



CITY OF BEACON
CITY COUNCIL

Resolution No. _____ of 2020

**ACCEPTING AN OFFER OF DEDICATION OF A ROADWAY
(RIDING RIDGE TRAIL – POLO FIELDS SUBDIVISION)**

WHEREAS, an irrevocable offer of dedication was made to the City of Beacon by OL Beacon LLC dated November 3, 2004 and recorded in the Dutchess County Clerk’s Office on November 5, 2004 as Document No. 02 2004 11922 in connection with the “Final Subdivision Plat of Phase 3 of Polo Field Investments” which map was filed in the Dutchess County Clerk’s Office on November 4, 2004 as Filed Map No. 11042B; and

WHEREAS, the Offer of Dedication includes a roadway known as Riding Ridge Trail (the “Property”) and the following associated easements: (1) an easement for drainage and general utility purposes (the “Drainage and General Utility Easement”), (2) two sight line easements over a portion of certain lots within the subdivision (the “Sight Line Easements”), and (3) an easement to deposit, store and remove snow (the “Snow Storage Easement”); and

WHEREAS, the Offer of Dedication also includes the following items which are not subject to this resolution: (1) a water and sewer easement in Fairways Lane, and (2) a sewer pumping station at the end of Fairways Lane, and (3) a sewer easement to serve Lot 32 (Firehouse Lot); and

WHEREAS, the public improvements to be dedicated as part of the Polo Fields Subdivision are shown on a map entitled “Map Showing Proposed Conveyances including Fee Conveyances, Conveyances for Highway Purposes and Conveyances of Easements for various purposes to the City of Beacon, the Town of Fishkill and Dutchess Junction Fire District from the Polo Field Development,” which map was filed in the Dutchess County Clerk’s Office on November 4, 2004 as Filed Map No. 11042C; and

WHEREAS, the Property is currently owned by Beaver Brook Beacon Acquisition LLC; and

WHEREAS, the Offer of Dedication provides that “at the time of acceptance by the City of Beacon, title to the premises shall be good and marketable and free from all liens and

encumbrances except existing rights of public utility companies and the rights of others to use said premises for highway purposes where appropriate, and Ol Beacon [now, Beaver Brook Beacon Acquisition LLC] agrees to furnish at its expense a policy of title insurance in the amount of not less than \$5,000.00”; and

WHEREAS, the City is in receipt of an as-built survey entitled “As-Built Survey of Riding Ridge Trail”, last revised October 10, 2018, as prepared by Badey & Watson Surveying & Engineering, P.C.; and

WHEREAS, the City Engineer, City Highway Superintendent and Water and Wastewater Superintendent have reviewed said plans and inspected the Property and find same to be suitable for acceptance by the City with the exception of the following items: (1) two trees must be replaced; (2) the mortar on two catch basins must be repaired; and (3) a crack in the roadway must be sealed.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Beacon hereby accepts the offer of dedication of the roadway known as Riding Ridge Trail, and the associated easements identified above, as shown on the As Built Survey of Riding Ridge Trail, subject to the following conditions to be satisfied by the owner prior to the recording of the deed conveying title thereof:

1. Submission of a maintenance bond for a term of one year from the City’s acceptance of the Offer of Dedication in an amount of \$36,727.00.
2. Deposit to the City of a sum in an amount to be determined by the City Engineer and held in an escrow account sufficient to cover the costs of completing the following items: (1) two trees must be replaced; (2) the mortar on two catch basins must be repaired; and (3) a crack in the roadway must be sealed.
3. Submission of policy of title insurance in the amount of not less than \$5,000.00.
4. Payment of all outstanding fees and professional review fees.
5. Payment of all outstanding real property taxes due on the subject property consisting of the Riding Ridge Trail roadway.

BE IT FURTHER RESOLVED, that the Mayor and/or the City Administrator are authorized to execute any forms and documents necessary to effectuate the purpose of this Resolution.

Resolution No. _____ of 2020

Date: January 6, 2020

Amendments

2/3 Required

Not on roll call.

On roll call

3/4 Required

Motion	Second	Council Member	Yes	No	Abstain	Reason	Absent
		Terry Nelson					
		Jodi McCredo					
		George Mansfield					
		Amber T. Grant					
		Air Rhodes					
		Dan Aymar-Blair					
		Lee Kyriacou					
		Motion Carried					