

**TOWNSHIP OF HOPEWELL
COUNTY OF MERCER, STATE OF NEW JERSEY**

R E S O L U T I O N #25-185

**A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF
HOPEWELL, MERCER COUNTY, AUTHORIZING SETTLEMENT OF
LITIGATION**

WHEREAS, Deer Valley Realty, Inc. (“Deer Valley”), with a business address of 18 Graphics Drive, Ewing, New Jersey, 08628 and U.S. Home, LLC (formerly U.S. Home Corporation) (d/b/a and hereinafter referred to as “Lennar”), with a business address of 2465 Kuser Road, Hamilton, NJ 08690 are the owners and/or contract purchasers of properties within Hopewell Township, identified on the Hopewell tax maps as: Block 93, Lots 19, 20, 32, 44, 45.01, 46 & 60, and Block 93.05, Lot 1; and

WHEREAS, these properties are zoned for inclusionary and other development in accordance with Hopewell Township’s court-approved Third Round Final Judgment of Compliant and Repose; and

WHEREAS, on January 7, 2021, Deer Valley and Lennar filed litigation against the Ewing-Lawrence Sewerage Authority (“ELSA”) seeking, among other things, sewer service for the properties; and

WHEREAS, Hopewell Township was joined as an Indispensable Party to the litigation; and

WHEREAS, that litigation is known as Deer Valley Realty, Inc. and U.S. Home, LLC (formerly US Home Corporation) (D/B/A Lennar) v. Ewing-Lawrence Sewerage Authority and Hopewell Township (Indispensable Party), Superior Court Docket No. MER-L-39-21, Appellate Docket No. A-51-24; and

WHEREAS, the parties have agreed to amicably resolve the litigation; and

WHEREAS, the Township Committee finds that it is in the public interest to resolve the litigation, and that resolving the litigation will promote the general welfare, provide for the construction of affordable housing, and maintain Hopewell Township’s compliance with its Third Round Fair Share Plan.

NOW, THEREFORE, BE IT RESOLVED, on this 5th day of May, 2025, by the Township Committee of the Township of Hopewell, in the County of Mercer, and the State of New Jersey, that the Township attorney is hereby authorized to execute the attached agreement settling the litigation known as: Deer Valley Realty, Inc. and U.S. Home, LLC (formerly US Home Corporation) (D/B/A Lennar) v. Ewing-Lawrence Sewerage Authority and Hopewell Township (Indispensable Party), Superior Court Docket No. MER-L-39-21, Appellate Docket No. A-51-24.

CERTIFICATION

I, Katherine Fenton-Newman, RMC, Hopewell Township Clerk, hereby certify that the foregoing Resolution was duly adopted by the Hopewell Township Committee at its regular business meeting held on the 5th day of May, 2025.

Katherine Fenton Newman
Katherine Fenton-Newman, RMC
Hopewell Township Clerk