

**Resolution No.**

**CITY OF CONCORD**

*In the year of our Lord two thousand and seventeen*

**RESOLUTION** AUTHORIZING THE CITY MANAGER TO DIVEST OF THE EAST CONCORD COMMUNITY CENTER LOCATED AT 18 EASTMAN STREET

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*The City of Concord resolves as follows:*

**WHEREAS,** On November 21, 1877, the City acquired land located at 18 Eastman Street from Samuel and Mary Eastman for the purpose of constructing a fire house, as further described in a deed at the Merrimack County Registry of Deeds (Book 239, Page 212); and,

**WHEREAS,** the deed which conveyed the property to the City contained provisions that required the property to be used for a municipal purpose, otherwise the conveyance would become void; and,

**WHEREAS,** on May 31, 2017, the Merrimack Superior Court granted the City's Petition to Quiet Title in order to remove provisions in the deed requiring continued municipal use; and,

**WHEREAS,** the City is constructing a new City-wide Multigenerational Community Center at 14 Canterbury Road, which is scheduled to be completed in June 2018; and,

**WHEREAS,** upon completion of the new City-wide Multigenerational Community Center all recreational programming at the East Concord Community Center shall be relocated to the new facility, thus making the property surplus for municipal needs;

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

1. The City Council hereby declares that the East Concord Community Center will no longer have a municipal purpose once the new City-wide Community Center located at 14 Canterbury Road is completed. Therefore, the facility is hereby determined to be surplus property.
2. The City Manager is hereby authorized to take any actions necessary in order to divest of the East Concord Community Center.
3. The City Manager is hereby authorized to execute a Purchase and Sale Agreement for the premises, provided the following conditions are achieved:

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- a. The sale price is not significantly less than the asking price;
  - b. The buyer agrees to deed restrictions requiring that the existing building be preserved in perpetuity, or until such time as the building suffers a casualty rendering it economically infeasible to repair or rebuild the structure;
  - c. The buyer's proposed use for the property is permitted by right, conditional use permit, or special exception by the Zoning Ordinance; and,
  - d. The buyer does not require any significant concessions or development incentives from the City.
4. This resolution shall take effect upon its passage.