



BOROUGH OF HIGHLANDS
COUNTY OF MONMOUTH

RESOLUTION 23-204

AUTHORIZING EXECUTION OF A LEASE AGREEMENT FOR MUNICIPAL PROPERTY DESIGNATED AS BLOCK 56, LOT 13 ON THE TAX MAP OF THE BOROUGH OF HIGHLANDS

WHEREAS, the Borough owns the property designated as Block 56, Lot 13 on the Tax Map of the Borough of Highlands; and

WHEREAS, N.J.S.A. 40A:12-14 sets forth, in relevant part, that a municipality may lease any real property not needed for public use; and

WHEREAS, N.J.S.A. 40A:12-14(a) sets forth, in relevant part, that in the case of a lease to a private person, said lease shall be made to the highest bidder by the submission of sealed bids; and

WHEREAS, by way of Resolution 23-173, duly adopted on August 16, 2023, the Borough authorized advertisement for and the solicitation of sealed bids for the lease of the property designated as Block 56, Lot 13 on the Tax Map of the Borough of Highlands; and

WHEREAS, by way of Resolution 23-195, duly adopted on September 20, 2023, the Borough accepted the bid dated September 11, 2023 from Smoke N Mirrors, LLC. d/b/a The Proving Ground, and awarded the lease of municipal property designated as Block 56, Lot 13 on the Tax Map of the Borough of Highlands for the purpose of operating a parking lot for an amount of \$2,000.00 per month for a total of \$24,000.00 per year; and

WHEREAS, by way of Resolution 23-195, the Borough Attorney was directed to prepare a Lease Agreement consistent with the aforesaid terms, wherein the said lease would be for an initial term of one (1) year with an option to continue the said lease for up to four (4) consecutive one (1) year terms; and

WHEREAS, the parties have agreed upon the terms of a Lease Agreement, wherein the aforesaid tenant will use a portion of certain lands designated as Block 56, Lot 13 on the Tax Map of the Borough of Highlands in conformance with the terms set forth above and as contained in the Lease Agreement, wherein the commencement date of the Lease will be November 1, 2023.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Highlands, that the Mayor, Borough Clerk and/or Borough Administrator be and are hereby authorized to execute the aforesaid Lease Agreement permitting the tenant to use a portion of certain property owned by the Borough and designated as Block 56, Lot 13 on the Tax Map of the Borough of Highlands for the purpose of operating a parking lot.

BE IT FURTHER RESOLVED by the Mayor and Council of the Borough of Highlands, that true copies of the aforesaid Lease Agreement permitting the tenant to use a portion of certain property owned by the Borough, which is designated as Block 56, Lot 13 on the Tax Map of the Borough

of Highlands, for the purpose of operating a parking lot, will be kept on file at the office of the Borough Clerk.

Motion to Approve R 23-204:

	INTRODUCED	SECOND	AYE	NAY	ABSTAIN	ABSENT
CERVANTES						
CHELAK						
MELNYK						
OLSZEWSKI						
BROULLON						

This is a Certified True copy of the Original Resolution on file in the Municipal Clerk's Office.

DATE OF VOTE: October 18, 2023

Nancy Tran, Municipal Clerk
Borough of Highlands