

DEED

THIS INDENTURE, made the 12 day of December, in the year Two Thousand Six (2006).

BETWEEN HESS CORPORATION, a Delaware corporation, formerly known as AMERADA HESS CORPORATION, successor by merger to Hess Realty Corporation, having an office at One Hess Plaza, Woodbridge, New Jersey 07095, hereinafter the "Grantor",

AND

THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN, with its principal place of business at 100 East High Street, Pottstown, Pennsylvania 19464 hereinafter the "Grantee".

WITNESSETH, That Grantor, for and in consideration of the sum of FORTY THOUSAND DOLLARS (\$40,000.00) and other good and valuable consideration, lawful money of the United States of America, well and truly paid by the Grantee to the Grantor, at and before the sealing 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 Grantee, its successors and assigns as follows, to wit:

TRACT 1

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the Borough of Pottstown, County of Montgomery and Commonwealth of Pennsylvania, bounded and described in accordance with a survey thereof made September 22, 1945 by George F. Shaner, R.E., as follows, to wit:

BEGINNING at a point on the Northwest side of Hanover Street at the distance of one hundred and ten feet Southwesterly from the Southwest side of South Street, a point, a corner of land now or later of Carol W. Boyer et ux et al; thence extending along said land North seventy-four degrees, forty-five minutes West, one hundred feet to a point, a corner; thence still extending along said land South fifteen degrees, fifteen minutes West, seventy-seven feet more or less to a point, a corner of the Northeasterly right-of-way line of the Pennsylvania Railroad (eighty feet wide); thence extending along said North easterly right-of-way on a

line curving to the right having a radius of three thousand eight hundred and sixty feet, the arc distance of one hundred and ten feet more or less to a point on the Northwest side of Hanover Street aforesaid; thence extending along the said Northwest side of Hanover Street North fifteen degrees, fifteen minutes East one hundred and twenty-eight feet, two inches to the first mentioned point and place of BEGINNING.

TRACT 2

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the Borough of Pottstown, County of Montgomery and Commonwealth of Pennsylvania, bounded and described in accordance with a survey thereof made December 20, 1945 by George F. Shaner, Engineer, as follows, to wit:

BEGINNING at a point of intersection of the Southwest side of South Street and the Northwest side of Hanover Street; thence extending along the said Southwest side of South Street North seventy-four degrees, forty-five minutes West one hundred feet to a point, a corner of other land of Catharine Saylor et al; thence extending along said land the next two following courses and distances, to wit: South fifteen degrees, fifteen minutes West one hundred feet to a point, a corner, and South seventy-four degrees, forty-five minutes East one hundred feet to a point on the Northwest side of Hanover Street aforesaid; thence extending along the said Northwest side of Hanover Street North fifteen degrees, fifteen minutes East one hundred feet to the first mentioned point and place of BEGINNING.

TRACT 3

ALL THAT CERTAIN lot and tract of land situate in the Borough of Pottstown, Montgomery County, Pennsylvania, more particularly described as follows:

BEGINNING at a point in the Westerly line of Hanover Street eighty feet (80') wide, said point being located South fifteen degrees twenty minutes West (S. 15° 20' W.), a distance of one hundred feet (100') along said Westerly line from its intersection with the Southerly line of South Street fifty feet (50') wide; thence, along said Westerly line of Hanover Street South fifteen degrees twenty minutes West (S. 15° 20' W.) a distance of ten feet (10') to a point; thence North seventy-four degrees forty-nine minutes West (N. 74° 49' W.) a distance of one hundred feet (100'), along lands of Berkshire Oil Company, to a point; thence South fifteen degrees twenty minutes West (S. 15° 20' W.) a distance of fifty-seven and thirteen-hundredths feet (57.13'), along lands of Berkshire Oil Company, to a point; thence North fifty-four degrees West (N. 54° 00' W.) a distance of thirty-seven and forty-one hundredths feet (37.41'), along North right of way of the

Industrial Highway, to a point; thence North fifteen degrees twenty minutes East (N. 15° 20' E.) a distance of one hundred fifty-three and ninety-three hundredths feet (153.93'), (through lands of the Borough of Pottstown, to a point on the Southerly line of South Street fifty feet (50') wide; thence South seventy-four degrees forty-nine minutes East (S. 74° 49' E.) a distance of thirty-five feet (35'), along said Southerly line of South Street, to a point; thence South fifteen degrees twenty minutes West (S. 15° 20' W.) a distance of one hundred feet (100'), along lands of Berkshire Oil Company, to a point; thence South seventy-four degrees forty-nine minutes East (S. 74° 49' E.) a distance of one hundred feet (100'), along lands of Berkshire Oil Company, to a point and place of BEGINNING.

BEING Parcel 2 on Subdivision Plan of Property to be conveyed between the Borough of Pottstown and The Berkshire Oil Co., a/k/a Amerada Hess Corp.

EXCEPTING THEREFROM the following described lands which were conveyed by Amerada Hess Corporation to the Burgess and Town Council of the Borough of Pottstown, by deed dated January 5, 1982, and recorded in Montgomery County at Deed Book 4675, Page 810.

ALL THAT CERTAIN lot and tract of land situate in the Borough of Pottstown, Montgomery County, Pennsylvania, more particularly described as follows:

BEGINNING at a point in the Westerly line of Hanover Street (eighty feet wide), said point being located South 15 degrees 20' West, 156.59 feet along said Westerly line from its intersection with the center line of South Street (fifty feet wide); thence along said Westerly line South 15 degrees 21' West, 105.00 feet to a point; thence, along the arc of a curve to the left having a radius of 3,860 feet, the arc distance of 109.33 feet, which chord bears North 50 degrees 49' 20" West, 109.33 feet, to a point; thence North 15 degrees 20' East, 25.00 feet along the lines of the Borough of Pottstown to a point; thence South 64 degrees 32' 10" East, 33.67 feet to a point; thence along the arc of a curve to the left having a radius of 45 feet, the arc distance of 87.96 feet, which chord bears North 71 degrees 20' East 74.61 feet, to a point; thence South 74 degrees 40' East, 5.00 feet to the point of BEGINNING.

CONTAINING 0.156 acres of land, more or less.

BEING Parcel 4 on a subdivision plan of property to be conveyed between the Borough of Pottstown and the Berkshire Oil Company, a/k/a Amerada Hess Corporation.

BEING County Parcel Numbers 16-00-13484-00-9 and 16-00-13488-00-5.

BEING THE SAME PREMISES which Grantor by its deed dated January 14, 1985 and recorded February 14, 1985 in the Montgomery County Office of the Recorder of Deeds in Deed Book 4759, at Page 1817, granted and conveyed unto Hess Realty Corporation, a Delaware Corporation.

UNDER AND SUBJECT, NEVERTHELESS, to all building restrictions, zoning regulations, easements, rights-of-way, reservations and restrictions, either of record or visible on the property herein conveyed, and subject to all rights of and ownership in public roads, streets and highways, whether or not opened.

GRANTEE, ITS SUCCESSORS AND ASSIGNS, may not operate a convenience store or sell or store any petroleum or petroleum derivative fuels or lubricants, on or from the property herein conveyed. This restriction will be deemed to be a covenant running with the land.

ADDITIONALLY, Pursuant to Sections 303(g) and 304(m) of the Pennsylvania Land Recycling and Environmental Remediation Standards Act ("Act 2"), 35 Pa. Stat. Ann. §§ 6026.303(g) and 6026.304(m), Grantee hereby acknowledges that hazardous substances were released to the soil and groundwater on the Property, which was previously used for the retail sale of motor fuel. Details concerning the general location of the identified hazardous substances can be found in the Remedial Action Completion Report ("RACR") dated February 14, 2005, as well as other documents on record at the office of the Pennsylvania Department of Environmental Protection ("PaDEP), 2 East Main Street, Norristown, PA 19401. In particular, the RACR identifies that soils contain benzene, methyl-tertiary-butyl ether (MTBE), 1,2-dichloroethane and 1,2-dibromoethane above Act 2 Statewide Health Standards, assuming a non-residential use. The RACR also identifies other substances detected in the soil meeting Statewide Health Standards, assuming a non-residential use of the property. The RACR identifies benzene, toluene, ethylbenzene, xylenes, MTBE, naphthalene and 1,2-dichloroethane in the groundwater above Statewide Health standards, assuming a non-residential use. Other constituents also were detected in the groundwater at levels meeting Statewide Health Standards, based on a non-residential use.

As more fully described in the RACR, the soil and groundwater meet a combination of Statewide Health and Site Specific Standards under Act 2, assuming a non-residential use of the Property. Grantee takes the Property under and subject to the following restrictions and covenants: The groundwater at and under the Property shall not be used for any drinking or agricultural purpose; the Property shall not be used for any residential use; and all buildings constructed on the property shall be constructed without basements or crawl space unless the

Grantee, or its successors, confirm that there is no risk of vapor intrusion into buildings or appropriately provide vapor intrusion protection.

Pursuant to Section 304 of Act 2 (35 Pa. Stat. Ann. § 6026.304), the above deed notice and deed restrictions shall apply to and run with the land and no modification to this notice and restriction shall be made, as except as authorized pursuant to Section 903 of Act 2 (35 Pa. Stat. Ann. § 9026.903). This hazardous substance acknowledgement is required to be included in the description of the Property described in this deed for all future conveyances or transfers of the property pursuant to Section 512(b) of the Hazardous Sites Cleanup Act 35 Pa. Stat. Ann. § 6020.512(b).

TOGETHER with all and singular the tenements, hereditaments and appurtenances to the same belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; AND ALSO all the estate, right, title, interest, property, claim and demand whatsoever, both in law and equity, of the Grantor, of, in, to or out of the said piece of land, and every part and parcel thereof.

TO HAVE AND TO HOLD the said tract of land, with all and singular the premises herein described together with the appurtenances, unto the Grantee, its successors and assigns, as tenants in common as set forth proportionally above, to and for the only proper use and behoof of Grantee, its successors and assigns, forever.

AND the Grantor, for its successors and assigns hereby covenants and agrees to warrant specially and forever defend all and each of the hereditaments and premises herein above-described and granted, or mentioned and intended so to be, with the appurtenances, against all and every other person or persons, whomsoever, lawfully claiming or to claim the same or any part thereof, by, from or under it, them or any of them.

IN WITNESS WHEREOF, the Grantor has caused this Deed to be executed the day and year first above written.

Witness/Attest:

Grantor:

HESS CORPORATION, formerly known as AMERADA HESS CORPORATION

Richard J. Bindelglass
(Asst.) Secretary
Richard J. Bindelglass
Assistant Secretary

AEB

By: [Signature]
Name: TIMOTHY J. O'CONNOR
Title: VP. MARKETING & REAL ESTATE

STATE OF New Jersey

SS:

COUNTY OF Mid Essex

On this 12th day of December, 2006, before me, a Notary Public, the undersigned officer, personally appeared T. J. O'Connor, who acknowledged ~~himself/herself~~ to be the VP. Marketing & Real Estate of Hess Corporation formerly known as Amerada Hess Corporation, and that ~~he/she~~, as such, VP. Marketing & Real Estate, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the corporation ~~by himself/herself~~ as VP. Marketing & Real Estate.

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

Kathleen C. Ferencak
Notary Public

My Commission Expires KATHLEEN C. FERENCAK
NOTARY PUBLIC OF NEW JERSEY
COMMISSION EXPIRES NOVEMBER 2, 2008
(SEAL)