

## MEMORANDUM

**TO: Mayor Lee Kyriacou and Beacon City Council Members**

**FROM: Keane & Beane, P.C.**

**RE: St. Luke's Place – Offer of Dedication and Sight Easement**

**DATE: April 9, 2020**

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On August 14, 2018, the Planning Board granted approval of a 3-lot residential subdivision for property located at the corner of St Luke's Place and Union Street. The Subdivision Plat prepared for Beacon 226 Main Street LLC was filed in the Dutchess County Clerk's Office as Filed Map No. 514A on April 5, 2019.

The Planning Board Resolution requires the applicant to submit two documents which will be recorded by the Applicant in the Dutchess County Clerk's Office:  
(1) Sight Distance Easement, (2) Offer of Dedication.

The proposed action for the City Council is to accept the easement, accept the Offer of Dedication, and authorize the Mayor and/or Administrator to execute all documents as may be necessary for such purposes.

### **Sight Easement**

In order to maintain proper sight distance for vehicles at the corner of St Luke's Place and Union Street and pursuant to Section 195-21.C of the City Code, the Planning Board required a sight easement to be recorded in the County Clerk's Office. The subject area is shown on the Filed Map as approximately 312 s.f.

The Sight Easement requires the property owner to maintain the required sight distance by keeping the subject area free and clear of obstructions. It also grants the City the right, but not the obligation, to enter the Property and remove sight distance obstructions in the event the owner fails to do so.

### **Offer of Dedication – Union Street**

During review of the application, it was discovered that a portion of the Union Street right-of-way is located on private property belonging to Beacon 226 Main St LLC (the "Applicant"). The Applicant offered to dedicate that land to the City for highway purposes. The area subject to dedication to the City is shown on the Filed Map as a shaded area along Union Street consisting of approximately 900 s.f.

The Offer of Dedication submitted by the Applicant for the City Council's consideration includes a proposed Deed to convey the land to the City for highway purposes.