



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

Bureau of Right-of-Way
May 8, 2013

REQUESTED ACTION

Pursuant to RSA 4:39-c and 228:31, AUTHORIZE the Department of Transportation to sell and release its interest in a 1,539 square foot portion of the FE Everett Turnpike (Interstate 293) Limited Access Right-of-Way located on the westerly side of the FE Everett Turnpike (Interstate 293) Limited Access Right-of-Way in the City of Manchester to Allard Family, LC for four thousand one hundred (\$4,100.00) dollars which includes a one thousand one hundred (\$1,100.00) dollar Administrative Fee, effective upon Governor and Executive Council approval.

It has been determined by the Division of Finance that this parcel was originally purchased with 100% Turnpike Funds.

Funding is to be credited to the Highway Fund as follows:

04-096-096-960015-0000-UUU-402156	<u>FY 2013</u>
Administrative Fee	\$1,100.00
04-096-096-960017-0000-UUU-409278	<u>FY 2013</u>
Sale of Parcel	\$3,000.00

EXPLANATION

The Department of Transportation has received a request from an abutter, Allard Family, LC, for the opportunity to acquire a portion of State owned Limited Access Right-of-Way of the FE Everett Turnpike (Interstate 293) located on the westerly side of the FE Everett Turnpike in the City of Manchester.

When the Department reconstructed a portion of the FE Everett Turnpike several years ago as part of the Manchester 10622A project, the Department impacted several properties along this section of highway including property owned by Allard Family, LC. Allard Family, LC owned a warehouse building that was used for their moving business inside the new highway corridor and this building was demolished. Allard Family, LC constructed a new warehouse building on their remaining property to replace the building that was demolished. After the building was constructed it was determined by a survey done by Allard Family, LC that a portion of this building was constructed inside the limits of the new Right-of-Way of the FE Everett Turnpike.

No access will be allowed to the FE Everett Turnpike (Interstate 293) from this parcel.

This request has been reviewed by this Department and it has been determined that this portion of the Limited Access Right-of-Way is surplus to our operational needs and interest.

Approval of the sale of this property by the Council of Resources and Development is no longer necessary per RSA 4:39-c whereas the parcel to be sold was purchased with Turnpike funds.

The Long Range Capital Planning and Utilization Committee at their March 5, 2013 meeting approved this request stating that the Department should enter into a direct sale with Allard Family, LC and sell this portion of the Limited Access Right-of-Way for \$4,100.00, which includes an Administrative Fee of \$1,100.00.

In accordance with RSA 4:39-c, the City of Manchester has been offered this property at the approved purchase price. They have had thirty (30) days to consider this offer and they did not express an interest in purchasing the property.

Authorization is respectfully requested to sell this portion of the Limited Access Right-of-Way to Allard Family, LC as outlined above.

Respectfully,

A handwritten signature in black ink, appearing to read "C.D. Clement", with a stylized flourish at the end.

Christopher D. Clement, Sr.
Commissioner

CDC/PJM/dd
Attachments

MAR 08 2013

RECEIVED



LRCP 13-004

JEFFRY A. PATTISON
Legislative Budget Assistant
(603) 271-3161

MICHAEL W. KANE, MPA
Deputy Legislative Budget Assistant
(603) 271-3161

State of New Hampshire
OFFICE OF LEGISLATIVE BUDGET ASSISTANT
State House, Room 102
Concord, New Hampshire 03301

RICHARD J. MAHONEY, CPA
Director, Audit Division
(603) 271-2785

March 6, 2013

Charles R. Schmidt, P.E., Administrator
Department of Transportation
Bureau of Right-of-Way
John O. Morton Building
Concord, New Hampshire 03301

Dear Mr. Schmidt,

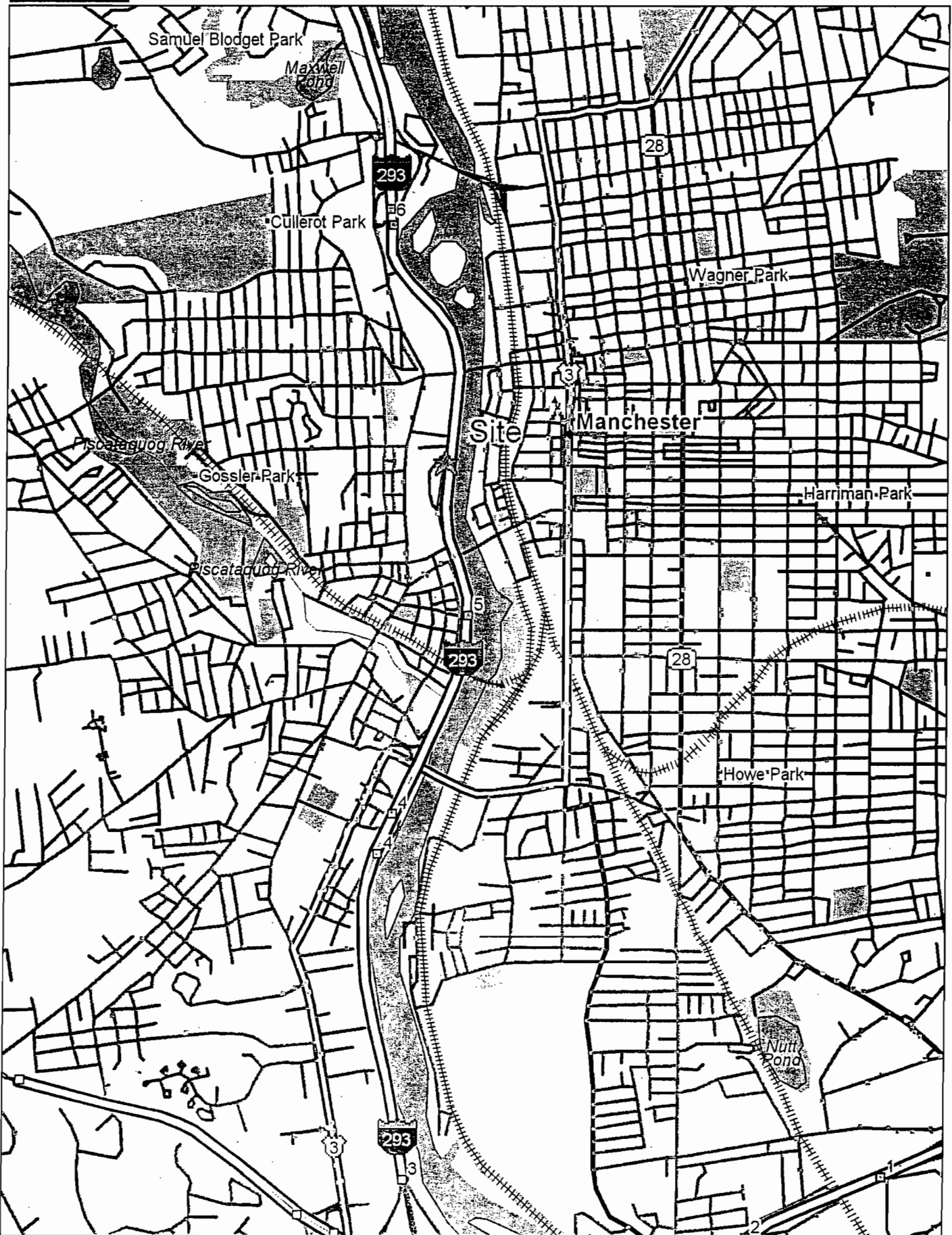
The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on March 5, 2013, approved the request from the Department of Transportation, Bureau of Right-of-Way, to sell and release its interest in a 1,539 square foot portion of the Limited Access Right-of-Way located on the westerly side of the FE Everett Turnpike (Interstate 293) in the City of Manchester directly to Allard Family L.C. for \$4,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated January 18, 2013.

Sincerely,

A handwritten signature in cursive script, reading "Jeffry A. Pattison".

Jeffry A. Pattison
Legislative Budget Assistant

JAP/pe
Attachment



SHAHEEN & GORDON, P.A.

ATTORNEYS AT LAW

DEPT. OF TRANSPORTATION
RIGHT-OF-WAY

JAN 22 2013

RECEIVED

Heidi J. Barrett-Kitchen
Attorney at Law

Tenacity. Creativity. Results.™

January 17, 2013

Phillip Miles
Chief of Property Management
New Hampshire Department of Transportation
John O. Morton Building, Room 100
7 Hazen Drive, PO Box 483
Concord, NH 03302-0483

Re: Surplus property Acquisition

Dear Phil,

My client, Allard Family, LC accepts your offer and would like to proceed with the purchase of the 1,539 square foot parcel abutting the FE Everett Limited Access Right of Way for a purchase price of \$4100.00 (which includes an administrative fee of \$1,100).

Please submit the request at the next meeting of the Long Range Capital Planning and Utilization Committee as we discussed.

Thank you for your assistance. Please contact me should you have any questions.

Very truly yours,



Heidi J. Kitchen-Barrett
hkitchen@shaheengordon.com

c: Allard Family, LC

NH Department of Transportation Management Tracking Application Request Detail Report

Paper Documents: N

Request Id: **DPD-BROW-05-2013-03** Status: **ACTIVE** G&C: **X** Retroactive: Fiscal: Sole Source: DOIT: Betterment: Other: Consolidated Federal: Commissioner Letter:

Initiated Date: **05/07/2013** Originator: **Dolcino, Diana** Phone: **603-271-3222**

Expiration Date: Secondary Contact: **Spoerl, Carol** Phone: **603-271-3222**

Requisition Number: **4,100.00** Federal: **0%** State: **100%** Other: **0%**

Job Number: Total Encumbrance: **4,100.00** Vendor:

Expected G&C Date: **06/19/2013** G&C Agenda #: Actual G&C Date:

Expected Fiscal Date: Actual Fiscal Date:

G&C Agenda #:

Fiscal Agenda #:

This sale of release DOT's interest in 1,539 SF of Everett Turnpike LAROW in Manchester.

Description: Pursuant to RSA 4:39-c and 228:31, AUTHORIZE the Department of Transportation to sell and release its interest in a 1,539 square foot portion of the FE Everett Turnpike (Interstate 293) Limited Access Right-of-Way located on the westerly side of the FE Everett Turnpike (Interstate 293) Limited Access Right-of-Way in the City of Manchester to Allard Family, LC for four thousand one hundred (\$4,100.00) dollars which includes a one thousand one hundred (\$1,100.00) dollar Administrative Fee, effective upon Governor and Executive Council approval.

Assigned Regions and Towns				
Region	Town			
HILLSBOROUGH	ALL			
Contract Request Type: Sale of Land				
Required	Description			
Yes	1	G&C Cover Letter		
Yes	2	Map (Of Land & Surrounding Site Plan)		
Yes	3	Bid Forms for Region(s)		
Yes	4	Long Range Letter		
Tracking Information				
Assign Date	Assigned To	Review Date	Status	Review Comments
05/13/2013	Dossett, Dawn			
05/10/2013	Plant, Danielle	05/13/2013	Updated	Plant, Danielle has been downloaded. Please review and if no corrections need to be made, approve and forward to Walker. Thank you. Also forwarding item to Turnpikes as fund 017 is being utilized in this item. -
05/10/2013	Russell, Leonard	05/10/2013	Updated	
05/09/2013	Nielsen, Walker	05/10/2013	Needs Action	
05/08/2013	Cass, William	05/09/2013	Needs Action	
05/08/2013	Cass, William	05/08/2013	Needs Action	
05/07/2013	Plant, Danielle	05/08/2013	Needs Action	Plant, Danielle has been downloaded. Please review and if no corrections need to be made, approve and forward to Walker. Thank you. Also forwarding item to Turnpikes as fund 017 is being utilized in this item. -
05/07/2013	Dolcino, Diana	05/07/2013	Needs Action	Plant, Danielle Dolcino, Diana

NH Department of Transportation
Management Tracking Application
Request Detail Report

Paper Documents: N

Request Id: DPD-BROW-05-2013-03 Status: ACTIVE

Initiated Date: 05/07/2013 Originator: Dolcino, Diana

Expiration Date: Secondary Contact: Spoerl, Carol

Requisition Number: Requested Amount: 4,100.00 Federal: 0% State: 100% Other: 0%

Job Number: Total Encumbrance: 4,100.00 Vendor:

Expected G&C Date: 06/19/2013 G&C Agenda #:

Actual G&C Date:

G&C Agenda #:

Expected Fiscal Date:

Fiscal Agenda #:

Attachments			Author	Added By	Added On
Date	Title				
05/03/2013	G & C COVER LETTER		DOLCINO, DIANA	DIANA.DOLCINO	05/07/2013
05/03/2013	G & C BACKUP		DOLCINO, DIANA	DIANA.DOLCINO	05/07/2013
05/08/2013	G&C COVER LETTER V2		PLANT, DANIELLE	DANIELLE.R.PLANT	05/08/2013