

RESOLUTION #5-2017

**A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF A
DEHAVAN LAKE DAM EASEMENT AGREEMENT WITH GENEVA
LANDINGS**

WHEREAS, a portion of the Delavan Lake Dam is located on property owned by Geneva Landings Condominium Association over part of which the Town holds an easement for purposes of accessing and maintaining the dam, and

WHEREAS, the Town of Delavan and the Geneva Landings Condominium Association have reached an agreement expanding the existing easement and granting rights and responsibilities to both parties as a result of this Easement Agreement, a copy of which is attached hereto, and

WHEREAS, the Town of Delavan will fund liability insurance to protect the Town and its residents, including the Association, in the event of dam failure. The Town will also implement Emergency Action and Operation/Maintenance Plans covering the dam in cooperation with the Association.

NOW THEREFORE BE IT RESOLVED, that the Town Board, having determined that the attached Easement Agreement benefits both parties and helps clarify ownership for future dam operation, maintenance, and liability, the same is hereby approved and the Town Chair and Town Clerk are authorized to execute the agreement on behalf of the Town.

Dated this 16th day of May, 2017


Ryan Simons, Town Chair

Ayes 4 Noes 0

Attest:


Dixie C. Bernstein, Town Clerk