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Attorneys for Plaintiff  
BY: JAMES M. GRAZIANO, ESQUIRE  
MAUREEN T. COGHLAN, ESQUIRE

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

PENNEAST PIPELINE COMPANY,  
LLC,  
One Meridian Boulevard, Suite 2C01  
Wyomissing, PA 19610

Plaintiff,

vs.

A PERMANENT EASEMENT FOR  
0.47 ACRES ± AND TEMPORARY  
EASEMENT FOR 0.80 ACRES ± IN  
HOLLAND TOWNSHIP,  
HUNTERDON COUNTY, NEW  
JERSEY, TAX PARCEL NO. 1015-21-  
8;

DAVID AND MARYANN BRIEDE,  
MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.  
GMAC MORTGAGE  
CORPORATION;

AND ALL UNKNOWN OWNERS,

Defendants.

CIVIL ACTION

Docket No. \_\_\_\_\_

**Electronically Filed**

## **NOTICE OF CONDEMNATION**

TO: David and Maryann Briede, Mortgage Electronic Registration Systems, Inc.,  
GMAC Mortgage Corporation, And All Unknown Owners

PLEASE TAKE NOTICE that a Verified Complaint in Condemnation has been filed in the Office of the Clerk of the United States District Court for the District of New Jersey, for the taking under the federal power of eminent domain pursuant to the Natural Gas Act (“NGA”), 15 U.S.C. § 717f(h), of certain easements on Defendants’ property for use in constructing, operating and maintaining a natural gas transmission pipeline and appurtenant facilities (part of an interstate natural gas transmission system) and conducting all other activities required by the Order of the Federal Energy Regulatory Commission dated January 19, 2018, Docket No. CP15-588-000 (“FERC Order”) on the following property in which Defendants have or claim an interest:

Certain lands located in Holland Township, Hunterdon County, New Jersey, more particularly described in a Deed dated April 23, 2004, recorded in Book 2090, Page 715 of the Hunterdon County Recorder of Deeds, Parcel No. 1015-21-8.

The permanent right-of-way and temporary easement interests to be taken in the subject property are depicted in the plat drawing attached to this notice as Exhibit A (the “Plan”), and consist of the following:

- a. A permanent right of way and easement of 0.47 acres  $\pm$  for the purpose of constructing, operating, maintaining, altering, repairing, changing the size of, replacing and removing a 36-inch diameter pipeline and all related equipment and appurtenances thereto (including but not limited to

meters, fittings, tie-overs, valves, cathodic protection equipment and launchers and receivers) for the transportation of natural gas, or its byproducts, and other substances as approved by the FERC Order; and conducting all other activities as approved by the FERC Order together with all rights and benefits necessary for the full enjoyment and use of the right of way and easement. Further, Defendants shall not excavate, change the grade of or place any water impoundments or structures on the right of way and easement without the written consent of Plaintiff, nor may Defendants plant any trees, including trees considered as a growing crop, on the permanent right of way and easement; or use said permanent right of way or any part thereof in such a way as to interfere with Plaintiff's immediate and unimpeded access to said permanent right of way, or otherwise interfere with Plaintiff's lawful exercise of any of the rights herein granted without first having obtained Plaintiff's approval in writing; and Defendants will not permit others to do any of said acts without first having obtained Plaintiff's approval in writing. Plaintiff shall have the right from time to time at no additional cost to Defendants to cut and remove all trees including trees considered as a growing crop, all undergrowth and any other obstructions that may injure, endanger or interfere with the construction and use of said pipeline and all related equipment and appurtenances thereto;

b. A temporary workspace easement totaling 0.80 acres  $\pm$  as described on Exhibit A for use during the pipeline construction and restoration period only for the purpose of ingress, egress and regress and to enter upon, clear off and use for construction and all other activities required by the FERC Order; and

c. Permanent rights of ingress to and egress from the permanent Right-of-Way.

The FERC has issued a Certificate of Public Convenience and Necessity to PennEast Pipeline Company, LLC, at Docket No. CP15-588-000 authorizing, *inter alia*, the construction, operation and maintenance of a new 36-inch diameter natural gas transmission pipeline and related facilities in Hunterdon County, New Jersey, including facilities to be constructed on the subject property.

The authority for the taking is the NGA, 15 U.S.C. § 717f(h).

A copy of the Verified Complaint filed in this action is being served with this Notice and may be viewed at the Office of the Clerk at the United States District Court, District of New Jersey, Clarkson S. Fisher Building & United States Courthouse, 402 East State Street, Trenton, New Jersey, 08608.

You are further notified that if you desire to present any objection or defense to the taking of the interest in your property, you are required to serve your answer on the plaintiff's attorney, within twenty-one (21) days after personal service of this notice upon you.

Pursuant to Federal Rule of Civil Procedure 5(d), you must also file your answer, together with a certificate of service, with the Clerk at the United States District Court, District of New Jersey, Clarkson S. Fisher Building & United States Courthouse, 402 East State Street, Trenton, New Jersey, 08608. Failure to serve an answer constitutes consent to the taking and to the court's authority to proceed with the action and fix the compensation.

Your answer must identify the particular property in which you claim to have an interest, state the nature and extent of the interest you claim, and state all of your objections and defenses to the taking of the proposed easements in your property. All defenses and objections not so presented are waived. In the case of your failure to so answer the complaint, judgment of condemnation of that part of

the above-described property in which you have or claim an interest will be rendered. If you fail to answer and provide objections and defenses, however, you may still present evidence as to the amount of compensation to be paid for the proposed easements in the property, and you are still entitled to share in that award.

If you fail to answer, you may still serve on plaintiff's attorney designated above, at the above-indicated address, a notice of appearance designating the particular property in which you claim to be interested. Such notice of appearance must also be filed with the Court, together with a certificate of service. Thereafter, you will receive notice of all proceedings affecting the property, including notice of proceedings regarding the award of just compensation. At the trial on the issue of just compensation, you may present evidence as to the amount of compensation to be paid for the proposed easements in your property, and you may share in the distribution of the award, even if you have not previously appeared or answered.

Any answer, notice, or other papers filed by you with the court must also be served on the attorney for plaintiff at the following:

James M. Graziano, Esquire  
Archer & Greiner, PC  
One Centennial Square  
33 East Euclid Avenue  
Haddonfield, NJ 08033  
856-795-2121  
[jgraziano@archerlaw.com](mailto:jgraziano@archerlaw.com)

This notice is provided pursuant to Federal Rule of Civil Procedure 71.1.

*s/ James M. Graziano*  
James M. Graziano, Esquire  
Maureen T. Coghlan, Esquire  
Archer & Greiner, P.C.  
*Attorneys for Plaintiff*  
*PennEast Pipeline Company, LLC*

Dated: February 6, 2018

115791965v1

# Exhibit A



# EXHIBIT A







1015-21-8  
PE-HU-017.000

50 Feet



### Legend

-  Proposed Centerline
-  Additional Temporary Workspace
-  Temporary Workspace
-  Permanent Easement

Date:	8/11/2017	Temporary Workspace (Ac):	0.51
Line List No:	PE-HU-017.000	Additional Temporary Workspace (Ac):	0.29
Parcel No:	1015-21-8	Permanent Easement (Ac):	0.47
Pipeline Length (feet):	415.39	Limits of Disturbance (Ac):	1.27

NOTE: ACTUAL LOCATION OF EASEMENT IS DETERMINED BY THE PIPELINE AS INSTALLED. PROPERTY BOUNDARIES ARE BASED ON APPROXIMATIONS BASED ON CURRENT AVAILABLE DATA AND ARE SUBJECT TO CHANGE. PIPELINE CENTERLINE LOCATION IS BASED ON GPS DATA.