

EXPLANATION: This Ordinance authorizes the Township of Bedminster to enter into a second amendment to the Lease Agreement dated September 1, 1993 between the Township, as landlord, and The Center for Contemporary Art as tenant, extending the term for an additional seventeen (17) years.

## **TOWNSHIP OF BEDMINSTER**

### **ORDINANCE NO. 2016-004**

AN ORDINANCE AUTHORIZING A SEVENTEEN (17) YEAR EXTENSION OF THE LEASE AGREEMENT DATED SEPTEMBER 1, 1993, AMENDED MARCH 17, 2003, BETWEEN THE TOWNSHIP OF BEDMINSTER AND THE CENTER FOR CONTEMPORARY ART FOR THE PROPERTY IDENTIFIED AS BLOCK 71, LOT 4.

**WHEREAS**, the Township of Bedminster is the owner of the property identified as Block 71, Lot 4 in the Township of Bedminster, County of Somerset, State of New Jersey, commonly known as 2020 Burnt Mills Road (the “Property”); and

**WHEREAS**, by Ordinance No. 93-17, adopted August 16, 1993, the Township Committee authorized the Lease Agreement dated September 1, 1993 with The Center for Contemporary Art (then known as the Somerset Art Association, Inc.), a non-profit/tax exempt organization under both State and Federal law, for a term of twenty-six (26) years (the “Lease”); and

**WHEREAS**, by Ordinance No. 2003-03, adopted March 17, 2003, the Township Committee authorized the Amendment to Lease Agreement dated March 17, 2003, extending the term of the Lease for an additional five (5) years, to terminate on August 31, 2024; and

**WHEREAS**, The Center for Contemporary Art is in the process for applying for a Somerset County Historic Preservation Grant to make exterior repairs to the building on the Property; and

**WHEREAS**, in connection with the requirements for the Grant, The Center for Contemporary Art has requested an additional extension of the term of the Lease for an additional seventeen (17) years, with a new termination date of August 31, 2041; and

**WHEREAS**, pursuant to the Local Lands and Buildings Law, N.J.S.A. 40A:12-1, *et seq.* (“LLBL”), by ordinance the Township is authorized to transfer and accept interests in real property; and

**WHEREAS**, the Township Committee has determined that it is in the best interests of the Township and its citizenry to enter into a Second Amendment to the Lease extending the

term of same for an additional seventeen (17) years, with all other terms of the Lease to remain in full force and effect.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Bedminster, in the County of Somerset and State of New Jersey, as follows:

1. The Township of Bedminster is hereby authorized to grant an extension of the term of the Lease, as amended, for an additional seventeen (17) years, with a new termination date of August 31, 2041.
2. The Mayor and Township Clerk are hereby authorized and directed to execute the Second Amendment to the Lease, in substantially the form attached hereto, extending the term of the Lease as authorized herein.
3. The Township Clerk/Administrator, Township Attorney, and other appropriate Township officials are authorized and directed to take all required actions to complete the Township's grant of the extension of the term of the Lease, as amended, for an additional seventeen (17) years, including the recording of the Second Amendment to the Lease with the Somerset County Clerk.
4. This Ordinance shall take effect upon final passage, adoption and publication according to law.
5. If any article, section, subsection, paragraph, phrase or sentence is, for any reason, held to be unconstitutional or invalid, said article, section, subsection, paragraph, phrase or sentence shall be deemed severable.

Introduced by:

Passed:

Published:

Adopted:

ATTEST:

TOWNSHIP COMMITTEE OF  
THE TOWNSHIP OF BEDMINSTER

\_\_\_\_\_  
Judith A. Sullivan, Township Clerk

By: \_\_\_\_\_  
Steven E. Parker, Mayor

Introduced	Seconded	Township Committee	Vote for Adoption	Nay	Abstain	Absent
		Steven E. Parker, Mayor				
		Bernie Pane				
		Lawrence F. Jacobs				
		Staci Santucci				
		Kenneth Olsen				