

*BOROUGH OF ROOSEVELT
COUNTY OF MONMOUTH
STATE OF NEW JERSEY*

**ORDINANCE 2020-02
INTRODUCTION DATE: 03-09-2020
ADOPTION DATE: 03-23-2020**

**AN ORDINANCE AMENDING ORDINANCE NO. (60), LOCATED IN THE
BOROUGH'S 1961 MINUTE BOOK AT PAGE 1459 TO PROVIDE AN AUTOMATIC
RENEWAL PROVISION TO THE BOROUGH'S 99-YEAR LEASE WITH THE
BOARD OF EDUCATION FOR A FRANKLIN D. ROOSEVELT MEMORIAL**

C/Hamilton offered the following Ordinance and moved its introduction, which was seconded by **C/Esakoff**.

WHEREAS, on June 14, 1961, the Borough of Roosevelt, County of Monmouth, State of New Jersey (the "Borough") entered into a 99-year lease agreement (the "Lease") with the Borough of Roosevelt Board of Education (the "BOE") for the use of certain land owned by the BOE for the purposes of erection and maintenance by the Borough of a memorial to President Franklin D. Roosevelt; and

WHEREAS, the terms and conditions of said Lease are set forth in Ordinance No. (60), located in the Borough's 1961 Minute Book at Page 1459 and attached hereto as Exhibit A, and provide that the Borough shall pay rent of \$1.00 per year to the BOE; and

WHEREAS, the Borough and BOE acknowledge that, as of the date of this Ordinance, all rent due under the Lease has been paid and satisfied; and

WHEREAS, the Lease does not contain any automatic renewal provision therein, and the BOE and the Borough are concerned about the potential expiration of same without notice to either party in 2060;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Roosevelt, County of Monmouth, State of New Jersey, that Ordinance No. (60), located in the Borough's 1961 Minute Book at Page 1459, is hereby amended to provide that the aforementioned Lease shall automatically renew for additional successive terms of twenty (20) years, unless the Borough or the BOE provides written notice to the other party at least 180 days prior to the expiration of the then-current term; and

BE IT FURTHER ORDAINED that should any section, paragraph, sentence, clause, or phase of this ordinance be declared unconstitutional or invalid for any reason, the remaining portion of this ordinance shall not be affected thereby and shall remain in full force and effect, and to that end the provisions of this ordinance are hereby declared to be severable; and

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances inconsistent with this amending ordinance are hereby repealed to the extent of their inconsistencies only; and

BE IT FURTHER ORDAINED that this ordinance shall be in full force and take effect immediately upon final passage and publication; and

BE IT FURTHER ORDAINED that a copy of this ordinance shall be provided to the Borough CFO, Borough Clerk, and the Board of Education.

PUBLIC NOTICE

Notice is hereby given that Ordinance 20-02 was introduced at a meeting of the Mayor and Borough Council of the Borough of Roosevelt in the County of Monmouth and State of New Jersey on the 9th of March 2020 and was then read for the first time. This Ordinance was adopted by the Mayor and Council at Borough Hall on the 23rd of March 2020. Kathleen Hart, RMC, Borough Clerk