



## RESOLUTION

**AUTHORIZING THE GRANTING OF AN EASEMENT TO SEGTEL, INC., D/B/A/  
FIRSTLIGHT FIBER, FOR THE INSTALLATION AND MAINTENANCE OF  
OVERHEAD FIBER OPTIC CABLE**

### *CITY OF NASHUA*

*In the Year Two Thousand and Thirteen*

**RESOLVED** by the Board of Aldermen of the City of Nashua to authorize granting of an easement to segTEL, Inc., d/b/a/ FirstLight Fiber, for the installation and maintenance of overhead fiber optic cable, substantially the same as the attached easement deed and as shown on the attached plans. The easement is located over land currently owned by the City between George Street and Will Street, which is at the terminus of the Rail Trail, being a part of Lot 315, Map 87.

**LEGISLATIVE YEAR 2013**

**RESOLUTION:** R-13-150

**PURPOSE:** Authorizing the granting of an easement to segTel, Inc., d/b/a/ FirstLight Fiber, for the installation and maintenance of overhead fiber optic cable

**ENDORSER(S):** Mayor Donnalee Lozeau

**COMMITTEE  
ASSIGNMENT:**

**FISCAL NOTE:** None

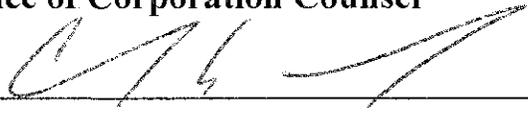
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**ANALYSIS**

This resolution authorizes the granting of an installation and maintenance easement over land owned by the City at the terminus of the Rail Trail to segTel, Inc., d/b/a/ FirstLight Fiber for overhead fiber optic cable. The easement will further segTel's project to establish and provide fiber optic services to the Simon and Ledge Street commercial park/zone. The cable(s) will run between existing PSNH/FairPoint poles. segTel has a license application pending with PSNH and FairPoint for the use of these (and other) poles. The deed to the City of this portion of the Rail Trail provides that if there is a sale or other conveyance of all or a portion of the premises that the City must reimburse the Federal Highway Administration (FHWA) 80% of the then fair market value for that portion being conveyed. An easement is a conveyance and could impact the value of the property which it burdens. Accordingly, at the City's request, segTel provided a report of an independent appraiser. The appraiser's conclusion is that the proposed easement will not have a negative effect on the value of the subject parcel. Therefore, as there is no impact, no compensation has been requested from segTel, none is due to the FHWA.

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**Approved as to form:** Office of Corporation Counsel

**By:**  \_\_\_\_\_

**Date:** November 7, 2013

Return to:  
segTEL, Inc. d/b/a/ FirstLight Fiber,  
P.O. Box 610, Lebanon, N. H. 03766

## EASEMENT DEED

segTEL, Inc., d/b/a/ FirstLight Fiber  
Telecommunications Easement

Know All Persons By These Presents, that the **City of Nashua**, a municipal corporation, with an address of 229 Main Street, Nashua, New Hampshire 03060, ("**Grantor**"), for good and valuable consideration, grants to **segTEL, Inc., d/b/a/ FirstLight Fiber**, a New Hampshire corporation having a mailing address of P.O. Box 610, Lebanon, N. H. 03766 and its successors and assigns forever ("**Grantee**"), as tenants in common with quitclaim covenants, a ten [10] foot wide easement and the right to install, maintain, replace and remove overhead fiber optic cable, and to keep trimmed all trees and bushes as the Grantee may desire in the easement area described herein from time to time. Said easement to be a rectangular strip of land, five [5] feet either side of the centerline of the cable, as constructed, being located off the public ways known as George Street and Will Street in the City of Nashua, County of Hillsborough, State of New Hampshire, however the location of said cable facilities being more particularly described as follows:

Beginning at a point at the northerly sideline of George Street (dead end), said point being at the southerly boundary of the City of Nashua parcel, thence; running overhead in a northwesterly direction for a distance of eighty three (83) feet, more or less, across a portion of the Grantor's land to the Grantor's northerly boundary line at a point on the southerly sideline of Will Street, adjacent to PSNH pole number 1307/1Y.

Meaning and intending to convey an easement across and over the westerly end of land of the City of Nashua for the above described overhead fiber optic cable. The herein described easement shall connect two existing utility poles: PSNH #2 on George Street and PSNH # 1307/1Y on Will Street.

For Grantor's title see Deed recorded at Book 5850, Page 1868 at the Hillsborough County Registry of Deeds. Also reference City of Nashua Parcel (GIS I.D.) 87-315.

Permission is herein granted to enter said premises for access thereto for all the above purposes.

The Grantee, its successor and assigns, hereby agrees and undertakes to indemnify and hold Grantor and its successors and assigns free and harmless from any liability, loss, costs, damages or expenses, including reasonable attorney's fees, which Grantor may incur as a result of any claims or actions which may be made arising out of Grantee's rights granted hereunder.

To have and to hold the above granted rights and privileges in, upon, and over said premises to the said segTEL, Inc., its successors and assigns, for its own use.

Executed this \_\_\_\_ day of \_\_\_\_\_ 2013.

**CITY OF NASHUA**

\_\_\_\_\_  
By: **Donnalee Lozeau**, duly authorized  
Title: Mayor

**STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013 personally appeared the above-named **Donnalee Lozeau** as Mayor of the City of Nashua, known to me (or satisfactorily proven) to be the person whose name is subscribed to the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed, on behalf of the City of Nashua, for the purposes therein contained.

Before me,

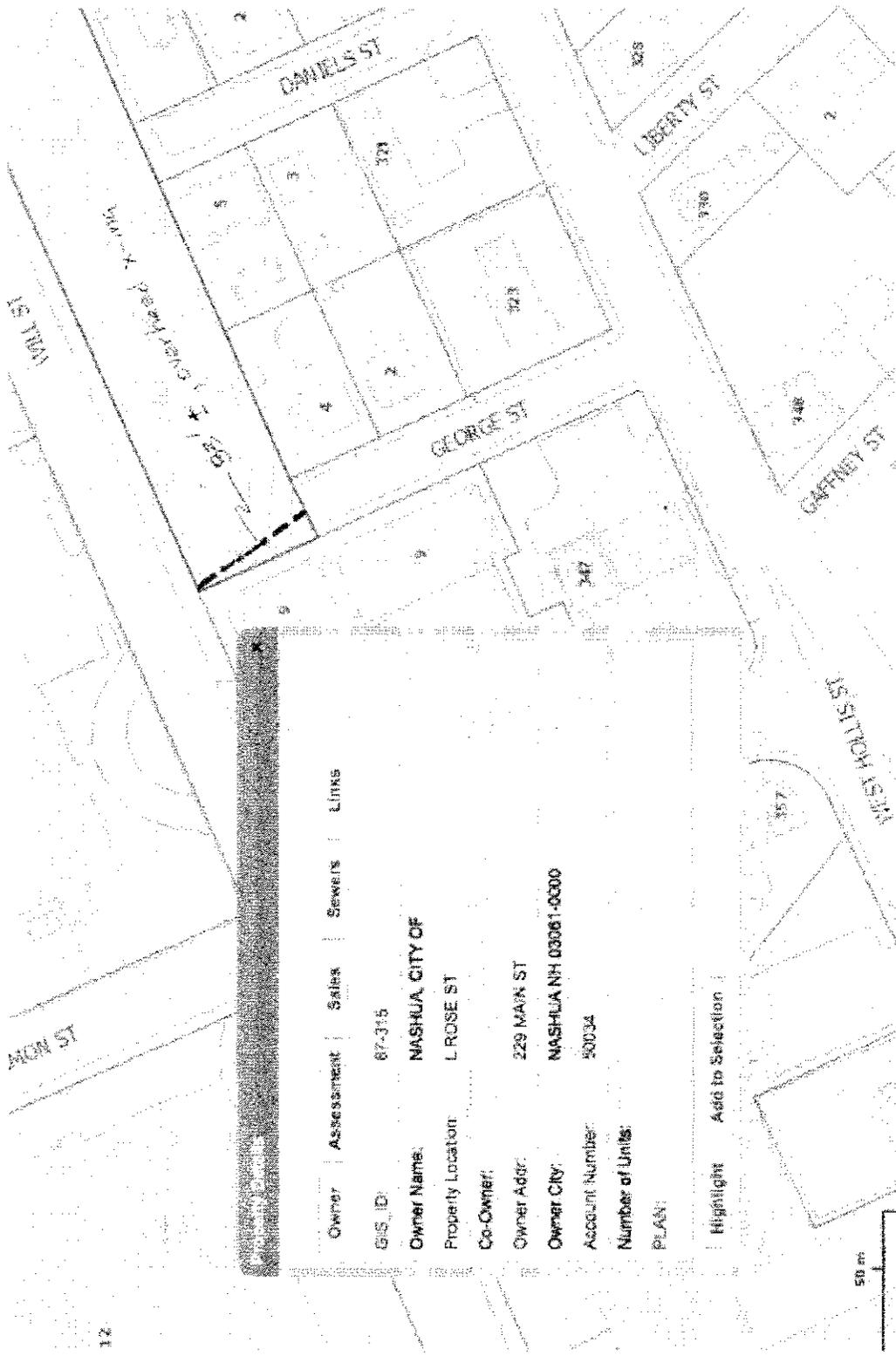
\_\_\_\_\_  
Justice of the Peace/Notary Public  
My Commission Expires: \_\_\_\_\_  
Seal:



Google earth

feet 200  
meters 60





12  
157  
50 m

Owner Assessment Sales Sewers Links

GIS ID: 87-316  
Owner Name: NASHUA CITY OF  
Property Location: L ROSE ST  
Co-Owner:  
Owner Addr: 229 MAIN ST  
Owner City: NASHUA NH 03061-0000  
Account Number: 50034  
Number of Units:  
PLAN:

Highlight Add to Selection