

RESOLUTION OF THE BOROUGH OF WHARTON, IN THE COUNTY OF MORRIS, NJ, ACCEPTING AND AUTHORIZING THE EXECUTION OF A WATER UTILITY EASEMENT FROM DP WHARTON, LLC, TO THE BOROUGH OF WHARTON

WHEREAS, the Borough of Wharton (the “Borough”) is a political subdivision of the State of New Jersey, located in the County of Morris; and

WHEREAS, DP Wharton LLC (the “Developer”) is the owner of certain land designated as Lot 14 in Block 1212 in the Borough of Wharton, County of Morris, NJ (the “Developer’s Property”); and

WHEREAS, by Resolution dated February 11, 2020, Equinet Properties, LLC, received Preliminary and Final Site Plan Approval with associated variances and waivers from the Planning Board of the Borough of Wharton for the construction of a four (4) story 60-unit multi-family residential apartment building with a below grade parking garage and paved surface parking adjacent to the building on Developer’s Property (the “Project”); and

WHEREAS, the project is serviced through the Borough’s existing water system with a connection, consisting of water mains, laterals, curb boxes and other related appurtenances and facilities (the “Water Facilities”), to be constructed by Developer and dedicated to the Borough for public use; and

WHEREAS, as a condition of approval, Developer is required to grant a water utility easement to the Borough, a copy of which is attached as “Attachment A” (the “Water Utility Easement”).

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Wharton, in the County of Morris, New Jersey, as follows:

Section 1. The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

Section 2. The Borough hereby accepts and authorizes the terms of the Water Utility Easement attached hereto.

Section 3. The Mayor of the Borough is hereby authorized and directed to execute the Water Utility Easement. The Clerk of the Borough is hereby authorized and directed to attest the Mayor's signature and affix the seal of the Borough to the Water Utility Easement. Upon execution and attestation of same, the Mayor is hereby authorized to deliver the Water Utility Easement to DP Wharton, LLC.

Section 4. This Resolution shall take effect immediately.

Adopted: January 26, 2026

BOROUGH OF WHARTON

**WILLIAM J. CHEGWIDDEN,
MAYOR**

ATTEST:

**CHERYL MUZZILO,
BOROUGH CLERK**