



Township of Pittsgrove

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Pittsgrove, New Jersey 08318
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Construction Code Office - (856) 358-2300
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August 15, 2008

Arthur J. Abramowitz, Esquire
COZEN O'CONNOR
457 Haddonfield Road
Post Office Box 5459
Cherry Hill, New Jersey 08002-2220

RE: Running Deer Temporary Certificate of Occupancy

Dear Mr. Abramowitz:

It is my understanding that you are the Bankruptcy Trustee for Running Deer Golf Company, L.L.C., and I am in receipt of your request for an extension of the Temporary Certificate of Occupancy (TCO), which expired on July 29, 2008. I am pleased to inform you that the Building Official, Fire Sub Code Official and I have agreed to grant your request for a Temporary Certificate of Occupancy ("TCO") to occupy Running Deer Golf Company Clubhouse. This TCO shall expire on October 29, 2008.

As you are aware, this matter has been pending for a particularly long period of time and I have issued several TCOs to Running Deer Golf Company, LLC so that the owner could bring resolution to these long standing matters. It is the goal of the Township of Pittsgrove to issue a final Certificate of Occupancy as soon as possible. The following is a list of items that I am compelled to bring to your attention in regards to this property. The first three items in this list must be addressed in order to obtain a Final Certificate of Occupancy for the Running Deer Golf Company Clubhouse:

- 1 The clubhouse fire sprinkler system variation request work must be completed in accordance with the April 27, 2006 Affordable Fire Report, page 2, item #10 (a, b, c, d, e and f) as well as attachment "C" from the Variation Request illustrated as 1st, 2nd, 3rd and 4th. The Affordable Fire Report and variation request have been attached hereto as Exhibit "A," and are incorporated herein.

Old Values, New Ideas: Working Together For All

- 2 In accordance with the Planning Board Approval, which has been attached hereto as Exhibit "B," as-built drawings must be submitted for the first and second floor installations of structural members, including, but not limited to, plumbing, fire sprinklers and mechanical systems. In addition, approval from the Pittsgrove Township Planning Board must be obtained for a required fire sprinkler protection system under the new canopy at the main front drive-up entrance to the clubhouse, as well as in the preparation kitchen, storage area and eating area. These areas must remain vacated until such time as the fire protection system is complete and violations abated. Approval from the Pittsgrove Township Planning Board must be obtained prior to the commencement of work to abate two active construction violations specifically #2 "Failure to complete the required fire sprinkler protection under the new canopy at the main front drive up entrance to the Clubhouse pursuant to BOCA 1996 Edition Section 904.1 and 904.3, also IBC-NJ Edition 2000, Section 903.2.1 and 903.2.1.2 auto sprinklers provided throughout Group A & A-2, and NJAC, UCC 5:23-2.15(e)4(v) amended plans and specifications" and # 7 "failure to complete the required fire sprinkler protection under the new canopies, preparation kitchen, storage area and eating area pursuant to BOCA 1996 Edition Section 904.1 and 904. 3, auto sprinklers provided throughout Group A & A-2, and NJAC, UCC 5:23-2.15(e) 4(v) amended plans and specifications." An application (PT-1001-4) is currently active with the Pittsgrove Township Planning Board with regards to the club house site plan, but no activity has occurred with the application for over a year. Any entity which subsequently assumes responsibility for the Running Deer Golf Club and which chooses to continue this application shall make such request in writing to the Pittsgrove Township Planning Board and will also be required to enter into a third party agreement in order to continue this application.
- 3 Remove all plastic-type material from canopy ceilings and building walls.
- 4 Additionally a Maintenance Guarantee, in favor of the Township, in accordance with the original Planning Board Resolution 03-012BR in the amount of \$88,253.59 is to be submitted, not necessarily as a condition of this TCO however.
- 5 Further be advised that the New Jersey Bureau of Fire Safety has jurisdiction over fire safety inspections at this facility. They should be contacted to determine the status of any additional outstanding issues which need to be resolved, not necessarily as a condition of this TCO however.

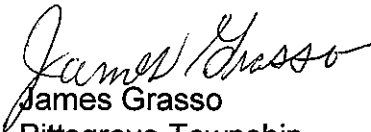
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Please be advised that neither an extension of this TCO nor a new TCO will be issued unless the applicant shows "good cause" regarding its inability to address the aforesaid items to the satisfaction of the Township in a timely manner and obtain a Final Certificate of Occupancy.

It is my understanding that this property may be transferred to a new owner on or after September 11, 2008 in accordance with the "Order on Bidding Procedures" dated July 17, 2008 Case No. 08-14439 (GMB). Accordingly, it is imperative that any prospective bidder/new owner be fully informed of the terms of this TCO and their obligation to adhere to all of these terms including the October 29, 2008 expiration date. Finally, the mere transfer of ownership of this property shall not in itself be considered "good cause" requiring the extension to this TCO or issuance of a new TCO.

Should you or anyone involved in this matter wish to meet with our Township Officials in order to garner a better understanding of these matters, please have them contact the Office of the Township Administrator, Deborah Turner-Fox at (856) 358-2300 x 29. If you should have any questions, please do not hesitate to contact me.

Very truly yours,


James Grasso
Pittsgrove Township
Construction Code Official

AIT:mcc
Enclosures (2)

CC: Constance S. Garton, Township Clerk
Deborah Turner-Fox, Township Administrator
Adam Telsey, Solicitor