

Return to: City of Concord
Community Development Department
Planning Division
City Hall – 41 Green Street
Concord, NH 03301

**SAMPLE
AGREEMENT TO CONVEY AN EASEMENT**

WHEREAS, _____ is/are the owner(s) of Map ____, Block __, Lot(s) ____ also shown as proposed lot 1 and proposed lot 2 on the subdivision plan entitled, “ _____ ”, dated ____ / ____ / ____ and prepared by _____ to be recorded in the Merrimack County Registry of Deeds.

WHEREAS, said subdivision will create the need for (**Example**> a drainage easement over lot 1 for an existing drain line to provide storm water drainage for the newly created lot 2). (**Example**> a driveway easement over proposed lot 1 for the benefit of proposed lot 2.)

WHEREAS, it is the intention of _____ is to reserve an easement for the benefit of the proposed lot ____.

WHEREAS, it is premature to create an easement until the proposed lots cease to be owned by the same person.

NOW THEREFORE, _____ agrees with a condition of the City of Concord Planning Board approval for said subdivision to convey to subsequent property owners a _____ easement as follows:

At such time as the proposed lot ____ is sold, the deed or deeds will contain the following clause:

(**Example**> "Subject to the perpetual right or easement to enter upon, to cross through and to park on fifteen (15) parking spaces on the above-described parcel the location of which is to be chosen by the owner of lot 1. Said easement is for the benefit of the owner of lot 2, his heirs and assigns, tenants, invites, and licensees.")

(**Example**> "The perpetual right or easement to and from (**Example**> Long Pond Road) with utilities servicing the property, to be used for the benefit of proposed lot 1, along a strip of land, shown on subdivision plan entitled _____, dated ____ / ____ / ____ prepared by _____ bounded and described as follows:

{ Insert metes and bounds description }

At such time as proposed lot(s) ____ is/are sold, it will contain corresponding language granting the benefits of the above easement.

Executed this day _____ day _____ , 2005.

Signature: _____
{ Type Name }

Signature: _____
{ Type Name }

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

The foregoing instrument was acknowledged before me this day _____ day of _____ , 2005, by the above-named _____.

Notary Public/Justice of the Peace

Print Name: _____

Commission Expires: _____