

CITY OF CONCORD

In the year of our Lord two thousand and twenty-two

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RESOLUTION Relative to the public highway discontinuance of a portion of Pembroke Road in Concord, NH

The City of Concord resolves as follows:

WHEREAS, Pembroke Road was originally laid out on November 5, 1840, as a 3 ½ rod (57.75 feet) wide public highway right-of-way,

WHEREAS, Pembroke Road is a City maintained Class V public highway, and

WHEREAS, TFMoran has requested on behalf of the State of New Hampshire for the complete discontinuance of a portion of Pembroke Road to allow for the construction of a new entrance to one of its existing buildings known as 4 Pembroke Road, and

WHEREAS, an additional portion of the building known as 4 Pembroke Road currently encroaches into the public highway right-of-way of Pembroke Road, and

WHEREAS, the State of New Hampshire owns the property known as Map 631Z, Lot 98, to the south of the portion of Pembroke Road requested to be completely discontinued, and

WHEREAS, on September 21, 2022, the Planning Board voted in support of the petition to completely discontinue a portion of the Pembroke Road public right-of-way as identified below, 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.

NOW, THEREFORE, BE IT RESOLVED:

Section 1: That the portion of Pembroke Road as described below and as shown on a plan entitled "Tax Map 631Z, Lot 98, Roadway Discontinuance Plan & License Area Plan, NHARNG, Pembroke Road, Concord, NH, Owned by State of New Hampshire," dated August 23, 2022, prepared by TFMoran, shall be completely discontinued as a public highway.

Said legal description is more particularly described as follows:

Beginning at a CBF 6" Sq. with NHHD at the intersection of the easterly right-of-way line of Airport Road and the southerly right-of-way line of Loudon Road; thence

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North 56° 24' 48" East along the southerly right-of-way line of Loudon Road a distance of 130.79 feet to a CBF 6" Sq. with NHHD at the northerly right-of-way line of Pembroke Road; thence

North 78° 13' 23" East along the northerly right-of-way line of Pembroke Road a distance of 185.75 feet to a point; thence

South 11° 46' 37" East across Pembroke Road a distance of 60.00 feet to a point on the southerly right-of-way of Pembroke Road; thence

South 78° 13' 23" West along the southerly right-of-way line of Pembroke Road a distance of 68.62 feet to a point; thence

North 10° 55' 51" West across Pembroke Road a distance of 5.05 feet to a point; thence

South 79° 04' 09" West across Pembroke Road a distance of 194.64 feet to a point; thence

North 10° 55' 51" West across Pembroke Road a distance of 3.06 feet to a point; thence

South 79° 04' 09" West across Pembroke Road a distance of 25.84 feet to a point; thence

South 10° 55' 51" East across Pembroke Road a distance of 11.36 feet to a point on the southerly right-of-way line of Pembroke Road; thence

South 78° 13' 23" West along the southerly right-of-way line of Pembroke Road a distance of 19.18 feet to a point on the easterly right-of-way line of Airport Road; thence

North 06° 07' 23" West along the easterly right-of-way line of Airport Road a distance of 11.46 feet to the point of beginning.

Containing 1,551 square feet.

Section 2: That the petitioner, State of New Hampshire, waives all its rights to damages as a result of the complete discontinuance of the portion of Pembroke Road as described above.

Section 3: All private and public utilities are reserved and shall remain in effect as an encumbrance upon the underlying land for so long as they remain in active use, to the extent that they are located within the portion of the roadway being discontinued.

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