

RESOLUTION

WHEREAS, the Township of West Orange (“Township”) and the Estate of Hugh M. Forfar, Jr. (the “Forfar Estate”) previously entered into a Developer’s Agreement dated February 21, 2014 (the “Agreement”), a copy of which is annexed hereto as **Attachment “A”**; and

WHEREAS, the Agreement provided for the construction of various improvements to Block 175.09, Lots 2 and 4, also known as 45-49 Lincoln Avenue in the Township, including but not necessarily limited to a street extension, and installation of sanitary sewer mains, drainage ditches, water mains, fire hydrants, curbing, sidewalk, and shade trees (the “Improvements”); and

WHEREAS, the Forfar Estate has notified the Township of its intent to assign its obligations under the Agreement to Ezra Builders, LLC (“EB”) in accordance with the terms and conditions set forth in the Amendment and Assumption Agreement annexed hereto as **Attachment “B”** the (“Amendment”); and

WHEREAS, pursuant to the Amendment, the time period for EB’s completion of construction of the Improvements will be extended from February 21, 2016 to December 31, 2016; and

WHEREAS, the Township Engineer recommends that the Amendment be executed;

NOW, BE IT HEREBY RESOLVED, by the Township Council of the Township of West Orange that the Mayor be and is hereby authorized to execute the Amendment, in the form annexed hereto, and the Township Clerk shall be and hereby is authorized to attest to the Mayor’s signature; and it is further

RESOLVED that this Resolution shall be made available in the Clerk’s Office for reasonable inspection in accordance with applicable law.

Karen J. Carnevale,
Municipal Clerk

Jerry Guarino,
Council President

Adopted: June 23, 2015
4848-0570-9093, v. 1