

RESOLUTION NO. 23-179

**A RESOLUTION OF THE CITY OF SOUTH AMBOY
AUTHORIZING EXECUTION OF A LICENSE
AGREEMENT BETWEEN MANHATTAN BEACH CLUB
STREET LLC, AND THE CITY OF SOUTH AMBOY FOR
UTILIZATION OF PROPERTY NECESSARY FOR
OPERATION OF THE TEMPORARY FERRY
TERMINAL.**

WHEREAS, MANHATTAN BEACH CLUB STREET LLC, a Delaware limited liability company having an address of 200 Meeting Street, Suite 200, Charleston, SC 2940, is the owner of certain real property referred to as Lot 90, Block 161.02 in the City of South Amboy, Middlesex County, New Jersey (the “Licensor Property”), and

WHEREAS, the City of South Amboy, a New Jersey municipality (“the City”), is the owner of certain real property which is adjacent to the Licensor Property (the “City’s Property”), and

WHEREAS, the City is constructing a new ferry terminal with facilities for parking and terminal access, and

WHEREAS, while the new ferry terminal is being constructed, the City has provided a temporary ferry terminal for the public use, which is located on the City’s Property (the “Temporary Ferry Terminal”), and

WHEREAS, the temporary ferry service to and from the Temporary Ferry Terminal is operated by the Port Imperial Ferry Corp., doing business as NY Waterway (“PIFC”) pursuant to that Ferry Service and Landing Agreement dated as of August 10, 2022, as amended (the “Ferry Agreement”), and

WHEREAS, the City has installed a gravel access road, gravel parking lot and gravel path to the pier on a portion of the Licensor Property for the purpose of providing automobile parking to patrons utilizing the temporary ferry service located at the Temporary Ferry Terminal (the “Parking Lot”), and

WHEREAS, the City also desires to utilize portions of the Licensor Property to facilitate the continuation of the Temporary Ferry Service during the construction of the New Ferry Terminal, and Licensor is willing to grant Licensee a non-exclusive temporary license over a portion of the Licensor Property, subject to the terms and conditions set forth in the License Agreement, a copy of which is set forth hereto as Exhibit A;

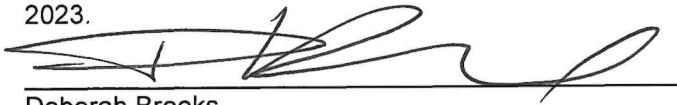
NOW, THEREFORE, BE IT RESOLVED, by the South Amboy City Council, County of Middlesex, State of New Jersey, that the License Agreement between the City of South Amboy and **MANHATTAN BEACH CLUB STREET LLC**, is endorsed by the City of South Amboy,

and

BE IT FURTHER RESOLVED, that the Mayor and Business Administrator are hereby authorized to execute the said License Agreement, with an effective date of October 26, 2023, on which date the City shall have assumed all rights, obligations and responsibilities stated in that agreement, and

BE IT FURTHER RESOLVED, the Mayor, the City Administrator and the City Clerk are hereby authorized to execute all documents necessary for the effectuation of this agreement.

I, Deborah Brooks, Municipal Clerk of the City of South Amboy, County of Middlesex, State of New Jersey, hereby certify this to be a true copy of a resolution adopted by the City Council on November 1, 2023.



Deborah Brooks
Municipal Clerk

	<i>Moved</i>	<i>Seconded</i>	<i>Ayes</i>	<i>Nays</i>	<i>Absent</i>	<i>Abstain</i>
CONRAD		X	X			
DATO			X			
McLAUGHLIN	X		X			
REILLY			X			
GROSS			X			