

**RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY DATED
MARCH 14, 2013 RE: FINAL DESIGNATION OF KAVANAGH ADVISORY
GROUP, LLC OF PARCEL 39A IN THE CHARLESTOWN NAVY YARD OF THE
CHARLESTOWN URBAN RENEWAL AREA PROJECT NO. MASS R-55**

WHEREAS, the Boston Redevelopment Authority (hereinafter referred to as the "Authority") has established a Charlestown Urban Renewal Plan (the "Urban Renewal Plan") under Chapter 121B of the General Laws of the Commonwealth of Massachusetts, as amended and applicable ("Chapter 121B"); and

WHEREAS, the Urban Renewal Plan for the Charlestown Urban Renewal Area (hereinafter referred to as the "Project Area") has been duly reviewed and approved in full compliance with local and state laws; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects under Chapter 121B, including those prohibiting discrimination because of race, color, sex, religion, or national origin; and

WHEREAS, Kavanagh Advisory Group, LLC was the successful respondent to a Request for Proposals regarding the development of the Parcel 39A in the Project Area; and

WHEREAS, Kavanagh Advisory Group, LLC has expressed an interest in the development of the Parcel 39A in the Project Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment:

**NOW THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT
AUTHORITY:**

1. That Kavanagh Advisory Group, LLC hereby is finally designated as the Redeveloper of Parcel 39A in the Charlestown Navy Yard in the Charlestown Urban Renewal Area subject to:
 - (a) Publication, if required, of all public disclosures and issuance of all approvals if required by the Massachusetts General Laws and Title 1 of the Housing Act of 1949, as amended; and

- (b) The execution of a Lease on or before December 31, 2013 between Kavanagh Advisory Group, LLC, or a related entity created and controlled by Kavanagh Advisory Group, LLC, and the BRA for the purpose of the redevelopment of the Parcel 39A, all upon terms and conditions determined to be in the best interest of the BRA, by the Director, in his sole discretion; and.
- (c) Issuance of a Building Permit from the city of Boston's Inspectional Services Department ("ISD"), unless failure to obtain such permit is the result of action or inaction by the BRA or the city of Boston.

2. That lease of Parcel 39A by negotiation is the appropriate method of making the land available for redevelopment.

3. That it is hereby found and determined that the development will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.

4. That the Redeveloper be, and hereby is, authorized to petition the Board of Appeal for any zoning relief that may be necessary to complete the proposed improvements, if required.

5. That by accepting this designation, the Redevelopers are specifically acknowledging that the Redevelopers shall be solely responsible for any and all costs of whatever kind or nature incurred prior to the date of this Resolution or hereafter, in connection with the planning and improvements of Parcel 39A and the Authority shall not be responsible or liable for any of such costs or be required to reimburse the Redevelopers for such costs in any respect or to any extent.

6. That the Director is hereby authorized, for and in behalf of the Authority, to execute and deliver a Lease for Parcel 39A with Kavanagh Advisory Group, or related entity created and controlled by Kavanagh Advisory Group, LLC, and to execute any and all other documents that the Director deems appropriate and necessary and in the best interest of the Authority to effectuate such leasehold.

7. That this Final Designation is hereby automatically rescinded without prejudice if the Lease has not been fully executed and a Notice of Lease duly recorded in the Suffolk Registry of Deeds by December 31, 2013.