



*Victoria F. Sheehan*  
Commissioner

**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



*William Cass, P.E.*  
Assistant Commissioner

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

Bureau of Right-of-Way  
May 18, 2018

**REQUESTED ACTION**

Pursuant to RSA 4:39-c and 228:31, authorize the Department of Transportation to sell four tracts of land totaling 49,460+/- square feet (1.14 +/- Acres) to the following entities : 6,500 +/- square foot parcel of State owned land to Corner of New Horizons, LLC, a 41,000 +/- square foot parcel of State owned land to Regent Street Properties, a 1,150 +/- square foot parcel of State owned land to Karen L. Heller 1997 Trust and a 810+/- square foot parcel of State owned land to Route 111A Sign Association, LLC; all parcels are located on the easterly side of NH Route 111A in the Town of Windham for the total price of \$250,000.00. Pursuant to RSA 4:40, III-a, the Department is requesting a waiver of the Administrative Fee of \$1,100.00. The sale is subject to the conditions as specified in this request, effective upon Governor and Executive Council approval.

Pursuant to RSA 230:45, further authorize the Department of Transportation to adjust the limits of the NH Route 111A Controlled Access Right-of-Way for the disposal of the above-mentioned parcels.

It has been determined by the Division of Finance that this Right-of-Way was originally purchased with 90% Federal Funds, 10% Highway Funds.

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

04-096-096-960015-0000-UUU-409279	<u>FY 2018</u>
Sale of Parcel	
(10% of \$250,000.00)	\$25,000.00
04-096-096-963515-3054-401771	
Consolidated Federal Aid	
(90% of \$250,000.00)	\$225,000.00

## EXPLANATION

Four (4) parcels of State owned land totaling 49,460 square feet (1.14 Acres +/-) in size, has been determined to be surplus to the Department and is located on the easterly side of NH Route 111 in the Town of Windham. This area was originally acquired in 1961 as a portion of the Interstate 93 Exit 3 Northbound off ramp right of way for the Windham I-93-1(42)5, P-5201-B and Salem- Windham I-93-1(40)3,P-5201-A projects.

As part of safety improvements for the Interstate 93 Exit 3 Interchange, Salem-Manchester, 10418C project, which included the relocation of the Northbound Interstate 93 barrel, an access driveway from the relocated portion of NH Route 111A, was constructed over the referenced parcel to service parcels owned by Corner of New Horizons, LLC; Regent Street Properties and by the Karen L. Heller 1997 Trust.

Neither the Department, nor the Town of Windham wishes to retain the maintenance or ownership responsibilities for the driveway and associated improvements. Through negotiations, a maintenance and access agreement for the driveway and surrounding area was reached between the three (3) referenced abutters to the parcel.

To fully implement the agreement, it is essential to divide the larger area into four (4) tracts. Separate deeds will convey three (3) of the contiguous tracts to the corresponding abutting property owner. The fourth tract will be conveyed to Route 111A Sign Association, LLC, a limited liability company created by the three abutting owners for the purpose of co-owning the smallest tract to use for common signage.

The sale of these parcels has been reviewed by the Department and it has been determined that this parcel is surplus to our needs and interest for the purpose of disposal.

Appraisals were completed by the Department on the subject parcels to determine their contributory value to the abutting property owners. The areas and values of these parcels are as follows:

<b>Parcel</b>	<b>Entity</b>	<b>Area</b>	<b>Value</b>
A	Corner of New Horizon LLC	6,500 SF	\$75,000.00
B	Regent Street Properties	41,000 SF	\$150,000.00
C	Karen L. Heller 1997 Trust	1,150 SF	\$4,600.00
D	Route 111A Sign Association LLC	<u>810 SF</u>	<u>\$8,000.00</u>
<b>Totals:</b>		<b>49,460 SF or 1.14 Ac</b>	<b>\$237,600.00</b>

The entities above and the Department have agreed that they will purchase this entire area for the total price of \$250,000.00. Whereas these parcels are for the location of a private road to access the above owners' property, the Department proposes to sell these areas totaling 49,460 square feet, (1.14 Ac +/-) to the entities as listed above for a total amount of \$250,000.00 and waive the Administrative Fee of \$1,100.00.

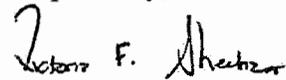
Approval of the sale of this property by the Council of Resources and Development is no longer necessary per RSA 4:39-c whereas the parcel to be sold was purchased with Highway and Federal funds.

On February 21, 2018, the Long Range Capital Planning and Utilization Committee approved the Department's request to sell four tracts of land totaling 49,460 +/- square feet (1.14+/- Ac) to the following entities , as a group , for the total of \$250,000.00; 1) a 6,500 +/- square foot parcel of State owned land to Corner of New Horizons, LLC, 2) a 41,000 +/- square foot parcel of State owned land to Regent Street Properties, 3) a 1,150 +/- square foot parcel of State owned land to Karen L. Heller 1997 Trust and 4) a 810+/- square foot parcel of State owned land to Route 111A Sign Association, LLC; and waive the \$1,100.00 Administrative Fee.

In accordance with RSA 4:39-c, the Town of Windham has been offered this property at the approved purchase price and responded to the Department that they were not interested in acquiring the property. The New Hampshire Housing Finance Authority was also offered the property at the approved price in accordance with RSA 204-D:2 and they did not express an interest in purchasing the property.

Authorization is respectfully requested to sell the above-described four tracts of land totaling 49,460 +/- square feet (1.14+/- Ac) to the following entities, as a group, for the total of \$250,000.00; to the following entities: 1) a 6,500 +/- square foot parcel of State-owned land to Corner of New Horizons, LLC, 2) a 41,000 +/- square foot parcel of State-owned land to Regent Street Properties, 3) a 1,150 +/- square foot parcel of State owned land to Karen L. Heller 1997 Trust and 4) a 810+/- square foot parcel of State-owned land to Route 111A Sign Association, LLC; and waive the \$1,100.00 Administrative Fee as outlined above.

Respectfully,



Victoria F. Sheehan  
Commissioner

VFS/PJM/pfc  
Attachment



LRCP 18-008

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

CHRISTOPHER M. SHEA, 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

STEPHEN C. SMITH, CPA  
Director, Audit Division  
(603) 271-2765

February 22, 2018

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 February 21, 2018, approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell four tracts of land totaling 49,460 +/- square feet (1.14 +/- Acres) to the following entities, as a group, for the total amount of \$250,000; 1) a 6,500 +/- square foot parcel of State owned land to Corner of New Horizons, LLC, 2) a 41,000 +/- square foot parcel of State owned land to Regent Street Properties, 3) a 1,150 +/- square foot parcel of State owned land to Karen L. Heller 1997 Trust, and 4) a 810 +/- square foot parcel of State owned land to Route 111A Sign Association, LLC; all parcels are located on the easterly side of NH Route 111A in the Town of Windham, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated January 22, 2018.

Sincerely,

Michael W. Kane  
Legislative Budget Assistant

MWK/pe  
Attachment



# TOWN OF WINDHAM, NEW HAMPSHIRE

OFFICE OF THE SELECTMEN AND TOWN ADMINISTRATOR

POST OFFICE BOX 120, 4 NORTH LOWELL ROAD, WINDHAM NH 03087-0120

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DEPT. OF TRANSPORTATION  
RIGHT-OF-WAY

MAR 29 2018

March 27, 2018

RECEIVED

Mr. Charles Schmidt, PE  
Administrator  
NH Department of Transportation  
John O. Morton Building  
7 Hazen Drive, P.O. Box 483  
Concord, NH 03302-0483

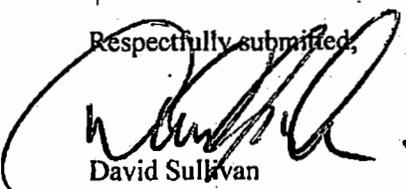
*Re: Sale of State Owned Land – Windham-Salem, 10075, ROW Adjacent to 17-H-1, 2, and 10 (Corner of Rte 111 and Rte 111A – 1.14 acres)*

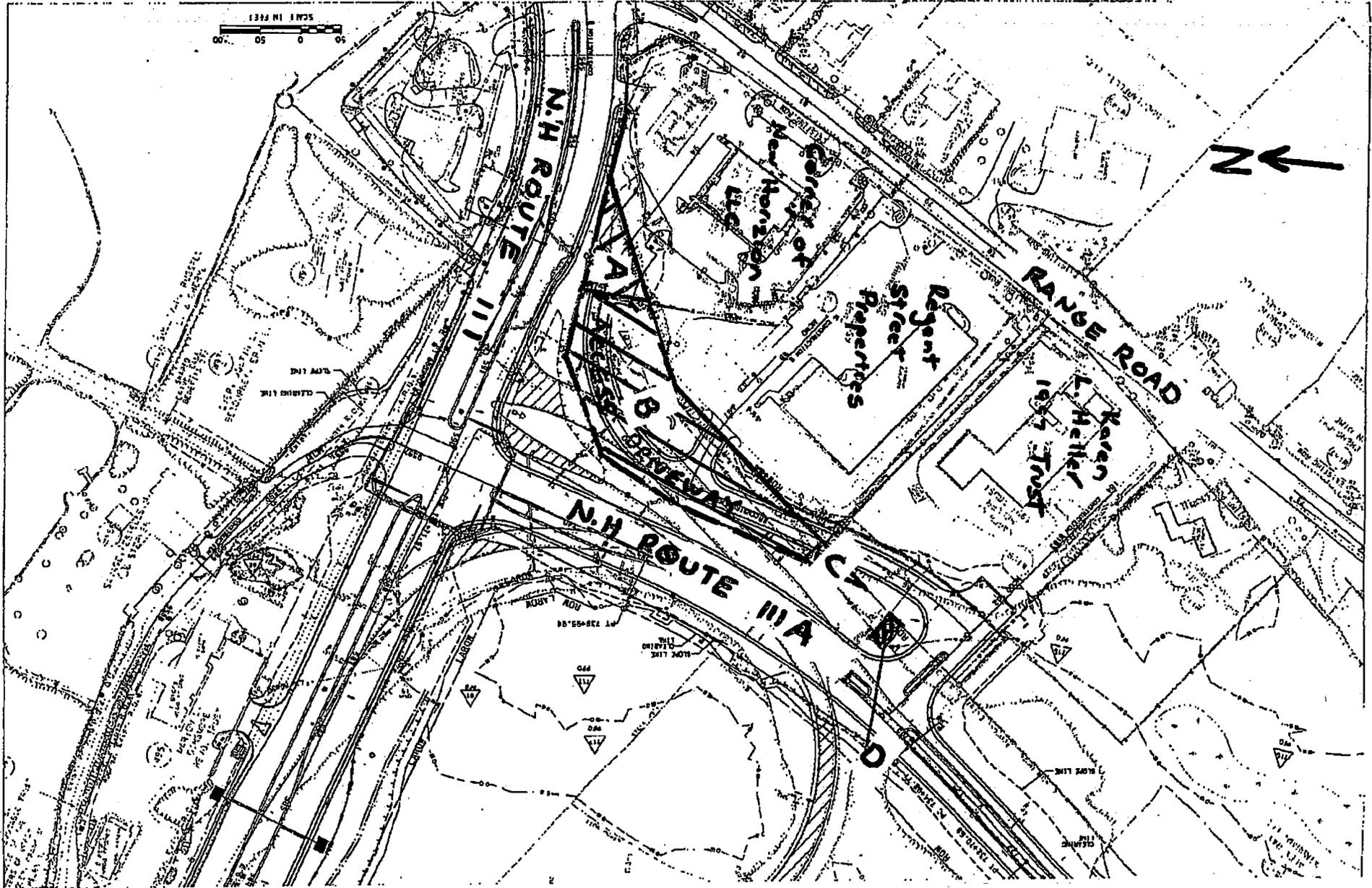
Dear Mr. Schmidt:

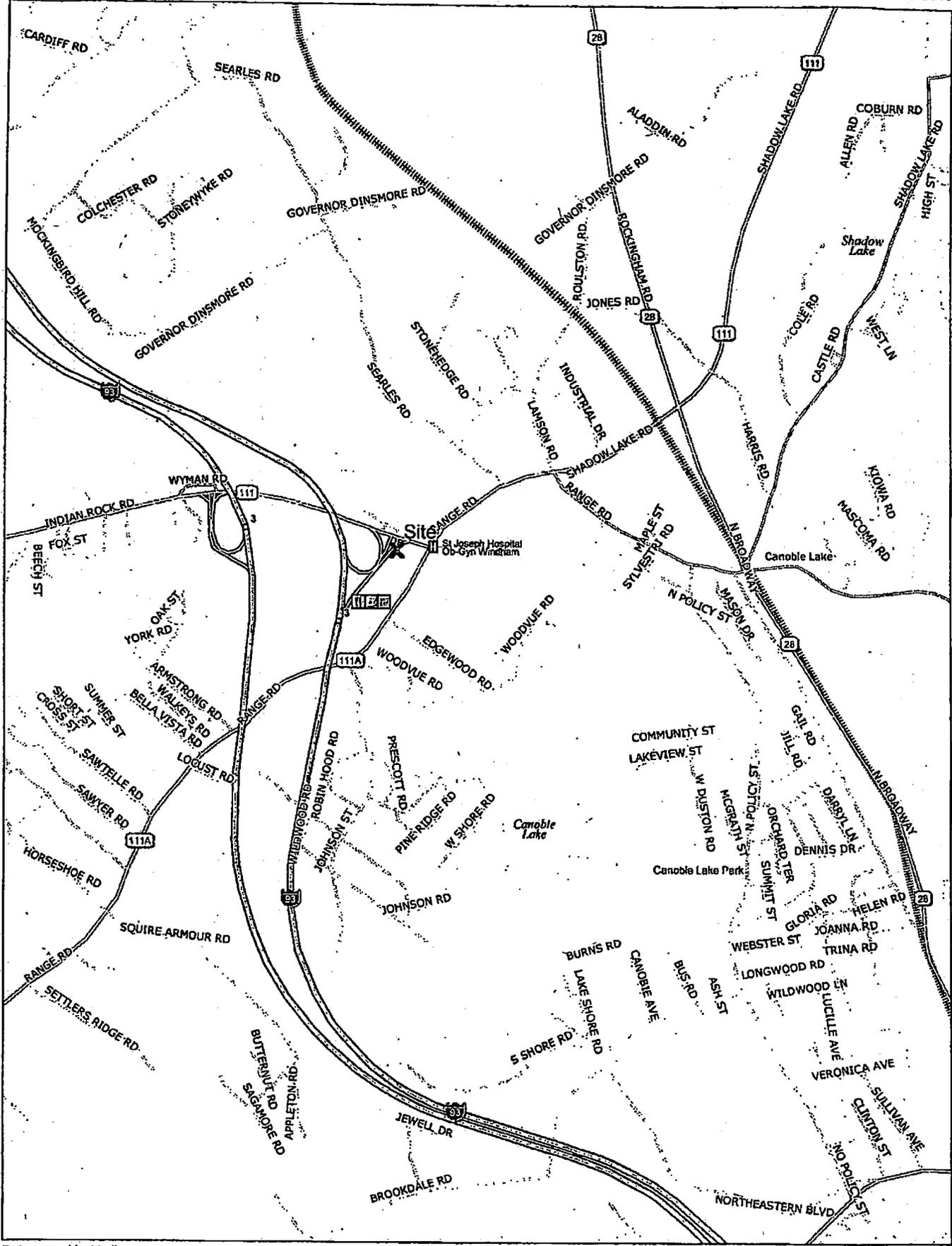
On behalf of the Board of Selectmen, I extend our thanks to the State for offering the Town of Windham the opportunity to purchase the surplus property located at corner of Route 111 and Route 111a, identified by your letter as being adjacent to Windham Tax Map Lot 17-H-1, 2 and 10. I send this to advise you that, after review and discussion regarding this parcel, the Board of Selectmen found there to be no interest in obtaining the property and, as such, has voted to respectfully decline the State's offer.

Should you have any questions or require further information regarding the Board's decision, please feel free to contact me.

Respectfully submitted,

  
David Sullivan  
Town Administrator





STA. 704+00  
NH ROUTE 111A  
LIMIT OF WORK

BRIDGE #  
137/092  
(BUILT UNDER  
13933-K)

COBBETTS  
POND

BRIDGE #  
139/102  
(BUILT UNDER  
13933-K)

EXIT 3

BRIDGE #  
139-094  
(REMOVE UNDER  
13933-H)

STA. 566+00 (EASTBOUND)  
STA. 571+50 (WESTBOUND)  
NH ROUTE 111  
LIMIT OF WORK  
MATCH TO CONTRACT  
13933-I (BY OTHERS)

I-93  
ESTIMATE I-93 NB CONSTRUCTION  
CONTRACT 13933-E  
(BY OTHERS)

BRIDGE #  
137/101  
(REMOVE UNDER  
13933-H)

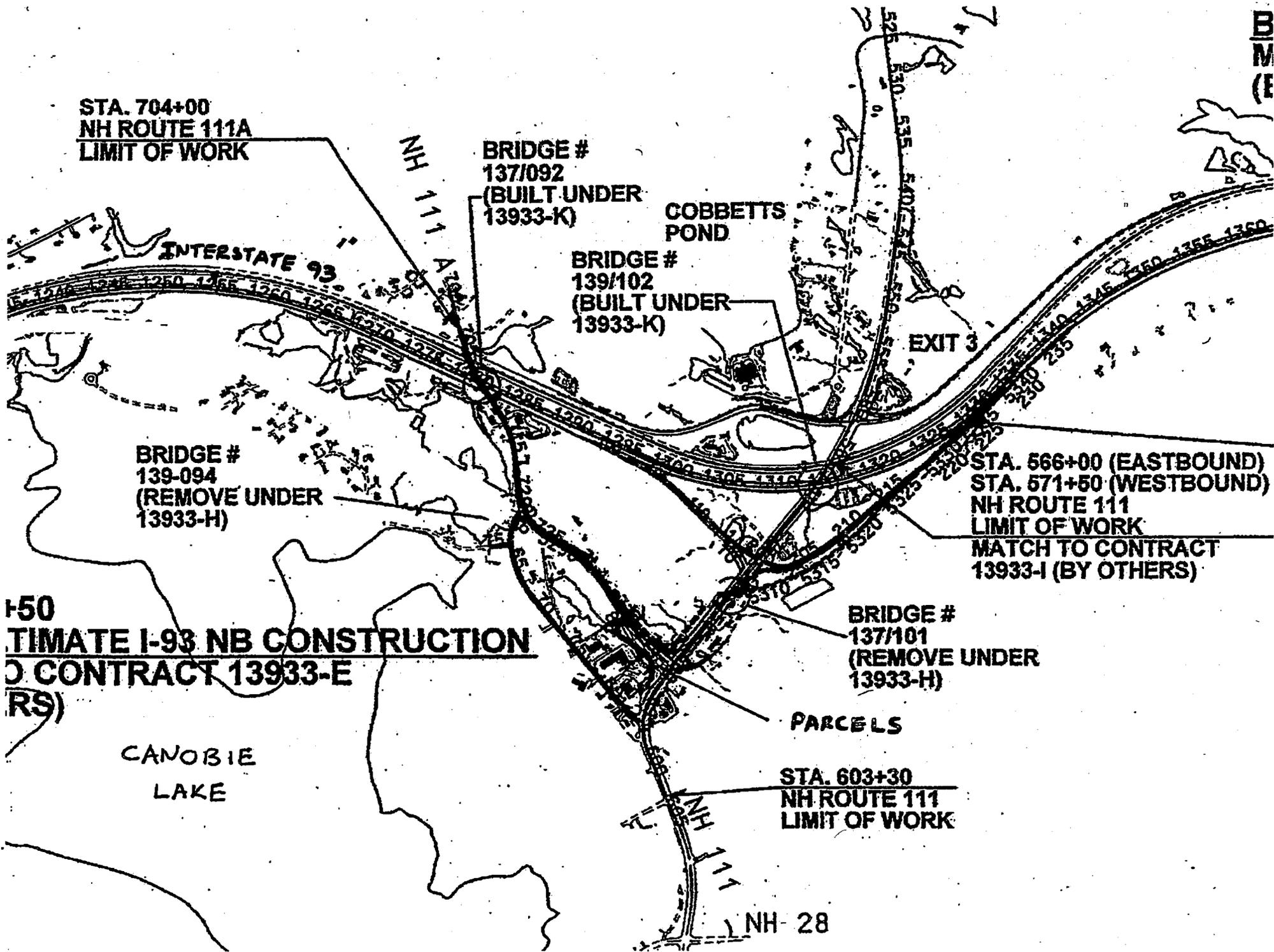
PARCELS

CANOBIE  
LAKE

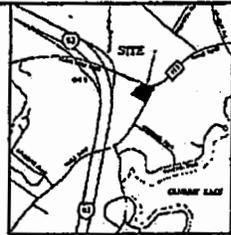
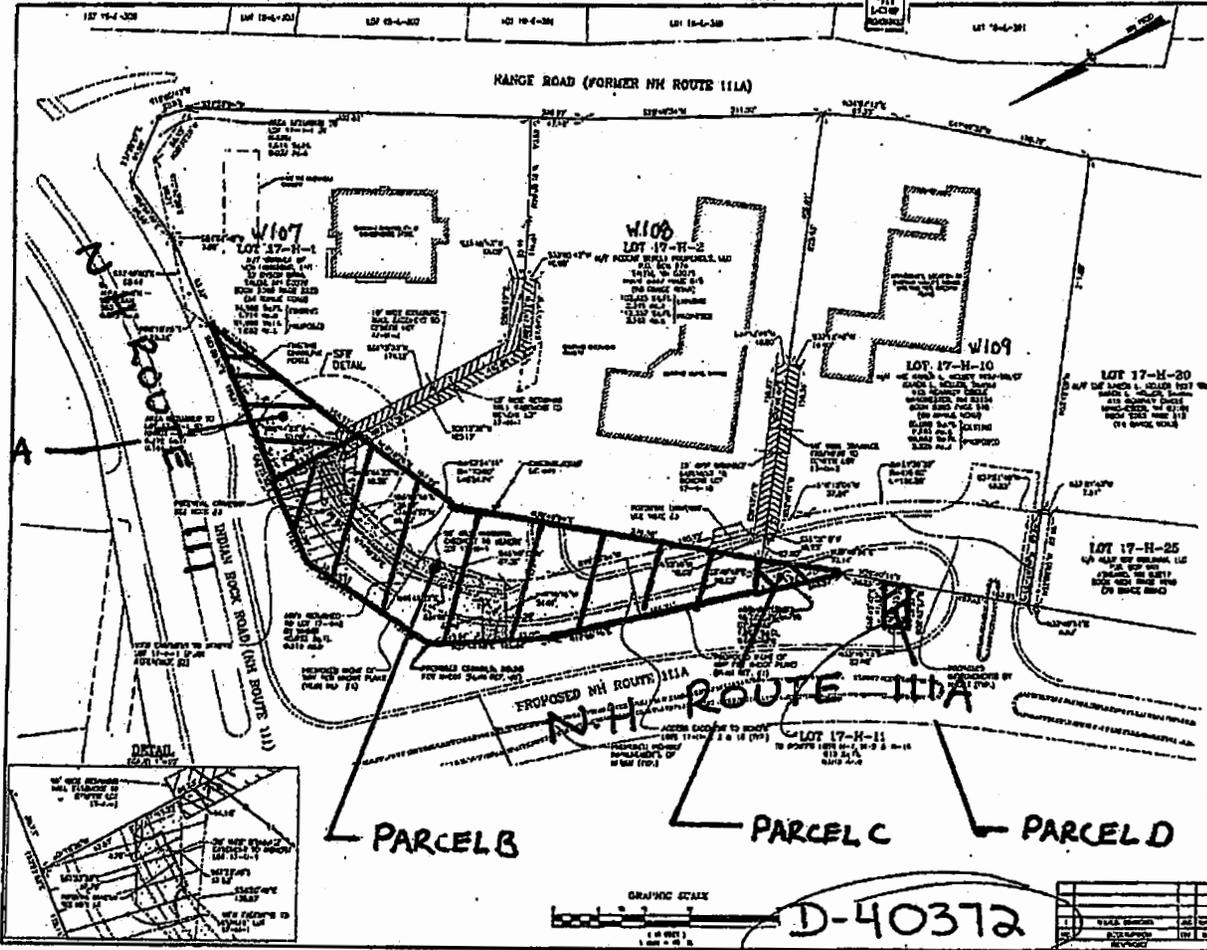
STA. 603+30  
NH ROUTE 111  
LIMIT OF WORK

NH-28

B  
M  
E



500215 17-04 040644



**NOTES:**

- 1) THE AREA OF THIS PLAN IS TO BE USED FOR THE PURPOSES OF A TRUCK STOP AND SERVICE CENTER.
- 2) THE PROPOSED TRUCK STOP AND SERVICE CENTER SHALL BE LOCATED ON THE WEST SIDE OF THE PROPOSED ROUTE 111A.
- 3) THE PROPOSED TRUCK STOP AND SERVICE CENTER SHALL BE LOCATED ON THE WEST SIDE OF THE PROPOSED ROUTE 111A.
- 4) THE PROPOSED TRUCK STOP AND SERVICE CENTER SHALL BE LOCATED ON THE WEST SIDE OF THE PROPOSED ROUTE 111A.
- 5) THE PROPOSED TRUCK STOP AND SERVICE CENTER SHALL BE LOCATED ON THE WEST SIDE OF THE PROPOSED ROUTE 111A.
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- 7) THE PROPOSED TRUCK STOP AND SERVICE CENTER SHALL BE LOCATED ON THE WEST SIDE OF THE PROPOSED ROUTE 111A.
- 8) THE PROPOSED TRUCK STOP AND SERVICE CENTER SHALL BE LOCATED ON THE WEST SIDE OF THE PROPOSED ROUTE 111A.
- 9) THE PROPOSED TRUCK STOP AND SERVICE CENTER SHALL BE LOCATED ON THE WEST SIDE OF THE PROPOSED ROUTE 111A.
- 10) THE PROPOSED TRUCK STOP AND SERVICE CENTER SHALL BE LOCATED ON THE WEST SIDE OF THE PROPOSED ROUTE 111A.

**PLAN REFERENCES:**

- 1) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 1, 2010.
- 2) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 2, 2010.
- 3) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 3, 2010.
- 4) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 4, 2010.
- 5) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 5, 2010.
- 6) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 6, 2010.
- 7) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 7, 2010.
- 8) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 8, 2010.
- 9) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 9, 2010.
- 10) STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION, ROUTE 111A CORRIDOR STUDY, VOLUME 10, 2010.

**CERTIFICATION:**

I, the undersigned, being a duly licensed Professional Engineer in the State of New Hampshire, do hereby certify that the above is a true and correct copy of the original plan as filed in my office.



JOHN A. CONNELLY, P.E.

**PLAN OF LAND - ROUTE 111A**

SECTIONAL LOTS 17-H-1, 17-H-2, 17-H-3, 17-H-4, 17-H-5, 17-H-6, 17-H-7, 17-H-8, 17-H-9, 17-H-10, 17-H-11, 17-H-12, 17-H-13, 17-H-14, 17-H-15, 17-H-16, 17-H-17, 17-H-18, 17-H-19, 17-H-20, 17-H-21, 17-H-22, 17-H-23, 17-H-24, 17-H-25.

NO.	DATE	REVISION
1	09/19/17	ISSUED FOR PERMITTING

PARCEL A

PARCEL B

PARCEL C

PARCEL D

GRAPHIC SCALE

D-40372