

**TOWNSHIP OF RARITAN  
COUNTY OF HUNTERDON, NEW JERSEY**

**RESOLUTION #18-201**

**AUTHORIZING THE MAYOR AND CLERK TO SIGN A DEVELOPMENT  
AGREEMENT AMONG FALLONE GROUP, LLC, M.S.E., INC., AND THE  
TOWNSHIP OF RARITAN, FOR BLOCK 79, LOT 18**

**WHEREAS**, Fallone Group, LLC (“Developer”) applied to the Planning Board of the Township of Raritan for preliminary and final major subdivision approval for a residential cluster consisting of eleven (11) single family lots, and one Open Space Lot (“Project”), with one of the eleven (11) single family lots to remain with M.S.E., Inc. (“Owner”), and the Planning Board granted Preliminary Approval for the Project, which was memorialized in Resolution No. 16-2017, dated November 8, 2017, and Final Approval for the Project, which was memorialized in Resolution No. 16-2018, dated September 26, 2018; and

**WHEREAS**, the Final Approval requires the installation of certain improvements (“Improvements”) prior to the granting of Certificates of Occupancy for any such dwelling units, which are described in the following documents:

- (i) the final plans for the Project, prepared by James J. Mantz, P.E. & L.S., dated January 25, 2017 and last revised January 20, 2018, consisting of 21 sheets;
- (ii) the Township Engineer’s Estimate prepared by Antoine Hajjar, P.E. (“Township Estimate”); and
- (iii) the Approval Resolution; and

**WHEREAS**, the Developer will provide guarantees for the Improvements consistent with the requirements of the Township Engineer’s Estimate and the Final Approval, and the Planning Board has approved the Final Plans for the Project; and

**WHEREAS**, in accordance with the Agreement of Sale, after creation of the subdivided lots by filing the Final Subdivision Plat prepared by James J. Mantz, P.E. & L.S., dated April 13, 2018, revised through August 28, 2018, Developer is purchasing the Project with exception of proposed Lot 18.25, which Owner will retain; and

**WHEREAS**, the Development Agreement is intended to memorialize the relationship between the Developer and the Township relative to the Improvements to be constructed by the Developer as well as address other conditions of the Final Approval that require interaction between the Developer and the Township regarding the Project; and

**WHEREAS**, Owner has joined in the Development Agreement so that the terms of the Development Agreement will apply to the entire Project because the Developer will not have acquired the Project as of the date hereof, provided that Owner shall not be subject to any of the

obligations or liabilities of Developer, except as expressly provided in the Development Agreement; and

**WHEREAS**, the Development Agreement is in substantially final form subject to finalization by the Township Attorney.

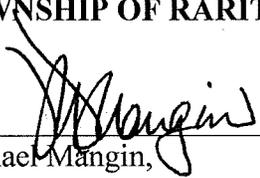
**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Raritan, County of Hunterdon, State of New Jersey, as follows:

1. The Mayor and Clerk are hereby authorized to sign the Development Agreement with Fallone Group, LLC, and M.S.E., Inc., as discussed in the Resolution.
2. The Development Agreement to be signed will be in substantially the form attached subject to finalization by the Township Attorney.
3. This Resolution shall take effect immediately.

**ATTEST:**

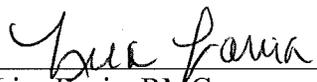
**TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF RARITAN**

  
\_\_\_\_\_  
Lisa Fania, RMC  
Township Clerk

  
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Michael Mangin,  
Mayor

**CERTIFICATION**

I, Lisa Fania, Clerk of the Township of Raritan, County of Hunterdon, State of New Jersey, hereby certify the foregoing resolution is a true, complete and accurate copy of a resolution adopted by the Township Committee at a meeting held on October 16, 2018.

  
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Lisa Fania, RMC  
Township Clerk