

**CITY OF BEACON
CITY COUNCIL**

RESOLUTION NO. ___ OF 2020

**RESOLUTION AUTHORIZING AN AMENDMENT TO THE PEDESTRIAN
WALKWAY EASEMENT AND MAINTAINANCE AGREEMENT REGARDING
THE “WEST END LOFTS” PROJECT**

WHEREAS, The Kearney Realty & Development Group, Inc. and its affiliates (collectively, “KRG”) obtained Site Plan approval from the City of Beacon Planning Board on or about September 13, 2017, for land development activity on certain property located in the City of Beacon and identified as Tax Map Parcel Nos. 5954-26-684943, 5954-26-690923 and 5954-26-708967 (the “Property”), pursuant to certain drawings and plans generally entitled “West End Lofts,” Sheets 1-4, dated March 28, 2017 prepared by Insite Engineering, Surveying & Landscape Architecture, P.C. (the “Project”); and

WHEREAS, the Project consists of the construction of three (3) 3-4 story buildings containing a total of 98 apartments, along with associated infrastructure; and

WHEREAS, on March 28, 2018 the City Council authorized a Pedestrian Walkway Easement and Maintenance Agreement among the City and the owners of the Property to establish a public walkway for pedestrian ingress and egress connecting to the walkway located on the adjacent property commonly known as The View, Tax Map Parcel No. 5954-24-660924, such that the walkway extended from Beekman Street toward Wolcott Avenue, which agreement was recorded in the Dutchess County Clerk’s Office on April 11, 2018 as Document #02 2018 2648 (“Existing Easement”); and

WHEREAS, the as-built location of the walkway has changed from that which was described in the Existing Easement in order to accommodate a connection with the walkway on The View parcel; and

WHEREAS, KRG, on behalf of the Property owners, presented to the City Council an Amendment to Pedestrian Walkway Easement and Maintenance Agreement (“Easement Amendment”) which modifies the location of the easement area to reflect the as-built condition.

NOW THEREFORE, BE IT RESOLVED THAT, the City Council hereby authorizes the Mayor and/or City Administrator to sign the Easement Amendment for said purpose, along with all documents as may be necessary for the recording of such amendment, subject to review and approval by the City Attorney.