

## AGREEMENT

**THIS AGREEMENT**, made on November 29, 2023, between, MDL Realty, LLC (“Applicant”) with an address at 8 Dawn Place, Wayne, New Jersey 07470, and Passaic County (“County”), with an address at 401 Grand Street, Room 417, Paterson, New Jersey 07505 (“Applicant” and “County” collectively referred to as the “Parties”).

### WITNESS:

WHEREAS, Applicant filed an Application for Site Plan Approval (“Application”) to construct and develop real property on a Passaic County roadway located 47-51 Goffle Road, Hawthorne; Block 9, Lots 6 & 7, New Jersey (“Project”); and

WHEREAS, a Site Plan, originally dated July 22nd, 2020, revised as of November 1st, 2023 (“Site Plan”), prepared by Bruce D. Rigg, P.E. (N.J. Lic. No. 22720) was submitted for approval to the Passaic County Planning Board (“County Board”), received County Board approval with conditions on November 29th, 2023 (“Site Plan Approval”), subject to certain terms and conditions set forth therein; and

WHEREAS, the Site Plan Approval, specifically requires the Applicant to enter into an agreement to dedicate 116 feet of its property that extends 30 feet from the roadway centerline towards the Project, at a later date when requested by the Passaic County Engineer (“County Engineer”) or the County Board, at no cost to the County; and

WHEREAS, the Applicant submits this Agreement to comply with the terms of the Site Plan Approval.


NOW, THEREFORE, for good and valuable consideration received by Applicant, and for further good cause, Applicant herewith agrees to the following:

1. In consideration of the County Board’s Site Plan Approval, Applicant agrees to provide a future Dedication to the County for the 60-foot Master Plan Right-of-Way, if and when requested by the County Engineer or the County Board.
2. The Parties understand and acknowledge that the Passaic County Master Plan currently provides for a right-of-way of 60 feet and is depicted on the Applicant’s Site Plan.
3. The Parties further understand and acknowledged that the Applicant’s Site Plan provides a 20.625 foot wide right-of-way half-width in partial compliance with the 60-foot Master Plan right-of-way, leaving the Applicant with providing for an additional future right-of-way dedication equal to 9.375 feet.
4. The Parties further understand and acknowledge that, if and when, the County Engineer, or the County Board, demand the additional right-of-way dedication, Applicant will be required to submit a right-of-way dedication of an additional 9.375 feet not provided as a right-of-

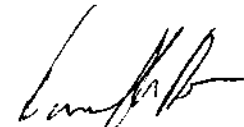
way on Applicant's Site Plan.

5. This Agreement is intended to provide to the County the right-of-way dedication described herein which shall be memorialized in a Deed of Dedication between the Applicant and the County.

**Witness:**

  
Name: Sophy Sedarat, Esq.  
Title: Applicant Attorney

**Applicant:**

By:   
Name: Dominick Bruno  
Title: Owner, MDL Realty LLC

**COUNTY OF PASSAIC**

\_\_\_\_\_  
Name: **Louis E. Imhof III**  
Title: **Clerk to the Board**


By: \_\_\_\_\_  
Name: **Pat Lepore**  
Title: **County Commissioner Director**

**RECORD AND RETURN TO:  
OFFICE OF THE COUNTY COUNSEL  
401 GRAND STREET, ROOM 214  
PATERSON, NJ 07505**

STATE OF New Jersey }  
COUNTY OF Passaic }

I CERTIFY that on December 29, 2023, Dominick Bruno personally known to me or proven to me under oath and to my satisfaction, personally appeared before me and did acknowledge under oath and to my satisfaction that:

- (a) This person is the owner of the Property;
- (b) This document was signed and delivered by voluntary act within the signer's authority;
- (c) This person attested to the truth of these facts.

  
\_\_\_\_\_  
Notary Public

**Sophy Sedarat, Esq.**  
Attorney at Law  
State of New Jersey  
015402008

STATE OF NEW JERSEY }  
COUNTY OF PASSAIC }

I CERTIFY that on \_\_\_\_\_, 2023, Pat Lepore, personally known to me or proven to me under oath and to my satisfaction, personally appeared before me and did acknowledge under oath and to my satisfaction that:

- (a) This person is the Director of the Board of County Commissioners of COUNTY OF PASSAIC,
- (b) This document was signed and delivered by voluntary act within the signer's authority;
- (c) This person attested to the truth of these facts.

\_\_\_\_\_  
Notary Public of State of New Jersey