

BOROUGH OF RED BANK
COUNTY OF MONMOUTH
RESOLUTION NO. 09-120

**A RESOLUTION AUTHORIZING THE BOROUGH ADMINISTRATOR TO EXECUTE
A SECOND AMENDMENT TO AN AGREEMENT FOR CROSS-LICENSES
FOR ACCESS AND PARKING AND FOR CONSTRUCTION OF
IMPROVEMENTS TO THE GOLD STREET PARKING LOT**

Ms. Lee offered the following resolution and moved its adoption:

WHEREAS, on August 10, 1988, the Borough entered into a “Final Agreement for Cross-Licenses for Access and Parking and for Construction of Improvements to the Gold Street Parking Lot, which agreement arranged and allocated parking among the parties to that agreement, to wit: the Borough of Red Bank, St. James Roman Catholic Church, Shore Enterprises, The Ten Corporation, Stavola Leasing, L.L.C., and 27 Monmouth, L.L.C.; and

WHEREAS, on or about February 26, 2007, that agreement was modified to accommodate St. James Church’s proposed construction of a new Student Center for Red Bank Catholic High School by relocating some of the parking established by the aforementioned August 10, 1988 agreement; and

WHEREAS, it was subsequently learned that two of the parking spaces identified in the prior agreements among the parties had, in fact, been combined to form a single handicapped parking space, thus yielding a total of sixteen rather than seventeen spaces, as originally assumed by the parties; and

WHEREAS, the parties seek to modify their prior agreements to reflect that lesser total number of parking spaces;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Red Bank that the Borough Administrator is hereby authorized to execute a Second Amendment to the “Final Agreement for Cross-Licenses for Access and Parking and for Construction of Improvements to the Gold Street Parking Lot”, dated March 30, 2009, in the form prepared by Martin A. McGann, Jr., Esq.

BE IT FURTHER RESOLVED that this agreement is subject to review and approval by the Borough Attorney.

Seconded by Ms. Horgan and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Ms. Lewis	(x)	()	()	()
Mr. Zipprich	(x)	()	()	()
Mr. DuPont	(x)	()	()	()
Ms. Horgan	(x)	()	()	()
Ms. Lee	(x)	()	()	()
Mr. Murphy	(x)	()	()	()

Dated: April 27, 2009