

CITY CLERK'S OFFICE
CITY COUNCIL REFERRAL SLIP

TO: Community Development

DATE: June 13, 2017

The attached document was received for City Council consideration.

The following action is required:

Prepare a report together with related documents, if applicable, such as an ordinance, a resolution or an agreement and submit to the City Clerk's Office for inclusion in the City Council's _____ agenda.

You are the only department or committee this communication was referred to.

Along with your department, this item was referred to the following departments:

Please feel free to contact the City Clerk's Office if you have any questions.



ARI B. POLLACK

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Concord, NH 03301

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pollack@gcglaw.com

VIA EMAIL AND HAND DELIVERY

May 31, 2017

Mayor Jim Bouley and City Councilors
City of Concord Clerk's Office
41 Green Street
Concord, New Hampshire 03301

Re: Proposed Discontinuance of a Portion of North Main Street

Dear Mayor Bouley and Councilors:

This firm represents Merrimack County regarding its construction of a new Superior Courthouse ("the Project") upon property located at 163 N. Main Street, Concord, New Hampshire ("the Property"). Following the County's construction of the Project, the Project and the Property will be sold to the State of New Hampshire for its perpetual operation and maintenance of the Courthouse. To achieve the State's minimum required parking, the County hereby proposes the discontinuance of a portion of the North Main Street right-of-way to allow for the construction of a retaining wall upon the easterly side of the Property.

The discontinuance of a portion of the North Main Street ROW will not disrupt the public's usage of the existing travelled way or sidewalk. Instead, approximately 850 SF of easement will revert to Merrimack County, as the same is depicted upon the attached plan entitled "Proposed License Area, Renovated Merrimack County Courthouse, North Main Street, Concord, New Hampshire", prepared for Merrimack County by Nobis Engineering, Inc. dated February 2017 (Exhibit A).

A formal Petition requesting partial discontinuance, and including the County's release of potential damages in favor of the City, will be provided in the form attached hereto as Exhibit B.

Merrimack County understands that this matter will be presented to the City Council for action at its June 12, 2017 meeting, at which time representatives of the County will be prepared to present this matter and respond to the Council's questions. Thank you for your consideration.

Mayor Jim Bouley and City Councilors
May 31, 2017
Page 2

Very truly yours,

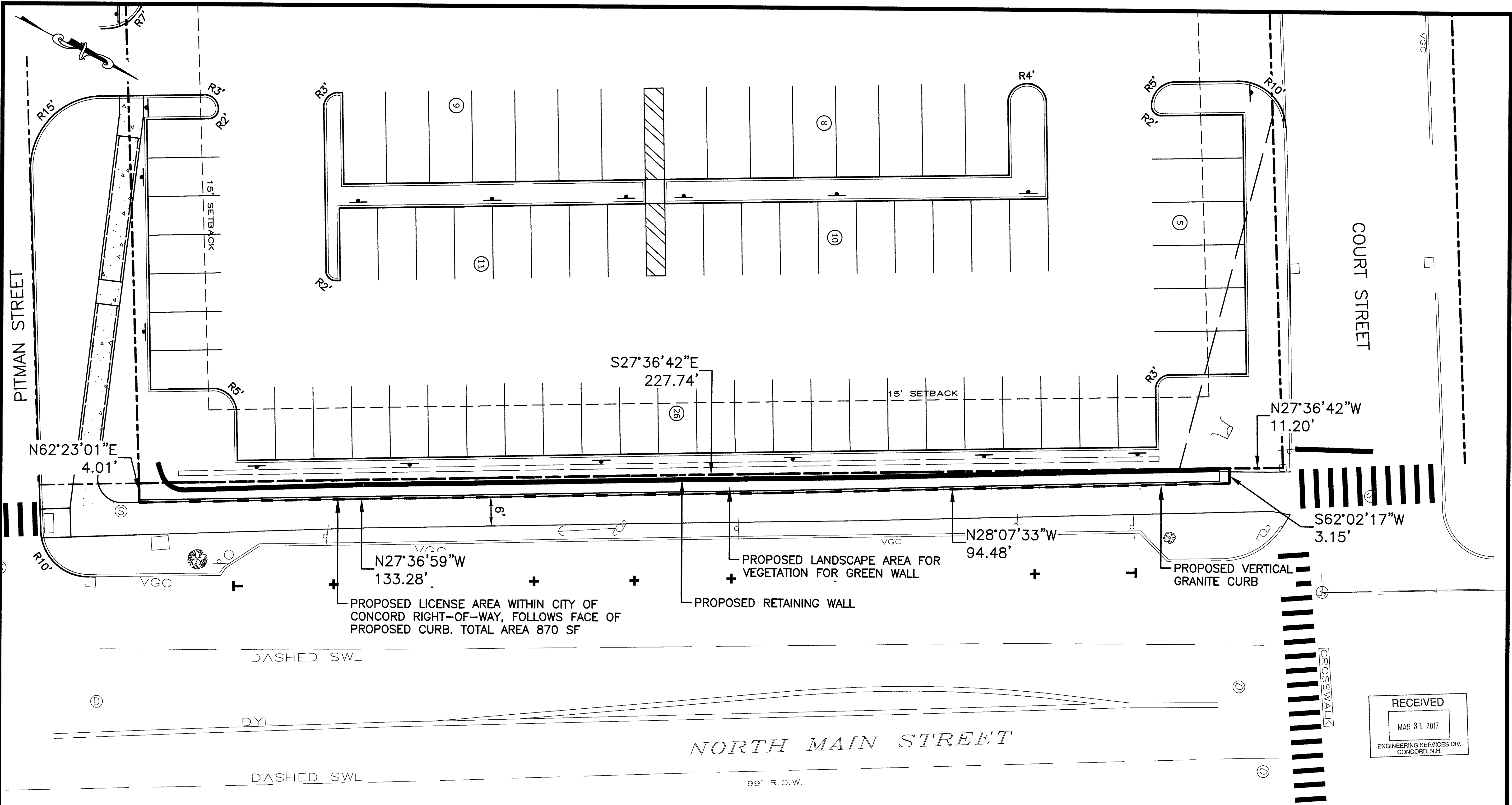
Handwritten signature of Ari B. Pollack, consisting of the initials "A.B." followed by a horizontal line.

Ari B. Pollack

ABP/red
Enclosures

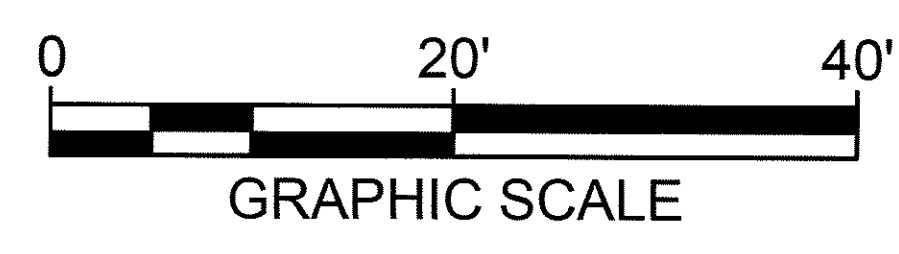
cc: (w/encl.) Heather R. Shank, City Planner
Stephen A. Marro, County Administrator
Peter F. Burger, Esq.
Naomi Butterfield, Esq.
Erin M. Vanden Borre, Esq.

J:\91690.00 - Renovated Merrimack County Courthouse, N:\CAD\dwg\91690.00-C-800-RET WALL.dwg, 3/31/2017, 9:13 AM



RECEIVED
 MAR 31 2017
 ENGINEERING SERVICES DIV.
 CONCORD, N.H.

NORTH MAIN STREET



Nobis
 Engineering a Sustainable Future
 Nobis Engineering, Inc.
 18 Chenell Drive
 Concord, NH 03301
 T(603) 224-4182
 www.nobiseng.com
 Client - Focused, Employee - Owned

FIGURE 1

PROPOSED LICENSE AREA
 RENOVATED MERRIMACK COUNTY COURTHOUSE
 NORTH MAIN STREET
 CONCORD, NEW HAMPSHIRE

DRAWN BY: JLK	CHECKED BY: ERL
PROJECT NO. 91690.00	DATE: MARCH 2017

CITY OF CONCORD

PETITION

In the year of our Lord two thousand seventeen

To the City Council of the City of Concord:

The undersigned respectfully represent that for the accommodation of the public there is occasion for the partial discontinuance of a portion of a public highway known as Pitman Street, in said city, as follows:

Containing 850 square feet, more or less, and meaning and intending to describe the partial discontinuance of a portion of the North Main Street right-of-way as the same is depicted upon the attached plan entitled "Proposed License Area, Renovated Merrimack County Courthouse, North Main Street, Concord, New Hampshire", prepared for Merrimack County by Nobis Engineering, Inc. dated February 2017 to be recorded at the Merrimack County Registry of Deeds.

CITY OF CONCORD

PETITION

In the year of our Lord two thousand seventeen

To the City Council of the City of Concord:

The undersigned respectfully represent that for the accommodation of the public there is occasion for the partial discontinuance of a portion of a public highway known as Pitman Street

The Petitioners waive all rights to damages as a result of the partial discontinuance and pray that the portion of North Main Street right-of-way described above be completely and forever discontinued as a public highway.

Respectfully submitted,

MERRIMACK COUNTY

By: _____
Name: Bronwyn Asplund-Walsh
Title: County Commissioner

By: _____
Name: Tara Reardon
Title: County Commissioner

By: _____
Name: Peter Spaulding
Title: County Commissioner