

RESOLUTION 2013-249

**RESOLUTION OF THE TOWNSHIP OF BARNEGAT,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE REDUCTION OF A PERFORMANCE GUARANTEE
FOR WHISPERING HILLS, PHASE 2, SEWER SYSTEM FACILITIES**

WHEREAS, Walters Group, the developer of Whispering Hills, Phase 2 has requested the inspection and acceptance of the Sewer System Facilities; and

WHEREAS, the Township Engineer has inspected subject site, and recommends approving the reduction of the Performance Guarantee, Sewer System Facilities, contingent upon the following being completed::

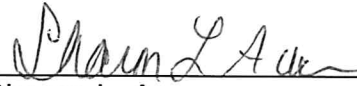
1. Developer must post Performance Guarantees prior to the filing of the subdivision plat for Whispering Hills, Phase 2
2. Developer must provide a balance in Whispering Hills Escrow Account in the amount of \$9,047.00.
3. Applicant must make application to the Township of Barnegat for a "Certificate of Completion" (Exhibit "D").
4. Applicant must submit all legal documents as are necessary to convey their interest in the facilities to the Township (Exhibit "E").
5. Applicant must submit an affidavit that all contractors, subcontractors and materials have been paid (Exhibit "F").
6. Manholes – Emerson Lane, SMH #26 requires 1202B cover and shall read BTS
7. Clean Outs – Emerson Lane, Clean outs need to be cut down to grade with inverted brass caps installed (Lots currently undeveloped) on Block 144.05, Lots 1 and 2, Block 144.09, Lots 1 through 17, Block 144.13, Lots 1 through 13.
8. Clean Outs – Sinclair Lane, Clean outs need to be cut down to grade with inverted brass caps installed (Lots currently undeveloped) on Block 144.10, Lots 1 through 16, Block 144.11, Lots 1 through 8.

	<u>Original Amounts</u>	<u>New Amounts by this Reduction</u>
Performance Guarantee	\$217,128.00	\$65,138.40
Surety Bond or Letter of Credit:	\$195,415.00	\$58,624.60
Cash:	\$ 21,713.00	\$ 6,513.00

THEREFORE BE IT RESOLVED by the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey that the request for the reduction of the Performance Guarantee for Whispering Hills, Phase 2, Sewer System Facilities is hereby

CERTIFICATION

I, Sharon L. Auer, Acting 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 20th day of May, 2013, at the Municipal Complex, 900 West Bay Avenue, Barnegat, New Jersey.

A handwritten signature in cursive script, appearing to read "Sharon L. Auer", is written above a horizontal line.

Sharon L. Auer
Acting Municipal Clerk