

# Warren County Board of Supervisors

## RESOLUTION NO. 412 OF 2023

**RESOLUTION INTRODUCED BY SUPERVISORS BRUNO, MAGOWAN, DIAMOND, GERACI, STROUGH, CONOVER AND THOMAS**

**AMENDING LAND LEASE WITH NEXAMP SOLAR FOR FLOYD BENNETT  
MEMORIAL AIRPORT SOLAR LAND LEASE (WC 44-20),  
TO ASSIGN THE LEASE TO NORTHERN GATEWAY RENEWABLES, LLC  
AND SOUTHERN GATEWAY RENEWABLES, LLC**

WHEREAS, pursuant to the authorizations of Resolution Nos. 114 of 2021 and 259 of 2021, The County of Warren and Nexamp Solar, LLC have entered into an Airport Real Property Lease Agreement (the "Lease"), on August 25, 2021, pursuant to the terms of the proposal WC 44-20, and

WHEREAS, Nexamp Solar, LLC has requested permission to assign the Lease and all of its rights, responsibilities, obligations, duties, and benefits under the Lease to two wholly-owned subsidiaries managed by Nexamp, which are: Northern Gateway Renewables, LLC, and Southern Gateway Renewables, LLC, and

WHEREAS, the assignment of the Lease is requested to assist Nexamp Solar, LLC in obtaining financing for constructing solar arrays on the two parcels of land at the airport, now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the assignment of the Lease executed between the County of Warren and Nexamp Solar, LLC on August 25, 2021, to Northern Gateway Renewables, LLC, and Southern Gateway Renewables, LLC in a form approved by the County Attorney, and be it further

RESOLVED, that Northern Gateway Renewables, LLC, and Southern Gateway Renewables, LLC, shall accept and assume the assignment of the Lease subject to all of the terms of the Lease and shall accept and assume all of the rights, responsibilities, obligations, duties and benefits under the Lease.

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution Nos. 114 of 2021 and 259 of 2021 will remain the same.