



## STAFF REPORT

AGENDA ITEM #: 19-65  
COUNCIL MTG OF: June 4, 2019  
FROM: David Caron, Town Administrator  
OFFERED BY: David Caron, Town Administrator  
PREPARED BY: David Caron, Town Administrator  
SUBJECT: Authorization to accept a Conservation Easement on behalf of the Conservation Commission

**PURPOSE:** Grant authorization to accept a Conservation Easement on behalf of the Conservation Commission.

**TOWN ADMINISTRATOR COMMENTS:** The Town Council is encouraged to support this request by affirmatively acting upon Resolution #2019-034.

**BACKGROUND:** The Derry Conservation Commission has been working with Linda Rutter to accept a conservation easement on 19 +/- acres of land located at 52 Lane Road. The Rutter family plans to place a permanent conservation easement on the property as part of a subdivision application, with the family retaining simple ownership. No public access rights would be included in this transaction.

**DISCUSSION:** Pursuant to state statutes, the Conservation Commission can accept gifts, including land under easement or fee simple; after the Governing Board approves the transaction. The attached deed has been prepared by Town Counsel, who confirms that this matter is ready for Council review and action.

**FISCAL IMPACT:** The Town is receiving the easement by gift; legal is looking into the issue of title insurance; if appropriate for a conservation easement, the Town will invest negligible funds to secure the insurance.

**RECOMMENDED ACTION AND MOTION BY COUNCIL:** Please see Resolution #2019-034.

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