



RESOLUTION

AUTHORIZING THE BUSINESS AND INDUSTRIAL DEVELOPMENT AUTHORITY TO ENTER AGREEMENTS FOR THE SALE AND REDEVELOPMENT OF CERTAIN PARCELS OF LAND OWNED BY THE CITY

CITY OF NASHUA

In the Year Two Thousand and Nine

RESOLVED by the Board of Aldermen of the City of Nashua that the Business and Industrial Development Authority is hereby authorized to enter into agreements for the transfer and redevelopment of three parcels of land, said parcels being described as L Bridge Street, Lot 40-34, approximately 8.5 acres; 40 Bridge Street, Lot 39-32, approximately 2.78 acres; and 10 Sanders Street, Lot 40-37, approximately .8 acres. The emphasis of that redevelopment is mixed-use development, subject to any necessary utility and public access easements, including provisions for the continued use and maintenance of the existing Combined Sewer Overflow (CSO) overflow basin, and subject to conservation, recreation and public access easements over all portions of Lot 40-34 within one hundred (100) feet of the median-high waterline of the Nashua and Merrimack Rivers; and

FURTHER RESOLVED by the Board of Aldermen of the City of Nashua that an area of sufficient size and suitable location as determined by the Director of the Public Works Division shall be reserved on Lot 40-34 through subdivision, lot line adjustment or easement for the purpose of developing a CSO Screening and Disinfection facility along with any necessary buildings, above or below ground tanks, piping, utilities, access ways, parking areas and other ancillary facilities or service needs; and

FURTHER RESOLVED by the Board of Aldermen of the City of Nashua that a sufficient area for a rectangular athletic field suitable for youth football or soccer use and any necessary ancillary facilities and services including parking, fencing, seating, lighting and irrigation, be reserved on Lot 39-32, Lot 40-37, or accommodated in an alternate location approved by the Director of the Public Works Division, and

FURTHER RESOLVED by the Board of Aldermen of the City of Nashua that the Business and Industrial Development Authority is hereby authorized to seek a lot-line adjustment between the parcels described as Lot 40-48, 70 Bridge Street and Lot 40-34 to provide for the continued use, expansion and operation of the David W. Deane Skateboard Park. Any land not necessary for that purpose will be included in the transfer and redevelopment agreements for L Bridge Street, Lot 40-34. If the city can accommodate the skateboard park in an alternate location approved by the Director of the Public Works Division, then the Business and Industrial Development Authority is authorized to include Lot 40-48, 70 Bridge Street in the agreements for the transfer and redevelopment authorized by this resolution.

PROVIDED FURTHER that if any agreement requires the expenditure of city funds, the city must approve that expenditure as required by law.

LEGISLATIVE YEAR 2009

RESOLUTION: R-09-168

PURPOSE: Authorizing the business and industrial development authority to enter agreements for the sale and redevelopment of certain parcels of land owned by the city

ENDORSERS): Mayor Donnalee Lozeau

**COMMITTEE
ASSIGNMENT:**

FISCAL NOTE: This resolution could result in revenue to the city from the sale of the property. There may be some costs associated with city obligations as part of the development agreement for those parcels. Ultimately the redevelopment is intended to expand the tax base, encourage business investment and create employment.

ANALYSIS

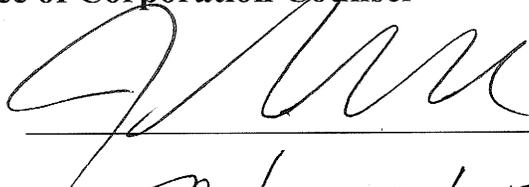
In 2005 the city passed resolution R-05-334 to convey the same property on Bridge Street to the business and industrial development authority for redevelopment. The property never actually transferred. The business and industrial development authority does not have a corporate existence separate from the city. R-05-334 did not delegate the authority to sell the property and bind the city on terms and conditions that the business and industrial development authority determines are a public benefit. This resolution provides that authority so that prospective developers and lenders will have evidence that the business and industrial development authority can bind the city to transfer the property on the terms and conditions contained in that agreement.

Approved as to form:

Office of Corporation Counsel

By:

Date:



11/27/09

RESOLUTION R-09-168

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IN THE BOARD OF ALDERMEN

1ST READING MARCH 10, 2009

Referred to:

COMMITTEE ON INFRASTRUCTURE & BOARD OF PUBLIC WORKS

2nd Reading APRIL 14, 2009

3rd Reading _____

4th Reading _____

Other Action _____

Passed APRIL 14, 2009

Indefinitely Postponed _____

Defeated _____

Attest: Daniel Bergeron City Clerk

[Signature] President

Approved [Signature] Mayor's Signature

4/17/09 Date

Endorsed by [Signature] Mayor MCCARTHY

[Signature] TABACSKO

Vetoed: _____

Veto Sustained: _____

Veto Overridden: _____

Attest: _____ City Clerk

President