

**RESOLUTION 2009-424**

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE RELEASE OF THE  
PERFORMANCE GUARANTEE FOR FOUR SEASONS  
AT MIRAGE, SECTION 2, WATER DISTRIBUTION SYSTEM FACILITIES**

WHEREAS, K. Hovnanian the builder of Four Seasons at Mirage, has requested the release of the Performance Guarantee for Section 2, Water Distribution System Facilities; and

WHEREAS, the Township Engineer has performed an inspection on the subject site and recommends the release of the Performance Guarantee for Section 2, Water Distribution System Facilities contingent upon the following:

1. The applicant must make application to the Township of Barnegat for a "Certificate of Completion" (Exhibit "D").
2. The applicant must submit all legal documents as are necessary to convey their interest in the facilities to the Township (Exhibit "E").
3. The applicant must submit an affidavit that all contractors, subcontractors and materials have been paid (Exhibit "F").
4. The applicant must post a two-year maintenance guarantee in the amount of \$5,088.00 which represents 15% of the original construction costs of \$33,918.50.

THEREFORE BE IT RESOLVED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the Water Distribution System Facilities Performance Guarantee for Section 2 is hereby released based on the Township Engineer's letter dated June 2, 2009 and the attorney for Four Seasons at Mirage Homeowners Association dated June 25, 2009.

**CERTIFICATION**

I, Kathleen T. West, Municipal Clerk of the Township of Barnegat, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Barnegat Township Committee at their regular meeting held on the 6<sup>th</sup> day of July, 2009, in the Municipal Court Room, 900 West Bay Avenue, Barnegat, New Jersey.

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Kathleen T. West, RMC  
Municipal Clerk