

ORDINANCE NO. 2024-

**TOWNSHIP OF MIDDLETOWN
COUNTY OF MONMOUTH**

**ORDINANCE AUTHORIZING ENTRY OF LEASE AGREEMENT WITH
THE MIDDLETOWN TOWNSHIP HISTORICAL SOCIETY, A
NONPROFIT CORPORATION FOR TOWNSHIP OWNED PROPERTY
AND IMPROVEMENTS LOCATED UPON BLOCK 802, LOT 1 (WITHIN
THE DAILY COMMUTER PARKING LOT ON RAILROAD AVENUE)**

WHEREAS, N.J.S.A. 40A:12-14(c) and N.J.S.A. 40A:12-15 specifically authorizes local government entities to lease public property to nonprofit organizations for various public purposes, requiring that such leases be authorized by ordinance; and

WHEREAS, the Township of Middletown (the “**Township**”) is the owner of certain real property and improvements generally known as the Historic Railroad Station located in the daily commuter parking lot at Railroad Avenue listed on the Township’s Official Tax Map as a portion of Block 802, Lot 1; and

WHEREAS, the Middletown Township Historical Society (the “**Historical Society**”) is a duly registered New Jersey nonprofit corporation located within the Township providing public services and benefits to residents and guests; and

WHEREAS, the Township and the Historical Society wish to enter into a Lease Agreement whereby the Historic Society will operate from the Historic Railroad Station providing public programming in accordance with its tax exempt purposes.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Middletown in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. The above recitals are incorporated by reference as if fully set forth herein.

SECTION 2. The Mayor is hereby authorized and directed to execute a Lease Agreement with the Historic Society for the Historic Railroad Station located in the daily commuter parking lot at Railroad Avenue listed on the Township’s Official Tax Map as a portion of Block 802, Lot 1 for a term of 10 years for \$1 per year, which may be terminated by either party upon 60 days’ notice and subject to the terms and conditions required pursuant to N.J.S.A. 40A:12-14(c).

SECTION 3. All ordinances of the Township which are inconsistent with the provisions of this ordinance are hereby repealed and replaced to the extent of such inconsistency.

SECTION 4. Should any section, clause, sentence, phrase or provision of this ordinance be declared unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance.

SECTION 5. This ordinance shall take effect upon final passage, adoption and publication in the manner prescribed by law.