

Borough of Union Beach

ORDINANCE NO. 2017-254:

MEETING OF APRIL 20, 2017

**AN ORDINANCE OF THE BOROUGH OF UNION BEACH
AMENDING TERMS OF THE LEASE OF PORTION OF CERTAIN PROPERTY OWNED BY
THE BOROUGH OF UNION BEACH (CELL TOWER SITE LOCATED ON LOT 3.01, BLOCK
103 AUTHORIZED BY ORDINANCE 2008-125 ON AUGUST 21, 2008)**

WHEREAS, the Borough of Union Beach has entered into a lease with SMSA Limited Partnership d/b/a Verizon Wireless (SMSA) on October 3, 2008; and

WHEREAS, SMSA has requested an amendment to the terms of said Lease authorized on August 21, 2008 by Ordinance 2008-125; and

WHEREAS, the Mayor and Council favor such amendment to the Lease;

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Union Beach in the County of Monmouth and the State of New Jersey, duly assembled in public session, as follows:

- 1- The Borough publicly declares its intent to amend the lease authorized under Ordinance 2008-125 to extend the lease term to SMSA Limited Partnership d/b/a Verizon Wireless an additional 30 years, expiring on March 31, 2069. The Borough will receive additional compensation for said extension.
- 2 – The Borough agrees to amend its ability to terminate the lease only in the event of a material default by Tenant, as described in First Amendment to Lease Agreement.
- 3- The Mayor and Borough Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.
- 4- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 5- If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
- 6- This ordinance shall be effective immediately upon adoption and publication in accordance with law.

Paul J. Smith, Jr. Mayor

Introduced: April 20, 2017
Public Hearing: May 18, 2017
Adopted:

I, HEREBY certify that the foregoing is a true copy of an Ordinance introduced by the Governing Body of the Borough of Union Beach, New Jersey at a meeting on the 20th day of April, 2017.
