



RESOLUTION
Number 2022-034

To Request an Amendment to the Alexander-Carr Trust

WHEREAS, Section 5.1 of the Town Charter designates the Town Council as the governing and legislative body of the Town; and

WHEREAS, the Town received land and funds to maintain what is known as the Alexander-Carr Park; and

WHEREAS, the Superior Court amended the Trust decree on several occasions in recognition of the impracticality of maintaining the entire 50-acre tract as a public park; and

WHEREAS, in the interest of public safety, there is a need to construct a fire station to enhance emergency response to southwest Derry; and

WHEREAS, there is a small parcel of Alexander-Carr Park land which is suitable for this purpose, has a recreation use encumbrance upon it and is unsuitable for park purposes; and


WHEREAS, there is other land owned by the Town being used for recreation purposes which was previously removed from the recreation use encumbrance;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that the Town Administrator is hereby directed to petition the appropriate court of jurisdiction to request that a parcel of land of approximately 1.83 acres be removed from the recreation use encumbrance; further to request that the Court return into the Alexander-Carr Trust a parcel of land of approximately 7.86 acres on Birch Street, which was removed from the recreation encumbrance in 1958.


This Resolution shall take effect immediately upon its passage.

Adopted: May 19, 2022.

Attest:

x 

John Bourdon, Council Chair
Date: 5/19/22

x 

Daniel Healey, Town Clerk
Date: 5/19/2022