

BOROUGH OF RED BANK

COUNTY OF MONMOUTH

RESOLUTION NO. 08-92

**A RESOLUTION AUTHORIZING RELEASE OF DEVELOPER'S AGREEMENT WITH
THE GEMINI GROUP, L.L.C. AND THE TWO RIVER THEATRE COMPANY**

Ms. Lee offered the following resolution and moved its adoption:

WHEREAS, on July 8, 2003, a Developer's Agreement was executed by the Borough of Red Bank the Gemini Group, L.L.C. and the Two River Theatre Company, for the Two River Theatre, located on Bridge Avenue, which agreement was later recorded with the Monmouth County Clerk at Book OR-8317, Page 395; and

WHEREAS, all of the terms and conditions of that Developer's Agreement have been fulfilled according to the Borough Engineer and the Director of Planning and Zoning;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank as follows:

a. The Mayor and the Borough Clerk are hereby authorized to execute a Deed of Release, in the form annexed hereto, releasing the Gemini Group and the Two River Theater Company from the above-described developer's agreement.

BE IT FURTHER RESOLVED that the Borough Clerk shall forward certified true copies of this resolution to the Borough Engineer, the Director of Planning and Zoning, and to Gordon N. Litwin, Esq., Ansell, Zaro, Grimm and Aaron, P.C., 60 Park Place, Suite 1114, Newark, New Jersey 07102.

Seconded by Ms. Horgan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Curley	(x)	()	()	()
Mr. Murphy	()	()	()	(x)
Ms. Lee	(x)	()	()	()
Mr. DuPont	()	()	(x)	()
Ms. Cangemi	(x)	()	()	()
Ms. Horgan	(x)	()	()	()

Dated: April 14, 2008