

CITY OF CONCORD

In the year of our Lord two thousand sixteen

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO TRAIL AGREEMENTS ON LAND OWNED BY ST. PAUL'S SCHOOL, FRANCIS GLAHN REV TRUST, JAY & MANISHA PATEL, AND JEREMY S. ARNOLD, OFF FISK ROAD, LONG POND ROAD AND COVENTRY ROAD, WHICH WILL PERMIT THE PUBLIC USE OF THE TRAIL AND ALLOW THE INCLUSION OF THE TRAIL IN THE CITY'S TRAIL SYSTEM.

The City of Concord resolves as follows:

WHEREAS, St. Paul's School is the owner in fee simple of real property located between Fisk Road and Long Pond Road, more particularly described as Map 100 Block 1 Lot 6, Map 100 Block 1 Lot 6, Map 97 Block 2 Lot 2, Map 97 Block 2 Lot 4 of the City of Concord Tax Maps; and

WHEREAS, Francis Glahn Rev Trust is the owner of a parcel of land at 44 Coventry Road, known as Block 1, Lot 16 on Map 100 of the City of Concord Tax Maps; and

WHEREAS, Jay and Manisha Patel are the owners of parcel of land at 48 Coventry Road, known as Block 1, Lot 17 on Map 100 of the City of Concord Tax Maps; and

WHEREAS, Jeremy S. Arnold is the owner of a parcel of land at 50 Coventry Road, known as Block 1, Lot 18 on Map 100 of the City of Concord Tax Maps; and

WHEREAS, a proposed trail would cross over the above-described properties and St. Paul's School, Francis Glahn Rev Trust, Jay & Manisha Patel, and Jeremy S. Arnold have agreed to allow the general public to use this trail and to allow the trail to be included in the City of Concord's Trail System; and

WHEREAS, this trail will be part of the trail system that would connect Marjory Swope Park with Winant Park; and

WHEREAS, the continued improvement of the City's trail system is a recommendation found in both the City of Concord Open Space Plan and the Master Plan 2030; and

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WHEREAS, the Conservation Commission has prepared Trail Agreements to formalize the inclusion of this trail into the City's Trail System and to outline the manner in which the trail shall be utilized, administered and maintained; and

WHEREAS, an agreement with the City would allow St. Paul's School, Francis Glahn Rev Trust, Jay & Manisha Patel, and Jeremy S. Arnold to benefit from the provisions of RSA 508:14, Landowner Limited Liability, which states "*An owner, occupant, or lessee of land, including the state or any political subdivision, who without charge permits any person to use land for recreational purposes or as a spectator of recreational activity, shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage.*"

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

- 1) The City Manager is hereby authorized to enter into Trail Agreements on land owned by St. Paul's School, Francis Glahn Rev Trust, Jay & Manisha Patel, and Jeremy S. Arnold, which will permit the public use of this proposed trail and allow for the inclusion of the trail in the City's Trail System.
- 2) This Resolution shall take effect upon passage.