

CITY OF CONCORD

In the year of our Lord two thousand and twenty-three

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A LICENSE AGREEMENT WITH ZV INVESTMENTS L.L.C. FOR INSTALLATION OF A PARKING LOT AND RELATED IMPROVEMENTS ON CITY OWNED PROPERTY LOCATED AT 89-91 LOUDON ROAD IN CONJUNCTION WITH A REAL ESTATE DEVELOPMENT PROJECT LOCATED AT 5 THOMAS STREET

The City of Concord resolves as follows:

WHEREAS, ZV Investments L.L.C. (the Developer) is a real estate developer located in Bedford, New Hampshire who owns real estate located at 5 Thomas Street; and,

WHEREAS, the Developer recently secured conditional site plan approval to expand the number of dwelling units at the property from 3 to 9; and,

WHEREAS, the Developer's plan relies on use of a portion of City owned property located at 89-91 Loudon Road for installation of a parking lot to serve the Developer's project; and,

WHEREAS, the Developer shall grant the City the right to enter the Developer's property for the purposes of roadway maintenance and other public purposes, as well as the express right to push snow from Thomas Street onto and over the Developer's property; and,

WHEREAS, the Developer will be solely responsible for the design, permitting, installation, ownership, operation and maintenance of improvements constructed on the City's property.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Concord:

- 1) The City Manager is authorized to enter into a License Agreement concerning the design, permitting, installation, ownership, operation and maintenance of said improvements on the City's property located at 89-91 Loudon Road.
- 2) Said License shall be expressly conditioned upon the Developer granting the City the right to enter the Developer's property for the purposes of roadway maintenance and other public purposes, as well as the express right to push snow from Thomas Street onto and over the Developer's property.
- 3) The License Agreement shall contain the City's normal and customary terms and conditions, as well as require the Licensee to secure all normal and customary permits and approvals required for said improvements.
- 4) The License Agreement shall be acceptable to the City Manager and City Solicitor in their sole discretion.
- 5) This resolution shall take effect upon passage.

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