

SOLOPS

488 Madison Ave
12th Floor
New York, NY 10022
Phone: 917.330.4376
E-mail: matt@solops.com

October 24, 2013

(Via E-mail & Regular Mail)

Lopatcong Township
Attn: Mayor Douglas J. Steinhardt, Esq.
232 South 3rd Street
Phillipsburg, New Jersey 08865

**RE: Emergency Access Easement for Overlook
190 Strykers Road
Lot 6, Block 99, Lopatcong, New Jersey**

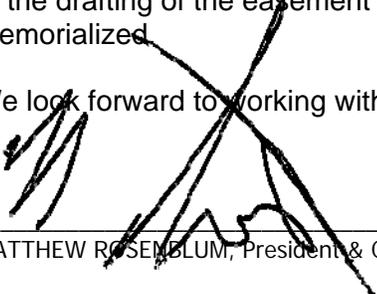
Dear Mr. Mayor:

Pursuant to your request, we are pleased to present this offer to the Township for the granting of an emergency ingress and egress easement across our property on Strykers Lane. As the Township is aware, our wholly owned subsidiary, Lopatcong Solar Realty Holdings, LLC owns the 80 acre parcel that is currently being developed with a solar photovoltaic facility to serve the neighboring Berry Plastics Facility and that in connection with that development, a gravel access road is already being constructed. That road is capable of supporting all required fire suppression vehicles in the unlikely event of a fire at the solar installation. Furthermore, the gravel road is already designed to traverse the first 2/3^{rds} of the emergency access easement the Township will require in order to reach the Overlook development. For your reference, attached hereto is a map showing the approximate location of the easement.

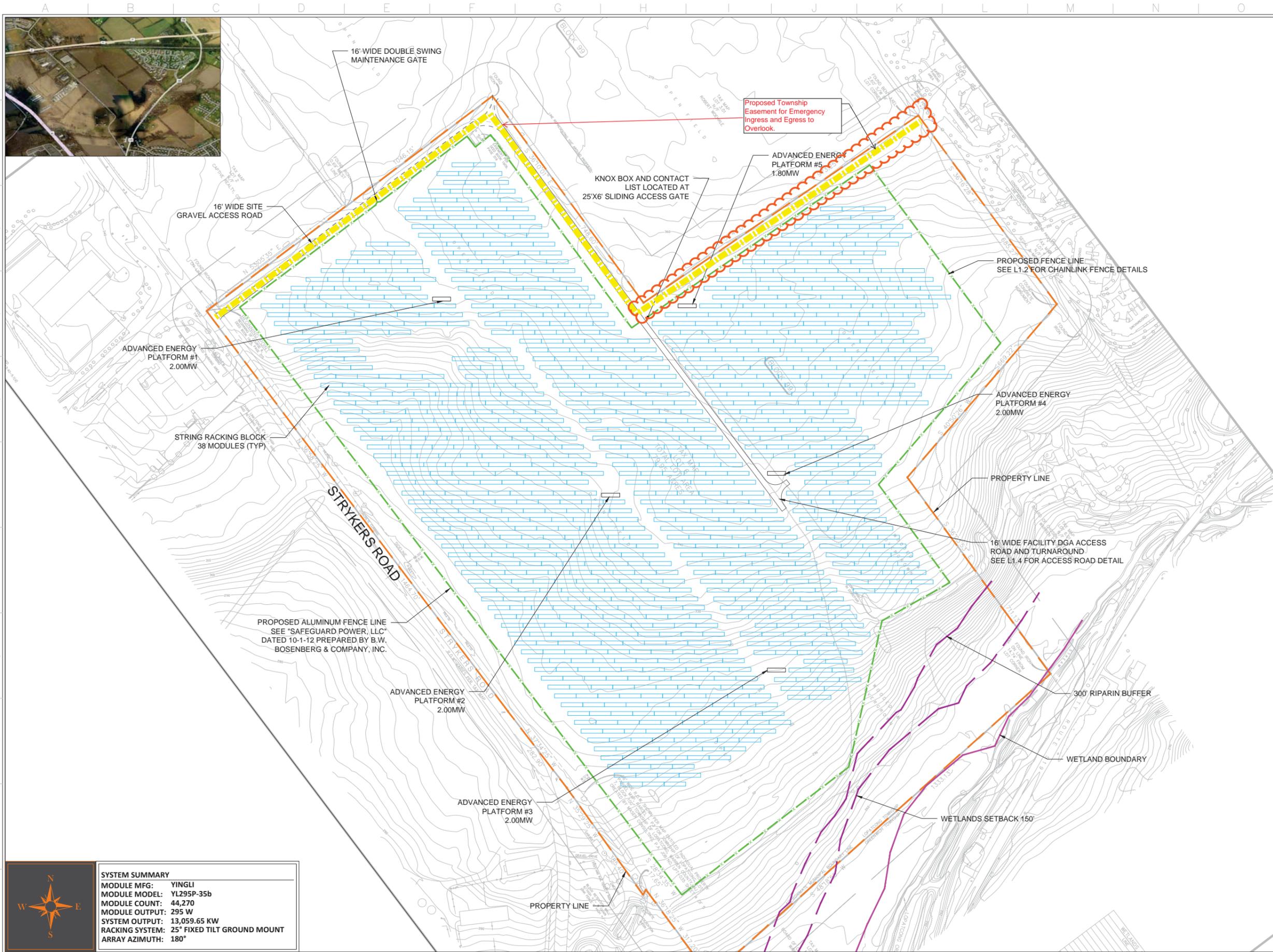
Therefore, we are pleased to grant the Township an emergency ingress and egress easement at no cost to the Township for these property rights. We anticipate that the easement will allow for emergency vehicles and the limited use of private passenger vehicles during the emergency situation. We will continue to construct the gravel roadway as was approved in our plans. This will leave the only cost to the Township being the completion of the survey for the metes and bounds of the easement, the costs of recording the easement, and the cost to construct the final 1/3rd of the gravel roadway for the remainder of the easement (this area is shown within the orange bubble on the attached plan).

If these terms are acceptable to the Township we believe we can forego a formal agreement and proceed to the drafting of the easement whereby all pertinent terms, conditions, and legal requirements can be memorialized.

We look forward to working with you and moving this transaction to closure.



MATTHEW ROSENBLUM, President & CEO



Gehrlicher Solar America Corp.
 21 FADEM ROAD
 SPRINGFIELD, NJ 07801
 Phone Main: +1 908 219 4379
 Toll Free: +1 877 844 9174
 Fax: +1 908 219 4375
 Homepage: www.gehrlicher.us

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Professional Engineer:
Avoca Engineers & Architects, LLC
 242 OLD NEW BRUNSWICK ROAD
 PISCATAWAY, NJ 08854
 PHONE (732) 465-1002 FAX (732) 465-1005
 NJ ENGINEERING C.O.A. 24GA27947800
 NJ ARCHITECTURE C.O.A. AC-214

PE Seal:

KEVIN LEARY
 NJ Professional Engineer Lic.No.GE38226

DRAWING ISSUE

Preliminary Construction
 Customer Approval As-built
 Permitting Other

REVISIONS

Rev	By	App	Description	Date
0	MM	LG	FROM CUSTOMER APPROVAL SET	04/03/2013
1	MM	LG	ADDITIONAL L1.4 & L1.5, TOWN COMMENTS	04/23/2013
2	MM	LG	FINAL TOWN COMMENTS	04/30/2013

Project Name:
BERRY PLASTICS CORPORATION

Site Address:
**190 STRYKERS ROAD
 PHILLIPSBURG, NEW JERSEY 08865**

Sheet Name:
SITE LAYOUT

Scale: 1" = 125' Project ID: G13US.004

Sheet No:
L1.1

SYSTEM SUMMARY
 MODULE MFG: YINGLI
 MODULE MODEL: YL295P-35b
 MODULE COUNT: 44,270
 MODULE OUTPUT: 295 W
 SYSTEM OUTPUT: 13,059.65 KW
 RACKING SYSTEM: 25° FIXED TILT GROUND MOUNT
 ARRAY AZIMUTH: 180°

