

**MUNICIPAL COUNCIL OF THE CITY OF BAYONNE
RESOLUTION NO. 16-12-14-**

087

WHEREAS, Khinder and Blanche Jiji ("**Applicant**") are the owners in fee simple of real property located at 418 Broadway, designated as Block 226, Lot 36 in the City of Bayonne, County of Hudson, State of New Jersey shown on the official tax map of the City of Bayonne, currently used as a mixed use storefront with dwelling units on the second and third floors (the "**Applicant's Property**"); and

WHEREAS, the Applicant has applied to the Planning Board of the City of Bayonne (the "**Planning Board**") to convert the third floor of the Applicant's Property from a single dwelling unit into two (2) dwelling units (the "**Project**"); and

WHEREAS, the Planning Board adopted Resolution No. 16-035 on December 13, 2016 approving the Project subject to conditions including the extension of an existing fire escape approximately fifteen (15') feet over the City's sidewalk on East 19th Street, to serve as an emergency means of egress from the proposed third floor second dwelling unit; and

WHEREAS, the existing fire escape projects into the City's right of way on East 19th Street, as illustrated in the drawing attached hereto as Exhibit "A"; and

WHEREAS, the Applicant submitted a letter dated November 14, 2016, a copy of which is attached hereto as Exhibit "B", requesting permission to extend the existing fire escape approximately fifteen (15) feet [in an easterly direction], to serve as an emergency egress by occupants of the Applicant's Property and their invitees; and

WHEREAS, the City believes that the conveyance of a license over the City's Property will allow the Applicant to go forward with the Project and make building improvements that offer an improved planning and zoning perspective and economic benefit to the Applicant, the City and its residents; now, therefore, be it

RESOLVED, the City of Bayonne is willing to grant a License to Khinder and Blanche Jiji allowing them to maintain the existing fire escape and extend it approximately fifteen (15') feet easterly on 19th Street so as to serve as an emergency means of egress from the proposed third floor dwelling unit, to be constructed in accordance with the aforesaid Planning Board Resolution No. 16-035 adopted on December 13, 2016 and applicable state and local laws and ordinances, pursuant to the following conditions:

1. The sidewalk beneath the License area will at all times be maintained and kept clear and unobstructed, free of debris, snow and ice;
2. Khinder and Blanche Jiji and their successors and assigns will defend, indemnify and hold harmless the City of Bayonne from any and all claims for injury and damage to persons or property arising from the use of the License area;


3. Khinder and Blanche Jiji and their successors and assigns will at all times maintain liability insurance with limits of at least \$1,000,000 and provide the City of Bayonne with a Certificate of Insurance naming it as an additional insured;

4. The License Agreement may not be modified, amended or terminated without the prior written consent of the Municipal Council;

5. Failure to comply with the terms of the License Agreement may result in revocation of the License, zoning permit and/or building permit or certificate of occupancy; and

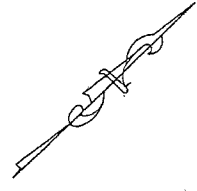
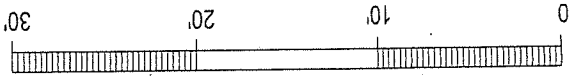
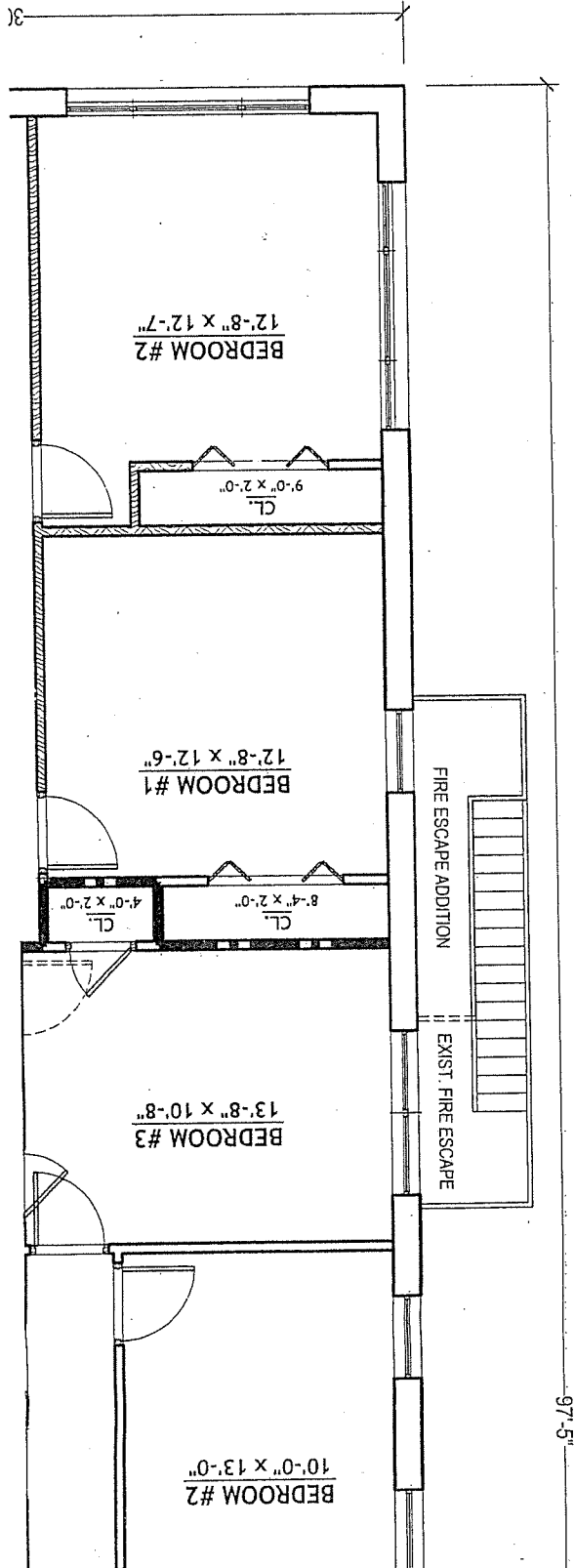
BE IT FURTHER RESOLVED that the Mayor and Clerk be and are hereby authorized to execute a License Agreement consistent with the dimensions (or portion thereof) set forth in the Planning Board Application and incorporating the terms and conditions of any Planning, Zoning and/or Building approvals necessary for the construction, renovation and expansion of the existing structure and in such form and content as may be deemed necessary by the Law Director for the City of Bayonne to secure these purposes both now and in the future.

A TRUE COPY

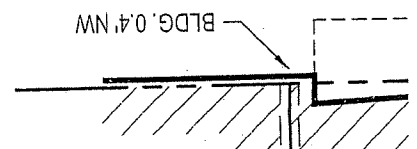
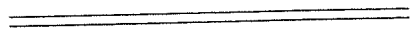


CITY CLERK

EXHIBIT A



DWAY
(W.)



EXISTING 1-STORY BRICK & STUCCO

PARTY WALL

100.00' N

E 19th STREET

97'-5"