

A P P E N D I X C - 5

TOWNSHIP OF BARNEGAT

DEVELOPER'S ESCROW AGREEMENT

PLEASE READ THE FOLLOWING INFORMATION AND SUBMIT A SIGNED ORIGINAL ACKNOWLEDGING YOUR CONSENT, AS PART OF YOUR APPLICATION

Chapter 55. Sec. 40.1:

"Escrow Account Deposits" are minimums required, promulgated on the basis of the applicant submitting a complete application and plans. The applicant shall be responsible and pay the Township of Barnegat upon notification, for any additional costs for professional services involved with the review, reports, expert advice or testimony, or other information required in the process of an application before a municipal agency.

The "Escrow Account Deposits" are required to pay the costs of professional services including engineering, planning, legal and other expenses connected with the review of submitted materials, including any traffic engineering review of the submitted materials, or any special analysis related to the Planning Board or Zoning Board of Adjustment's review of the submitted materials, or *any* necessary studies regarding "off-tract" improvements. An applicant is responsible to reimburse the Township of Barnegat for all expenses of professional personnel incurred and paid by the Township for the review process of an application for development and/or appeal before a municipal agency, such as, but not limited to:

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1. Charges for reviews by professional consultants and/or professional personnel of applications, plans and accompanying documents;
2. Issuance of reports by professional consultants and/or professional personnel to the municipal agency setting forth recommendations resulting from the review of any documents submitted by the applicant;
3. Charges for any telephone conference or meeting requested or initiated by the applicant, his attorney or any of his experts or representatives;
4. Review of additional documents submitted by the applicant and issuance of reports relating thereto;
5. Review of proposed or prior easements, developer's agreements, deeds, resolutions or the like;
6. Preparation for and attendance at all meetings by Professionals such as Planning Consultant, Traffic Engineer or other experts as required; and
7. The cost of expert advice or testimony obtained by the municipal agency for the purpose of corroborating testimony of applicant's experts.
8. The use of a court reporter or transcriber is at the discretion of the applicant. The applicant bears the responsibility of retaining a court reporter or transcriber if the applicant deems such services to be necessary. If a transcript of any proceeding is made, the applicant shall provide a copy of the same to the Township free of charge.

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CERTIFICATION

_____ the Developer/Applicant understand that a sum, to be determined by the Administrative Officer, will be deposited in an Escrow Account, in accordance with the Ordinances of the Township of Barnegat. I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and/or other expenses associated with the review of submitted materials. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days. I, the Developer/Applicant, as signed below, acknowledge familiarity with the procedures set forth in the Barnegat Township Land Use Code (Chapter 55) for submittals and required action and agree to be bound by it.

DATE

SIGNATURE OF OWNER OR APPLICANT

Social Security Number/Federal ID Number _____