

CITY OF CONCORD

In the year of our Lord two thousand and nineteen

RESOLUTION APPROVING THE ACQUISITION OF OPEN SPACE PROPERTY LOCATED OFF OF HOT HOLE POND ROAD FOR CONSERVATION PURPOSES AND AUTHORIZING THE EXPENDITURE OF UP TO THREE THOUSAND SIX HUNDRED DOLLARS \$3,600 FROM THE CONSERVATION TRUST FUND FOR THIS PURPOSE, AS RECOMMENDED BY THE CONSERVATION COMMISSION

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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 Capital Improvement Plan (CIP) included a recommendation to purchase land or easements for the purposes as provided in RSA 36-A noted as CIP # 352; and

WHEREAS, the property is located within the Conservation Focus Area identified as “Oak Hill North” in the 2017 Conservation Open Space Plan; and

WHEREAS, the Conservation Commission, under the provision of RSA 36-A, conducted a public hearing on September 11, 2019, after which the Conservation Commission members voted unanimously in the affirmative to exercise their authority with regard to obtaining the parcel legally described as: Tax Map 10Z Lot 3, consisting of approximately 2.4 acres; and

WHEREAS, the Conservation Commission intends to pay for the above-cited parcel the current funds available to the Conservation Commission in the Conservation Fund; and

WHEREAS, this appropriation is for a purpose not included in the Fiscal Year 2020 adopted budget; therefore Section 37 of the City Charter requires a two-thirds vote of the City Council.

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

- 1) The City Manager be authorized to execute the Warranty Deed acquiring the parcel as described above, at a cost to the City not to exceed \$3,600 is hereby approved.

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2) The sum of\$3,600
be and is hereby appropriated for this purpose as follows:

Open Space Capital Project Fund
Open Space Protection project (CIP #352)..... \$3,600

3) Revenue to meet said appropriation shall be provided from the following sources:

Open Space Capital Project Fund
Conservation Trust Fund – Purchase of Land.....\$3,600

4) Sums as appropriated shall be expended under the direction of the City Manager.

5) This resolution shall take effect upon its passage.