



BOROUGH OF HIGHLANDS  
COUNTY OF MONMOUTH

## RESOLUTION 24-221

**DESIGNATING SCENIC HIGHLANDS OWNER, LLC AS THE CONDITIONAL REDEVELOPER FOR THE PROPERTY KNOWN AS TAX BLOCK 105.107, LOT 1.1 LOCATED WITHIN THE SHADOW LAWN MOBILE HOME PARK REDEVELOPMENT AREA AND AUTHORIZING THE EXECUTION OF AN INTERIM COSTS AGREEMENT WITH RESPECT THERETO**

**WHEREAS**, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, on March 21, 2018, the Council of the Borough of Highlands, a municipal corporation in the County of Monmouth and the State of New Jersey (the “**Borough**”), in accordance with the Redevelopment Law, duly adopted Resolution No. 18-069 designating certain real property commonly referred to as the Shadow Lawn Mobile Home Park and identified as Block 105.107, Lot 1.1 on the tax map of the Borough as an area in need of redevelopment (the “**Redevelopment Area**”); and

**WHEREAS**, on December 19, 2018, the Borough adopted the Shadow Lawn Mobile Home Park Redevelopment Plan for the Redevelopment Area (the “**Redevelopment Plan**”), establishing the development standards for the redevelopment of the Redevelopment Area; and

**WHEREAS**, Scenic Highlands Owner, LLC (the “**Company**”) is the contract purchaser of the Redevelopment Area; and

**WHEREAS**, the Company proposes to develop the Redevelopment Area with up to five (5) six (6) story residential buildings, including two (2) stories below grade for parking with approximately (i) 300 rental units including a 15% set aside for affordable units; and (ii) associated parking, clubhouse, and amenity spaces (the “**Project**”); and

**WHEREAS**, the Borough wishes to engage in preliminary negotiations with the Company in furtherance of the redevelopment of the Redevelopment Area thereby, in particular to negotiate a more comprehensive agreement(s) that will memorialize the terms and conditions under which the Company will redevelop the Redevelopment Area (the “**Redevelopment Agreement**”); and

**WHEREAS**, the Borough has determined that in order to coordinate the redevelopment of the Redevelopment Area in the most timely and efficient manner, it is in the best interests of the Borough to designate the Company as the conditional redeveloper of the Redevelopment Area (the “**Conditional Redeveloper**”), pending the negotiation and execution of, among other agreements, a Redevelopment Agreement with the Borough; and

**WHEREAS**, the Borough desires to authorize the execution of an interim costs agreement with the Company (in the form attached hereto as **Exhibit A**, the "**Interim Costs Agreement**") for the purpose of creating a framework for the negotiation and execution of a Redevelopment Agreement.

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

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

Section 2. The Company is hereby designated as the Conditional Redeveloper of the Redevelopment Area pending the execution of a Redevelopment Agreement with the Borough.

Section 3. The within designation is hereby made for a limited period of one hundred eighty (180) days, or as otherwise may be extended in accordance with Section 4 hereof, during which time negotiation and execution of a redevelopment agreement and other related items with the Borough shall be completed.

Section 4. The Mayor or Borough Administrator (each an "**Authorized Officer**") in each of their sole discretion, after consultation with such counsel and any advisors to the Borough, may extend the time period set forth in Section 3 hereof for an additional period not to exceed ninety (90) days.

Section 5. The within designation is contingent upon (i) the Company providing any additional Project related information as may be requested by the Borough; (ii) the Company agreeing to reimburse the Borough for any and all Interim Costs (as defined in the Interim Costs Agreement) in accordance with the Interim Costs Agreement and (iii) negotiating and executing a Redevelopment Agreement between the Borough and the Company.

Section 6. In the event that the Company has not executed a redevelopment agreement with the Borough, all in accordance with the time periods set forth in Section 1 hereof, or as otherwise may be extended by an Authorized Officer, in such Authorized Officer's sole discretion, in accordance with Section 2 hereof, the Borough's conditional designation of the Company as redeveloper for the Redevelopment Area shall expire and be of no further force and effect and the Borough shall have no further obligation to the Company.

Section 7. The The Mayor and Borough Clerk are hereby authorized and directed to execute the Interim Costs Agreement, with such changes, omissions or amendments as

such officer deems appropriate in consultation with the Borough's redevelopment counsel and other professionals.

Section 8. This resolution shall take effect immediately.

Motion to Approve R 24-221:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: December 18, 2024

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Nancy Tran, Municipal Clerk  
Borough of Highlands