

Resolution of the Demarest Governing Body

Resolution No. 131-25

June 23, 2025

Council Member	Motion	Second	Yes	No	Abstain	Absent
Jiang		✓	✓			
Fox						✓
Marks			✓			
Slowikowski			✓			
Reiss			✓			
Collins	✓		✓			

TITLE: RESOLUTION AUTHORIZING EXECUTION OF A DEED RESTRICTION WITH 95 COUNTY DEMAREST, LLC

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WHEREAS, 95 County Demarest, LLC, whose mailing address is 16 Cambridge Road, Tenafly, New Jersey, (the "Owner") Owner is the developer of an 8-unit inclusionary housing development that was the subject of an agreement between the Borough of Demarest and Quentin and Carol Avery in April of 2019 (the "Settlement"); and

WHEREAS, the Settlement required Owner, or its successors, heirs and assigns, to record deed restrictions on two (2) affordable rental units within the 8-unit inclusionary housing development in exchange for the rezoning of property formally known and designated as Block 145, Lot 5 on the Tax Assessment Maps of the Borough of Demarest and known by street address as 95 County Road, Demarest, New Jersey (the "Property"); and

WHEREAS, in consideration of benefits and/or rights received by the Owner, the Owner agreed to provide two (2) restricted units at the Property, which in accordance with N.J.A.C. 5:80-

26.11 and § 175-57(A) of the Borough of Demarest Ordinances, each restricted unit shall remain subject to the requirements of a "Control Period," until the municipality in which the unit is located elects to release the unit from such requirements. Prior to such a municipal election, a restricted unit must remain subject to the restriction for a period of at least 30 years, as more fully set forth in Article 3 of the Deed Restriction attached hereto; and

WHEREAS, the Owner has presented a Deed Restriction for execution by the Borough and to be recorded with the Bergen County Clerk's office; and

WHEREAS, the Borough of Demarest Planning Board attorney and Borough Attorney have reviewed the Deed Restriction and recommend execution of same.

NOW THEREFORE, BE IT RESOLVED, by the Borough of Demarest that the Mayor is hereby authorized to execute the Deed Restriction in the form annexed hereto.

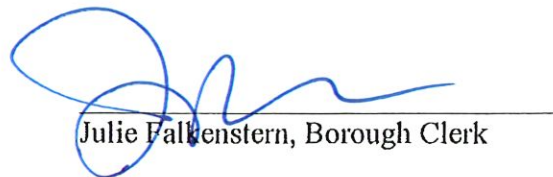
APPROVED:



Brian Bernstein, Mayor

CERTIFICATION

I, Julie Falkenstern, Borough Clerk, of the Borough of Demarest, in the County of Bergen and the State of New Jersey do hereby certify that the foregoing Resolution is a true copy of the original resolution duly passed and adopted by the Governing Body at the meeting on July 14, 2025.



Julie Falkenstern, Borough Clerk