

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

A RESOLUTION OF THE

HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

AUTHORIZING THE EXECUTION OF A DEVELOPER’S AGREEMENT

REGARDING DEVELOPMENT OF CRYSTAL SPRINGS II BETWEEN LAM

DEVELOPMENT GROUP AND

THE HARDYSTON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY

WHEREAS, the Lam Development Group (“Developer”) is now the purported owner and/or would-be developer of the following properties within the Crystal Spring II development, known and designated as Block 16.31, Lot 1, Block 16.32, Lots 1 and 2, and Block 16.33, Lot 1, Block 16.27, Lot 1, Block 16.36, Lot 1, Block 16.29, Lot 1, Block 16.30, Lot 1, and Lots 1.08 – 1.16, and Block 16.34, Lots 1.05 - 1.12, in in the Township of Hardyston (the “Subject Property” or the “Property”); and

WHEREAS, pursuant to the Crystal Springs II Masterplan General Development Plan Update #5, dated October 9, 2014, there are 302 housing units depicted on the entirety of the aforementioned Property, which is purportedly controlled and/or owned by Developer. These units include nine, 18-Unit condominium buildings along Tarrington Road, 12 Townhouse units along Tarrington Road, 8 golf villas along Devon Court, 70 Single Family-Zero Lot Line Units along Coventry Road, Ashbourne Court and Devon Court, and 50 Townhouse Units in a housing section known as Ardleigh at Crystal Springs (Block 16.27, Lot 1). These units are hereinafter referred to as the “Lam Development”; and

WHEREAS, Developer is in the process of constructing a development within the Township of Hardyston, County of Sussex and State of New Jersey; and

WHEREAS, as part of the land use approvals for said development from the Township, Developer is required to enter into written agreement(s) with the HTMUA regarding construction of water and sewer systems and conveyance of said systems to the HTMUA for operation; and

WHEREAS, Developer is a successor to Swedeland Development Group, a partnership, which entered into a Developer’s Agreement with the HTMUA on January 14, 1987; and

WHEREAS, Developer is a successor to, assign of and/or affiliated with C.S. Acquisition, a general partnership of the State of New Jersey, consisting of Crystal Springs Acquisition, L.L.C. and R.N.G. Realty, L.L.C., which general partnership entered into a Water System Developer’s Agreement with the HTMUA on May 10, 1995; and

WHEREAS, the parties hereto desire to modify, clarify and or reconfirm the provisions of said prior agreements with the Developer’s predecessors and/or affiliates by entering a Developer’s Agreement in the form substantially similar to the form attached hereto as **Exhibit A**;

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

1. The HTMUA Administrator is hereby authorized and directed to execute the Developer’s Agreement attached hereto and made a part hereof as **Exhibit A** as well as any and all ancillary documentation necessary to effectuate the intent and purpose of this Resolution and said Agreement.
2. The Administrator his hereby authorized and directed to have the Developer’s Agreement recorded with Sussex County Clerk’s office.
3. This Resolution shall take effect immediately upon adoption.

	YES	NO	ABSTAIN	ABSENT
Chairperson Cicerale	X			
Vice Chairperson Kula	X			
Secretary Marples	X			
Treasurer Kaminski	X			
O’Grady	X			
Van Allen (alt)				
Bazelewich (alt)				

Certified to be a true copy of the Resolution adopted by the HTMUA at a meeting held on April 1, 2020

Patty Egan

Recording Secretary