

RESOLUTION

WHEREAS, ERZA Builders, LLC, 208 East Main Street, Somerville, New Jersey 08876 is the developer of a three-lot major subdivision on Lincoln Avenue, Block 175.09, Lots 2, 4.01 and 4.02; and

WHEREAS, ERZA Builders, LLC assumed by Agreement the obligations of the sub divider, the Estate of Hugh M. Forfar, Jr.; and

WHEREAS, that Agreement, required the posting of a total performance guarantee of \$44,252.40 to guarantee the completion of improvements; and

WHEREAS, that Agreement, upon completion of the improvements required the posting of a maintenance bond in the amount of \$6,637.86 for a two year period; and

WHEREAS, by letter dated February 4, 2018 EZRA Builders advised the Township of the completion of all improvements and requested they be released from the obligations of their performance guarantee pursuant to N.J.S.A. 40:55D-53d; and

WHEREAS, the Municipal Engineer advised the Township Council by letter dated April 4, 2018 that all improvements were completed in March 2018 and that the performance guarantee may be released subject to the posting of a Maintenance Bond in the amount of \$6,637.86 for a two year period; and

WHEREAS, since Lincoln Avenue is a public road within a public right-of-way the Municipal Engineer by same letter recommends the public improvements be accepted; and

WHEREAS, the Township Council concurs in the foregoing.

NOW, THEREFORE BE IT RESOLVED by the Township Council of the Township of West Orange that the performance guarantees posted by EZRA Builders, LLC, 208 East Main Street, Somerville, New Jersey 08874 associated with a three lot subdivision on Lincoln Avenue, Block 175.08, Lots 2, 4.01 and 4.02 be released.

BE IT FURTHER RESOLVED that the public improvements associated with this subdivision be accepted by the Township.

BE IT FUTHER RESOLVED that a certified copy of the Resolution be sent by Certified Mail to EZRA Builders, LLC.

Karen J. Carnevale, R.M.C.
Municipal Clerk

Susan McCartney, Council President

Adopted: April 10, 2018