

## **AGREEMENT**

**THIS AGREEMENT**, made on February 7, 2025, between, Excore Development, LLC ("Applicant") with an address at 4 Ginamarie Court, Wayne, NJ 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's Predecessor in Title- Pompton Development, LLC filed an Application (File# SP-23-034) for Site Plan Approval ("Application") to construct and develop real property on a Passaic County roadway located at 438 Pompton Road, Wayne, New Jersey, 07470 Block 2904, Lot 2 ("Project"); and

WHEREAS, a Site Plan, originally dated 2/29/2024, revised on 11/27/2024 ("Site Plan"), prepared by MidAtlantic was submitted for approval to the Passaic County Planning Board ("County Board"), received County Board approval with conditions on 11/22/2024 ("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 full half-width of its property that extends 33 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 Pompton Rd 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 Master Plan currently provides for a right-of-way of 66 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 Varying Width foot wide right-of-way in partial compliance with the Master Plan right-of-way, leaving the Applicant with providing for an additional future right-of-way dedication equal of varying width.

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 varying width, equal to half of the 66 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:**

Brian M. Chmura  
**Name:** BRIAN M. CHMURA  
**Title:**

**Applicant: Excore Development, LLC**

**By:** [Signature]

**Name:** Nurdan Yeneroglu  
**Title:** Member

**COUNTY OF PASSAIC**

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

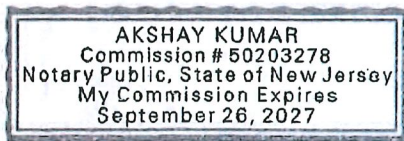
**By:** [Signature]  
**Name:** John W. Bartlett  
**Title:** County Commissioner Director

**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 Feb 7th, 2025, Nurdan Yeneroglu  
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.



Akshay Kumar  
Notary Public

STATE OF NEW JERSEY }  
COUNTY OF PASSAIC }

I CERTIFY that on \_\_\_\_\_, 2025, John W. Bartlett,  
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