

**A RESOLUTION OF THE TOWNSHIP OF MOUNT OLIVE, IN THE COUNTY OF MORRIS
AND STATE OF NEW JERSEY, AUTHORIZING THE EXECUTION OF THE AMENDED
DEVELOPER'S AGREEMENT WITH JR BON-1, LLC**

WHEREAS, JR Bon-1, LLC is the successor to Marfon Business Park; and,

WHEREAS, JR Bon-1, LLC is the contract purchaser of all of that certain tract or parcel of land known and designated as Block 8300, Lot 6, as disclosed on the Tax Assessment Maps of the Township of Mount Olive (the "Property"); and,

WHEREAS, the Planning Board granted preliminary and final site plan and variance approval and request to Manuel Fonseca, by way of Planning Board Resolution Number PB 03-05, adopted on June 26, 2003 ("2003 Resolution"), to develop the Property, pursuant to a Plan entitled "Preliminary and Final Site Plan for Marfon Business Park, Sandshore Road, Township of Mount Olive, Morris County, New Jersey, Block 8300, Lot 6," prepared by Fox Architectural Design, Wharton, New Jersey, dated January 10, 2003, with revisions through April 21, 2003 (the "Project"); and,

WHEREAS, the Mount Olive Township Planning Board extended said Final Major Site Plan Approval by way of a Resolution adopted at its regular meeting on June 9, 2005 ("2005 Resolution" – the 2003 Resolution and the 2005 Resolution are collectively referred to as the "Resolutions"); and,

WHEREAS, the Township previously entered into a Developer's Agreement for the Project with Marfon Business Park c/o Manuel Fonseca on April 12, 2007 ("Developer's Agreement"); and

WHEREAS, JR Bon-1, LLC, as the contract purchaser of the Property, intends to take over the construction of the Project and complete same in accordance with the terms of the Developer's Agreement, the Resolutions and this Amended Developer's Agreement; and

WHEREAS, all terms and conditions of the Developer's Agreement and Resolutions are incorporated into the Amended Developer's Agreement as if set forth fully therein; and

WHEREAS, the Township and the Developer have agreed to amend and modify certain terms of the Developer's Agreement, as set forth in the Amended Developer's Agreement.

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 JR Bon-1, LLC, successor to Marfon Business Park.

This Resolution shall take effect immediately.

TOWNSHIP OF MOUNT OLIVE

JOE 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 March 8, 2016.

SUSAN GOUVEIA
Mount Olive Township Municipal Clerk