CITY OF CAPE MAY, COUNTY OF CAPE MAY, STATE OF NEW JERSEY

ORDINANCE NO. 583 - 2025

AN ORDINANCE AUTHORIZING AN AMENDMENT AND EXTENSION OF LEASE AGREEMENT WITH NEW JERSEY TRANSIT CORPORATION FOR BLOCK 1060, LOTS 4.01 AND 4.02 COMMONLY KNOWN AS THE WELCOME CENTER

WHEREAS, N.J.S.A. 40A:12-5 provides that a municipality may by ordinance provide for the acquisition of any lease of real property; and

WHEREAS, New Jersey Transit Corporation ("NJ Transit") is the owner of the property known as Block 1060, Lots 4.01 and 4.02, including a portion of the adjacent railroad right-of-way between Broad Street and Lafayette Street, on the official Tax Map of the City of Cape May; and

WHEREAS, NJ Transit and the City originally entered into a lease agreement on May 1, 1985 (the "Original Lease") with a term of twenty (20) years for a parcel of land located at Block 1060, Lots 4.01 and 4.02, including a portion of the adjacent railroad right-of-way between Broad Street and Lafayette Street, on the official Tax Map of the City of Cape May. The Lease was revised pursuant to that certain Rider dated May 1, 1985 (the "Rider"); and

WHEREAS, thereafter, the City exercised its option to extend the term the Original Lease for an additional twenty (20) years to April 30, 2025 (the "Option"); and

WHEREAS, NJ Transit and the City have agreed to extend the term of the Original Lease, as extended by the Option, for an additional twenty (20) years, subject to the terms and conditions included in this Amendment (the Original Lease, the Rider, and this Amendment are hereinafter referred to as the "Lease"). As a result of the Lease Amendment, the Lease term will be extended to April 30, 2045. The Lease Amendment is attached hereto as EXHIBIT A and incorporated herein by reference;

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Cape May in the County of Cape May and State of New Jersey as follows:

SECTION 1. The City is hereby authorized to enter the Lease Amendment with NJ Transit attached hereto as EXHIBIT A and incorporated herein by reference.

SECTION 2. The Mayor and City Clerk are hereby authorized to execute any and all instruments and to do all things necessary to effectuate the purposes hereof.

SECTION 3. If the provision of any article, section, subsection, paragraph, subdivision or clause of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such Order or Judgment shall not effect or invalidate the remainder of any such article, section, subsection, paragraph or clause, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 4. This Ordinance shall become effective 20 days after final passage and publication, according to law.

ATTEST:

Erin C. Burke, City Clerk

CITY OF CAPE MAY, a municipal corporation of the State of New Jersey

BY: Zachary M. Mullock, Mayor

NOTICE

Ordinance 583-2025 was introduced at a regular meeting of the City Council of the City of Cape May, held on October 21, 2025 and was further considered for final passage during a meeting of the City Council, held at the Cape May City Hall Auditorium, 643 Washington Street, Cape May, New Jersey, on November 17, 2025 at 5:30 P.M. at which time a Public Hearing was held.

Erin C. Burke, City Clerk

Roll Call	Ayes	Nays	Absent	Abstain	Motion	Second
Meier	X					X
McDade	X				X	
Bodnar	X					
Baldwin	X					
Mullock	X					

Introduced:	October 21, 2025
1st Publication:	October 29, 2025
2nd Reading & Adoption:	November 17, 2025
Final Publication:	November 26, 2025
Effective Date:	December 16, 2025