

IRREVOCABLE OFFER OF DEDICATION

AGREEMENT by and between **Alan D. Norris and Nancy E. Norris**, hereinafter referred to as the "Owner", and the **Town of Hinesburg**, hereinafter referred to as the "Municipality".

W I T N E S S E T H:

WHEREAS, the Municipality's Development Review Board has approved a plan of land entitled "Boundary Plat, Route 116 - Hinesburg, Vermont, Alan D. & Nancy E. Norris" by O'Leary-Burke Civil Associates, PLC, dated January 7, 2013, and recorded in Map Slide _____ of the Town of Hinesburg Land Records; and

WHEREAS, the Notice of Decision of the Municipality's Development Review Board dated June 2, 2015 contained the condition that the Owner file an Irrevocable Offer of Dedication and Easement Deed for public pedestrian access easements depicted as "Proposed 26.5' Floating Access & Utility Easement Benefiting Town of Hinesburg" and "Proposed 20' Floating Access & Utility Easement Benefiting Town of Hinesburg" on the aforementioned Boundary Plat; and

WHEREAS, the "Proposed 26.5' Floating Access & Utility Easement Benefiting Town of Hinesburg" and "Proposed 20' Floating Access & Utility Easement Benefiting Town of Hinesburg" as depicted on the aforementioned Boundary Plat are to be dedicated to the Municipality free and clear of all encumbrances, pursuant to said decision and plan of land; and

WHEREAS, the Owner has delivered to the Municipality an appropriate Easement Deed for the above described easements.

NOW THEREFORE, in consideration of the decision of the Municipality's Development Review Board and for other good and valuable consideration, it is covenanted and agreed as follows:

1. The Owner herewith delivers to the Municipality an Easement Deed for the easements described above, which Easement Deed is attached as Exhibit A hereto, said delivery constituting a formal offer of dedication to the Municipality to be held by the Municipality until the acceptance or rejection of such offer of dedication by the legislative body of Municipality.
2. The Owner agrees that said formal offer of dedication is irrevocable and cannot be withdrawn, amended, conditioned, or modified whatsoever, and can be accepted by the Municipality in whole or in part at any time only by formal acceptance by the Selectboard and recordation of the Easement Deed in the Town of Hinesburg Land Records.
3. This Irrevocable Offer of Dedication shall run with the land and shall be binding on all assigns, grantees, successors and/or heirs of the Owner, and may be released only by a written release signed by the Municipality and recorded in said Land Records.
4. Nothing herein or in the Development Review Board decision shall obligate the Municipality to accept said offer or to assume any responsibility or liability as owner, or otherwise of said water infrastructure.

Dated at _____, Vermont this ____ day of _____, 2015.

Alan D. Norris

Nancy E. Norris

STATE OF VERMONT
COUNTY OF CHITTENDEN, SS.

At _____, in said County and State, this ____ day of _____, 2015, **Alan D. Norris and Nancy E. Norris** personally appeared and they acknowledged this instrument, by them sealed and subscribed, to be their free act and deed.

Before me,

Notary Public

My Commission expires: 02/10/2019

Dated at Hinesburg, Vermont this ____ day of _____, 20__.

Town of Hinesburg

By:

(printed name)

Its Duly Authorized Agent

STATE OF VERMONT
COUNTY OF CHITTENDEN, SS.

At Hinesburg, in said County and State, this ____ day of _____, 20__, _____, Duly Authorized Agent of the **Town of Hinesburg**, personally appeared and he/she acknowledged this instrument, by him/her sealed and subscribed, to be his/her free act and deed and the free act and deed of the **Town of Hinesburg**.

Before me,

Notary Public

My Commission expires: 02/10/2019