

**RESOLUTION AMENDING
THE RESOLUTION/CERTIFICATE OF AUTHORITY
AUTHORIZING APPLICATION TO THE DEPARTMENT OF THE ARMY FOR
TRANSFER OF SURPLUS PROPERTY**

WHEREAS, certain real property owned by the United States, located in the County of Monmouth, State of New Jersey, has been declared surplus and at the discretion of the Department of the Army, may be conveyed for historic monument purposes to a state, political subdivision, instrumentalities thereof, or municipality, under the provisions of Section 203(k)(3) of the Federal Property and Administrative Services Act of 1949, as amended [40 U.S.C. 484(k)(3)], and rules and regulations promulgated pursuant thereto, and more particularly described as follows:

WHEREAS, the Township of Wall needs and will utilize said property in perpetuity for historic monument purposes as set forth in its application and in accordance with the requirements of said Act and the rules and regulations promulgated thereunder; and,

WHEREAS, the Township of Wall is authorized, willing and able to conduct compatible revenue-producing activities, and that regardless of any revenues derived from such activities, the Township of Wall is financially able to utilize said property for historic monument purposes as set forth in its Program of Preservation and Utilization and in accordance with the requirements of said Act and regulations and procedures promulgated thereunder; and

WHEREAS, the Township of Wall agrees that any income in excess of costs of repair, rehabilitation, restoration and maintenance shall be used by the Applicant only for public historic preservation purposes as enunciated in its Program of Preservation and Utilization;

NOW, THEREFORE, BE IT RESOLVED that the Township of Wall shall make application to the Department of the Army for and secure the transfer to it of the above-mentioned property for said use upon and subject to such exceptions, reservation, terms, covenants, agreements, conditions, and restrictions as the Secretary of the Interior, and the Department of the Army, or their authorized representatives may require in connection with the disposal of said property under said Act and the rules and regulations issued pursuant thereto; and,

BE IT FURTHER RESOLVED that the Township of Wall has legal authority, is willing, and is in a position to assume immediate care and maintenance of the property, and that the Mayor of the Township of Wall or his designee be and is hereby authorized, for and on behalf of the Township of Wall, to do and perform any and all acts and things which may be necessary to carry out the foregoing resolution, including the preparing, making, and filing of plans, applications, reports, and other documents; the execution, acceptance, delivery, and recordation of reports, and other documents; the execution, acceptance, delivery and recordation of agreements, deeds, and other instruments pertaining to the transfer of said property, including the filing of copies of the application and the conveyance documents in the records of the governing body, and the payment of any and

all sums necessary on account of the purchase price thereof, or fees or costs incurred in connection with the transfer of said property for survey, title searches, recordation of instruments, or other costs identified with the Federal surplus property acquisition.

I, Lorraine Kubacz, Acting Clerk of the Township of Wall, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Township Committee of the Township of Wall at the Executive Meeting held on March 28, 2001.



LORRAINE KUBACZ, Acting Township Clerk

Attest April 11, 2001