

**BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 14-34**

**RESOLUTION AUTHORIZING THE EXECUTION OF LEASE AGREEMENT BETWEEN THE
BOROUGH OF RED BANK AND 17 RED BANK, LLC WITH RESPECT TO PATRIZIA'S
OF RED BANK, LLC (28 Broad Street)**

Councilman Murphy offered the following resolution and moved its adoption:

WHEREAS, Patrizia's of Red Bank, LLC (the "Applicant") applied to the Planning Board of the Borough of Red Bank (the "Board") for Major Site Plan Approval to renovate the existing structure and to change the use from retail to primary food for property located at 28 Broad Street, Block 30.01, Lot 30 (the "Property"), which approval was granted by the Board and memorialized in Resolution No. 2013-15 dated December 16, 2013; and

WHEREAS, 17 Broad Street Red Bank, L.L.C. is the Owner (the "Owner") of the Property; and

WHEREAS, the Applicant had proposed to the Board provide a trash enclosure in the rear of Property; and

WHEREAS, the Applicant's attorney advised the Board that the applicant was seeking an agreement from the Borough as to the use of two parking spaces for the trash enclosure; and

WHEREAS, the Applicant has agreed to construct the improvements as shown on the submissions and records comprising the Applicant's approved Planning Board Plans; and

WHEREAS, one of the conditions of the Board's approval is that the Owner/Applicant enter in an agreement with the Borough of Red Bank (the "Borough") for access to two (2) parking spaces owned by the Borough located at Block 30.01, Lot 41 (the "Parking Spaces") situated directly behind the Property for the trash enclosure; and

WHEREAS, the Parking Spaces are not presently used for a public purpose; and

WHEREAS, the Borough and 17 Broad Street Red Bank, L.L.C., wish to memorialize the use of the Parking Spaces in written lease agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Red Bank that the Mayor is authorized to execute a Lease Agreement between 17 Broad Street Red Bank, L.L.C. and the Borough of Red Bank that memorializes the terms of the 17 Broad Street Red Bank, L.L.C.'s use of the Parking Spaces the form attached hereto.

Seconded by Councilman Zipprich and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Councilman Murphy	(x)	()	()	()
Councilwoman Burnham	(x)	()	()	()
Councilwoman Horgan	(x)	()	()	()
Councilwoman Lewis	(x)	()	()	()
Councilman Zipprich	(x)	()	()	()
Councilman DuPont	()	()	(x)	()

Dated: February 12, 2014