

RESOLUTION R-13-56

**RESOLUTION AUTHORIZING AND APPROVING
MUTUAL RELEASE AND SETTLEMENT AGREEMENT**

WHEREAS, FRANCIS E. PHILLIPS, SR., and PATRICIA PHILLIPS, Husband and Wife, are the Owners of property known as Lot 6 of Block 30 on the Township of South Harrison Tax Map, a/k/a 26 Lake Street; and

WHEREAS, various claims were asserted by the Phillips against the Township for property damage and flooding affecting their property known as Lot 6 of Block 30 on the Township of South Harrison Tax Map; and

WHEREAS, the Phillips further produced documentation to the Township by way of a Plan of Survey prepared by Datz Engineering & Land Surveying, wherein it was revealed that the dwelling located upon Lot 6 of Block 30 is located within the Jackson Street right-of-way, in addition to other improvements upon the Phillips property that are within the Lake Street right-of-way; and

WHEREAS, the Phillips have previously demanded compensation from the Township for the alleged property damage and flooding affecting their property; and

WHEREAS, the Township and Mr. & Mrs. Phillips have successfully negotiated an amicable resolution to the Phillips' demands and desire to resolve this matter, without resort to the expense and uncertainties of protracted litigation.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of South Harrison, County of Gloucester and State of New Jersey, that the Township Committee does hereby authorize the execution of the Mutual Release and Settlement Agreement, forthwith after the adoption hereof.

BE IT FURTHER RESOLVED, that the proper Officers of the Township are hereby authorized and directed to forward a fully-signed copy of the Mutual Release and Settlement Agreement directly to Brian P. Stouffer, Esq., Counsel for Mr. & Mrs. Phillips.

TOWNSHIP OF SOUTH HARRISON

BY: _____
JAMES MCCALL, MAYOR

Dated: June 12, 2013

ATTEST:

NANCY E. KEARNS, RMC,
TOWNSHIP CLERK

CERTIFICATION

I hereby certify the above to be a true and complete copy of a Resolution that was adopted by the Township Committee of the Township of South Harrison at the Regular Meeting held on the 12th day of June, 2013.

NANCY E. KEARNS, RMC,
TOWNSHIP CLERK