

**AGREEMENT AMONGST THE PINELANDS COMMISSION,
EVESHAM MUNICIPAL UTILITIES AUTHORITY AND
EVESHAM TOWNSHIP EXTENDING THE DATE BY WHICH THE
TOWNSHIP OF EVESHAM MUST IMPOSE THE DEED RESTRICTIONS
REQUIRED BY THE MAY 31, 2006 MEMORANDUM OF AGREEMENT
EXECUTED BY THESE PARTIES**

This Agreement is entered into this 29th day of November, 2007 amongst the New Jersey Pinelands Commission (hereinafter referred to as the "Commission"), with offices at 15 Springfield Road, P.O. Box 7, New Lisbon, New Jersey 08064, the Evesham Township Municipal Utilities Authority (hereinafter referred to as the "Evesham MUA") and the Township of Evesham (hereinafter referred to as "Evesham") both of which have offices located at 984 Tuckerton Road, Marlton, New Jersey 08053.

WHEREAS, the Pinelands Commission, Evesham MUA and Evesham entered into a Memorandum of Agreement ("MOA"), dated May 31, 2006, which was intended to allow the discharge of treated wastewater generated from the Kings Grant Wastewater Treatment Facility to three groundwater recharge basins that were proposed to be constructed at Block 57, Lots 1 & 2 in Evesham Township, Burlington County (commonly referred to as the "Aerohaven Parcel"); and

WHEREAS, the May 31, 2006 MOA only authorized the proposed use in a Pinelands Rural Development Area; and

WHEREAS, in order to provide, at a minimum, a level of protection of the resources of the Pinelands equivalent to that provided through strict application of the standards of the Pinelands CMP, as required by N.J.A.C. 7:50-4.52(c)2, Evesham agreed to impose a conservation restriction on the approximately 700 acres (approximately 400 acres adjacent to Kings Grant, Phase I and approximately 300 acres of Kings Grant, Phase II) that it has contracted to purchase from the Evesham MUA and the 192 acre Aerohaven parcel. These conservation easements would prohibit the development of these parcels and, with limited exceptions set forth in the May 31, 2006 MOA, would limit the use of such parcels to low intensive recreational facilities; and

WHEREAS, in accordance with Paragraphs V.A.2, V.B.6 & V.C.2, the May 31, 2006 MOA was expressly contingent upon not only the transfer of the approximately 700 acres from the Evesham MUA to Evesham but also Evesham's imposition of the required conservation easements on such acreage and on the Aerohaven parcel; and

WHEREAS, Paragraphs V.A.2, V.B.6 & V.C.2, the May 31, 2006 MOA expressly provided that "[i]f the acreage has not been transferred to Evesham and/or the requisite conservation easements have not been imposed with 1 and ½ years of the date of execution of this MOA by the last party to this agreement, this MOA is terminated by mutual consent of all signatories to the MOA unless this provision of the MOA has been amended in accordance with VI.B; and

WHEREAS, Paragraph VI.B. of the May 31, 2006 MOA authorizes amendment of the MOA by written consent of all parties; and

WHEREAS, the conservation easements required under the terms of the May 31, 2006 MOA have not been imposed; and

WHEREAS, Evesham requires additional time to impose the required conservation easements; and

WHEREAS, all of the parties have agreed to extend the deadline for imposition of the required conservation easements as set forth in Paragraphs V.A.2, V.B.6 & V.C.2 of the May 31, 2006 MOA until May 31, 2008.

NOW, THEREFORE, the Pinelands Commission, Evesham MUA and Evesham Township agree that the deadline for imposition of the conservation restrictions required under the terms of the May 31, 2006 MOA, specifically Paragraphs V.A.2, V.B.6 & V.C.2, is hereby extended until May 31, 2008 unless subsequently extended further by written consent of the parties in accordance with Paragraph VI.B.

IN WITNESS WHEREOF, the parties have caused their duly authorized representatives to execute this Agreement on and as of the day and year first written above. This Agreement shall be executed in four original copies of which one is to be delivered to the Evesham MUA, one to Evesham Township and the remainder to the Commission.

New Jersey Pinelands Commission

By: [Signature]
John C. Stokes, Executive Director

Date: 11/15/07

Witnessed:

By: [Signature]
Name: Stacey P. Roth

Title: Senior Counselor

Evesham Township

By: [Signature], Mayor

Date: 11/29/07

Witnessed:

By: [Signature]
Name: GLORIA REIGNO

Title: Asst. to the Manager

Evesham MUA

By: [Signature], Executive Director

Date: 11-27-07

Witnessed:

By: [Signature]
Name: Laura Puzzer

Title: Business Manager

CERTIFICATION OF CONTRACT

*THIS DOCUMENT HAS BEEN REVIEWED
AND APPROVED AS TO FORM ONLY*

This 14th day of December 2007

ATTORNEY GENERAL OF NEW JERSEY

By: Valerie W. Haynes

Name: Valerie W. Haynes

Title: Deputy Attorney General