

RESOLUTION NO. 2023-319

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF
THE TOWNSHIP OF BARNEGAT, COUNTY OF OCEAN
AND STATE OF NEW JERSEY AUTHORIZING
EXECUTION AND RECORDING OF A CONVERTIBLE
TEMPORARY PERMANENT ACCESS EASEMENT
BETWEEN THE TOWNSHIP OF BARNEGAT AND
FORESTAR USA REAL ESTATE GROUP INC.**

WHEREAS, the Township Committee of the Township of Barnegat, County of Ocean, State of New Jersey (the “Township”) previously granted a Deed of Dedication to Forestar USA Real Estate Group, Inc. (“Forestar”) on January 17, 2023 and recorded in the office of the Ocean Clerk in Deed Book 192, Page 356 for property known as Block 90.34, Lot 67 on the Tax Map of the Township of Barnegat for the establishment of a new water tower and related facilities (“the Water Tower Lot”); and

WHEREAS, the Township previously received a Deed of Dedication from Forestar USA Real Estate Group, Inc.; and

WHEREAS, the Township now finds it necessary and appropriate to obtain an Easement over additional property adjacent to the Water Tower Lot in order to conduct its due diligence; and

WHEREAS, in order to utilize the additional lot, the parties need to execute and coordinate a Convertible Temporary/Permanent Access Easement which is on file in the office of the Township Clerk and can be viewed during normal business hours; and

WHEREAS, the Township accepts the recommendation of its professional staff and authorizes the execution in accordance with same; and

NOW THEREFORE BE IT RESOLVED this 5th day of September, 2023 by the Township Committee of the Township of Barnegat, County of Ocean, and State of New Jersey as follows:

1. The Township authorizes the execution and recording of the Convertible Temporary/Permanent Access Easement between the Township and Forestar USA Real Estate Group Inc. a copy of same is on file in the office of the Township Clerk and can be viewed during normal business hours.

2. A certified copy of this Resolution shall be forwarded by the Township Clerk to the following:

- (a) Mayor Pasquale Papi
- (b) Martin Lisella, Township Administrator
- (c) Kurt Otto, PE, Township Engineer
- (d) Roger Budd, Water and Sewer Utility Manager
- (e) Christopher J. Dasti, Esq., Township Attorney
- (f) Gary L. Green, Esq., Attorney for Forestar

CERTIFICATION

I certify that the forgoing Resolution was duly adopted by the Township of Barnegat at a meeting held on September 5th, 2023, a quorum being present and voting in the majority.

Donna M. Manno, RMC
Municipal Clerk