

**RESOLUTION**

**WHEREAS**, RSC Realities, LLC (Developer) is the owner of certain property known as Block 3, Lot 5, as shown on the official tax map of the Township of Ocean which property is located at 2127 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 has received Site Plan and Variance Approval by the Township of Ocean Planning Board by way of Resolution dated September 27, 2010 to modify the exterior of an existing building and construct sidewalks around the exterior of the building to facilitate pedestrian and ADA access, along with proposed minor landscaping improvements. The improvements to the property will be done in two (2) Phases and this agreement pertains to Phase II only; and

**WHEREAS**, this Agreement relates to a Site Plan Map entitled Minor Site Plan prepared for RSC Realities, LLC, Lot 5 – Block 3, Township of Ocean, Monmouth County, New Jersey by James A. Kennedy, P.E. of Kennedy Consulting Engineers, LLC, consisting of six (6) sheets dated August 24, 2010 and last updated September 10, 2010 and a Map entitled Ray Catena Mini, by Michael James Monroe, Architect, consisting of three (3) sheets dated May 10, 2010 and last updated August 11, 2010; and

**WHEREAS**, the Agreement requires the Developer to install certain improvements in accordance with the Performance Guarantee Estimate dated September 20, 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 RSC 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 \$24,840.00 and Inspection Fees in the amount of \$2,035.00

**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. Construction Official
3. Director of Community Development
4. RSC Realities, LLC
5. Gerald N. Sonnenblick, Esq.

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

**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 **October 18, 2010.***

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 Vincent Buttiglieri, RMC/CMC  
 Township Clerk