

**RESOLUTION OF THE SAYREVILLE ECONOMIC AND REDEVELOPMENT
AGENCY AUTHORIZING THE AGENCY TO EXECUTE A TEMPORARY
CONSTRUCTION EASEMENT WITH LINDE, INC., SUCCESSOR TO PRAXAIR, INC.
IN CONNECTION WITH WATERFRONT REDEVELOPMENT AREA**

WHEREAS, the Sayreville Economic and Redevelopment Agency (the "Agency") is the owner of certain premises designated as Block 257, Lots 3.04 and 3.052; Block 257.01, Lots 1, 1.01, 1.10, 4, 5, 6, 20, and 30.12; and Block 257.02, Lots 1, 1.01, and 22 (collectively, the "Property"); and

WHEREAS, such Property is presently ground leased to Sayreville Seaport Associates Urban Renewal, L.P. (the "Redeveloper"); and

WHEREAS, Linde, Inc., successor-by-merger to Praxair, Inc. ("Linde/Praxair") presently operates two pipelines on portions of the Property for the transmission of nitrogen and oxygen which serve neighboring properties to the Property ("Pipelines") pursuant to that certain Right of Way and License dated May 10, 1965 and recorded in the Middlesex County Clerk's Office on May 27, 1965 in Deed Book 2499 Page 901 (the "Easement"), as amended; and

WHEREAS, in order to proceed with the redevelopment of the Property, the Agency and Redeveloper provided appropriate notice to Linde/Praxair under said Easement that it must relocate the existing Pipelines from their current location on the Property to a designated utility corridor that will not conflict with the proposed redevelopment; and

WHEREAS, in order to perform such a relocation, Linde/Praxair requires a temporary construction easement to access the Property and construct the relocated Pipelines in the temporary construction easement area identified on Plan Sheets 1, 2 & 3 prepared by Colliers Engineering and Design, dated July 26, 2021, and entitled "Relocation of Praxair Lines for Riverton," annexed hereto as Exhibit A ("Easement Area"); and

WHEREAS, the Agency and Redeveloper are willing to grant a temporary construction easement to Linde/Praxair based on the terms and conditions of a certain Temporary Construction Easement attached hereto as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED, by the Sayreville Economic and Redevelopment Agency that the Chairperson or Executive Director are hereby authorized to sign said Temporary Construction Easement, attached hereto as Exhibit A, subject to final changes as the Chairman may approve on the advice of the Agency professionals; and

IT IS FURTHER RESOLVED that the Chairperson and Agency Professionals are hereby authorized and directed to take any action and to execute any documents as may be necessary to effectuate this Resolution.

OFFERED BY: *Kenneth Scott*

SECONDED BY: *Mary Mouch*

YAY: *7*

NAY: *0*

I, Joseph P. Ambrosio, Esq., Secretary and certifying agent of the Sayreville Economic and Redevelopment Agency, hereby certify that the foregoing Resolution was adopted at a regular meeting of the Agency held on September 23, 2021.

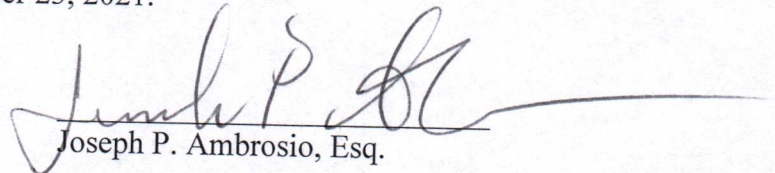

Joseph P. Ambrosio, Esq.

Exhibit A