

Future Improvement Agreement

Future Improvement Agreement entered into this _____ day of _____ between the County Planning Board of the County of Middlesex party of first part and _____ hereafter referred to as second party.

Whereas, second party is acquiring a parcel of land created by the application for a subdivision of premises known as:

Whereas, second party hereby certifies to be sole free owner of the premises referred to the above at the time of executing this agreement with the full authority to execute this agreement, and;

Whereas, the party of the first part has agreed to defer certain requirements of the Subdivision Resolution of Middlesex County as shown in the minutes of the meeting of _____ until such time as any part of the subject premises being subdivided should again be subject to the jurisdiction of the Planning Board of Middlesex County, and;

Whereas, second party does request such action by the party of the first part and further agrees to the terms and conditions contained herein it is thereupon agreed to as follow:

1. It is acknowledged that party of the first part has classified the subdivision described above by resolution dated _____.
2. In the event any of the land which constitutes a part of the subdivision referred to the above shall again become subject to the jurisdiction of the Middlesex County Planning Board because either or both the County Site Plan Review Resolution or Land Subdivision Resolution applies, then at the time any further application shall be made affecting said lands, the County Planning Board shall have the right to require compliance with all terms and conditions of the Land Subdivision and/or Site plan Resolution this in effect as to any or all of the lands which constitute a part of this subdivision, as provided for by law.

In the event any of the land which is constitutes a part of the subdivision shall be sold, the party of the second part shall include a clause in said Deed to said purchasers that such sale is subject to the jurisdiction of the Middlesex County Planning Board.

3. In the event any applicant, successor, assigns, agents, or purchasers should require a building permit for any construction upon those premises which constitute a part of the subdivision referred to the above then the land as described herein shall be subject to the jurisdiction of the Site Plan Review Resolution of Middlesex County, New Jersey and Section 10-6.2, 10-7.10 of the Land Subdivision Resolution, or any of such sections as revised or amended.
4. That a deed and/or declaration of restrictions, covering all of the and which constitutes a part of this subdivision reciting the condition set forth in the above shall be recorded at the Applicant's expense within ninety (90) days from the dated of the final approval of this subdivision by the municipality by second party.
5. Non-Enforcement by the Middlesex County Planning Board shall not be deemed a waiver of the Board's right to enforce this agreement.

In Witness Whereof, the parties have set their hands and seals or caused their present to be signed by their authorized officers.

Attest: _____ Corporation
Secretary By: _____ President

Attest: _____ Middlesex County Planning Board
By: _____ Chairman

County Engineer: I certify that the above improvements required by the Subdivision and Site Plan Review Committee, in my opinion, are related to the safety and convenience of the traveling public and are necessitated by an increase in traffic volumes, potential safety hazards or impediments to traffic flows caused by the application and in accordance with the engineering and planning standards established in the applicable resolution of the Board of Chosen Freeholders.

Approved: _____ Signed: _____
Ronald Sendner, Supervising Engineer Richard Wallner, County Engineer

County Planning Board Attorney: I certify that the above improvements required by the Subdivision and Site Plan Review Committee, in my opinion, are within the powers of the Planning Board as provided in R.S. 40:27-6 et sequitur.

Signed: _____
Steven D. Cahn, Planning Board Attorney

**CORPORATE
ACKNOWLEDGMENT**

STATE OF NEW JERSEY:
SS:
COUNTY OF MIDDLESEX:

I certify that on this day _____ of _____, 20__ personally came before me and this person acknowledged, under oath, to my satisfaction, that:

- A) This person is _____ the **Secretary of** _____, the **Corporation** described in the foregoing documents;
- B) This person is the attesting witness to the signing of the said documents by the proper Corporate Officer who is _____, the _____, **President of the Corporation;**
- C) The documents were signed and delivered by the corporation as its voluntary act duly authorized by a proper corporate resolution;
- D) This person knows the proper seal of the Corporation, which was affixed to said documents; and
- E) This person signed this proof to attest to the truth of these facts.

Signed: _____
Print name of Attesting Witness and Title

Notary:

Sworn to and subscribed before me on
this _____ day of _____, 20__

**PARTNERSHIP
ACKNOWLEDGMENT**

STATE OF NEW JERSEY:

SS:

COUNTY OF MIDDLESEX:

I certify that on this day _____ of _____, 20__ personally came before me and appeared _____, to me known and known to me to be one of the members of the firm of _____, described in and who executed the foregoing instruments, and acknowledged to me that executed the same as and for the same as for the act and deed of said firm.

Signed: _____
Print name of Attesting Witness and Title

Notary:

Sworn to and subscribed before me on
this _____ day of _____, 20__

**INDIVIDUAL
ACKNOWLEDGMENT**

STATE OF NEW JERSEY:

SS:

COUNTY OF MIDDLESEX:

I certify that on this day _____ of _____, 20__ personally came before me and appeared _____, to me known and known to me to be the person described in and who executed the foregoing instruments, and acknowledged to me that executed the same.

Signed: _____
Print name of Attesting Witness and Title

Notary:

Sworn to and subscribed before me on
this _____ day of _____, 20__

