

**RESOLUTION**

**WHEREAS**, the Developer (1712 Route 35, LLC) is the applicant for Block 34, Lot 15, as shown on the official tax map which property is located at 1712 Route 35 Southbound in the C-2 (Highway Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

**WHEREAS**, the Developer has received Site Plan Approval and Approval of Bulk (C) Variances by the Zoning Board of Adjustment of the Township of Ocean by way of Resolution dated October 29, 2009 to make modifications to circulation and building for existing tunnel carwash facility; and

**WHEREAS**, this Agreement relates to a Site Plan Map entitled Amended Site Plan, Tax Lot 15, Block 34, Township of Ocean, Monmouth County, New Jersey prepared by Michael Geller, P.E. of Geller, Sive & Company, consisting of eight (8) Sheets dated march 18, 2009 and last updated December 28, 2009; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated January 11, 2010 prepared by the Township of Ocean Engineer, Louis J. Lobosco, P.E., P.P. of Leon S. Avakian, Inc.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Ocean, County of Monmouth, State of New Jersey as follows:

1. It hereby authorizes the Mayor to execute and the Township Clerk to attest to a Developer's Agreement between the Township of Ocean and 1712 Route 35, LLC, subject to the following conditions first being met:
  - a. All required certificates of insurance be properly filed with the Office of the Township Clerk
  - b. Posting of Performance Guarantees in the total amount of \$165,000.00 and Inspection Fees in the amount of \$8,075.00.

**BE IT FURTHER RESOLVED** that a certified copy of this Resolution shall be provided by the Township Clerk to each of the following:

1. Township Engineer
2. Director of Community Development
3. Construction Official
4. 1712 Route 35, LLC

**CERTIFICATION**

*I hereby certify that this is a true copy of a resolution passed by the Township of Ocean Governing Body at their meeting held on **April 19, 2010**.*

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 Vincent Buttiglieri, RMC/CMC  
 Township Clerk

Record of Vote	Deputy Mayor Hiers	Councilman Garofalo	Council-woman Schepiga	Councilman Siciliano	Mayor Larkin
Motion To Approve					
Motion to Second					
Approved					
Opposed					
Not Voting/Recuse					
Absent/Excused					