

1 APPROVAL OF PROCEDURE FOR RESOLVING
2 CERTAIN ISSUES RELATED TO RIGHTS TO THE MORTON PARCEL CURRENTLY
3 OWNED BY BURLINGTON COMMUNITY DEVELOPMENT
4 CORPORATION ON SEARS LANE; SAID ISSUES
5 ARISING OUT OF A 1985 STIPULATION AS TO NECESSITY
6 BETWEEN VTRANS AND GENERAL ELECTRIC COMPANY.
7
8
9

10 In the year Two Thousand Eleven.....
11 Resolved by the Burlington Community Development Corporation of the City of Burlington, as
12 follows:

13 That WHEREAS, the Burlington Community Development Corporation
14 (“BCDC”) is a non-profit corporation duly authorized and existing under the Vermont
15 Non-Profit Corporation Act; and

16 WHEREAS, BCDC owns certain property located north of Sears Lane and south of
17 Lakeside Avenue in the City of Burlington; and

18 WHEREAS, BCDC purchased a portion of said property, known as the “Morton parcel,”
19 from the City of Burlington, which had acquired the Morton parcel from the State of Vermont
20 Agency of Transportation pursuant to the City’s management role over the Champlain Parkway,
21 so called; and

22 WHEREAS, the Morton parcel was the subject of a Stipulation as to Necessity between
23 VTrans and General Electric Company, and an Option Agreement between VTrans, General
24 Electric Company, and the City of Burlington, and the rights described in those documents have
25 been questioned; and

26 WHEREAS, BCDC intends to convey all of said property to the City of Burlington for
27 the construction of a transit center; and

28 WHEREAS, neither the City of Burlington nor BCDC wishes to proceed with any
29 conveyance or development of the Morton parcel until such title issues are resolved;
30
31

32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57

APPROVAL OF PROCEDURE FOR RESOLVING CERTAIN ISSUES RELATED TO RIGHTS TO THE MORTON PARCEL CURRENTLY OWNED BY BURLINGTON COMMUNITY DEVELOPMENT CORPORATION ON SEARS LANE; SAID ISSUES ARISING OUT OF A 1985 STIPULATION AS TO NECESSITY BETWEEN VTRANS AND GENERAL ELECTRIC COMPANY.

NOW, THEREFORE, BE IT RESOLVED, by the Board of the Burlington Community Development Corporation acting by and through the Finance Board of the City Council of the City of Burlington, Vermont, as follows:

Section 1: The Board of BCDC, as the established governing body of the Burlington Community Development Corporation, hereby agrees to and approves of the legal action to be taken by the City of Burlington to resolve the aforementioned issues and shall cooperate as requested in the prosecution of such legal action;

Section 2. Furthermore, BCDC shall not undertake any work on the Morton parcel nor transfer any ownership rights of said parcel until such legal action is concluded or at such time as the State of Vermont (through VTrans), the City of Burlington and BCDC shall otherwise agree.

Section 3. This resolution shall take effect immediately.