

RETURN TO:  
CITY OF CONCORD  
COMMUNITY DEVELOPMENT DEPARTMENT  
ENGINEERING SERVICES DIVISION  
41 GREEN STREET  
CONCORD, NH 03301

***DEED OF EASEMENT***  
***PUBLIC STORM DRAINAGE EASEMENT***

**ROBERT MICHAEL BEAULAC**, of 46 Broad Cove Drive, Concord, Merrimack County, State of New Hampshire 03303 (“Grantor”), subject to the Concord City Council’s complete discontinuance of a certain portion of Broad Cove Drive in accordance with RSA 231:43 as described below, grants to the **CITY OF CONCORD**, a municipal corporation with a usual place of business at 41 Green Street, Concord, Merrimack County, State of New Hampshire 03301 (“Grantee”), the permanent right and easement to enter upon and to construct, lay, or build, and to reenter as necessity may require to repair, replace, or maintain a pipe or pipes, ditches, culverts, and appurtenances associated with public storm drainage across land of the Grantor. Said portion of land is located on a piece of property adjacent to the mapped limits of Broad Cove Drive, Concord, New Hampshire, is known as Map 37Z, Lot 71 on the City of Concord Assessor’s Maps, has an address of 46 Broad Cove Drive, Concord, Merrimack County, State of New Hampshire, and is more particularly described as follows:

Beginning at a stone bound to be set at the most northeasterly corner of land of the Grantor on the westerly sideline of Broad Cove Drive, said point being South 42° 08’ 31” East a distance of 31.43 feet from the most northerly corner of land of the Grantor; thence

South 33° 21’ 37” West along land of the Grantor and the westerly sideline of Broad Cove Drive as it currently exists, a distance of 15.00 feet to an iron pin to be set; thence

South 56° 38’ 23” East across a portion of Broad Cove Drive to be discontinued as a public highway, a distance of 15.62 feet to an iron pin to be set at the proposed westerly sideline of Broad Cove Drive; thence

By a curve to the left having a radius of 737.50 feet along the proposed westerly sideline of Broad Cove Drive, a length of 15.09 feet to a stone bound to be set, said stone bound to be the northeasterly corner of the herein described easement; thence

North 56° 38' 23" West along the proposed westerly sideline of Broad Cove Drive, a distance of 13.97 feet to the point of beginning.

Containing 222 square feet, more or less, and meaning and intending to describe a public storm drainage easement shown as "New 15' Wide Drainage Easement – 222 Sq. Ft." on a plan entitled "Right of Way Discontinuance Plan, Land of Robert M. Beaulac, Assessors Map 37Z Lot 71, #46 Broad Cove Drive, Concord, New Hampshire," dated June 2016, prepared by T.F. Bernier, Inc., to be recorded herewith at the Merrimack County Registry of Deeds (the "Plan").

Meaning and intending to convey a public storm drainage easement across a portion of land conveyed to the Grantor by deed of Mary Lou Mion, as Successor to Jane S. Ourand, Trustee of The J.P. Trust, by and through the First Amendment and Restatement of The J.P. Trust dated May 22, 2003, recorded at the Merrimack County Registry of Deeds on 7/29/2005, at Book 2804, Page 1267. In conjunction with this storm drainage easement deed, the City of Concord is completely discontinuing a portion of the Broad Cove Drive public right of way. See the Plan referenced above. As Broad Cove Drive is an easement highway, the portion to be completely discontinued as a public highway shall revert to the Grantor free and clear of the public highway easement. The portion of Broad Cove Drive to be completely discontinued is the subject of this storm drainage easement deed. Said portion of Broad Cove Drive to be completely discontinued is more particularly described as follows:

Beginning at a stone bound to be set at the most northeasterly corner of land of the Grantor on the westerly sideline of Broad Cove Drive, said point being South 42° 08' 31" East a distance of 31.43 feet from the most northerly corner of land of the Grantor; thence

South 33° 21' 37" West along land of the Grantor and the westerly sideline of Broad Cove Drive as it currently exists, a distance of 193.50 feet to a stone bound; thence

South 32° 49' 15" West along land of the Grantor and the westerly sideline of Broad Cove Drive as it currently exists, a distance of 7.50 feet to a stone bound; thence

South 57° 10' 45" East along the westerly sideline of Broad Cove Drive as proposed, a distance of 15.47 feet to a stone bound; thence

North 35° 32' 16" East along the westerly sideline of Broad Cove Drive as proposed, a distance of 84.52 feet to a stone bound, said stone bound being at a point of curvature; thence

By a curve to the left along the westerly sideline of Broad Cove Drive as proposed, having a radius of 737.50 feet and a length of 116.62 feet to a stone bound; thence

North 56° 38' 23" West along the westerly sideline of Broad Cove Drive as proposed, a distance of 13.97 feet to the point of beginning.

The Grantor, its successors, and assigns, agree that they will not, without the consent of the Grantee, alter, erect, or maintain any building or other improvement, including landscaping, upon the above-described easement area that may unreasonably interfere with or endanger the above-granted rights and easement or the operation and maintenance thereof, and that the City may cause to have removed any such building or improvement, including landscaping, that may be wholly or partly within the above-described easement area at the expense of the then owner of the land upon which the above-described easement lies.

*Executed* this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

\_\_\_\_\_  
Robert Michael Beaulac

State of New Hampshire  
County of Merrimack

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, by Robert Michael Beaulac, for the purposes therein contained.

\_\_\_\_\_  
Justice of the Peace/Notary Public  
My commission expires: \_\_\_\_\_

Concord City Council approval for the acceptance of this storm drainage easement deed was granted in conjunction with the complete discontinuance of a portion of the Broad Cove Drive public right of way at a regular meeting on \_\_\_\_\_, 201\_\_.

ACCEPTED: City of Concord

\_\_\_\_\_  
By: Thomas J. Aspell, Jr.  
Title: City Manager  
Date: \_\_\_\_\_

State of New Hampshire  
County of Merrimack

Personally appeared Thomas J. Aspell, Jr., City Manager of the City of Concord, this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_, and acknowledged the foregoing on behalf of the City of Concord..

\_\_\_\_\_  
Justice of the Peace/Notary Public  
My commission expires:\_\_\_\_\_