

**RESOLUTION AUTHORIZING THE EXECUTION  
OF AN ENCROACHMENT AGREEMENT WITH J.T.  
MASE RESIDENTIAL PROPERTIES, L.L.C. FOR  
CROSSING AND INSTALLING UTILITIES OVER  
ROCKAWAY VALLEY REGIONAL SEWERAGE  
AUTHORITY'S INTERCEPTOR SEWER  
EASEMENT**

WHEREAS, pursuant to an Easement Agreement, executed in 1977 and attached hereto as Exhibit 1, (the "Easement Agreement") between the Rockaway Valley Regional Sewerage Authority (the "Authority") and the former Owner of 98 Old Denville Road, Township of Boonton, designated as Block 41001, and Lot 5 (the "Property"), the Authority is the holder of Easement rights over the Property for the construction, operation, maintenance, and repair of an Interceptor Sewer to collect wastewater from municipalities serviced by the Authority; and

WHEREAS, Section 6 of the Easement Agreement, entitled Improvements by Owner, grants the Owner of the Property the right to place along, across, and over the Interceptor Sewer roads, and utilities; and

WHEREAS, J.T. Mase Residential Properties, L.L.C. ("J.T. Mase") is the current Owner of the Property; and

WHEREAS, pursuant to Section 6 of the Easement Agreement, J.T. Mase seeks consent to cross Easement Area on the Property with driveways and utilities, as shown on the Final Subdivision Plat, prepared by Dykstra Walker Design Group, PA, dated April 14, 2009 ("Subdivision Plat") attached hereto as Exhibit 2; and

WHEREAS, J.T. Mase requests the permission of the Authority to cross the Easement Area in accordance with the Subdivision Plat.

NOW, THEREFORE, BE IT RESOLVED by the Rockaway Valley Regional Sewerage Authority as follows:

1. The Executive Director of RVRSA is hereby authorized to execute the attached Encroachment Agreement granting permission for the crossing and installation of driveways, roads, and utilities in accordance with the Subdivision Plat.
2. Subject to the submission of a form of Encroachment Agreement acceptable to the Executive Director.

I hereby certify that this Resolution was adopted at a meeting of the Rockaway Valley Regional Sewerage Authority held on April 08, 2010

On motion of Glenn Corbett

Seconded by Bruce MacNeal

And a Roll Call Vote as Follows:

Yeas: (9 ) Cegelka, Corbett, Guadagno, Lowell, MacNeal, Schaefer, Schorno, Schulman and Secco

Nays: (0) None

Abstain: (0)None

Absent: (1) Klingener



Bruce W. MacNeal  
Secretary