



RESOLUTION

AUTHORIZING ACCEPTANCE OF EASEMENT DEEDS FOR PUBLIC ACCESS AS A CLASS B TRAIL UNDER RSA 231-A TO THE COTTON TRANSFER BRIDGE ALONG THE SOUTHERLY SIDE OF THE NASHUA RIVER

CITY OF NASHUA

In the Year Two Thousand and Six

RESOLVED by the Board of Aldermen of the City of Nashua to authorize acceptance of easements, substantially in the attached form, for public access as a Class B Trail under RSA 231-A to the Cotton Transfer Bridge along the southerly side of the Nashua River.

TRAIL EASEMENT DEED

Nashua Plaza Housing Associates, a Limited Partnership, 1 Clocktower Place, with a principal place of business c/o S-C Management Corporation, 2 Brookline Place, Suite 206, Brookline, MA 02445-3301, for consideration paid, grants to the City of Nashua, a municipal corporation with an address of 229 Main Street, Nashua, County of Hillsborough, State of New Hampshire, an easement as more particularly described herein:

1. Trail easement for Pedestrians and/or Bicycles

The perpetual right and easement to construct, maintain, repair and replace a public trail for pedestrians and/or bicycles, together with the right of the general public in common with others to pass and repass by foot and/or bicycle as a Class B Trail under RSA 231-A. The purpose of this easement is to provide a trail for pedestrians and/or bicycles to the Cotton Transfer Bridge along the south side of the Nashua River in Nashua, New Hampshire and to the City's Water Street Park and generally to Main Street and Mine Falls Park Trail System as described below and subject to the rules and regulations developed by the City of Nashua, and as construction access for the City of Nashua to repair, maintain pedestrian bridge known as the Cotton Transfer Bridge which crosses the Nashua River. Nothing within this easement precludes the rights of owners of Lots 18 and 20, Map 77 or utility companies to use said access drive for access for loading and parking and for maintaining or replacement of utilities as may be necessary.

2. Easement Description

A certain parcel of land comprising the land northerly of the mill buildings and southerly of the Nashua River and extending from the easterly boundary to the westerly boundary of Lot 18, all as shown on Plan entitled "Lots 1, 26, 14, 7, 5 and 18 - Map 77, Lot Line Relocation Plan Millyard Properties, Nashua, New Hampshire, Now or Formerly Belonging to Nashua New Hampshire Foundation," Sheet 4 of 4, prepared by Hamilton Engineering Associates, Inc. dated October 24, 1984, recorded at the Hillsborough County Registry of Deeds as Plan 17,206.

For title reference see the Hillsborough County Registry of Deeds at Book 3077, Page 0259.

IN WITNESS WHEREOF, this Easement Deed is executed this _____ day of _____, 2006.

Nashua Plaza Housing Associates Limited Partnership

By: _____
Its: _____

Commonwealth of Massachusetts
County of _____

This instrument was acknowledged before me on _____ by _____ as _____ of Nashua Clocktower Housing Association, LP.

Notary Public

TRAIL EASEMENT DEED

Nashua Clocktower Housing Association, a Limited Partnership, 2 Clocktower Place, with a principal place of business c/o S-C Management Corporation, 2 Brookline Place, Suite 206, Brookline, MA 02445-3301, for consideration paid, grants to the City of Nashua, a municipal corporation with an address of 229 Main Street, Nashua, County of Hillsborough, State of New Hampshire, an easement as more particularly described herein:

3. Trail easement for Pedestrians and/or Bicycles

The perpetual right and easement to construct, maintain, repair and replace a public trail for pedestrians and/or bicycles, together with the right of the general public in common with others to pass and repass by foot and/or bicycle as a Class B Trail under RSA 231-A. The purpose of this easement is to provide a trail for pedestrians and/or bicycles to the Cotton Transfer Bridge along the south side of the Nashua River in Nashua, New Hampshire and to the City's Water Street Park and generally to Main Street and Mine Falls Park Trail System as described below and subject to the rules and regulations developed by the City of Nashua, and as construction access for the City of Nashua to repair and maintain pedestrian bridge known as the Cotton Transfer Bridge which crosses the Nashua River. Nothing within this easement precludes the rights of owners of Lots 18 and 20, Map 77 or utility companies to use said access drive for access for loading and parking and for maintaining or replacement of utilities as may be necessary.

4. Easement Description

A certain parcel of land comprising the land northerly of the Mill buildings and southerly of the Nashua River and extending from the easterly boundary to the westerly boundary of Lot 20, all as shown on a Plan entitled "Map 77, Lots #20, #23, #24, Subdivision and Lot Line Relocation Plan, Clocktower Place, Clocktower Place, Nashua, N.H., prepared for Clocktower Housing Associates and Nashua Canal Associates (L.P.), 1 State Street, Boston, Mass., Scale 1" = 40', Dated August 22, 1989" recorded at the Hillsborough County Registry of Deeds as Plan No. 23760.

For title reference see the Hillsborough County Registry of Deeds at Book 5144, Page 1753.

IN WITNESS WHEREOF, this Easement Deed is executed this _____ day of _____, 2006.

Nashua Clocktower Housing Association, LP

By: _____
Its: _____

Commonwealth of Massachusetts
County of _____

This instrument was acknowledged before me on _____ by _____ as _____
_____ of Nashua Clocktower Housing Association, LP.

Notary Public