

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

**A RESOLUTION OF THE
HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY
AUTHORIZING THE ACCEPTANCE OF CERTAIN EASEMENTS AND
FACILITIES FROM BEAZER HOMES, LLC IN CONNECTION WITH THE
INDIAN FIELD, PHASE III DEVELOPMENT**

WHEREAS, the Hardyston Township Municipal Utilities Authority (the "Authority") owns and operates a water supply system and a wastewater conveyance system servicing the residents of Hardyston Township (collectively the "Systems"); and

WHEREAS, a development known as Indian Field was constructed in Hardyston Township (the "Township") in phases over the course of multiple years ("Indian Field Development")

WHEREAS, Phase III of the Indian Field Development was constructed and is currently owned by Beazer Homes, LLC (the "Developer"); and

WHEREAS, as a condition of approvals received from the Township the Developer was required to post certain performance security to ensure that the construction of the developments would be completed in accordance with Township approvals and that the water and sewer facilities associated with Indian Field Phase III (the "Facilities") would be properly transferred to the Authority; and

WHEREAS, as a condition of approvals received from the Township the Developer was required to transfer the Facilities as well as certain easements to the Authority upon the completion of the development; and

WHEREAS, the Indian Field Phase III development is now complete; and

WHEREAS, the Developer has fulfilled its obligations to the Authority with respect to providing a final inspection of the Facilities, and as-built drawings of the Facilities; and

WHEREAS, the Developer now desires to transfer of the Facilities and associated easements to the Authority; and

WHEREAS, the Authority desires to accept the Facilities, as-built drawings of the Facilities and associated easements; and

WHEREAS, the transfer of the Facilities to the Authority is necessary to ensure the health, safety and welfare of the residents of Indian Field Phase III, as well as the smooth and efficient operation of the Systems; and

NOW, THEREFORE, BE IT RESOLVED by the Board of the Hardyston Township Municipal Utilities Authority as follows:

1. The Chairman of the Board is hereby authorized and directed to execute the documents necessary to effectuate the transfer of the Facilities and associated easements from Beazer Homes, LLC to the Authority.

2. Following execution of all necessary and appropriate documents, the Authority's General Counsel is authorized and directed to properly record said documents.

3. Upon execution of all necessary and appropriate documents and upon receipt of a maintenance bond provided by Beazer Homes, LLC, the maintenance period associated with the Facilities shall begin.

4. Upon execution of all necessary and appropriate documents and upon receipt of a maintenance bond, the Authority's Engineer is authorized and directed to recommend to the Township that the Beazer Homes, LLC Performance Bond No. 104307972 and associated cash escrow be further reduced to account for the Facilities transferred to and accepted by the Authority.

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale)			
Vice Chairperson Kula	X			
Secretary Marples	X			
Treasurer Roof				X
Kaminski	X			
O'Grady				X

Certified to be a true copy of the Resolution adopted by the HTMUA at a meeting held on June 5, 2017

Patricia Egan
 _____, Recording Secretary