

CITY OF CONCORD

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

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RESOLUTION Relative to the public highway discontinuance of a portion of the original location of [Old] Stickney Avenue in Concord, NH

The City of Concord resolves as follows:

WHEREAS, the original location of [Old] Stickney Avenue was originally laid out on October 16, 1895, as a 60 foot wide public highway right-of-way, and

WHEREAS, the original location of [Old] Stickney Avenue is now a Class VI public highway, and

WHEREAS, on October 11, 2022, the Concord City Council, upon petition of Cronin Bisson & Zalinsky, PC on behalf of Brady Sullivan Properties, completely discontinued a portion of [Old] Stickney Avenue along Map 6442Z, Lot 12 and Map 6442Z, Lot 12/2 by Resolution No. 9504, and

WHEREAS, the State of New Hampshire, by and through the Department of Transportation has requested the complete discontinuance of a portion of the original location of [Old] Stickney Avenue along Map 6442Z, Lot 12/1 and Map 6442Z, Lot 12/3, 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 the original location of [Old] Stickney Avenue described below and as shown on a plan entitled "Street Discontinuance Plan, Stickney Avenue, Concord, New Hampshire, Prepared for: Brady Sullivan Properties, LLC, 670 N. Commercial Street, Suite 303, Manchester, New Hampshire 03101, Record Owner: State of New Hampshire, c/o Department of Transportation, 7 Hazen Drive, PO Box 483, Concord, New Hampshire 03302-0483," dated 12 October 2021, prepared by HSI Hayner/Swanson, Inc., as described below, shall be completely discontinued as a public highway:

Beginning at the intersection of the westerly right-of-way line of [Old] Stickney Avenue at the northeast corner of land of the State of New Hampshire known as Map 6442Z, Lot 12/1 and the southeast corner of land of Twenty-Seven SAC Self-Storage Limited Partnership known as Map 641Z, Lot 32; thence

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North 74° 37' 36" East across the right-of-way of [Old] Stickney Avenue a distance of 60.00 feet to a point at the easterly right-of-way line of [Old] Stickney Avenue and the westerly line of land of the State of New Hampshire known as Map 6442Z, Lot 12/3; thence

South 15° 22' 24" East along the easterly right-of-way line of [Old] Stickney Avenue and the westerly line of said land of the State of New Hampshire known as Map 6442Z, Lot 12/3 a distance of 398.51 feet to a point at the northeasterly corner of the portion of [Old] Stickney Avenue as discontinued by the Concord City Council on October 11, 2022, by Resolution No. 9504, said point also being on the northerly line of land of Stickney Avenue, LLC, known as Map 6442Z, Lot 12/2; thence

South 74° 40' 04" West across the right-of-way of [Old] Stickney Avenue and along the northerly line of [Old] Stickney Avenue as discontinued by the Concord City Council on October 11, 2022, by Resolution No. 9504, the northerly line of land of Stickney Avenue, LLC, known as Map 6442Z, Lot 12/2, and the northerly line of land of Stickney Avenue, LLC, known as Map 6442Z, Lot 12, a distance of 60.00 feet to a point at the westerly right-of-way line of [Old] Stickney Avenue and the easterly line of land of the State of New Hampshire known as Map 6442Z, Lot 12/1; thence

North 15° 22' 24" West along the westerly right-of-way line of [Old] Stickney Avenue and the easterly line of land of the State of New Hampshire known as Map 6442Z, Lot 12/1 a distance of 398.47 feet to the point of beginning.

Section 2: All private and public utilities are preserved and not affected by this complete discontinuance, and will continue as easements encumbering the underlying land to the extent that they are located within the portion of the [Old] Stickney Avenue right of way being discontinued.

Section 3: That the petitioner, the State of New Hampshire, by and through the Department of Transportation, waives all its rights to damages as a result of the complete discontinuance of the portion of the original location of [Old] Stickney Avenue as described above.

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