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DEPARTMENT OF
PLANNING & ZONING

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Matthew T. Daly

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HAND DELIVERY

July 20, 2018

Ms. Mary O'Neil, Principal Planner
City of Burlington
Department of Planning and Zoning
149 Church Street, City Hall
Burlington, VT 05401-8415

***Re: 16 Peru Street/BPJS Management, LLC/14 Peru Street/PBGC, LLC
Boundary Line Adjustment Appeal***

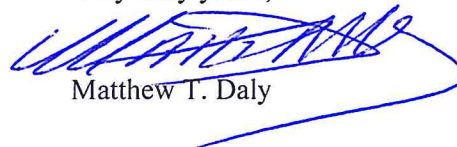
Dear Mary:

I am writing pursuant to the DRB's request that I submit a proposed instrument to address the various concerns the DRB raised at the appeal hearing this past Tuesday (July 17) regarding the above-referenced appeals. Enclosed please find a draft "Parking Easement Deed" that we believe addresses the DRB's and Staff's concerns. Please note that we have designated two (2) parking spaces through this easement; if the DRB or Staff determines additional parking would be required, the applicants would be agreeable to that. We believe the two spaces satisfy the concerns identified.

Alternatively, because we will eventually need to prepare and record Quitclaim Deeds from the two parties to achieve the Boundary Line Adjustment (in the event the DRB finds in the Applicants' favor on these appeals), we could reserve the Easement in the body of the Quitclaim Deed from BPJS Management, LLC to PBGC, LLC. Either way, the Parties are willing to ensure that the parking issue is addressed through customary recordable legal instruments expressly granting parking easement rights to PBGC, LLC. We believe this proposed Parking Easement resolves the concerns expressed in the "Staff Comments" memorandum associated with these appeals.

Please call me if you have any questions regarding the enclosed. Thank you.

Very truly yours,


Matthew T. Daly

Encs.

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PARKING EASEMENT DEED

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KNOW ALL PERSONS BY THESE PRESENTS THAT **BPJS Management, LLC**, a Vermont limited liability company (hereinafter referred to as Grantor), in the consideration of TEN AND MORE DOLLARS paid to its full satisfaction by **PBGC, LLC**, a Vermont limited liability company (hereinafter referred to as Grantee), has **REMISED, RELEASED, AND QUITCLAIMED** unto the said **PBGC, LLC**, Grantee, its successors and assigns, the following rights and title which the Grantor has in, and to a certain piece of land in City of Burlington in the County of Chittenden and State of Vermont, described as follows, viz:

A permanent easement on that property located at 16 Peru Street, Burlington, Vermont, for two (2) standard sized parking spaces to be used by Grantee, the record owner of 14 Peru Street, Burlington, Vermont, its successors and assigns and its tenants and occupants. The parking spaces granted herein shall be designated by Grantor and marked accordingly, with Grantor remaining responsible for the maintenance, repair, and snow removal of such spaces as part of the parking area on Grantor's property.

The property which is burdened by this Easement is more specifically described as 16 Peru Street and as follows:

Being all and the same lands and premises conveyed to BPJS Management, LLC, by Warranty Deed dated December 11, 2003, and recorded in Volume 850 at Page 752 of the City of Burlington Land Records, and being more particularly described therein as follows:

A lot of land, with buildings thereon, situated on the North side of Peru Street, the dwelling house thereon being numbered No. 16 Peru Street.

The property which is benefitted by this Easement is more specifically described as 14 Peru Street and as follows:

Being all and the same lands and premises conveyed to PBGC, LLC, by Warranty Deed dated February 16, 2018, and recorded in Volume 1382 at Page 54 of the City of Burlington Land Records, and is commonly known as 14 Peru Street.

Reference is hereby made to a Survey Plan entitled "Boundary Survey and Lot line Adjustment" by Civil Engineering Associates, Inc., and dated March 6, 2018, as revised, and to be recorded with this Easement Deed.

Reference is hereby made to the instruments referred to above and the records thereof, and the instruments referred to therein and the records thereof, in further aid of this description.

TO HAVE AND TO HOLD all right and title in and to said quit-claimed premises, with the appurtenances thereof, to the said Grantee, its successors and assigns, **AND FURTHERMORE**, the said Grantor, does for itself, its executors, administrators and assigns, covenant with the said Grantee, its successors and assigns, that from and after the ensealing of these presents the said Grantor will have and claim no right, in, or to the said quit-claimed premises, except as above described.

IN WITNESS WHEREOF, the Grantor sets its hand and seal this ____ day of August, 2018.

BPJS MANAGEMENT, LLC

By: _____
DULY AUTHORIZED AGENT

STATE OF VERMONT)
COUNTY OF CHITTENDEN)

At Burlington, this _____ day of August 2018, WILLIAM G. BISSONETTE personally appeared and he acknowledged the foregoing instrument by him sealed and subscribed, to be his free act and deed and the free act and deed of BPJS MANAGEMENT, LLC.

Before me _____
Notary Public

My Commission Expires: 2/10/2019

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