

RESOLUTION

Councilmember offered the following resolution and moved its adoption;
seconded by Councilmember

WHEREAS, the Developer is the owner of certain property known as Block 3, Lots 7, 8 and 9, as shown on the official tax map of the Township of Ocean which property is located at 2121-2123 Highway 35 in the C-2 (Highway Commercial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

WHEREAS, the Developer was granted Preliminary and Final Site Plan Approval, Approval of Bulk Variances and Approval of Conditional Use from the Zoning Board of Adjustment of the Township of Ocean by way of resolutions dated June 11, 2009 to expand an existing building to be used for automotive sales and service and to realign parking and vehicle storage/display area in conjunction with the existing car dealership; and

WHEREAS, this Agreement relates to a Site Plan entitled Preliminary and Final Site Plans, Gold Coast Cadillac, Tax Map Lots 7, 8 & 9, Block 3, Township of Ocean, Monmouth County, New Jersey by Mark A. Whitaker of KZA Engineering, P.A. consisting of thirteen (13) sheets dated April 25, 2008 and last updated August 4, 2009; and

WHEREAS, this Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated July 22, 2009 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 Gold Coast Automotive, 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 \$941,040.00 and Inspection Fees in the amount of \$40,710.00.

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

- a. Township Engineer
- b. Director of Finance
- c. Director of Community
- d. Construction Official
- e. Peter S. Falvo, Jr., Esq.
- f. Gold Coast Automotive, 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 **September 21, 2009**.*

Vincent Buttiglieri, RMC/CMC
Township Clerk