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October 22, 2015

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Cherry Hill, NJ 08002

**Re: PennEast Pipeline Company New Jersey Surveys**

Dear Mr. Fontaine:

This office serves as legal counsel to the Township of Kingwood, Hunterdon County. The Township is in receipt of your October 9, 2015 Memorandum in which you assert that N.J.S.A. 46:11-1 allows PennEast surveyors to utilize the public right of way to perform survey work.

The statute that you cited does not give Penn East the right to use the Township right of way (or private lands) to perform its survey work. N.J.S.A. 46:11-1 is entitled "Right of entry to make surveys in certain proceedings" (emphasis added). The statute lists four very specific proceedings in which a surveyor may enter property to perform survey work. PennEast's desire to survey the boundary of its proposed pipeline is not one of the specifically enumerated "proceedings".

Further, in most, if not all, of Kingwood the land owners' property extends to the centerline of the roadway and the Township has merely a right of way for the public purpose of future road widening. The Township's right of way does not include the right to allow a corporation to use the right of way for private purposes. Many property owners in Kingwood have stated unequivocally that they will not permit PennEast to access their private property to perform survey work for the proposed pipeline. The Township of Kingwood will not allow PennEast to utilize the Township's right of way to circumvent the wishes of its residents.

If PennEast disagrees with the Township's position then it is free to seek a court order allowing access. Until such time, Penn East is on notice that the Township of Kingwood will not permit PennEast, its surveyors, employees or agents to enter any municipal property or

municipal right of way. A copy of this letter will be sent to the New Jersey State Police and published for the benefit of Township residents.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'K. Campbell', with a long horizontal flourish extending to the right.

Katrina L. Campbell

cc: Kingwood Township Committee  
New Jersey State Police