

ORDINANCE #30-18

**ORDINANCE OF THE BOROUGH OF KEYPORT, COUNTY
OF MONMOUTH, NEW JERSEY, AUTHORIZING THE
MAYOR TO EXECUTE A FIRST ADDENDUM TO THE
LEASE AGREEMENT BETWEEN THE BOROUGH OF
KEYPORT AND THE KEYPORT FIRE MUSEUM
ASSOCIATION, INC.**

WHEREAS, the Borough of Keyport (the "**Borough**," or "**Landlord**") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, On January 1, 2008, the Borough, and the Keyport Fire Museum Association, Inc. ("**Tenant**"), a non-profit organization, entered into a Lease Agreement (the "**Lease**"), pursuant to the terms of which Tenant agreed to lease from the Borough the building and land situated on Block 61, Lot 2 on the tax map of the Borough, and more commonly known as 86 Broad Street (the "**Property**") in the Borough; and

WHEREAS, the Lease provides that Tenant will be permitted to use the Property as a Fire Museum, with the purpose of educating the general public on the history of the Keyport Volunteer Fire Department and on the importance of fire safety and prevention; and

WHEREAS, the Borough and the Tenant desire to extend the term of the Lease, from January 1, 2018 through December 31, 2028, by execution of a First Addendum to the Lease Agreement (the "**First Addendum**"); and

WHEREAS, pursuant to N.J.S.A. 40A:12-14 (c), the Borough is authorized to lease the Property to Tenant upon adoption of an ordinance by the Borough Council; and

WHEREAS, the Borough Council hereby authorizes and approves the Mayor, or his authorized designee, to execute the First Addendum, as more fully described and attached hereto, and made a part of this Ordinance by reference as Exhibit A.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Keyport as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The First Addendum, attached hereto as Exhibit A, is hereby approved and accepted. The Mayor, or his authorized designee, is authorized to execute the First Addendum on behalf of the Borough in substantially the same form as the First Addendum attached hereto, with such additions, deletions and modifications as the Mayor, or his authorized designee, may determine necessary upon consultation with Tenant and the Borough Attorney.

Section 3. A copy of this Ordinance shall be available for public inspection at the offices of the Borough Clerk.

Section 4. The Borough Clerk is hereby directed, upon adoption of the ordinance after public hearing thereon, to publish notice of the passage thereof.

Section 5. This ordinance shall be in full force and effect from and after its adoption and publication as required by law.

Introduced: November 20, 2018
Public Hearing: December 18, 2018
Adopted: December 18, 2018



Valerie T. Heilweil, RMC, CMR
Borough Clerk
Borough of Keyport



Harry M. Aumack, II, Mayor
Borough of Keyport

FIRST ADDENDUM TO LEASE AGREEMENT

This First Addendum to Lease Agreement ("First Addendum") is made effective as of the _____ day of January, 2019, and is entered between the Borough of Keyport ("Landlord") and Keyport Fire Museum Association, Inc. ("Tenant").

For good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows

1. On or about January 1, 2008, Landlord and Tenant entered a Lease Agreement by which Tenant agreed to lease from Landlord the premises identified as Block 61, Lot 2 on the tax map of the Borough of Keyport, County of Monmouth, State of New Jersey, more commonly known as 86 Broad Street, for use as a Fire Museum open to the general public (the "Original Lease Agreement").

2. The Original Lease Agreement terminated on December 31, 2013, and Tenant exercised its option to renew for a period of five (5) years, with an expiration date of January 31, 2018.

3. The parties desire to further extend the term of the Original Lease Agreement and hereby agree to amend Section 2 of the Original Lease Agreement as follows:

- a. The term of the Original Lease Agreement shall be extended ten (10) years, commencing January 1, 2019 and ending on December 31, 2028;

4. Full Agreement. The parties have read this First Addendum and it contains their full agreement. All other terms of the Original Lease Agreement shall remain in full force and effect. This First Addendum may not be changed except in writing signed by the Landlord and Tenant.

[Remainder of Page Intentionally Blank]

IN WITNESS WHEREOF, the parties have executed this First Addendum to Lease Agreement as of the date set forth on the first page to this First Addendum.

LANDLORD:
BOROUGH OF KEYPORT

By: _____
Name: Harry Aumack, II
Title: Mayor

Witness:

Valerie Heilweil,
Borough Clerk

Dated: _____

TENANT:
KEYPORT FIRE MUSEUM
ASSOCIATION, INC.

By: _____
Name: Larry Stonerock
Title: Chairman

Witness:

Robert M. Polling,
Corporate Secretary

Dated: _____