



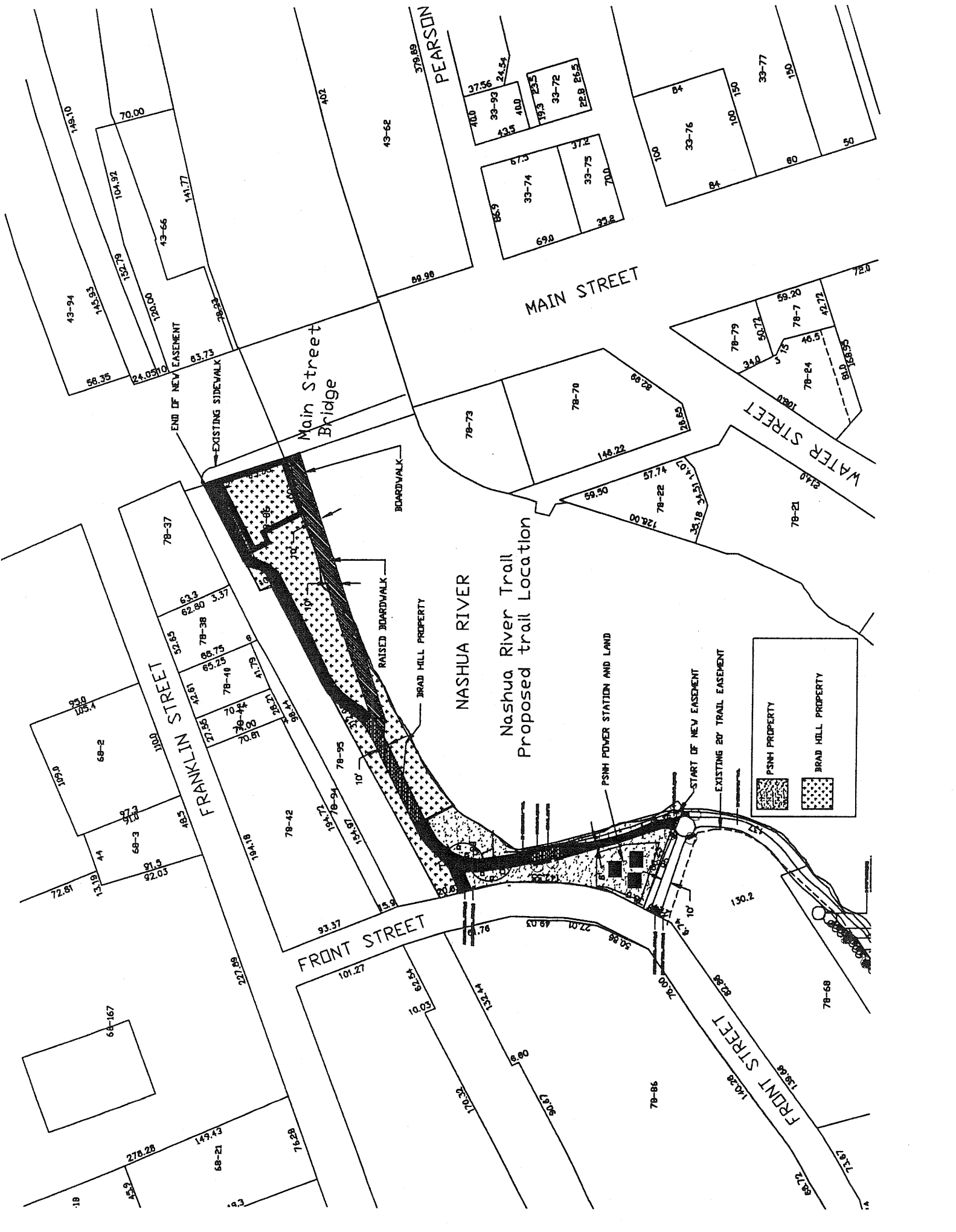
RESOLUTION

**AUTHORIZING THE ACCEPTANCE OF A PEDESTRIAN EASEMENT DEED ON
THE NORTHERLY SIDE OF THE NASHUA RIVER FOR PUBLIC ACCESS AS CLASS
A AND B TRAILS UNDER RSA 231-A**

CITY OF NASHUA

In the Year Two Thousand and Nine

RESOLVED by the Board of Aldermen of the City of Nashua to authorize acceptance of easements, substantially as shown on the attached map, for construction and maintenance of Class A and B trails under RSA 231-A on property owned by Bradford J. Hill, 1998 Revocable Trust (Sheet 78, Lot 36) and Public Service Company of New Hampshire (Sheet 78, Lot 93). Said easements will begin at Main Street and run in a west southwesterly direction to an existing trail easement located off Front Street.



Nashua River Trail Proposed trail Location

PSNH PROPERTY
BRAD HILL PROPERTY

NASHUA RIVER

Main Street
Bridge

PSNH POWER STATION AND LAND

BRAD HILL PROPERTY

BOARDWALK
RAISED BOARDWALK

END OF NEW EASEMENT
EXISTING SIDEWALK

START OF NEW EASEMENT
EXISTING 20' TRAIL EASEMENT

LEGISLATIVE YEAR 2009

RESOLUTION:

R-09-249

PURPOSE:

Authorizing the acceptance of a pedestrian easement deed on the northerly side of the Nashua River for public access as Class A and B trails under RSA 231-A

ENDORSER(S):

Alderman Michael A. Tamposi

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE:

The actual cost to the City for obtaining and maintaining the easements cannot be determined at this time. This may include the cost of constructing and maintaining the trails and the possible loss of tax revenue due to a decrease in value to the properties on which the easements are located.

ANALYSIS

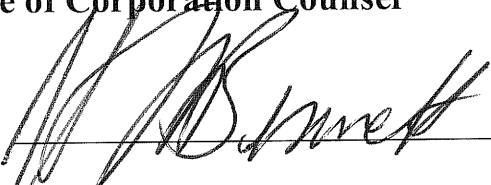
This resolution will authorize the Mayor to negotiate and accept a pedestrian easement deed for the purpose of constructing and maintaining a Class A and/or B trail under RSA 231-A. The easements are being provided to the City at no cost except recording fees. The acquisition of this easement will allow for the connection of existing public right-of-way easement from Main Street westerly and southerly to an existing easement along Front Street. A portion of the easement on the Bradford J. Hill property will be through an existing parking lot and will be classified as a Class A trail, permitting public access and vehicle access to the existing structure on the property. The remainder of the easements on the Bradford J. Hill property and on PSNH property will be used to construct a Class B trail which provides for non-vehicular public access, subject to restrictions by the Board of Aldermen. Under RSA 231-A:8 liability for the owners and the City for trails is limited to intentional and willful conduct per RSA 212:34 and 508:14.

The proposed easements are in general conformance with the City's adopted "Nashua Trails Master Plan", by the Board of Aldermen and the Nashua City Planning Board in 2001, Downtown Master Plan adopted May 1, 2003.

Approved as to form:

Office of Corporation Counsel

By:





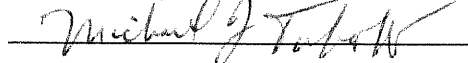
Date: October 23, 2009

RESOLUTION

R-09-249

Authorizing the acceptance of a pedestrian easement deed on the northerly side of the Nashua River for public access as Class A and B trails under RSA 231-A

Endorsed by

	TAMPOSI
	PLAMONDON
	TABACSKO
_____	CLEMONS
_____	MCCARTHY

IN THE BOARD OF ALDERMEN

1ST READING OCTOBER 27, 2009

Referred to:

PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE AND PLANNING BOARD

2nd Reading NOVEMBER 24, 2009

3rd Reading _____

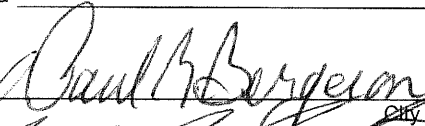
4th Reading _____

Other Action _____

Passed NOVEMBER 24, 2009

Indefinitely Postponed _____

Defeated _____

Attest: 
City Clerk


President

Approved 
Mayor's Signature

 11/25/09
Date

Vetoed: _____

Veto Sustained: _____

Veto Overridden: _____

Attest: _____
City Clerk

President