

**FILE OF THE CITY CLERK**

**ADMINISTRATION RESOLUTION NO. 33 - 2015**

**INTRODUCED - JUNE 9 , 2015**

**ADOPTED BY COUNCIL – JUNE 9, 2015**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER APPROVING AN EASEMENT AGREEMENT BETWEEN THE CITY OF LANCASTER (“CITY”) AND LANCASTER PRESS PARTNERS, L.P. (“LLP”) GRANTING AN EASEMENT TO LLP TO ERECT GROUND FLOOR ENTRY STRUCTURES ON AND PRIVATE BALCONIES OVER THE PUBLIC SIDEWALKS OF NORTH PRINCE STREET AND WEST LEMON STREET WITHIN AN AREA LOCATED AT THE NORTHEAST CORNER OF NORTH PRINCE STREET AND WEST LEMON STREET, AS MORE FULLY SET FORTH IN THE EASEMENT AGREEMENT.**

**WHEREAS**, LLP is owner of a tract of land situate on the north side of West Lemon Street between North Prince and North Market Streets in the City of Lancaster, being known as 401 and 403 North Prince Street, together with 37 and 39 West Lemon Street; and

**WHEREAS**, LLP proposes to convert the six-story brick factory structure to a mixed use building, with ground floor retail/commercial space and five floors of residential units; and

**WHEREAS**, residential units on the third, fourth, fifth and sixth floors will be constructed with private balconies projecting five feet over the public sidewalk, with a minimum clearance height of fifteen (15) feet above the surface of the public right-of-way; and

**WHEREAS**, the Easement Agreement sets forth terms and conditions under which LLP may construct and maintain ground floor entry structures and balcony projections over the public sidewalks (the “Improvements”), a requirement for insurance, provisions for maintenance of the Improvements, and submission to and approval of the structural plans and specifications by the Building Code Official, the Public Works Director and the Engineer of the City, in addition to the requirement that LLP obtain all other permits, approvals and reviews required by all applicable laws, ordinances and regulations.

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Lancaster hereby approves the attached Easement Agreement between the City and LLP which approval is conditioned upon the recording of the final land development plan approved with conditions by the Lancaster City Planning Commission on December 17, 2014, and hereby authorizes the Mayor to execute the Easement Agreement, which shall be recorded in the records of the Recorder of Deeds of Lancaster County.

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J. Richard Gray, Mayor

Attest: \_\_\_\_\_  
Bernard W. Harris, Jr., City Clerk