



Legislation Details (With Text)

File #: Resolution # 21-08 **Version:** 1 **Name:** Resolution 21-08 Accept Boardwalk Easement at 443 East Shore
Type: Resolution **Status:** Passed
File created: 2/10/2021 **In control:** Public Works
On agenda: 3/4/2021 **Final action:** 3/4/2021
Title: Accept a boardwalk easement from NESC, LLC for the purpose of maintenance and general public use of a public boardwalk on real property located at 443 East Shore Drive and adopt Resolution 21-08.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Resolution 21-08_ 443 EAST SHORE DR, 2. Exhibit A to Resolution 21-08_Rev, 3. 443_EastShore Dr.pdf

Date	Ver.	Action By	Action	Result
3/4/2021	1	City Council		
3/1/2021	1	Council Work Session		

SUBJECT/RECOMMENDATION:

Accept a boardwalk easement from NESC, LLC for the purpose of maintenance and general public use of a public boardwalk on real property located at 443 East Shore Drive and adopt Resolution 21-08.

SUMMARY:

The City entered into a Development Agreement (Agreement) with a developer of the 443 East Shore site in 2012, but the development never commenced. As the successor to the original developer, NESC, LLC, and the City entered an amended agreement for the 443 East Shore site on January 22, 2018.

The Agreement contemplates that NESC, LLC, will construct a boardwalk and permit the public to use the boardwalk and new sidewalk at the north end of the proposed boardwalk, to connect the boardwalk to East Shore Drive. The south end of the boardwalk will connect to the city-owned Papaya Street Plaza.

The City and NESC agreed to the terms of the boardwalk easement where the general daily and regular upkeep and maintenance of the boardwalk shall be the duty and responsibility of the City. All structural upkeep, maintenance, and replacement of the boardwalk shall be the duty and responsibility of the developer, NESC, LLC.

Staff recommends acceptance of the easement.