

WHEREAS, the Planning Board of Millstone Borough has been named as a defendant in certain litigation commenced in the Superior Court of New Jersey, Law Division, Somerset County, Docket No. SOM-L-1970-02, entitled Van Cleef Family Limited Partnership and Riverside, LLC, as plaintiffs vs. The Borough of Millstone and the Planning Board of Borough of Millstone, as defendants; ("the Litigation"), and

WHEREAS, the Rezem Family Associates, L.P. has joined in the Litigation; and

WHEREAS, the Litigation has been transferred to the Council on Affordable Housing, under which mediation has taken place among the parties to the Litigation; and

WHEREAS, the Planning Board wishes to amicably resolve the Litigation, conclude the mediation before the Council on Affordable Housing, and proceed with an amended petition for substantive certification before the Council or' Affordable Housing.

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Borough Millstone, County of Somerset, State of New Jersey that the Planning Board hereby agrees to and authorizes the entry into an agreement with the Rezem Family Associates, L.P. in a form substantially similar to that attached hereto for the purposes set forth in the recitals set forth above; and

FURTHER RESOLVED, that the Chair and Planning Board Recording Secretary be and are hereby authorized to execute the above reference agreement on behalf of the Planning Board.

Keith Dorschner, Chair Planning Board

I hereby certify that this is a true copy of a resolution adopted by the Millstone Borough Planning Board on October 15, 2007 and memorializing action taken on August 28, 2007.

Denise Piskowski
Planning Board Recording Secretary