

**A RESOLUTION OF THE TOWNSHIP OF MOUNT OLIVE, IN THE COUNTY OF MORRIS
AND STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF THE DEVELOPER'S
AGREEMENT WITH KIRK ALLEN TRUCKING**

WHEREAS, Kirk Allen Trucking (“Kirk Allen” or “Lessee”) is a lessee of a portion of a certain tract or parcel of land known and designated as Block 106 Lot 1 and Block 7 Lot 1, also known as 20 Continental Drive, as disclosed on the Tax Assessment Maps of the Township of Mount Olive (the “Property”), and owned by Waterloo Road Development Company, LLC (“Developer”); and,

WHEREAS, the Planning Board granted use variance approval, amended preliminary and final site plan approval (Phase 1) and c-variance approval to Lessee, by way of two (2) Planning Board Resolutions Number PB 15-02, adopted on December 17, 2015 (“Resolution”), to use and improve the Property, pursuant to plans entitled “Amended Preliminary and Final Site Plan Phase I, Minor Subdivision, Lot 1 Block 106 & Lot 1 Block 7, Township of Mount Olive, Morris County, New Jersey,” prepared by Greg Ploussas, PE, Chester, Ploussas, Lisowsky Partnership, LLC, Matawan, New Jersey, dated March 25, 2014 with revisions through August 9, 2016, and consisting of nine (9) sheets; and

WHEREAS, the Developer’s Agreement has been drawn by the Township’s Attorney and has been reviewed and approved by the Developer’s Attorney and Township’s Engineer.

NOW THEREFORE BE IT RESOLVED by the Township of Mount Olive, in the County of Morris and State of New Jersey that the Mayor and Clerk are authorized to execute said Agreement upon submission by the Developer of the following items:

- 1) A certificate of insurance disclosing public liability insurance of not less than \$2,000,000 per person and \$300,000 for property damage.
- 2) A check to the Township of Mount Olive in the amount of \$306 to cover anticipated inspection fees for the proposed site improvements.
- 3) A check to the Township of Mount Olive in the amount of \$612 representing a ten percent (10%) cash performance bond for the proposed site improvements.
- 4) Ninety percent (90%) surety bond in the amount of \$5,508.00 for the proposed site improvements.
- 5) All necessary approvals and permits.
- 6) The Lessee shall comply with all other terms and conditions of Planning Board Resolution Number 15-02, adopted on December 17, 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Council of the Township of Mount Olive, in the County of Morris, that the Mayor and Township Clerk are

hereby authorized and directed to execute the attached Developer's Agreement between the Township of Mount Olive and Kirk Allen Trucking.

This Resolution shall take effect immediately.

TOWNSHIP OF MOUNT OLIVE

JOSEPH NICASTRO
Mount Olive Township Council President

I hereby certify the above to be a true copy of a resolution passed by the Mount Olive Township Council at a duly convened meeting held on December 6, 2016.

MICHELLE MASSER
Mount Olive Township Municipal Clerk