

Resolution #21-0424
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**RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE
AN AMENDMENT TO THE DEED OF CONSERVATION EASEMENT WITH
THE DOWNTOWN WINSTON-SALEM FOUNDATION FOR MERSCHEL PLAZA**

WHEREAS, the Downtown Winston-Salem Foundation (DWSF) and the City of Winston-Salem (“City”) executed a deed of conservation easement on or about July 18, 2011; and

WHEREAS, the purpose of creating the conservation easement was, amongst other things, to provide open space for public relaxation, and to provide an opportunity where visitors and citizens may enjoy a park-like atmosphere and environment; and

WHEREAS, as plans to redevelop and build Merschel Park have progressed, city staff have identified a need to update and revise the conservation easement to: (a) allow the installation of sidewalk and other park amenities to accommodate the new park design and (b) allow the installation of artwork that has been or will be donated, placed on loan or acquired for installation in Merschel Plaza; and

WHEREAS, DWSF has requested that the City allow DWSF to establish a review and approval process for the selection and installation of artwork in Merschel Plaza and that DWSF be given jurisdiction over that process.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Winston-Salem, upon the recommendation of the Public Works Committee, that the City Manager is hereby authorized to execute an amendment to the Deed of Conservation Easement, in a form approved by the City Attorney to: (a) allow the installation of sidewalk and other park amenities to accommodate the new park design and (b) allow the installation of artwork that has been or will be donated, placed on loan or acquired for installation in Merschel Plaza.

BE IT FURTHER RESOLVED, that DWSF shall be granted jurisdiction to establish a review and approval process for selecting and installing the aforementioned artwork in Merschel Plaza which process shall include soliciting input from the City prior to DWSF making a final decision regarding the selection of said artwork for installation in Merschel Plaza.