RESOLUTION

RELATIVE TO THE DISPOSITION OF A PORTION OF LAND ON SHADY LANE
(SHEET B, LOT 3116)

CITY OF NASHUA

In the Year Two Thousand and Nine

RESOLVED by the Board of Aldermen of the City of Nashua that

WHEREAS, the City of Nashua owns certain property located off Shady Lane (Sheet B, Lot 3116), which is a portion of the property deeded to the City by Marion S. Draper on May 24, 1957 as shown at Hillsborough County Registry of Deeds Book 1501, Page 352; and

WHEREAS, part of the property may or may not be part of an old city landfill; and

WHEREAS, abutters David A. Hughes and Cynthia M. Sofrin desire to purchase a portion of the property and use it in combination with land they currently own to build a new single-family home; and

WHEREAS, the Board of Aldermen has determined that a portion of the property should not be retained for public use;

NOW, THEREFORE, the Mayor is hereby authorized to execute all documents necessary for the conveyance of the city’s interest in 5,139 square feet of Sheet B, Lot 3116 as shown on the attached plan to David A. Hughes and Cynthia M. Sofrin. The purchase price is $10,000. Title will be transferred upon receipt of certified funds. The purchase and sale agreement will contain a provision to allow the purchasers to enter onto the city’s property and, under certain conditions, perform environmental testing. Based on those testing results, either the city or the purchasers could terminate the purchase and sale agreement in their discretion, but in no event will the city be liable for any damages to the purchasers. The sale of the property would also be contingent upon the purchasers obtaining all necessary land use approvals.
LEGISLATIVE YEAR 2009

RESOLUTION: R-09-206

PURPOSE: Relative to the disposition of a portion of land on Shady Lane (Sheet B, Lot 3116).

SPONSOR(S): Alderman Jeffrey T. Cox

COMMITTEE ASSIGNMENT:

FISCAL NOTE: The disposition of this property will result in $10,000.00 of general fund revenue.

ANALYSIS

This resolution authorizes the mayor to convey a portion of city-owned land on Shady Lane (Sheet B, Lot 3116). 5,139 square feet would be sold for $10,000 to David A. Hughes and Cynthia M. Sofrin, who own abutting land (Sheet B, Lot 1510).

As the property may be part of an old city landfill, the purchase and sale agreement will contain a provision to allow the purchasers to enter onto the city's property and, under certain conditions, perform environmental testing. Based on those testing results, either the purchasers or the city could then terminate the purchase and sale agreement at their discretion, but in no event will the city be liable for any damages to the purchasers. The sale of the property would also be contingent upon the purchasers obtaining all necessary land use approvals.

Approved as to form: Office of Corporation Counsel

By: [Signature]

Date: June 9, 2009
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WHEREAS, part of the property may or may not be part of an old city landfill; and

WHEREAS, abutters David A. Hughes and Cynthia M. Sofrin desire to purchase a portion of the property and use it in combination with land they currently own to build a new single-family home; and

WHEREAS, the Board of Aldermen has determined that a portion of the property should not be retained for public use;

NOW, THEREFORE, the Mayor is hereby authorized to execute all documents necessary for the conveyance of the city’s interest in 10,139 square feet of Sheet B, Lot 3116 as shown on the attached plan to David A. Hughes and Cynthia M. Sofrin. The purchase price is $22,000. Title will be transferred upon receipt of certified funds. The purchase and sale agreement will contain a provision to allow the purchasers to enter onto the city’s property and, under certain conditions, perform environmental testing. Based on those testing results, either the city or the purchasers could terminate the purchase and sale agreement in their discretion, but in no event will the city be liable for any damages to the purchasers. The sale of the property would also be contingent upon the purchasers obtaining all necessary land use approvals.
RESOLUTION

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WHEREAS, part of the property may or may not be part of an old city landfill; and

WHEREAS, Albert E. Hughes and Maryann Hughes desire to purchase the property and use it to build a new single-family home; and

WHEREAS, the Board of Aldermen has determined that a portion of the property should not be retained for public use;

NOW, THEREFORE, the Mayor is hereby authorized to execute all documents necessary for the conveyance of the city’s interest in 10,139 square feet of Sheet B, Lot 3116 as shown on the attached plan to Albert E. Hughes and Maryann Hughes. The purchase price is not to exceed Twenty-Two Thousand dollars ($22,000). The final purchase price for disposition of property to be determined by the Committee on Infrastructure. Title will be transferred upon receipt of certified funds. The purchase and sale agreement will contain a provision to allow the purchasers to enter onto the city’s property and, under certain conditions, perform environmental testing. Based on those testing results, either the city or the purchasers could terminate the purchase and sale agreement in their discretion, but in no event will the city be liable for any damages to the purchasers. The sale of the property will be contingent upon the purchasers obtaining all necessary land use approvals, and subject to an agreement between the city, the state, and David A. Hughes, current owner of Lot B-1510.
Map of 51 Shady Lane
Proposed New Lot

Concept Plan

Note: Plan may not be drawn to scale.
RESOLUTION R-09-206

Relative to the disposition of a portion of land on Shady Lane
(Sheet B, Lot 3116)

IN THE BOARD OF ALDERMEN

1ST READING JUNE 23, 2009

Referred to:

COMMITTEE ON INFRASTRUCTURE AND
NASHUA CITY PLANNING BOARD

2nd Reading SEPTEMBER 8, 2009
3rd Reading
4th Reading

Other Action

Passed SEPTEMBER 8, 2009

Indefinitely Postponed

Defeated

Attest:

Vetoed:
Veto Sustained:
Veto Overridden:

Attest:

President

Approved

Mayor's Signature

Date

Endorsed by

COX

City Clerk

President

City Clerk

President