

CITY OF CONCORD

In the year of our Lord two thousand twenty

RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH BULL MEADOW RE HOLDINGS, LLC, TO ALLOW SITE AND UTILITY IMPROVEMENTS ACROSS AN EASEMENT AT 63 BOG ROAD, TAX MAP 312Z LOT 6.

The City of Concord resolves as follows:

WHEREAS, the City reserved an easement on a portion of the property currently identified as Tax Map 312Z Lot 6, in a deed from the City to Harold J. and Beverly A. Lassonde, dated April 1, 1980, and recorded on April 1, 1980 at the Merrimack County Registry of Deeds at Book 1368, Page 805;

WHEREAS, In the deed, the City expressly reserved to itself “a perpetual right and easement for the public to pass and repass; to construct, maintain and operate trails for recreational purposes including but not limited to hiking, bicycling, jogging, skiing, snowmobiling, horseback riding, and other similar uses; [and] to construct and install utility lines and mains.” In addition to reserving those rights, the City has the right “to prohibit the construction of buildings, structures, and other encumbrances over, in and on the premises herein conveyed.”

WHEREAS, the easement area is approximately 83 feet wide, and is the former railroad corridor which essentially bisects the underlying parcel; and

WHEREAS, Bull Meadow RE Holdings, LLC, is proposing to construct a driveway and utility improvements through the easement to access a proposed indoor event facility elsewhere on the parcel; and,

WHEREAS, the City is authorized to allow the site and utility improvements through the easement area; and,

WHEREAS, the proposed encumbrances will not impact the use of the easement and are subject to an agreement with the City Manager.

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

- 1) The City Manager is hereby authorized to enter into an Agreement with Bull Meadow RE Holdings, LLC, to allow site and utility improvements across an easement at 63 Bog Road, Tax Map 312Z Lot 6.
- 2) This Resolution shall take effect upon passage.