

# CITY OF CONCORD

---

*In the year of our Lord two thousand sixteen*

**RESOLUTION**      AUTHORIZING THE CITY MANAGER TO ACCEPT A SECONDARY EXECUTORY INTEREST IN A CONSERVATION EASEMENT FOR PROPERTY OWNED BY THE LORRAINE V. PIERCE REVOCABLE TRUST, LOCATED AT 84 STICKNEY HILL ROAD.

*The City of Concord resolves as follows:*

**WHEREAS,**            on April 12, 2004, the City adopted the provisions of RSA 36-A, re-establishing the Concord Conservation Commission with the power to acquire in the name of the City, subject to the approval of the local governing body, by gift, purchase, grant, bequest, devise, lease or otherwise, the fee in such land or water rights; or any lesser interest, development right, easement, covenant, or other contractual right, including conveyances with conditions, limitations or reversions, as may be necessary to acquire, maintain, improve, protect, or limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within the City; and

**WHEREAS,**            The Lorraine V. Pierce Revocable Trust intends to grant an easement on approximately 17.57 acres of land located at 84 Stickney Hill Road legally described as Tax Map 98 Block 1 Lot 3; the total cost for the easement is expected to be \$254,000; and

**WHEREAS,**            The property described above is located in the area identified as the “Turkey Ponds and Turkey River Area” in the Master Plan 2030, which recommends *“Additional easements are proposed to complete protection of the river, streams, floodplains, and wetlands within this area, as well as to protect the remaining farmlands on Stickney Hill;”* and

**WHEREAS,**            in 2012, the City Council voted to accept an executory interest in a conservation easement at Maplewood Farm at 62 Stickney Hill Road and in 2013 voted to accept an executory interest in the Butterworth Property at 90 Stickney Hill Road; and

**WHEREAS,**            the Pierce property is situated between the Maplewood Farm and Butterworth properties and contains agricultural fields and scenic qualities that contribute to the scenic, agricultural and natural resources of the historic agricultural area, and protection of the property is crucial for finishing the protection of Stickney Hill; and

# CITY OF CONCORD

---

*In the year of our Lord two thousand sixteen*

**RESOLUTION** AUTHORIZING THE CITY MANAGER TO ACCEPT A SECONDARY EXECUTORY INTEREST IN A CONSERVATION EASEMENT FOR PROPERTY OWNED BY THE LORRAINE V. PIERCE REVOCABLE TRUST, LOCATED AT 84 STICKNEY HILL ROAD.

**WHEREAS,** the Five Rivers Conservation Trust and the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS), intend to hold the primary interest in the conservation easement, the State of New Hampshire through the Land and Community Heritage Investment Program (LCHIP) would hold primary executor interest, and the City of Concord would hold secondary executory interest; and

**WHEREAS,** Five Rivers Conservation Trust has raised the majority of the necessary funds to purchase the conservation easement and the City's financial contribution will be towards the purchase and miscellaneous transaction and stewardship costs; and

**WHEREAS,** the Concord Conservation Commission, pursuant to its authority and for the purposes so specified in RSA 36-A, and after a duly noticed public hearing on September 11, 2013, exercised its authority to allocate up to \$91,000 from the Conservation Trust Fund for the acquisition of the conservation easement, and to recommend that the City of Concord, subject to the approval of the Concord City Council, accept a secondary executory interest in the conservation easement on this property.

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

- 1) The City Manager be authorized to accept the secondary executory interest in the parcel as described above, to be funded by the Conservation Trust Fund subject to City Council approval of the supplemental appropriation resolution; transaction costs were paid with available funds in Conservation Property Management Fund, as previously appropriated by the City Council.
- 2) This resolution shall take effect upon its passage.