

**RESOLUTION 2020 – 48**

**RESOLUTION OF THE TOWNSHIP OF LITTLE EGG HARBOR, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING THE COMMENCEMENT OF DRAW DOWN PROCEEDINGS AGAINST THE PERFORMANCE BOND POSTED BY HARBOR VIEW ESTATES, LLC FOR THE PROJECT KNOWN AS HARBOR VIEW ESTATES (BLOCK 326, LOT 63)**

**WHEREAS**, the Township of Little Egg Harbor required the posting of a performance bond guarantee for the project known as Harbor View Estates; and

**WHEREAS**, the Township Engineer has reported that, despite repeated inspections and punch lists, the developer has failed to properly complete the work for Harbor View Estates; and

**WHEREAS**, the Township of Little Egg Harbor's outside Engineer, T&M Associates, has agreed to this course of action against the performance bond for Harbor View Estates; and

**WHEREAS**, the Township Council desires to act upon the recommendation of the Township Engineer; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Council of the Township of Little Egg Harbor, County of Ocean, State of New Jersey, as follows:

1. Harbor View Estates, LLC is hereby declared in default in the performance, construction, and completion of the items covered by Performance Bond No. FP0020472 issued by First Indemnity Insurance Company and Resolution No. 2015-223.
2. That the Township Engineer and Township Attorney are hereby authorized to commence draw down proceedings against the performance bond posted for the development project known as Harbor View Estates.
3. That upon the adoption of this Resolution, the Clerk is authorized and directed to forward a certified copy of it to the Developer, Harbor View Estates, LLC, First Indemnity Insurance Company, Township Engineer, Township Attorney, Administrator, Chief Financial Officer, and any other interested parties.

**CERTIFICATION**

I, **DIANA K. MCCRACKEN, RMC**, Municipal Clerk of the Township of Little Egg Harbor, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Committee on the 9<sup>th</sup> day of January 2020.



**DIANA K. MCCRACKEN, RMC**  
Township of Little Egg Harbor