

**RESOLUTION 2014 - 93**

**RESOLUTION AUTHORIZING THE RELEASE  
OF PERFORMANCE GUARANTEE FOR  
GREENBRIAR OCEANAIRE, SECTION 4,  
PHASE C, CONCRETE MONUMENTS**

**WHEREAS**, Lennar Corporation has currently developed an age restricted residential housing development within the Township of Ocean; and

**WHEREAS**, in accordance with the approvals previously received for this project, the applicant has posted certain Performance Guarantees for that portion of the project known as Section 4, Phase C, Concrete Monuments; and

**WHEREAS**, in accordance with said approvals, the developer has posted, with the Township, a Performance Guarantee in the amount of \$3,360.00 to assure the complete installation of concrete monuments as recommended in the Planning Board Engineer's Bond estimate; and

**WHEREAS**, the applicant, Lennar, has posted a Bond, No. 929367255 issued by Continental Insurance Company dated May 9, 2005 in the amount of \$3,024.00 as well as a cash Bond in the amount of \$336.00 in order to meet this requirement; and

**WHEREAS**, the developer has now requested that the Township authorize the release of said Performance Guarantee as the work has been completed in accordance with the approvals; and

**WHEREAS**, by letter dated December 18, 2013 T&M Associates, Township Engineer has recommended to the Township Committee that said Performance Guarantee be released as they have determined that the work has been completed in substantial conformance with the approved subdivision plans and Planning Board approvals; and

**WHEREAS**, the Township Committee wishes to accept the recommendation of its Consulting Engineer.

**NOW, THEREFORE BE IT RESOLVED** this 9<sup>th</sup> day of January, 2014 by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey as follows:

1. The applicant's request for release of Performance Guarantee as set for herein be and hereby is approved subject to the requirement that the

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applicant's developer reimburse the Township for all costs of any outstanding construction inspection fees for this project.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the following:

1. Marleen Miller, Treasurer
2. David Breeden, Township Admin.
3. James Oris, Township Engineer
4. John Ritter, Greenbriar Oceanaire Community Association
5. Anthony Mignone, Lennar Corp.

### **CERTIFICATION**

I certify that the foregoing Resolution was duly adopted by the Township Committee of the Township of Ocean, County of Ocean, State of New Jersey at a regular meeting held on the 9<sup>th</sup> day of January, 2014, quorum being present and voting in the majority.

\_\_\_\_\_  
Diane B. Ambrosio, RMC Municipal Clerk

Prepared by:  
Gregory P. McGuckin, Esq.  
Dasti, Murphy, McGuckin,  
Ulaky, Cherkos & Connors

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