

TRUST DEED

OPEN SPACE PHASE X

THIS INDENTURE, made this 22nd day of April, 2003, BETWEEN

FIORINO GRANDE, party of the first part, and hereinafter referred to as Grantor,

and

FIORINO GRANDE and WACHOVIA BANK, N.A., successor to First Union National Bank, Trustees under an Original Trust Deed and Agreement dated June 29, 1988, as amended and supplemented, parties of the second part, and hereinafter referred to as Grantees.

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, lawful money of the United States of America, well and truly paid by the said parties of the second part to the said party of the first part, at and before the ensealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, enfeoffed, released, conveyed and confirmed and by these presents does grant, bargain, sell, alien, enfeoff, release, convey and confirm unto the said parties of the second part, their heirs and assigns,

ALL THAT CERTAIN tract of ground as shown on the final subdivision plan of Green Valley Estates X, recorded in Plan Book Volume 262, Page 28, Berks County Records, situate in Lower Heidelberg Township, Berks County, Pennsylvania, and being more fully bounded and described as follows to wit:

BEGINNING at a point, a corner of lot #109 Green Valley Estates Phase III and the Northwest corner of the open space of Phase X.

Thence along lots #109, 110 and 111, the following 2 courses and distances:

1. South 80 degrees 20 minutes 03 seconds East, 209.55' to a point;
2. North 68 degrees 39 minutes 57 seconds East, 242.55' to a point, a corner of open space of Phase VII;

Thence along the open space of Phase VII, North 80 degrees 00 minutes 00 seconds East, 242.44' to a point, a corner of the open space Phase XI (future);

Thence along the open space, South 26 degrees 14 minutes 56 seconds East, 325.34' to a point, a corner of Phase XII (future);

Thence along Phase XII (future), South 19 degrees 30 minutes 00 seconds West, 567.57' to a point on the northern right of way line of Pacific Avenue (54' wide), last described line passing through a corner of Phase X a distance of 485.47' from the last described corner;

Thence along the northern right of way line by a curve to the right having an initial radius bearing of North 33 degrees 01 minutes 34 seconds East, a radius of 973.00', a central angle of 3 degrees 21 minutes 57 seconds and an arc length of 57.16' to a point, a corner of lot #219;

Thence continuing along the same and lots #220, 221, 222, 223, 224, 225, 226 and 227, the following 4 courses and distances:

1. North 19 degrees 55 minutes 00 seconds East, 183.51' to a point;

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2. North 52 degrees 23 minutes 00 seconds West, 224.34' to a point;
3. North 75 degrees 00 minutes 00 seconds West, 213.47' to a point;
4. North 90 degrees 00 minutes 00 seconds West, 327.89' to a point in line of the open space of Phase I;

Thence along the same North 11 degrees 54 minutes 57 seconds East, 341.76' to a point, last described line passing through a corner of the open space Phase III, a distance of 203.38' from the last described corner, the point being the place of BEGINNING.

CONTAINING: 345,930 square feet.

BEING THE SAME PREMISES WHICH LaRue L. Heim and Morton E. Heim, her husband, by deed dated June 25, 1997, and recorded in Deed Book Volume 2842, page 2098, Berks County Records, granted and conveyed unto Fiorino Grande.

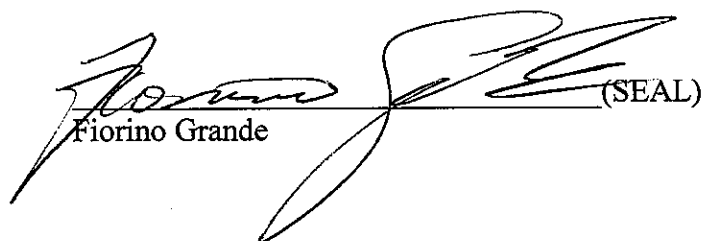
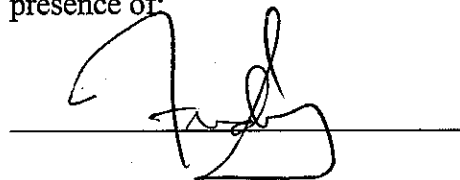
TOGETHER with all and singular, the buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and the reversion and reversions; remainder and remainders, rents, issues, and profits thereof, and of every part and parcel thereof; and also, all the estate, right, title, interest, property, possession, claim and demand whatsoever, both in law and equity, of the said party of the first part, of, in and to the said premises, with the appurtenances.

TO HAVE AND TO HOLD the said premises, with all and singular the appurtenances unto the said parties of the second part, their heirs and assigns, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns forever.

AND THE SAID party of the first part, for his heirs, executors and administrators, does by these presents, covenant, grant and agree, to and with the said parties of the second part, their heirs and assigns forever, that he, the said party of the first part, his heirs, and all and singular the hereditaments and premises hereinabove described and granted, or mentioned and intended so to be, with the appurtenances, unto the said parties of the second part, their heirs and assigns, against them, the said party of the first part, and his heirs, and against all and every other person or persons, whomsoever lawfully claiming or to claim the same or any part hereof, by, from or under him, her, them or any of them shall and will specially warrant and forever defend.

IN WITNESS WHEREOF, the said party of the first part to these presents has hereunto set his hand and seal. Dated the day and year first above written.

Signed, sealed and delivered in the presence of:



Fiorino Grande (SEAL)

COMMONWEALTH OF PENNSYLVANIA

:

: SS.

COUNTY OF BERKS

:

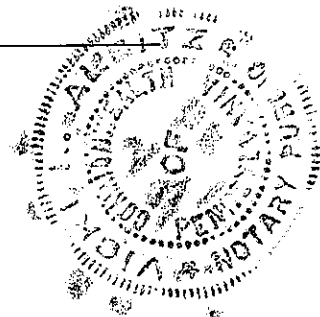
On this 22nd day of April, 2003, before me, the undersigned officer, personally appeared Fiorino Grande, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes thereon contained, and desired the same might be recorded as such.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Vicki L Albitz
Notary Public

NOTARIAL SEAL

VICKI L. ALBITZ, Notary Public
Reading, Berks County
My Commission Expires 3-5-2006



The address of the within named Grantees is:

424 Miller Road
Sinking Spring, PA 19608

Recorded in the Office for the Recording of Deeds in and for Berks County, Pennsylvania, in
Deed Book _____, Page _____, on _____.

Witness my hand and seal of office this _____ day of _____, 2003.

Recorder of Deeds

VL3757PG1517



NINTH AGREEMENT OF AMENDMENT

THIS NINTH AGREEMENT OF AMENDMENT made this 2nd day of April, 2003, between FIORINO GRANDE, an adult individual with his principal office and place of business in Spring Township, Berks County, Pennsylvania ("Settlor") and WACHOVIA BANK, N.A., formerly First Union National Bank, formerly CoreStates Bank, N.A. and also formerly Hamilton Bank, of 600 Penn Street, Reading, Berks County, Pennsylvania, and FIORINO GRANDE, of Spring Township, Berks County, Pennsylvania ("Trustees").

WITNESSETH:

WHEREAS, the parties hereto have heretofore entered into a certain "Trust Deed and Agreement - Green Valley Estates Common Space - Phase I" (the "Trust Deed and Agreement"), as of June 29, 1988, said Trust Deed and Agreement being recorded on August 4, 1988 in Record Book 2016, page 2118, Berks County Records; and

WHEREAS, the parties previously executed a First Agreement of Amendment, as of December 29, 1988, ratifying the applicability of the "Trust Deed and Agreement" to Phase II of Green Valley Estates; and

WHEREAS, the parties subsequently executed a Second Agreement of Amendment, dated as of July 19, 1993, ratifying the applicability of the "Trust Deed and Agreement" to Phase III of Green Valley Estates; and

WHEREAS, the Settlor and Trustees subsequently executed a Third Agreement of Amendment, dated as of December 6, 1993, ratifying the applicability of the "Trust Deed and Agreement" to Phase IV of Green Valley Estates; and

WHEREAS, the Settlor and Trustees subsequently executed a Fourth Agreement of

Amendment, dated as of July 1, 1996, ratifying the applicability of the "Trust Deed and Agreement" to Phase V of Green Valley Estates; and

WHEREAS, the Settlor and Trustees subsequently executed a Fifth Agreement of Amendment, dated as of March 11, 1998, ratifying the applicability of the "Trust Deed and Agreement" to Phase VI of Green Valley Estates; and

WHEREAS, the Settlor and Trustees subsequently executed a Sixth Agreement of Amendment, dated as of September 14, 1999, ratifying the applicability of the "Trust Deed and Agreement" to Phase VII of Green Valley Estates; and

WHEREAS, the Settlor and Trustees subsequently executed a Seventh Agreement of Amendment, dated as of March 28, 2001, ratifying the applicability of the "Trust Deed and Agreement" to Phase VIII of Green Valley Estates; and

WHEREAS, the Settlor and Trustees subsequently executed an Eighth Agreement of Amendment, dated as of April 10, 2002, ratifying the applicability of the "Trust Deed and Agreement" to Phase IXA of Green Valley Estates; and

WHEREAS, the Settlor and Trustees now desire to subject Phase X of Green Valley Estates to the terms and conditions of the Trust Deed and Agreement as permitted by the provisions of the Trust Deed and Agreement, including Paragraphs 1(b), 1(i), 1(j) and 11(a) thereof.

NOW, THEREFORE, the Settlor and Trustees, intending to be legally bound hereby, covenant and agree as follows:

1. Phase X of Green Valley Estates is hereby made subject to the terms of the Trust Deed and Agreement, dated as of June 29, 1988.

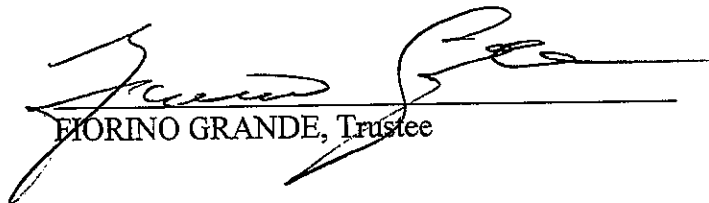
2. The Trustees hereby accept the addition of Phase X of Green Valley Estates as more

fully described on Exhibit "A" attached hereto and made a part hereof.

In all other respects the Trust Deed and Agreement, the First, Second, Third, Fourth, Fifth, Sixth, Seventh and Eighth Agreements of Amendment thereto shall remain in full force and effect.

IN WITNESS WHEREOF, the partes hereto have caused this NINTH AGREEMENT OF AMENDMENT to be duly executed the day and year first above written.


FIORINO GRANDE, Settlor


FIORINO GRANDE, Trustee

WACHOVIA BANK, N.A., formerly First Union
National Bank, formerly CoreStates Bank, N.A.,
formerly Hamilton Bank, Trustee


By: Kathryn M. Rickenbach, Trust Advisor

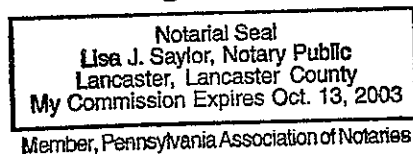
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF LANCASTER :

On this, the 29th day of APRIL, 2003, before me, a Notary Public for the Commonwealth of Pennsylvania, personally appeared Kathryn M. Rickenbach, known to me (or satisfactorily proven) to be the Trust Advisor of Wachovia Bank, N.A., formerly First Union National Bank, formerly CoreStates Bank, N.A., formerly Hamilton Bank and that she as such Trust Advisor, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by herself as Trust Advisor.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

Lisa J. Saylor



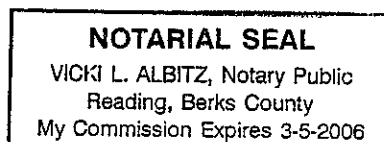
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF BERKS :

On this, the 2nd day of April, 2003, before me, a Notary Public for the Commonwealth of Pennsylvania, personally appeared Fiorino Grande, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

Vicki L. Albitz



VL3757PG1512

EXHIBIT A

PHASE X OF GREEN VALLEY ESTATES

ALL THAT CERTAIN tract of ground, situate in Lower Heidelberg Township, Berks County, Pennsylvania, bounded and described according to a Final Plan of Green Valley Estates, Phase X, drawn by Stackhouse, Seitz & Bensinger, dated June 10, 2002, and last revised December 11, 2002, said Plan recorded in Berks County in Plan Book Volume 262, Page 28, as follows to wit:

BEGINNING at a point on the Northwestern side of Virginia Avenue (54 feet wide), said point being a corner of Lot No. 294 on said Plan; thence extending from said point of beginning along Lot No. 294, North 70 degrees 30 minutes 00 seconds West 149.00 feet to a point, a corner of Lot No. 294 on said Plan; thence extending along same, along Lot No. 295 and partly along Lot No. 296 South 19 degrees 30 minutes 00 seconds West 204.69 feet to a point, a corner of Lot No. 288 on said Plan; thence extending along same North 70 degrees 27 minutes 45 seconds West 166.19 feet to a point on the Southeasterly side of Colorado Avenue (54 feet wide); thence crossing Colorado Avenue North 75 degrees 19 minutes 33 seconds West 54.19 feet to a point; a corner of Lot No. 261 on said Plan; thence extending along same the two following courses and distances:

- (1) North 70 degrees 34 minutes 00 seconds West 111.34 feet to a point, a corner, and
- (2) South 21 degrees 00 minutes 00 seconds West 45.02 feet to a point, a corner of Lot No. 250 on said Plan;

thence extending along same North 77 degrees 20 minutes 35 seconds West 142.23 feet to a point on the Southeasterly side of Illinois Avenue (54 feet wide); thence crossing Illinois Avenue North 79 degrees 20 minutes 42 seconds West 54.03 feet to a point, a corner of Lot No. 234 on said Plan; thence extending along same North 77 degrees 27 minutes 35 seconds West 181.09 feet to a point in line of Green Valley Estates, Phase I; thence extending along same and partly along Green Valley Estates, Phase III and crossing Pacific Avenue (54 feet wide) North 11 degrees 54 minutes 57 seconds East 961.98 feet to a point, a corner of Green Valley Estates, Phase III; thence extending along same the two following courses and distances:

- (1) South 80 degrees 20 minutes 03 seconds East 209.55 feet to a point, a corner and
- (2) North 68 degrees 39 minutes 57 seconds East 242.55 feet to a point, a corner of Green Valley Estates, Phase VII;

thence extending along same North 80 degrees 00 minutes 00 seconds East 242.44 feet to a point in line of Green Valley Estates, Phase XI; thence extending along same South 26 degrees 14 minutes 55 seconds East 325.34 feet to a point, a corner of Lot No. 463 on said Plan; thence extending along same and along Lot Nos. 462, 461, 460, 459 and 458 South 19 degrees 30 minutes 00 seconds West 485.47 feet to a point, a corner of Lot No. 458 on said Plan; thence extending along same South 70 degrees 30 minutes 00 seconds East 149.00 feet to a point on the Northwestern side of Virginia Avenue; thence crossing Virginia Avenue North 70 degrees 12 minutes 58 seconds East 69.77 feet to a point, a corner of Lot No. 426 on said Plan; thence extending along same South 70 degrees 30 minutes 00 seconds East 75.71 feet to a point, a corner of Lot No. 426 on said Plan; thence extending along same, along Lot No. 427 and partly along Lot No. 428 North 35 degrees 30 minutes 00 seconds East 256.90 feet to a point, a corner of Lot No. 428 on said Plan; thence extending along same and along Lot Nos. 429, 430 and 431 North 51 degrees 30 minutes 00 seconds East 223.43 feet to a point, a corner of Lot No. 432 on said Plan; thence extending along same and along Lot Nos. 433, 434, 435 and 436 North 90 degrees 00 minutes 00 seconds East 400.00 feet to a point in line of Lot No. 438 on said Plan;

thence extending along same and along Lot Nos. 439 and 440 South 00 degrees 00 minutes 00 seconds East 211.30 feet to a point, a corner of Lot No. 441 on said Plan; thence extending along same South 17 degrees 45 minutes 05 seconds West 60.49 feet to a point, a corner of Lot No. 442 on said Plan; thence extending along same and along Lot No. 443 South 58 degrees 30 minutes 00 seconds West 177.91 feet to a point; a corner of Lot No. 443 on said Plan; thence extending along same South 26 degrees 30 minutes 00 seconds East 34.19 feet to a point, a corner of Lot No. 445 on said Plan; thence extending along same South 63 degrees 30 minutes 00 seconds West 110.00 feet to a point on the Northeasterly side of Tennessee Avenue (54 feet wide); thence crossing Tennessee Avenue South 67 degrees 14 minutes 09 seconds West 54.11 feet to a point, a corner of Lot No. 397 on said Plan; thence extending along same South 63 degrees 30 minutes 00 seconds West 110.00 feet to a point in line of Lot No. 398 on said Plan; thence extending along same North 26 degrees 30 minutes 00 seconds West 16.73 feet to a point, a corner of Lot No. 398 on said Plan; thence extending along same and along Lot Nos. 399, 400 and 401 South 58 degrees 30 minutes 00 seconds West 321.46 feet to a point, a corner of Lot No. 402 on said Plan; thence extending along same and along Lot No. 403 South 86 degrees 56 minutes 00 seconds West 94.29 feet to a point, a corner of Lot No. 405 on said Plan; thence extending along same the two following courses and distances:

- (1) North 02 degrees 18 minutes 30 seconds West 16.69 feet to a point, a corner, and
- (2) North 70 degrees 30 minutes 00 seconds West 126.51 feet to a point on the Southeasterly side of Virginia Avenue;

thence crossing Virginia Avenue North 62 degrees 23 minutes 30 seconds West 54.55 feet to the first mentioned point and place of BEGINNING.

BEING ALL OF Phase X, and a portion of the beds of Pacific Avenue, Virginia Avenue, Tennessee Avenue, Colorado Avenue and Illinois Avenue as shown on the abovementioned Plan.

Being County Parcel Number: 4377-04-80-8640

CONTAINING: 27.82 Acres.

BEING PART of the same premises which LaRue L. Heim and Morton E. Heim, her husband, by Deed dated June 25, 1997, and recorded in Deed Book Volume 2842, Page 2098, Berks County Records, granted and conveyed unto Fiorino Grande.

**REALTY TRANSFER TAX
STATEMENT OF VALUE**

33659
See Reverse for Instructions

Book Number 3757
Page Number 1508
Date Recorded 5/9/03

Complete each section and file in duplicate with Recorder of Deeds when (1) the full value/consideration is not set forth in the deed, (2) when the deed is without consideration, or by gift, or (3) a tax exemption is claimed. A Statement of Value is not required if the transfer is wholly exempt from tax based on: (1) family relationship or (2) public utility easement. If more space is needed, attach additional sheet(s).

A CORRESPONDENT - All inquiries may be directed to the following person:

Name: Frederick L. Reigle, Esquire
Telephone Number: _____
Area Code (610) 779-4550
Street Address: 3506 Perkiomen Avenue, Suite A
City: Reading State: PA Zip Code: 19606

B TRANSFER DATA

Grantor(s)/Lessor(s): Fiorino Grande
Grantee(s)/Lessee(s): Fiorino Grande and Wachovia Bank, N.A.
successor to First Union National Bank, Trustees
Street Address: 424 Miller Road
City: Sinking Spring State: PA Zip Code: 19608
Date of Acceptance of Document: _____

C PROPERTY LOCATION

Street Address: Open space in Phase X of Green Valley Estates
City, Township, Borough: Lower Heidelberg Township
County: Berks School District: Wilson Tax Parcel Number: not yet assigned for this parcel

D VALUATION DATA

1. Actual Cash Consideration \$1.00	2. Other Consideration + --	3. Total Consideration = \$1.00
4. County Assessed Value Not assessed separately	5. Common Level Ratio Factor X	6. Fair Market Value = Unmarketable

E EXEMPTION DATA

1a. Amount of Exemption Claimed 100%	1b. Percentage of Interest Conveyed 100%
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2. Check Appropriate Box Below for Exemption Claimed

- ☐ Will or intestate succession _____ (Name of Decedent) _____ (Estate File Number) _____
- ☐ Transfer to Industrial Development Agency.
- ☒ Transfer to a trust. (Attach complete copy of trust agreement identifying all beneficiaries.)
- ☐ Transfer between principal and agent. (Attach complete copy of agency/straw party agreement.)
- ☐ Transfers to the Commonwealth, the United States and Instrumentalities by gift, dedication, condemnation or in lieu of condemnation. (If condemnation or in lieu of condemnation, attach copy of resolution.)
- ☐ Transfer from mortgagor to a holder of a mortgage in default. Mortgage Book Number _____, Page Number _____
- ☐ Corrective or confirmatory deed. (Attach complete copy of the prior deed being corrected or confirmed.)
- ☐ Statutory corporate consolidation, merger or division. (Attach copy of articles.)
- ☐ Other (Please explain exemption claimed, if other than listed above.) _____

Under penalties of law, I declare that I have examined this Statement, including accompanying information, and to the best of my knowledge and belief, it is true, correct and complete.

Signature of Correspondent or Responsible Party: _____ Date: 5-7-03

FAILURE TO COMPLETE THIS FORM PROPERLY OR ATTACH APPLICABLE DOCUMENTATION MAY RESULT IN THE RECORDER'S REFUSAL TO RECORD THE DEED.

VL 3757 PG 1508

AFFIDAVIT SUBMITTED

Green Valley Estates Open Space Phase X

ALL THAT CERTAIN Tract of ground as shown on the final subdivision plan of Green Valley Estates X, recorded in Plan Book Volume , Page Berks County Records, situate in Lower Heidelberg township, Berks County, Pennsylvania and being more fully bounded and described as follows to wit:

BEGINNING at a point, a corner of lot# 109 Green Valley Estates phase III and the North West corner of the open space of Phase X.

Thence along lots 109, 110, 111 the following 2 courses and distances;

1. South 80 degrees 20 minutes 03 seconds East, 209.55 to a point;
2. North 68 degrees 39 minutes 57 seconds East, 242.55' to a point, a corner of open space of Phase VII;

Thence along the open space of Phase VII, North 80 degrees 00 minutes 00 seconds East, 242.44' to a point, a corner of the open space Phase XI (future);

Thence along the open space, South 26 degrees 14 minutes 56 seconds East, 325.34' to a point, a corner of Phase XII (future);

Thence along Phase XII (future), South 19 degrees 30 minutes 00 seconds West, 567.57' to a point on the northern right of way line of Pacific Avenue (54' wide), last described line passing through a corner of Phase X a distance of 485.47' from the last described corner;

Thence along the northern right of way line by a curve to the right having an initial radius bearing of North 33 degrees 01 minutes 34 seconds East, a radius of 973.00' a central angle of 3 degrees 21 minutes 57 seconds and an arc length of 57.16' to a point, a corner of lot# 219;

Thence continuing along the same and lots 220, 221, 222, 223, 224, 225, 226, 227, the 4 following courses and distances;

1. North 19 degrees 55 minutes 00 seconds East, 183.51' to a point;
2. North 52 degrees 23 minutes 00 seconds West, 224.34' to a point;
3. North 75 degrees 00 minutes 00 seconds West, 213.47' to a point;
4. North 90 degrees 00 minutes 00 seconds West, 327.89' to a point in line of the open space of Phase I;

Thence along the same North 11 degrees 54 minutes 57 seconds East, 341.76' to a point, last described line passing through a corner of the open space Phase III a distance of 203.38' from the last described corner, the point being the place of BEGINNING.

CONTAINING: 345930 Square Feet

BEING A PORTION OF the same premises which LaRue L. Heim and Morton E. Heim, her husband, By deed dated June 25, 1997 and recorded in Deed Book Volume 2842, Page 2098, Berks County Records, granted and conveyed unto Fiorino Grande.

9/29

2

33659

3757 1508

REG 05-09-2003 14:35
LINDA 0001 98722

RECORDED IN BERKS CO. PA

Ellie Antoine

RECORDER OF DEEDS

FEE	\$29.00
WRIT	\$0.50
AFFORDABLE HOUSING	\$27.50
RECORDS AGT	\$5.00
JUDICIAL FEE	\$10.00
CHECK #	3992
ST	<i>45</i> \$72.00
CHK	<i>88 25</i> \$123.00
CG	\$51.00



RECORDER OF DEEDS
BERKS COUNTY
READING, PA. 19601
ELLIE ANTOINE

CHK \$72.00

REG 05-09-2003 14:35 LINDA 1 98722

*10.00
5.00
27.50
29.50*

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