

WEST DEPTFORD TOWNSHIP

RESOLUTION #2017-279

**RESOLUTION OF THE TOWNSHIP OF WEST DEPTFORD AUTHORIZING EXECUTION OF
A SETTLEMENT AGREEMENT BETWEEN THE TOWNSHIP OF WEST DEPTFORD, A.
ROMI COHN AND AMERICAN SOUTHERN INSURANCE COMPANY (NUNC PRO TUNC)
(PARADISE ESTATES)**

WHEREAS, the West Deptford Township Planning Board, per Resolution 2005-6A adopted on July 26, 2005, granted Final Major Subdivision Approval for the project commonly known as "Paradise Estates"; and

WHEREAS, in connection with the Final Major Subdivision Approval for Paradise Estates, the previous developer, Paradise Realty Group, LLC was required to post a performance bond with the Township of West Deptford (hereinafter referred to as "Township") to ensure the completion of the improvements; and

WHEREAS, the performance bond was posted in the amount of \$164,900; and

WHEREAS, Paradise Realty, LLC completed certain improvements at the property in accordance with the plans approved by the West Deptford Planning Board; and

WHEREAS, Paradise Realty, LLC had defaulted in its obligation to complete the improvements in accordance with the approved plans with various items of incompleteness existing; and

WHEREAS, A. Romi Cohn is the owner of ten (10) vacant lots and one (1) basin lot covered by the performance bond posted; and

WHEREAS, the Township has filed civil litigation under Docket No. GLO-L-1164-16 joining as Defendants, American Southern Insurance Company as the "Surety" and A. Romi Cohn as the "Owner" to secure completion of the improvements; and

WHEREAS, the Township, the Owner and the Surety desire to enter into a Settlement Agreement to resolve any and all claims by and between them arising out of or relating to the

lots and basin owned by A. Romi Cohn and the completion of the improvements without the admission of liability and without the costs of a potential trial; and

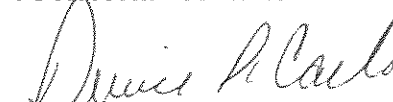
WHEREAS, a Settlement Agreement has been prepared and reviewed by all parties and is attached hereto.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of West Deptford, County of Gloucester and State of New Jersey on this 20th day of September, 2017 that the Township of West Deptford does hereby authorize the execution of the attached settlement agreement between the Township of West Deptford, A. Romi Cohn and American Southern Insurance Company (nunc pro tunc) to resolve any and all claims by and between them arising out of or relating to the lots and basin owned by A. Romi Cohn and the completion of the improvements.

BE IT FURTHER RESOLVED that the Mayor and/or Township Administrator are hereby authorized to execute all appropriate documents and agreements regarding this matter.

ADOPTED at the meeting of the Township Committee of the Township of West Deptford held on September 20, 2017.

TOWNSHIP OF WEST DEPTFORD



DENISE DICARLO, Mayor

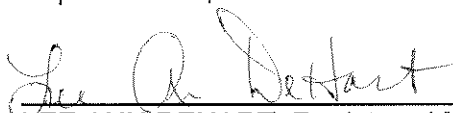
ATTEST:



LEE ANN DEHART, Registered Municipal Clerk

CERTIFICATION

I, Lee Ann DeHart, Registered Municipal Clerk, of the Township of West Deptford, in the County of Gloucester, do hereby certify that the foregoing Resolution was presented and duly adopted by the Township Committee at a meeting of the Township of West Deptford held on September 20, 2017.



LEE ANN DEHART, Registered Municipal Clerk