

**TOWNSHIP OF CHESTERFIELD**

**RESOLUTION 2019-5-6**

**RESOLUTION AUTHORIZING SETTLEMENT OF LITIGATION WITH  
K. HOVNIANIAN AT CHESTERFIELD, LLC**

**WHEREAS**, the Township of Chesterfield has had continuing disputes with K. Hovnianian at Chesterfield, LLC (herein “K. Hovnianian”) regarding Phases IV, V and VI of Heritage at Old York Village, and the Developer’s obligations with regard to same, and as a result of which, K. Hovnianian filed suit against the Township in April 2018; and

**WHEREAS**, in May 2018, the Township filed an Answer & Counterclaim against K. Hovnianian in said litigation; and

**WHEREAS**, over the last year, the parties have worked towards resolving their outstanding differences, and have reached an agreement that both the Township and K. Hovnianian deem to be in their respective best interests, which Agreement is memorialized in a “Settlement Agreement and Release” which document is attached hereto and made a part hereof;

**WHEREAS**, the Township Engineer prepared a memorandum on May 9, 2019 (“Township Engineer's Memorandum”), attached hereto, containing a punch list of items to be completed prior to, or as a condition of the Performance Bond release, and a punch list of items relating to K. Hovnianian's Maintenance Bond; and

**WHEREAS**, the Township Committee deems it appropriate to authorize the execution of said Settlement Agreement by the Township Attorney, subject to completion of the items as set forth in the Township Engineer's Memorandum.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Chesterfield, State of New Jersey that the Township Attorney be and is hereby

authorized and directed to execute the attached "Settlement Agreement and Release" with K. Hovnanian at Chesterfield, LLC, subject to completion of the punch list items as set forth in the Township Engineer's Memorandum to the Township Engineer's satisfaction

**CHESTERFIELD TOWNSHIP COMMITTEE**

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I, Caryn M. Hoyer, Clerk of the Township of Chesterfield in the County of Burlington and State of New Jersey do hereby certify the foregoing Resolution to be a true and accurate copy of the Resolution approved by the Township Committee at a duly advertised meeting held on May 9, 2019, at which a quorum was present.

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Caryn M. Hoyer, RMC  
Township Clerk

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