

**RESOLUTION AUTHORIZING EXECUTION OF DEED OF EASEMENT
AND RIGHT OF WAY IN BUTLER BOROUGH PARK FOR
PERMANENT SEWER EASEMENT**

WHEREAS, the Pequannock River Basin Regional Sewerage Authority (the “Authority”) proposes to construct an 18” diameter sanitary sewer line underneath the Butler Borough Park and therefore it is necessary to remove the Green Acres restrictions for its construction, maintenance and use (the “Project”); and

WHEREAS, in conjunction with the Project, it is necessary to remove the Green Acres restrictions for a permanent sewer easement consisting of 1,655.96 square feet (0.038 acres) in Block 14, Lot 30 situated in Borough Butler Park and set forth in a metes and bounds description prepared by DMC Associates, Inc. Professional Land Surveyors, dated August 13, 2018 (the “PRBRSA Permanent Sewer Easement”) included in the “Green Acres Application, Pre-Application and Final Application for Minor Disposal or Diversion of Parkland, Proposed Sanitary Sewer Installation, Borough of Butler Parkland Lot 30, Block 14,” (the “Green Acres Diversion Parcel”); and

WHEREAS, the Authority has previously adopted Resolution No. R-18-9-3 authorizing payment in the not-to-exceed sum of \$2,781.45 to the Borough of Butler, subject to approval by the State House Commission of the minor diversion or disposal necessary for PRBRSA’S Permanent Sewer Easement that was the subject of the Green Acres Application, as full Green Acres compensation for said diversion or disposal to be utilized towards installation of two new park benches and concrete base pads on Lots 1 and 30 in Block 14, to be completed by the Borough of Butler within six months of State House Commission approval; and

WHEREAS, the NJDEP Commissioner and the State House Commission agreed to release the Green Acres Diversion Parcel from Green Acres restrictions under the terms and conditions approved by the NJDEP Commissioner on February 4, 2019 and by the State House Commission on May 9, 2019 (DEP SHC File #1403001) as described in Schedule C to the Green Acres Release and Compensation Agreement that is to be executed by the Borough of Butler; and

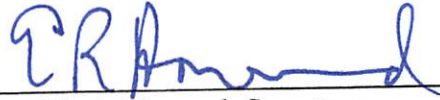
WHEREAS, the Authority desires to authorize the execution of the Deed of Easement and Right of Way for the Green Acres Diversion Parcel in substantially the form attached hereto and which is subject to Ordinance approval by the Borough of Butler upon or after the Borough's execution of the Green Acres Release and Compensation Agreement for the Green Acres Diversion Parcel.

NOW, THEREFORE, BE IT RESOLVED, by the Pequannock River Basin Sewerage Authority in the Counties of Morris and Passaic in the State of New Jersey on this 19th day of June, 2019 as follows:

1. The Authority authorizes the Chairman to execute the Deed of Easement and Right of Way, in substantially the form attached hereto, which shall become effective on the full execution of the: (1) Green Acres Release and Compensation Agreement by and between the State of New Jersey Department of Environmental Protection and Borough of Butler for the Green Acres Diversion Parcel; and (2) Deed of Easement and Right of Way in substantially the form attached hereto.
2. This Resolution shall take effect immediately.

CERTIFICATION

Certified to be a true copy of a Resolution enacted at a duly convened public meeting of the Pequannock River Basin Regional Sewerage Authority on June 19, 2019.

A handwritten signature in blue ink, appearing to read "E. Howard", written over a horizontal line.

Edwin Howard, Secretary