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AUTHORIZATION TO EXECUTE EASEMENT FOR  
UNDERGROUND PLACEMENT & MAINTENANCE  
OF NINE FOUNDATION FOOTINGS FOR  
180-188 BATTERY STREET CONSTRUCTION PROJECT

In the year Two Thousand Eleven.....  
Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, Waterfront Plaza, LLC (“Waterfront Plaza”) is the successor in interest to Investors Corporation of Vermont (“ICV”), which received zoning and building permits to construct a new four story building, including one level of underground parking and three stories of business use above ground, at 180-188 Battery Street; and

WHEREAS, Waterfront Plaza nine foundation footings to be permanently placed and maintained under the City’s rights-of-way on Battery Street and on King Street adjacent to 180-188 Battery Street in order to have its building properly and safely constructed and operated; and

WHEREAS, Waterfront Plaza requires an easement from the City to have the right to place and maintain these footings under these rights-of-ways; and

WHEREAS, the easement is subject to Waterfront Plaza’s obtaining and complying with the necessary governmental permits and approvals and protecting the public’s use of the rights-of-way and protecting the utilities located within these rights-of-way;

NOW, THEREFORE, BE IT RESOLVED that the Honorable Mayor Bob Kiss be and hereby is authorized to execute the following easement, or one substantially in conformance with it, subject to the prior review and approval of the City Attorney:

An easement from City to Waterfront Plaza in favor of Waterfront Plaza for the construction and maintenance of nine foundation footings and the appurtenant structures thereto

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38 BATTERY STREET CONSTRUCTION PROJECT

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40 placed into the public rights-of-ways on Battery Street and on King Street adjacent to 180-188  
41 Battery Street, said easement attached hereto.

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44 lb/emb/c: Resolutions 2011/Easement to Waterfront Plaza re 180-188 Battery St. (Waterfront Plaza Project)  
45 1/5/11