

RESOLUTION

WHEREAS, R & S Realities, LLC (Developer) is the owner of certain property known as Block 1.05, Lot 9 and Atlas 86 Associates, L.P. is the owner of Lot 8, as shown on the official tax map of the Township of Ocean which property is located at Cindy Lane, in the I-1 (Light Industrial) Zone in the Township of Ocean, County of Monmouth, State of New Jersey; and

WHEREAS, the Developer was granted subdivision, minor site plan and conditional use approvals from the Township of Ocean Planning Board by way of Resolution dated March 23, 2009 to subdivide 21,283 square feet from Lot 8, including a 3,440 square foot self-storage warehouse building (Building C) and 53 existing inventory parking spaces and add it to Lot 9. The subdivision will then create new Lot 8.01, which will be 191,924 square feet in area (Lot 8 was 213,007 square feet) and new Lot 9.01 which will be 144,000 square feet in area (Lot 9 was 122,717 square feet). In addition, they will utilize the building for automotive service; and

WHEREAS, this Agreement relates to a Site Plan of the property entitled Minor Site & Subdivision Plan, R & S Realities, LLC, Lots 8 & 9 of Block 1.05, Ocean Township, Monmouth County – New Jersey by James A. Kennedy, P.E. of Kennedy Consulting Engineers, LLC consisting of four (4) sheets dated October 7, 2008 and last updated September 1, 2009; and

WHEREAS, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated December 18, 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 R & S Realities, 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 \$3,120.00 and Inspection Fees in the amount of \$1,130.00.

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 Development
- d. Construction Official
- e. R & S Realities, LLC
- f. Peter G. Licata, Esq.

CERTIFICATION

*I hereby certify that this is a certified copy of a resolution that was passed by the Township Council at the meeting held on **January 11, 2010**.*

 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					