



**CITY OF CONCORD**  
*New Hampshire's Main Street™*  
***Community Development Department***

David Cedarholm, PE  
*City Engineer*

**REPORT TO MAYOR AND THE CITY COUNCIL**

**FROM:** David Cedarholm, PE, City Engineer

**DATE:** June 4, 2018

**SUBJECT:** Acceptance of Public Right-of-Way Easement Deed from VSG Rental Properties, LLC

Penacook, N.H. – 2017 CIP # 85 – Water Main Replacement Project  
Sanders Street

**Recommendation**

Accept this report, which recommends that the City Manager be authorized to accept a public right-of-way easement deed from VSG Rental Properties, LLC (“VSG”), for the construction of a portion of Sanders Street and a supporting wall.

**Background**

As part of the 2017 Penacook Water Main Replacement Project (CIP # 85), Sanders Street was also reconstructed. Prior to the reconstruction, a portion of Sanders Street was supported by a stone wall located on land of VSG. The wall was in such a poor condition that it needed to be replaced and rebuilt. As the wall was owned by VSG, the City coordinated with them to have it removed and a new, more stable wall constructed. The City and VSG discussed several options for the replacement of the wall and came to an agreement that the best option was for the City to replace the wall at the same time it was finalizing the roadway reconstruction, all at the City’s cost. The City and VSG worked together to come up with the best wall design for the new roadway with the least amount of impact to their property. Because the new wall is permanent, is an integral part of the City’s street, and has been constructed partially on land of VSG, a permanent public right-of-way easement is necessary. During discussions between the City and VSG, VSG agreed to grant the City a permanent access and maintenance easement at no cost to the City.

Acceptance of Public Right-of-Way Easement Deed  
VSG Rental Properties, LLC  
Sanders Street and Village Street  
June 4, 2018  
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## **Discussion**

Reconstruction of the water main and the roadway are complete. Staff has been working with the property owner and its mortgagee to finalize the easement deed so that it is acceptable to all parties. Therefore, staff recommends that the City Manager be authorized to accept the easement deed from VSG, and have it recorded at the Merrimack County Registry of Deeds.

Cc: Paul E. Gendron, LLS, City Surveyor  
Martha L. Drukker, Associate City Engineer