

**5. Why is Red Bank out of compliance with the federal government?**

The City of Red Bank failed to fulfill its end of the land swap settlement within three years (by 2014). Even today (in 2021), Red Bank still has not fulfilled its 10 year-old legal obligation.

In 2020, the National Park Service (NPS) determined Red Bank had failed to fulfill its obligation, and took two actions. First, NPS declared Red Bank to be *out of compliance* with its continuing legal obligation, until such time as the obligation had been satisfactorily fulfilled. Second, NPS revisited the original 2011 settlement agreement, found it to be insufficient, and voided it. The ball now is in Red Bank's court to make a new offer to replace the fair market value and recreational usefulness of the converted 14.63 acres.