

RESOLUTION - PERFORMANCE GUARANTEE RELEASE/ACCEPT STREETS – TEN MILE RUN (PARK HILL ESTATES)

WHEREAS, the Township Clerk of the Township of Franklin, Somerset County, New Jersey 08873 has received the following:

NAME OF APPLICANT: Ten Mile Run Developers, LLC
812 Central Avenue, Westfield, NJ 07090

ITEM: Performance Bond
NUMBER: 3SM04524300
DOCKET: P99028P
INSURANCE CO./BANK: American Motorists Insurance Co.
IN THE AMOUNT OF: \$254,100.00
FOR: Site Improvements – Block 20.02/Lot 12.02, 12.04, 13.01 – South Middlebush Road, Franklin Park

ITEM: Irrevocable Letter of Credit
NUMBER: 725-SB
DOCKET: PLN2002-0025
INSURANCE CO./BANK: Union Center National Bank
IN THE AMOUNT OF: \$153,450.00
FOR: Site Improvements – Block 20.02/Lot 12.02, 12.04, 13.01 – South Middlebush Road, Franklin Park

ITEM: Performance Bond
NUMBER: BE2617950
DOCKET: P2000061SF
INSURANCE CO./BANK: Gulf Insurance Company
IN THE AMOUNT OF: \$180,247.38
FOR: Site Improvements – Block 20.02/Lot 12.02, 12.04, 13.01 – South Middlebush Road, Franklin Park

ITEM: Irrevocable Letter of Credit
NUMBER: 759-SB
DOCKET:
INSURANCE CO./BANK: Union Center National Bank
IN THE AMOUNT OF: \$148,692.98
FOR: Site Improvements – Block 20.02/Lot 12.02, 12.04, 13.01 – South Middlebush Road, Franklin Park – Section 4

WHEREAS, the aforesaid applicant has requested release of the aforesaid Performance Guarantees; and

WHEREAS, the Township Engineer, after inspection, recommends release of the aforesaid Performance Guarantees subject to receipt of a two (2) year Maintenance Bond in the amount of \$325,444.59; and

WHEREAS, in connection with the improvements required by said Performance Guarantees,

the following described road or portion of roads have been dedicated to the Township:

TEN MILE RUN BOULEVARD

A 66 feet wide road beginning at its intersection with South Middlebush Road (a/k/a/ Somerset County Route 615), said intersection being approximately 300 feet northerly from Old Stage Road, and extending westerly and northwesterly, along its various courses, a distance of approximately 425 feet to its intersection with Timberhill Drive.

TIMBERHILL DRIVE (NORTH OF TEN MILE RUN BOULEVARD)

A 50 feet wide road beginning with its intersection with Ten Mile Run boulevard and extending northeasterly, northwesterly, southwesterly, southerly, southeasterly and northeasterly a distance of approximately 3783 feet to an intersection with itself.

TIMBERHILL DRIVE (SOUTH OF TEN MILE RUN BOULEVARD)

A 50 feet wide road beginning with its intersection with Ten Mile Run Boulevard and extending southwesterly and easterly a distance of approximately 840 feet to its terminus in a cul-de-sac.

COBBLERS CIRCLE

A 50 feet wide road beginning at its intersection with Timberhill Drive, said intersection beginning approximately 903 feet northeasterly, then northwesterly from Ten Mile Run Boulevard, and extending southwesterly, westerly, northerly and northeasterly, along its various courses, a distance of approximately 1325 feet to another intersection with Timberhill Drive.

MINE BROOK LANE

A 50 feet wide road beginning at its intersection with Timberhill Drive, said intersection being approximately 1158 feet northeasterly, then northwesterly from Ten Mile Run boulevard, and extending southwesterly and westerly, along its various courses, a distance of approximately 398 feet to its intersection with Cobblers Lane.

YARDLEY COURT

A 50 feet wide road beginning at its intersection with Timberhill Drive, said intersection being approximately 2055 feet northeasterly, northwesterly, then southwesterly from Ten Mile Run Boulevard, and extending northwesterly, along its various courses, a distance of approximately 613 feet to its terminus in a cul-de-sac.

CANOE LANE

A 50 feet wide road beginning at its intersection with Timberhill Drive, said intersection being approximately 670 feet southwesterly, then westerly from Ten Mile Run Boulevard, and extending northerly, along its various courses, a distance of approximately 200 feet to another intersection with Timberhill Drive.

The above named roads as laid out on the following plats of "Ten Mile Run, residential development - Block 20.02 - Lots 12.01, 12.04 & 13.01, Township of Franklin, Somerset County, new Jersey", prepared by C.G. Engineers, Inc.:

- Amended Sections 1, 6 and Open Space Lots, dated July 31, 2000, revised to February 3, 2003 and filed in the Somerset County Clerk's Office on May 29, 2003 as Instrument No. 2003065895.
- Amended Sections 2&5, dated July 31, 2000 and filed in the Somerset County Clerk's

Office on May 29, 2003 as Instrument No. 2003065893.

- Amended Section 3, dated July 31, 2000, revised to February 3, 2003 and filed in the Somerset County Clerk's Office on May 29, 2003 as Instrument No. 2003065892.
- Amended Section 4, dated July 31, 2000, revised to February 3, 2003 and filed in the Somerset County Clerk's Office on April 29, 2004 as Instrument No. 2004033889.

WHEREAS, said roads or portion of roads have been duly inspected by the Township Engineer and the Director of Public Works and determined to be in conformity with applicable Township standards, and said persons have recommended acceptance of such roads or portion of roads as municipal roads;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Franklin, County of Somerset and State of New Jersey that the aforesaid Performance Guarantee be released to the above named applicant upon receipt of the aforesaid Maintenance Bond;

BE IT FURTHER RESOLVED that the Township Council of the Township of Franklin, Somerset County hereby accepts the dedication of the above listed roads or portion of roads as municipal roads open to the public as of the date of this resolution.

CERTIFICATION

I, Ann Marie McCarthy, Clerk of the Township of Franklin, in the County of Somerset, do hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the Township Council at a regular meeting held on the day of November 2009.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal of said Township this day of November 2009.

Ann Marie McCarthy
Township Clerk