

TRUST DEED

OPEN SPACE PHASE VII

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,

Premises A

ALL THAT CERTAIN tract of ground as shown on the final subdivision plan of Green Valley Estates VII, recorded in Plan Book Volume 236, Page 23, 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 on the Southwest corner of lot #486 and being the northwestern corner of the open space of Phase VII.

Thence along lots #486, 487, 488, 583, 582 and 581, the following 5 courses and distances:

1. North 80 degrees 39 minutes 57 seconds East, 192.14' to a point;
2. North 45 degrees 00 minutes 00 seconds East, 357.34' to a point;
3. North 9 degrees 20 minutes 03 seconds West, 129.82' to a point;
4. North 72 degrees 00 minutes 00 seconds East, 139.51' to a point;
5. North 57 degrees 03 minutes 45 seconds East, 197.57' to a point, a corner of lot #581;

Thence along lot #567 (not approved) and the future open space of Phase XI, the following 2 courses and distances:

1. South 12 degrees 49 minutes 35 seconds East, 423.93' to a point;
2. South 58 degrees 30 minutes 00 seconds West, 631.47' to a point; a corner of Phase X;

Thence along Phase X, South 80 degrees 00 minutes 00 seconds West, 242.44' to a point, a corner of lot #111 located in Green Valley Estates Phase III;

Thence along lots #111 and 112, North 9 degrees 20 minutes 03 seconds West, 225.91' to

a point, the point being the place of BEGINNING.

Being subject to a 30' wide and a 20' wide sanitary sewer easement as shown on the recorded subdivision plan.

Also being subject to a utility easement granted and conveyed unto Lower Heidelberg Municipal Authority, recorded in misc. 2218, page 254.

Also being subject to a Sun Pipeline Company right of way as recorded in misc. 115, page 606.

Also being subject to a 20' wide storm sewer easement as shown on the recorded subdivision plan.

CONTAINING: 271,598 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.

Premises B

ALL THAT CERTAIN tract of ground as shown on the final subdivision plan of Green Valley Estates VII, recorded in Plan Book Volume 236, Page 23, 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 on the western right of way line of North Carolina Avenue (54' wide) and a corner of lot #485;

Thence along lot #485, South 64 degrees 36 minutes 06 seconds West, 162.46' to a point, in line of lot #116 (Green Valley Estates Phase III);

Thence along lot #116, North 14 degrees 20 minutes 03 seconds West, 10.19' to a point, a corner of lot #484;

Thence along lot #484, North 64 degrees 36 minutes 06 seconds East, 160.57' to a point on the western right of way line of North Carolina Avenue;

Thence along the western right of way line of North Carolina Avenue by a curve to the left having an initial radius bearing of North 65 degrees 20 minutes 20 seconds East, a radius of 777.00', a central angle of 00 degrees 44 minutes 15 seconds and an arc length of 10.00' to a point, the point being the place of BEGINNING.

Also being subject to a utility easement granted and conveyed unto Lower Heidelberg Municipal Authority, recorded in misc. 2218, page 254.

CONTAINING: 1,615 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.

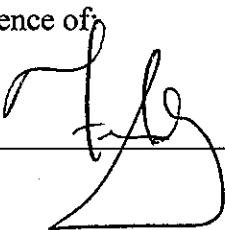
TOGETHER with all and singular, the buildings, improvements, woods, ways, rights, liberties, privileges, hereditaments and appurtenances, to the same belonging, or in any wise appertaining, and the reversion and reversions; remainder and remainders, rents, issues, and profits thereof, and of every part 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.

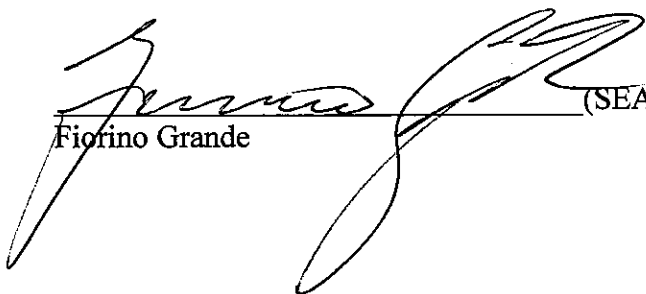
AND THE SAID party of the first part, for his heirs, executors and administrators, does by these presents, covenant, grant and agree, to and with the said parties of the second part, their heirs and assigns forever, that he, the said party of the first part, his heirs, and all and singular the hereditaments 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,



A handwritten signature in cursive script, appearing to be 'T. B.', written over a horizontal line.



A large, stylized handwritten signature in cursive script, written over a horizontal line.

Fiorino Grande

(SEAL)

COMMONWEALTH OF PENNSYLVANIA

:

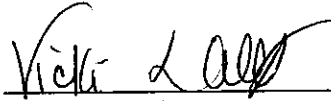
: SS.

COUNTY OF BERKS

:

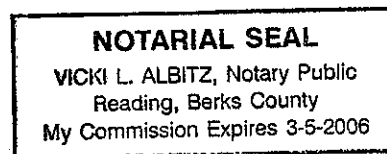
On this 22nd day of April, 2003, before me, the undersigned officer, personally appeared Fiorino Grande, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes thereon contained, and desired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

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


Notary Public

The address of the within named Grantees is:

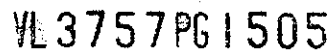
424 Miller Road
Sinking Spring, PA 19608

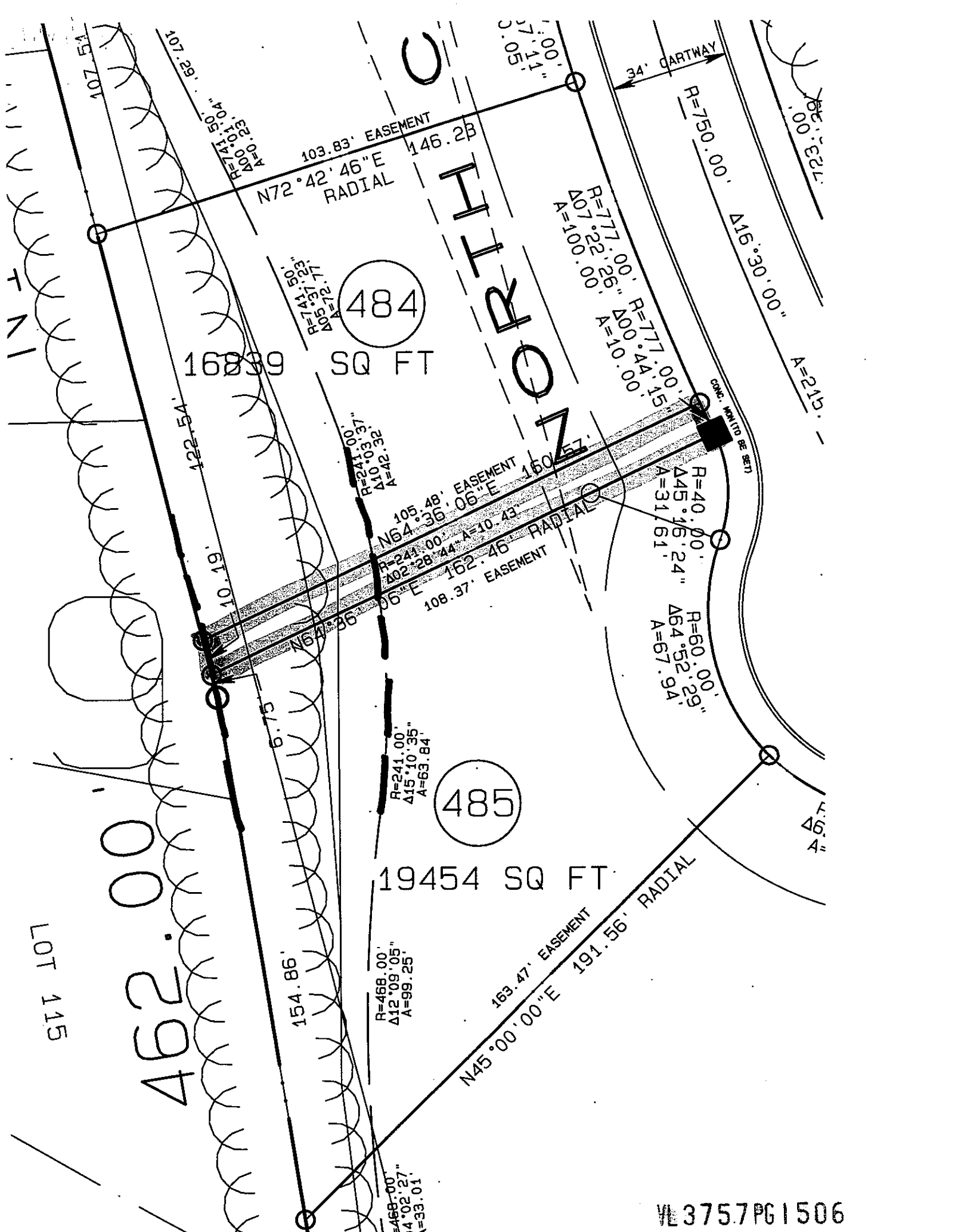


Recorded in the Office for the Recording of Deeds in and for Berks County, Pennsylvania, in Deed Book _____, Page _____, on _____.

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

Recorder of Deeds





SIXTH AGREEMENT OF AMENDMENT

THIS **SIXTH** AGREEMENT OF AMENDMENT made this 14th day of September, 1999, between FIORINO GRANDE, an adult individual with his principal office and place of business in Spring Township, Berks County, Pennsylvania ("Settlor") and FIRST UNION NATIONAL BANK, formerly CoreStates Bank, N.A. and also formerly Hamilton Bank, of 515 Penn Street, Reading, Berks County, Pennsylvania, and FIORINO GRANDE, of Spring Township, Berks County, Pennsylvania ("Trustees").

W I T N E S S E T H:

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

ENTRY ABSTRACT CO.
APP. NO. Green Valley VII

VL 3757 PG 1496

VL 3757 PG 1496

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 Amendment" to Phase VI of Green Valley Estates; and


WHEREAS, the Settlor and Trustees now desire to subject Phase VII 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.

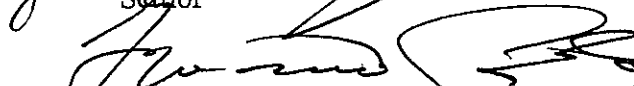
NOW, THEREFORE, the Settlor and Trustees, intending to be legally bound hereby, covenant and agree as follows:

1. Phase VII 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 VII of Green Valley Estates, as more fully described on Exhibit "A" attached hereto and made a part hereof.

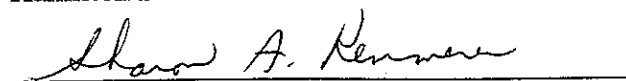
In all other respects the Trust Deed and Agreement, the First, Second, Third, Fourth and Fifth Agreements of Amendment thereto shall remain in full force and effect.

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


FIORINO GRANDE
"Settlor"


FIORINO GRANDE

FIRST UNION NATIONAL BANK,
formerly CoreStates Bank, N.A., formerly
Hamilton Bank


By:
"Trustees"

VL3757PG1497

VL3757PG1497

DEED DESCRIPTION

GREEN VALLEY ESTATES PHASE 7

ALL THAT CERTAIN tract of ground south of Faust Road (T-495), east of the extension of New York Ave. and Atlantic Ave. situate in Lower Heidelberg Township, Berks County, Pennsylvania, being known as Green Valley Estates Phase 7 and being more fully bounded and described as follows to wit:

BEGINNING at a point on the southern side of Faust Road (T-495), said point being the northeastern most corner of Green Valley Estates Phase 4;

thence along the southern side of Faust Road, North 75 degrees 56 minutes 26 seconds East, 77.00' to a point a corner of lands of John J. Etchberger; thence along lands of Etchberger, South 14 degrees 26 minutes 45 seconds East, 250.61' to a point;

thence continuing along lands of Etchberger and lands of Hans H. Gosch, North 71 degrees 33 minutes 15 seconds East, 243.00' to a point, a corner of residue lands of Fiorino Grande;

thence along lands of Fiorino Grande the 17 following courses and distances:

1. South 15 degrees 00 minutes 00 seconds East, 129.44' to a point on the northern right of way line Atlantic Ave.
2. crossing Atlantic Ave., South 03 degrees 25 minutes 38 seconds East, 55.12' to a point;
3. South 15 degrees 00 minutes 00 seconds East, 147.54' to a point;
4. North 78 degrees 30 minutes 00 seconds East, 11.44' to a point;
5. South 09 degrees 23 minutes 25 seconds East, 155.69' to a point on the northern right of way line of Connecticut Ave.
6. crossing Connecticut Ave., South 20 degrees 02 minutes 08 seconds East, 54.98' to a point;
7. South 08 degrees 59 minutes 43 seconds East, 147.71' to a point;
8. North 83 degrees 45 minutes 00 seconds East, 305.34' to a point;
9. North 74 degrees 00 minutes 00 seconds East, 226.40' to a point;
10. South 01 degrees 22 minutes 39 seconds East, 37.74' to a point;
11. South 75 degrees 45 minutes 00 seconds East, 130.87' to a point on the western right of way line of Fairway Drive;
12. crossing Fairway Drive, South 32 degrees 32 minutes 37 seconds East, 73.40' to a point;
13. South 74 degrees 36 minutes 38 seconds East, 150.67' to a point;
14. South 16 degrees 40 minutes 00 seconds West, 520.70' to a point;
15. South 12 degrees 49 minutes 35 seconds East, 423.93' to a point;
16. South 58 degrees 30 minutes 00 seconds West, 631.47'

VL3757PG1498

to a point;

17. South 80 degrees 00 minutes 00 seconds West, 242.44'
to a point a corner of Green Valley Estates Phase III;
thence along Green Valley Estates Phase III, North 09
degrees 20 minutes 03 seconds West, 462.00' to a point;
thence along Green Valley Estates Phases III and IV,
North 14 degrees 20 minutes 03 seconds West, 1,755.60' to a
point;
thence continuing along Phase IV, North 30 degrees 20
minutes 03 seconds West, 25.57' to a point the place of
BEGINNING.

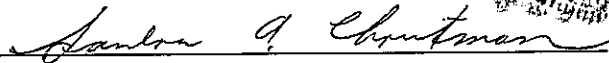
CONTAINING 30.68 ACRES

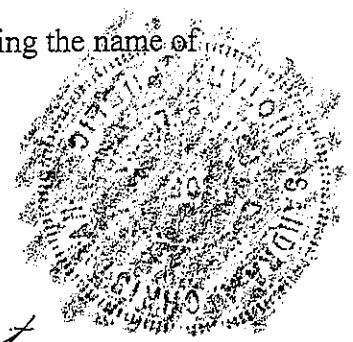
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COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF BERKS :

On this, the 14th day of September, 1999, before me, a Notary Public for the Commonwealth of Pennsylvania, personally appeared Sharon A. Kemmerer, known to me (or satisfactorily proven) to be the Vice President of First Union National Bank, formerly CoreStates Bank, N.A., formerly Hamilton Bank and that she as such Vice President, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by herself as Vice President.

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


Notary Public

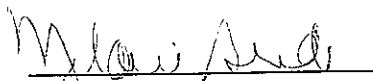


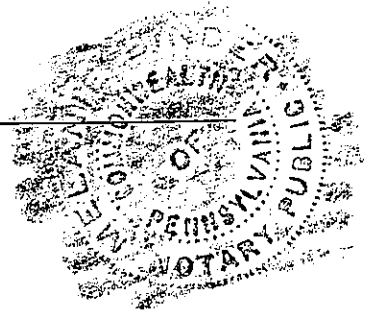
COMMONWEALTH OF PENNSYLVANIA :
: SS.
COUNTY OF BERKS

Notarial Seal
Sandra A. Christman, Notary Public
Reading, Berks County
My Commission Expires Oct. 28, 2002
Member, Pennsylvania Association of Notaries

On this, the 14th day of September, 1999, 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
NOTARIAL SEAL
MELANIE BINDER, Notary Public
Reading, Berks County, PA
My Commission Expires 11-19-2002



VL 3757 PG 1500

43127161495

**REALTY TRANSFER TAX
STATEMENT OF VALUE**
33658
See Reverse for Instructions

Book Number	3757
Page Number	1495
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)			Grantee(s)/Lessee(s)		
Fiorino Grande			Fiorino Grande and Wachovia Bank, N.A. successor to First Union National Bank, Trustees		
Street Address			Street Address		
424 Miller Road			424 Miller Road		
City	State	Zip Code	City	State	Zip Code
Sinking Spring	PA	19608	Sinking Spring	PA	19608

C PROPERTY LOCATION

Street Address		City, Township, Borough	
Open space in Phase VII of Green Valley Estates		Lower Heidelberg Township	
County	School District	Tax Parcel Number	
Berks	Wilson	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

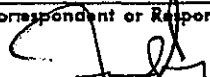
E EXEMPTION DATA

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.

AFFIDAVIT SUBMITTED

VL 3757 PG 1495

Edgy

33658

3757 1495

RECORDED IN BERKS CO. PA

Ellie Antoine

RECORDER OF DEEDS



REG 05-09-2003

LINDA

0001

14:34

98721

FEE \$31.00

WRIT \$0.50

AFFORDABLE HOUSING \$29.50

RECORDS MGMT \$5.00

JUDICIAL FEE \$10.00

CHECK # 3992

ST 45 \$76.00

CHK 88 \$199.00

CG \$123.00

RECORDER OF DEEDS

BERKS COUNTY

READING, PA. 19601

ELLIE ANTOINE

CHK

\$76.00

REG 05-09-2003 14:34

LINDA

1 98721

10.00
5.00
29.50
31.50

VL3757PG1507