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**Meeting Name:** Town Council Meeting  
**Meeting Date:** January 24, 2023  
**Prepared By:** L. Rubin, Town Attorney  
**Item Title:** Resolution No. 2024-02 (Acceptance of Ownership and Maintenance of Public Easements within the Plat of Ocean Ridge)

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#### **DISCUSSION:**

On April 19, 2023, the Town Council conducted a public workshop with stakeholders to discuss the public ingress and egress easement and public pedestrian and bicycle easements located within the Plat of Ocean Ridge. The easements are depicted in yellow on the copy of the Plat included as back up. The easements were dedicated by the developer of Ocean Ridge to the Town to create a public pedestrian and bicycle path that would connect the west and east sides of the Town. While the easements are open to the public, according to the Plat, they are the perpetual maintenance obligation of the Ocean Ridge Townhomes Homeowners Association, Inc. The residents of Ocean Ridge raised numerous safety and liability concerns related to the public use of the easements.

Having heard the various concerns of the residents of Ocean Ridge and members of the public, the issue was placed on the Town Council's April 26, 2023 agenda as a discussion item. At the conclusion of Council's discussion, the Council voted to have the Town to assume ownership and maintenance of the public easements.

The attached Resolution authorizes the Mayor to execute the Assignment and Assumption Agreement, whereby the Town agrees to accept the maintenance obligation for the easements. It also accepts two deeds, a Special Warranty Deed from the developer of Ocean Ridge and a Quit-Claim Deed from the Ocean Ridge Townhomes Homeowners Association, to effectuate a transfer of ownership of the underlying property from Ocean Ridge to the Town. Upon execution of the Agreement and acceptance and recordation of the deeds, the Town will have assumed both the ownership and maintenance of the public easements depicted on the plat of Ocean Ridge.

#### **RECOMMENDATION:**

Town Council consideration of Resolution No. 2024-02, accepting the ownership and maintenance of the of the public easements depicted on the Plat of Ocean Ridge.