

CITY OF CONCORD

RESOLUTION

In the year of our Lord two thousand and nineteen

**RESOLUTION Relative to the complete discontinuance of a public highway known as
Osgood Street in Concord, NH**

The City of Concord resolves as follows:

WHEREAS, Joseph R. Alosa, Sr., President of New England Kenworth & The Patsy's Companies, submitted a letter dated August 9, 2018, to the City of Concord requesting that Osgood Street be abandoned and / or closed, and

WHEREAS, Osgood Street was originally laid out on November 12, 1912, as a 50 foot wide public highway right-of-way, and

WHEREAS, Osgood Street is a City maintained Class V highway, and

WHEREAS, on March 20, 2019, the Planning Board voted unanimously in support of Joseph R. Alosa Sr.'s petition to discontinue the Osgood Street public right-of-way identified below, and

WHEREAS, subsequent to the Planning Board voting unanimously in support of Joseph R. Alosa Sr.'s petition to discontinue the Osgood Street public right-of-way, a revised petition was submitted and signed by Joseph R. Alosa, Sr., General Partner of C500, Limited Partnership, JMA Realty Investment Corp., General Partner of C500, Limited Partnership, Denise Alosa, President of CFA Corporation, and Marybeth Alosa, Director of CFA Corporation, and

WHEREAS, a city's governing body may, pursuant to NH RSA 231:43 (Power to Discontinue), vote to discontinue completely any Class IV, V, or VI highway, or any portion thereof, and

WHEREAS, C500, Limited Partnership, of which JMA Realty Investment Corp. and Joseph R. Alosa, Sr., are its General Partners, having a principal office address of 286 South Street, Concord, New Hampshire, 03301, owns land to the south of and to the east of Osgood Street, and

WHEREAS, CFA Corporation, of which Denise Alosa is its President, and Marybeth Alosa is its Director, having a principal office address of 286 South Street, Concord, New Hampshire, 03301, owns land to the north of and to the east of Osgood Street.

NOW, THEREFORE, BE IT RESOLVED:

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**RESOLUTION Relative to the complete discontinuance of a public highway known as
Osgood Street in Concord, NH**

(Continued from page 1)

Section 1: That Osgood Street as described below shall be discontinued completely as a public highway. Said legal description is more particularly described as follows:

Beginning at the intersection of the easterly line of Basin Street and the northerly line of Osgood Street; thence

Easterly along the northerly line of Osgood Street a distance of 190 feet more or less to the easterly terminus of the right-of-way as laid out by the City of Concord on November 12, 1912; thence

Southerly along the easterly terminus of the right-of-way as laid out by the City of Concord on November 12, 1912, a distance of 50 feet more or less; thence

Westerly along the southerly line of Osgood Street a distance of 190 feet more or less to the easterly line of Basin Street; thence

Northerly along the easterly line of Basin Street a distance of 50 feet more or less to the point of beginning.

Containing 9,500 square feet, more or less, and meaning and intending to describe the complete discontinuance of the fifty (50') foot wide public highway known as Osgood Street.

Section 2: Pursuant to NH RSA 231:46 (Authority to Reserve Existing Utility Easements), the existing 84" subsurface storm water reinforced concrete pipe owned by the State of New Hampshire shall remain in effect as an encumbrance on the underlying land for so long as it remains in active use.

Section 3: That both C500, Limited Partnership and CFA Corporation waive all their rights to damages as a result of the complete discontinuance of the public highway known as Osgood Street in its entirety as described above.

Section 4: That this resolution shall become effective upon the date of passage.