

# CITY OF CONCORD

*In the year of our Lord two thousand and eighteen*

**RESOLUTION** AUTHORIZING THE CITY MANAGER TO ISSUE A LICENSE TO GRANITE CENTER L.L.C. FOR THE INSTALLATION OF CERTAIN PRIVATE IMPROVEMENTS WITHIN THE BRIDGE STREET, DIXON AVENUE, NORTH MAIN STREET RIGHTS OF WAY AND EAGLE SQUARE

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*The City of Concord resolves as follows:*

**WHEREAS,** Granite Center L.L.C. is the owner of certain real estate located at 4-6 Dixon Avenue, 8-14 Dixon Avenue, and 1 Eagle Square; and,

**WHEREAS,** Granite Center L.L.C. desires to install, operate, and maintain a private snow melt system within portions of the North Main Street rights-of-way to support an accessible ramp for 1 Eagle Square; and,

**WHEREAS,** Granite Center L.L.C. desires to install, operate, and maintain a private irrigation system within portions of the Bridge Street and Dixon Avenue rights-of-way to support public landscaping improvements; and,

**WHEREAS,** Granite Center L.L.C. desires to install, operate, and maintain a handicap accessible ramp and related improvements in order to facilitate pedestrian access from the public park known as Eagle Square to private property located at 1 Eagle Square; and,

**WHEREAS,** Said private improvements within the City's Rights-of-Way or public property were not specifically contemplated within the Purchase and Sales / Development Agreement between the City and Granite Center L.L.C., as approved by the City Council on July 9, 2018 by the passage of Resolution #9116; and,

**WHEREAS,** these private improvements will not interfere with the City's use of the aforementioned rights-of-way or property.

**NOW THEREFORE BE IT RESOLVED,**

1. The City Administration is hereby authorized to enter into a License Agreement with Granite Center L.L.C. for the aforementioned improvements.
2. The Licensee shall be responsible for all costs associated with the installation, operation, maintenance, and replacement of these improvements.

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3. The Licensee shall indemnify, protect, defend, and hold harmless the City for liability associated with these improvements.
4. This resolution shall take effect upon its passage.