

**EAST WINDSOR MUNICIPAL UTILITIES AUTHORITY**

**COUNTY OF MERCER**

**STATE OF NEW JERSEY**

**RESOLUTION NO. 2014-15**

**RESOLUTION CONFIRMING COMPLIANCE WITH AND SATISFACTION OF  
TERMS AND CONDITIONS  
FOR WATER AND WASTEWATER OBLIGATIONS OF  
THE MCGRAW-HILL COMPANIES, INC.**

**WHEREAS**, the McGraw-Hill Companies, Inc. d/b/a McGraw-Hill Financial, Inc. (hereinafter “McGraw-Hill”) obtained approval from the East Windsor Township Planning Board for various improvements to be undertaken by McGraw-Hill with regard to their property located on Block 63, Lots 6, 8, 9, 10, 48, 49 and 51 East Windsor Township Tax Map (“Property”), said approval granted on September 25, 2006 as amended by approvals on January 7, 2008; and

**WHEREAS**, the aforementioned approvals required that McGraw-Hill enter into a Capacity Allocation and Developer’s On-Tract and Off-Tract Agreement for Wastewater Services; and

**WHEREAS**, McGraw-Hill and the East Windsor Municipal Utilities Authority (“Authority”) entered into said Agreement dated March 20, 2008; and

**WHEREAS**, the requirements for the Authority to provide water service to McGraw-Hill are set forth in a Developer’s Agreement dated January 31, 2007 between the Township of East Windsor and McGraw-Hill, paragraph 25; and

**WHEREAS**, McGraw-Hill as a result of the adoption of a resolution by the Authority on March 20, 2014 has paid to the Authority all required connection fees and off-tract improvement fees associated with the Authority’s providing water service to the McGraw-Hill Property and in particular the McGraw-Hill Data Center; and

**WHEREAS**, McGraw-Hill is in the process of selling a portion of said Property and wish to confirm that all of McGraw-Hill's obligations to the Authority for wastewater service pursuant to the aforementioned March 20, 2008 Capacity Allocation and Developer's On-Tract and Off-Tract Agreement for Wastewater and Water Service as set forth in the East Windsor Township Developer's Agreement dated January 31, 2007 have been fully satisfied.


**NOW, THEREFORE, BE IT RESOLVED**, by the East Windsor Municipal Utilities Authority as follows:

1. The East Windsor Municipal Utilities Authority hereby acknowledges that McGraw Hill has satisfied all of the terms and conditions of the Capacity Allocation and Developer's On-Tract and Off-Tract Agreement for Wastewater dated March 20, 2008 and the terms and conditions of the East Windsor Township Developer's Agreement dated January 31, 2007, paragraph 25.

2. A certified true copy of this resolution shall be furnished to the McGraw-Hill attorney upon its adoption: Gary S. Rosensweig, Esq., Sokol, Behot & Fiorenzo, 229 Nassau Street, Princeton, New Jersey, 08542-4601.

**CERTIFICATION**

I, Marc Platizky, Secretary to the East Windsor Municipal Utilities Authority, do hereby certify that the above Resolution was adopted by the Authority at its regular meeting held on the 19<sup>th</sup> day of June, 2014.

  
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Marc Platizky, Secretary