

# Warren County Board of Supervisors

## RESOLUTION NO. 193 OF 2017

**RESOLUTION INTRODUCED BY SUPERVISORS SIMPSON, MACDONALD, DICKINSON, FRASIER, MERLINO, SOKOL, VANSELOW, GIRARD AND HYDE**

**AUTHORIZING REVOCABLE BIKEWAY RIGHT-OF-WAY PRIVATE USE LICENSING AGREEMENT WITH BETHEL ENTERPRISES LTD., C/O PATRICIA BETHEL FOR LAND USE FOR A PARKING LOT**

WHEREAS, Bethel Enterprises, Ltd., c/o Patricia Bethel, 2 Sagamore Street, Glens Falls, New York 12801 (hereinafter referred to as the "Licensee") has requested a Revocable Bikeway Right-of-Way Private Use Licensing Agreement for use of land as a parking lot located at 32 Dix Avenue, Glens Falls, New York 12801, and

WHEREAS, the Public Works Committee of the Warren County Board of Supervisors has recommended that a Revocable Bikeway Right-of-Way Private Use Licensing Agreement be issued to Licensee for the aforementioned land use, now, therefore, be it

RESOLVED, that Warren County grant a Revocable License (upon 30 days notice) to the Licensee, at a fee of Three Hundred Dollars (\$300) per year, for the purpose of a Revocable Bikeway Right-of-Way Private Use Licensing Agreement for a parking lot of less than 10,000 square feet to be located at 32 Dix Avenue in the City of Glens Falls, provided that: (1) the License requires general liability coverage in limits not less than One Million Dollars (\$1,000,000) per occurrence, and said insurance coverage shall name Warren County as an additional insured; (2) the License requires Licensee to defend, indemnify and hold harmless the County of Warren, its Board, officers and employees, from claims, suits, actions, damages and costs of every kind and description, arising out of or resulting from the use; (3) when use of the Revocable Bikeway Right-of-Way Private Use Licensing Agreement is terminated or revoked by either party, the property shall be returned to its original condition; (4) the License is in a form approved by the County Attorney and certain other provisions as recommended by the County Attorney; (5) there is no cost or

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expense to the County of Warren for said use and/or termination of use; and (6) Licensee has submitted plans for uses to the Director of Parks & Recreation for review, and be it further

RESOLVED, that the Chairman of the Board of Supervisors and/or the Superintendent of Public Works is/are hereby authorized to execute any agreements and/or permits that may be necessary to effectuate the terms of the Revocable Bikeway Right-of-Way Private Use Licensing Agreement, as herein authorized.