Commission Expires Sept. 19, 2011

FOR OFFICIAL USE ONLY

Instrument Number _____ County _____
Deed Number _____ Book _____ Page _____
Deed Dated _____ Date Recorded _____

County recording officers shall forward one copy of each RTF-1 form when Section 3A is completed to:

STATE OF NEW JERSEY
PO BOX 251

TRENTON, NJ 08695-0251

ATTENTION: REALTY TRANSFER FEE UNIT

The Director of the Division of Taxation in the Department of the Treasury has prescribed this form as required by law, and it may not be altered or amended without prior approval of the Director. For information on the Realty Transfer Fee or to print a copy of this Affidavit, visit the Division's website at:

www.state.nj.us/treasury/taxation/lpt/localtax.shtml