

Warren County Board of Supervisors

RESOLUTION NO. 180 OF 2025

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

AMENDING LAND LEASE ASSIGNMENT WITH SOUTHERN GATEWAY RENEWABLES, LLC FOR WARREN COUNTY (FLOYD BENNETT MEMORIAL) AIRPORT SOLAR LAND LEASE (WC 44-20), TO EXTEND THE TERMINATION DATE AND OTHER MODIFICATIONS

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, pursuant to Resolution No. 412 of 2023, the Warren County Board of Supervisors authorized the assignment of the Lease executed between the County of Warren and Nexamp Solar, LLC on August 25, 2021 to Southern Gateway Renewables, LLC, and

WHEREAS, pursuant to Resolution No. 117 of 2024, the Warren County Board of Supervisors extended the termination date of the Lease with Southern Gateway Renewables, to August 24, 2025, and

WHEREAS, the Superintendent of Public Works requested and the County Facilities Committee agreed to modify the Lease to include the decrease in size of the County real property subject to restriction under the Lease, to extend the expiration of the construction phase option from August 31, 2025 to August 31, 2026, to increase insurance coverage requirements upon the tenant and contractors, and make other modifications deemed necessary, and

WHEREAS, the Board of Supervisors adopted Resolution No. 175 of 2025, which authorized a public hearing to be held by the Board of Supervisors on the 13th day of May, 2025 in the Supervisors' Rooms in the Warren County Municipal Center on the matter of the proposed lease amendments, and notice of such public hearing having been duly published and posted as required, and said public hearing having been held and all persons appearing and desiring to be heard having been heard, now, therefore, be it now, therefore, be it

RESOLVED, that the Warren County Board of Supervisors hereby authorizes the Chair of the Board of Supervisors to execute the Second Amended and Restated Option and Ground Lease with Southern Gateway Renewables, LLC, as described in the preambles of this resolution, in a form approved by the County Attorney, and be it further

RESOLVED, that other than the changes outlined herein, all other terms and conditions of Resolution Nos. 114 of 2021, 259 of 2021, 412 of 2023 and 117 of 2024 will remain the same.