

EXHIBIT 16

(Page 1 of 12)

Instrument Control Number

[Redacted]

001983

Commonwealth of Virginia
Land Record Instruments
Cover Sheet - Form A

Doc ID: 00002100911 Type: OES
Recorded: 02/18/2011 at 10:11:53 AM
Fee Amt: \$22.00 Page 1 of 18
Debra M. Child Clerk
Filed 2011-08-08 10:03
BX 3999 PG 66-76

[[LS VLR Cover Sheet Agent 1.0.56]]

T
A
X
E
X
E
M
P
T

Date of Instrument: (1/27/2011)

Instrument Type: (MEML)

Number of Parcels (1)

Number of Pages (10)

City County (Albemarle County) (Box for Deed Stamp Only)

First and Second Grantors

Last Name	First Name	Middle Name or Initial	Suffix
[Subin]ck	[Stuart]		
[The John W. Kluge, Jr.]			

First and Second Grantees

Last Name	First Name	Middle Name or Initial	Suffix
[Virginia Acquisitions, LLC]			

Grantee Address (Name) [Virginia Acquisitions, LLC]
(Address 1) [726 Fifth Avenue]
(Address 2) []
(City, State, Zip) [New York] (NY) [10022]

Consideration (0.00) Extolling Debt (0.00) Assumption Balance (0.00)

Prior Instr. Recorded at City County Percent. in this Juris. (100)

Book [] Page [] Instr. No []

Parcel Ident/Location No (PIN) [10200-00-00-035C0, 10200-00-00-03500]

Tax Map Num. (if different than PIN) [10200-00-00-035C0, 10200-00-00-03500]

Short Property Description [9.804 acres]

Current Property Address (Address 1) [Albemarle County, VA]
(Address 2) [355 Albemarle House Drive]
(City, State, Zip) [Charlottesville] (VA) [22902]

Instrument Prepared by [LeClairRyan]

Recording Paid for by [LeClairRyan]

Return Recording to (Name) [LeClairRyan]
(Address 1) [123 East Main Street, 8th Floor]
(Address 2) []
(City, State, Zip) [Charlottesville] (VA) [22902]

Customer Case ID [27184.0001] (VA) [22902]



Cover Sheet Page 1 of 2

EXHIBIT
16

(Page 2 of 12)

Instrument Control Number

001983

**Commonwealth of Virginia
Land Record Instruments
Continuation Cover Sheet
Form B**

(LS VLR Cover Sheet Agent 1.0.06)

TAK
E
K
E
M
P
T

G
R
A
N
T
O
R

G
R
A
N
T
E
E

C
O
R
P

Date of Instrument: [1/27/2011]

Instrument Type: [MEML]

Number of Parcels [1]

Number of Pages [10]

City County [Albemarle County] (Box for Deed Stamp Only)

Grantor/Grantees/Parcel Continuation Form B

Last Name	First Name	Middle Name or Initial	Suffix
<input checked="" type="checkbox"/> Kluge	[Patricia M.]		
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			
<input type="checkbox"/>			

Prior Instr. Recorded at: City County [] Percent. In this Ju. []

Book [] Page [] Instr. No []

Parcel Identification No (PIN) []

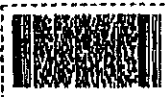
Tax Map Num. (if different than PIN) []

Short Property Description []

Current Property Address (Address 1) []

(Address 2) []

(City, State, Zip) [] [] []



Cover Sheet Page # 2 of 2

(Page 3 of 12)

Prepared by and, after recording,
to be returned to:

Jason D. Greenblatt
725 Fifth Avenue, 26th Floor
New York, New York 10022

STUART SUBOTNICK, TRUSTEE, OF THE JOHN W. KLUGE JR. TRUST

as Seller

to

VIRGINIA ACQUISITIONS LLC

as Purchaser

**MEMORANDUM OF
ASSIGNMENT OF RIGHT OF FIRST REFUSAL**

*This instrument affects real and personal property situated in the
County of Albemarle, State of Virginia*

Location: 355 Albemarle House Drive
Charlottesville, Virginia

Tax Map Designation: 10200-00-00-035C0
10200-00-00-03500

(Page 4 of 12)

**MEMORANDUM OF
ASSIGNMENT OF RIGHT OF FIRST REFUSAL**

This Memorandum of Assignment of Right of First Refusal ("Memorandum"), is entered into as of the 27th day of January, 2011, by and between STUART SUBOTNICK, TRUSTEE OF THE JOHN W. KLUGE, JR. TRUST, under agreement dated August 28, 2000, having an address at c/o Metromedia Company, 810 7th Avenue, New York, New York 10019 ("Seller") and VIRGINIA ACQUISITIONS LLC, a Delaware limited liability company, having an address at 725 Fifth Avenue, New York, New York 10022 ("Purchaser"),

1. **Assignment of Right of First Refusal.** Pursuant to that certain Assignment of Right of First Refusal (the "Assignment") from Seller to Purchaser dated the date hereof, Seller has assigned to Purchaser all of Seller's right, title and interest in, to and under that certain right of first refusal (the "ROFR") created under that certain Quitclaim Deed by and between JWK Properties, Inc. and Patricia M. Kluge dated as of June 13th, 1990; Recorded in the Clerk's Office of the Circuit Court of the County of Albemarle County, Virginia in Deed Book 1105, Pages 0185-0191 (the "ROFR Agreement") and held by Seller, as current owner certain real property more particularly described on Schedule "A" attached hereto and made a part hereof, said property being the Burdened Property (as defined in the ROFR Agreement), to purchase an approximately 9.904 acre portion, as more particularly described in Schedule "B" attached hereto and made a part hereof (the "ROFR Property"), of that certain real property designated as Lot [10200-00-00-03500] on the Tax Map of Albemarle County, Virginia, and as more particularly described on Schedule "C" annexed hereto. In connection therewith, Seller has appointed Purchaser as its true and lawful agent and attorney-in-fact for the limited purposes exercising rights under the ROFR Agreement. The provisions of the Assignment are incorporated herein by this reference.

2. **Purpose.** This Memorandum is prepared for the purpose of recordation only, and it in no way alters modifies, expands, diminishes or supplements the provisions of the Assignment. In the event any provision of this Memorandum is inconsistent with any term or condition of the Assignment, the terms or conditions of the Assignment shall prevail.

3. **Counterparts.** This Memorandum may be executed in any number of counterparts, each of which, when executed and delivered, shall be deemed to be an original, and all of which, taken together, shall be deemed to be one and the same instrument.

4. **Binding Effect.** Seller and Purchaser acknowledge and agree that the provisions of the Assignment shall be appurtenant with and run with the Property, and shall burden the Property during the term of the Assignment.

5. **Successors.** The covenants, conditions and agreements made and entered into by the parties hereto shall be binding upon and inure to the benefits of their respective heirs, administrators, executors, representatives, successors and assigns.

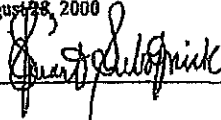
[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.
SIGNATURES CONTAINED ON NEXT PAGE.]

(Page 5 of 12)

IN WITNESS WHEREOF, Seller and Purchaser have executed this Memorandum on the day and year first above written.

"SELLER"

STUART SUBOTNICK, TRUSTEE, JOHN W.
KLUGE JR. TRUST, under agreement dated
August 28, 2000



"PURCHASER"

VIRGINIA ACQUISITIONS LLC, a Delaware
limited liability company

By: _____

PATRICIA M. KLUGE, as owner of the
ROFR Property, hereby acknowledges the
assignment of the ROFR to Purchaser

PATRICIA M. KLUGE

Exhibit D-3

(Page 6 of 12)

IN WITNESS WHEREOF, Seller and Purchaser have executed this Memorandum on the day and year first above written.

"SELLER"

STUART SUBOTNICK, TRUSTEE, JOHN W.
KLUGE JR. TRUST, under agreement dated
August 28, 2000

"PURCHASER"

VIRGINIA ACQUISITIONS LLC, a Delaware
limited liability company

By: 

PATRICIA M. KLUGE, as owner of the
ROFR Property, hereby acknowledges the
assignment of the ROFR to Purchaser



PATRICIA M. KLUGE

Exhibit D-3

(Page 7 of 12)

STATE OF FLORIDA)
COMMONWEALTH OF VIRGINIA)

COUNTY OF PALM BEACH)

SS.:

The foregoing instrument was sworn to and acknowledged before me this 3 day of ^{February} ~~January~~, 2011, by STUART SUBOTNICK, the TRUSTEE and duly authorized representative of THE JOHN W. KLUGE, JR., TRUST under agreement dated August 28, 2000.



Paul Rampell
Notary Public

STATE OF NEW YORK)

COUNTY OF NEW YORK)

SS.:

The foregoing instrument was sworn to and acknowledged before me this ____ day of January, 2011, by _____, the _____ and duly authorized representative of VIRGINIA ACQUISITIONS LLC, a Delaware limited liability company

Notary Public

COMMONWEALTH OF VIRGINIA)

COUNTY OF _____)

SS.:

The foregoing instrument was sworn to and acknowledged before me this ____ day of January, 2011, by PATRICIA M. KLUGE

Notary Public

Exhibit D-4

(Page 8 of 12)

COMMONWEALTH OF VIRGINIA)
)
) SS:
)
) COUNTY OF _____)

The foregoing instrument was sworn to and acknowledged before me this ____ day of January, 2011, by STUART SUBOTNICK, the TRUSTEE and duly authorized representative of THE JOHN W. KLUGE, JR., TRUST under agreement dated August 28, 2000.

Notary Public

STATE OF NEW YORK)
)
) SS:
)
) COUNTY OF NEW YORK)

The foregoing instrument was sworn to and acknowledged before me this 27 day of January, 2011, by DONALD J. TRUMP, the PRESIDENT and duly authorized representative of VIRGINIA ACQUISITIONS LLC, a Delaware limited liability company

LINDA BOHDAN
Notary Public, State of New York
No. 01BC4603548
Qualified in Queens County
Commission Expires Aug. 24, 20 13

Linda Bohdan

Notary Public

STATE OF NEW YORK)
)
) SS:
)
) COUNTY OF NEW YORK)

The foregoing instrument was sworn to and acknowledged before me this 29th day of January, 2011, by PATRICIA M. KLUGE

JOHN F. GELLER
Notary Public, State of New York
No. 0106220407
Qualified in New York County
My Commission Expires 04/24/14

John Geller

Notary Public

Exhibit D-4

Schedule "A"

[Description of the Property]

Parcel 1:

All that certain tract or parcel of land, together with all improvements thereon and appurtenances thereto pertaining, located in the Scottsville Magisterial District of the County of Albemarle, Virginia, containing 216.69 acres, more or less, more particularly shown and described on plat of Gloeckner Engineering-Surveying Inc., titled "Plat Showing Survey of Golf Course Tract Being a Portion of T.M. 102 Parcel 35A & T.M. 103 Parcel 1B, Morven Farms, Albemarle County, Virginia", dated September 18, 2000, a copy of which is recorded in Deed Book 1957, at page 700.

BEING the same real estate conveyed to Patricia M. Kluge, Trustee of the John W. Kluge, Jr. Trust under agreement dated August 28, 2000, by deed from John W. Kluge, dated August 31, 2000, recorded September 29, 2000, in the Clerk's Office, Circuit Court, Albemarle County, Virginia, in Deed Book 1957, page 704.

Parcel 2:

All that certain tract or parcel of land situated in the Scottsville Magisterial District of Albemarle County, Virginia, containing 10.82 acres, more or less, designated as Parcel 1-H on Albemarle County Tax Map 103, and particularly described on plat of William S. Rotidabush, Inc., dated May 14, 1982, titled "Physical Survey Parcels 1D & 1H, Tax Map 103, Located Just Off Sta. Rta. 627, Near Overton, Scottsville Magisterial District, Albemarle County, Virginia", a copy of which is recorded in Deed Book 824, at page 72.

BEING the same real estate conveyed to Patricia M. Kluge, Trustee of the John W. Kluge, Jr. Trust under agreement dated August 28, 2000, by deed from JWK Properties, Inc., dated March 14, 2001, recorded April 16, 2001, in the Clerk's Office, Circuit Court, Albemarle County, Virginia, in Deed Book 2012, page 85.

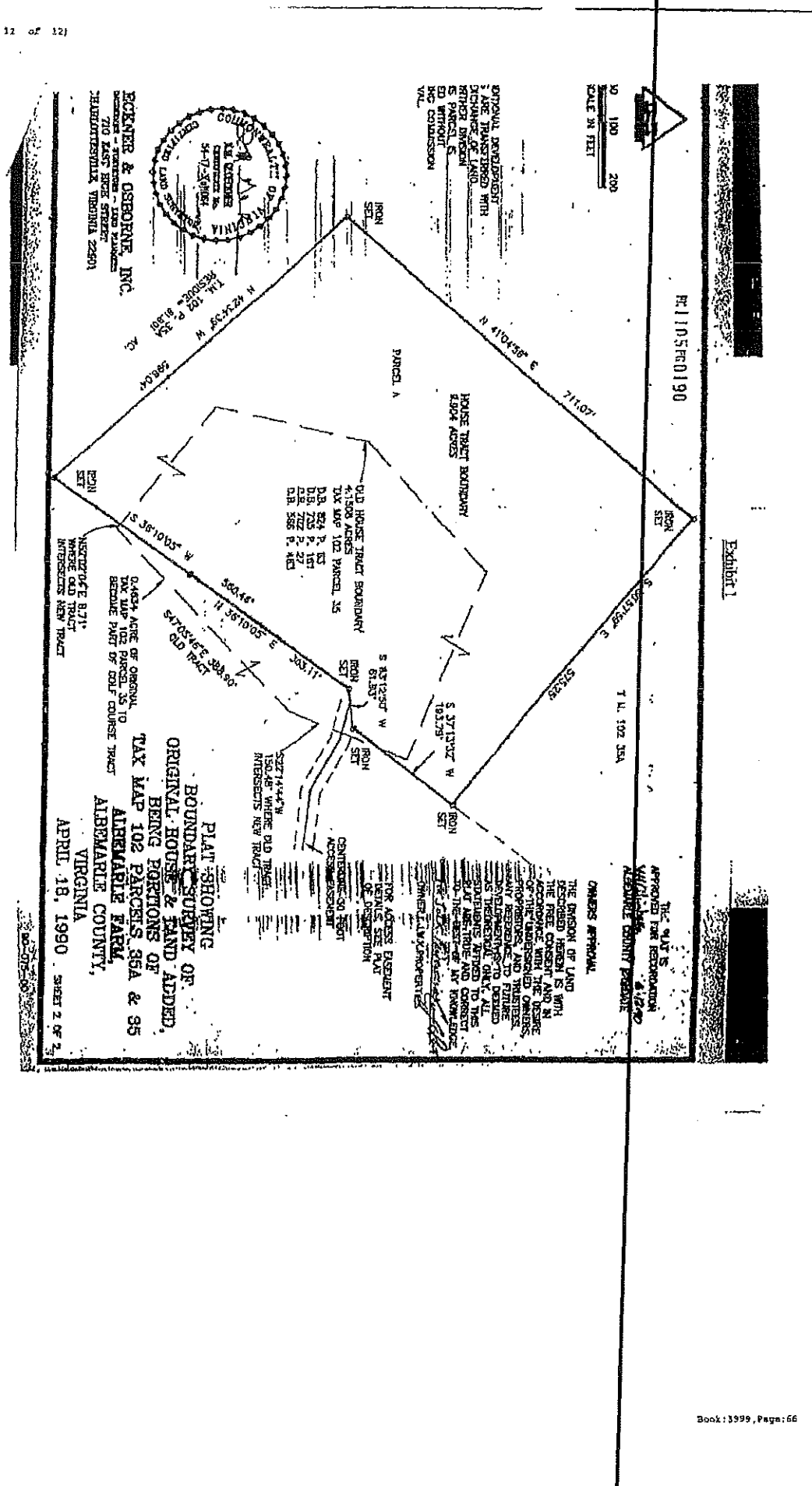
(Page 10 of 12)

Schedule "B"

Description of the ROFR Property

That certain tract or parcel of land, with the improvement thereon and appurtenances thereto belonging, situated in the Scottsville Magisterial District in Albemarle County, containing 9.904 acres, more or less, as shown on sheet 2 of a plat of Gloeckner & Osbourne, Inc., composed of two sheets, dated April 18, 1990 (the Plat") and attach to and made a part of that certain Quitclaim Deed dated June 13, 1990 by and between JWK Properties, Inc. and Patricia M. Kluge, feme sole and recorded in the Clerk's Office of the Circuit Court of Albemarle Count in Deed Book 1105, page 185, a copy of which is attached hereto as Exhibit 1, being a part of the property conveyed to JWK Properties, Inc. by Deed of John W. Kluge, et al. dated December 10, 1984, pf record in the Clerk's Office of the Circuit Court of Albemarle Count in Deed Book 824, page 63.

(Page 12 of 12)



Schedule C

Description of House Parcel

All of that certain lot or parcel of land (the "Property") located in Albemarle County, Virginia more particularly depicted as Parcel containing 9.904 acres, more or less (comprising the original Tax Map 102-35), Parcel G, containing 78.99 acres, more or less, Parcel F, containing 2.15 acres, more or less, and Parcel E, containing 6.94 acres, more or less, all parcels being a portion of NEW T.M. 102-35 depicted on plat entitled "Plat Showing Redivision of Tax Map 102 Parcel 35A Tax Map 103 Parcel 1B and Tax Map 103 Parcel 1B Albemarle Farms Scottsville Magisterial District Albemarle County, Virginia" prepared by Gloeckner Engineering/Surveying, Inc., dated May 16, 2005, recorded with a Declaration of Private Road Maintenance Agreement recorded as corrected in Deed Book 3117 at pages 157-175 (the "Plat").

This property is now described as follows:

All that certain tract or parcel of land, with improvements thereon and appurtenances thereto, situated in Albemarle County, Virginia, on the northwest side of State Route 627, containing 97.98 acres, more or less, shown as "New T.M. 102-35 of Albemarle Farms" on a plat of Gloeckner Engineering/Surveying Inc., dated May 06, 2005, last revised November 10, 2005 and recorded in the Office of the Clerk of the Circuit Court of Albemarle County, Virginia, on December 05, 2005 in Deed Book 3117 at Page 171.

Street Address: 355 Albemarle House Drive, Charlottesville, Virginia 22902

RECORDED IN CLERKS OFFICE OF
ALBEMARLE COUNTY ON
February 16, 2011 AT 9:11:03 AM
\$0.00 GRANTOR TAX PD
AS REQUIRED BY VA CODE § 58.1-602
STATE: \$0.00 LOCAL: \$0.00
ALBEMARLE COUNTY, VA
DEBRA M. SHIFF CLERK

Debra M. Shiff

EXHIBIT 17



Jason D. Greenblatt
Executive Vice President and
General Counsel
Direct Dial (212) 715-7212
Fax (212) 980-3821
jgreenblatt@trumporg.com

February 2, 2011

VIA ELECTRONIC MAIL (jonathan.hauser@troutmansanders.com)

Jonathan L. Hauser, Esq.
Troutman Sanders LLP
P.O. Box 61185222 Central Park Drive
Suite 2000
Virginia Beach, Virginia 23462

Re: Foreclosure Sale of Property in Albemarle County, Virginia known as 355
Albemarle House Drive, Charlottesville, VA 22902; Albemarle County Tax Map
parcel 102-35 (the "*Property*")

Dear Mr. Hauser:

Please let this letter serve to represent the fact that we have a contract to buy the 200 acres in the front of the Property, as well as a Right of First Refusal (a "*ROFR*") to purchase the Property. Please inform any and all potential bidders in connection with the foreclosure sale or otherwise that Mr. Trump has a ROFR with respect to the Property. Redacted copies of the documents relevant to the ROFR are annexed hereto as Attachments I, II and III.

The specific validity of rights of first refusal in the context of an involuntary foreclosure sale setting (just like a private sale) have been upheld by the Virginia Supreme Court. Feel free to call me with any questions that you may have or if you wish to discuss this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Greenblatt", written over a horizontal line.

Jason Greenblatt

CC: Donald J. Trump
Steve Blaine, Esq. (via electronic mail)
Leslie Goldman, Esq. (via electronic mail)



LANDGMacKings EmailHeader Letter v9 (Trump 2-2-11).doc

725 FIFTH AVENUE - NEW YORK, NY 10022 - (212) 832-3000 - FAX (212) 935-0141