



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street - Room 100
Concord, New Hampshire 03301
Office@das.nh.gov

Charles M. Arlinghaus
Commissioner
(603) 271-3201

Joseph B. Bouchard
Assistant Commissioner
(603) 271-3204

Catherine A. Keane
Deputy Commissioner
(603) 271-2059

December 28, 2021

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

REQUESTED ACTION

Accept on behalf of the State of New Hampshire and New Hampshire Fish and Game, pursuant to RSA 4:29 and RSA 212:1, the gift of a parcel of land on the shore of Success Pond in the unincorporated township of Success, New Hampshire, having an area of approximately 1.4 acres, together with all appurtenant easement rights, from The Conservation Fund, a Maryland non-profit corporation.

EXPLANATION

In 2012, The Conservation Fund (TCF), a national charitable organization working to permanently conserve and protect working forests, acquired nearly 9,000 acres of timber tract land surrounding Success Pond in the unincorporated township of Success in Coos County, New Hampshire. The land acquired by TCF in Success excluded all of the previously subdivided waterfront "camp" parcels lining the shore of Success Pond, except for the subject parcel. Throughout its ownership, TCF has allowed New Hampshire Fish and Game (NHFG) to use the subject parcel to access the public waters of Success Pond for fisheries management purposes. In 2018, TCF granted to the State of New Hampshire for management by its Department of Natural and Cultural Resources (DNCR) a working forest conservation easement on all of TCF's land in Success through the United States Department of Agriculture (USDA) Forest Legacy Program. This conservation easement is known as the Mahoosuc Gateway-Success Pond Conservation Easement (the "Conservation Easement"). Around the same time TCF also began to offer the subject parcel as a proposed gift to New Hampshire Fish and Game at no charge to the State, on the sole condition that the State must pay all title transfer expenses and any closing costs. The sum total of such costs and expenses is expected to be less than \$7,000, while the current market value of the subject parcel is roughly estimated to exceed \$70,000.

Toward the end of 2019, NHFG sought the assistance of the Department's Real Property Asset Manager to research and examine title, structure the gift transaction with TCF, and coordinate the completion and closing of the gift transaction for NHFG. In September 2021, TCF sold all of its land in Success to a third party subject to the

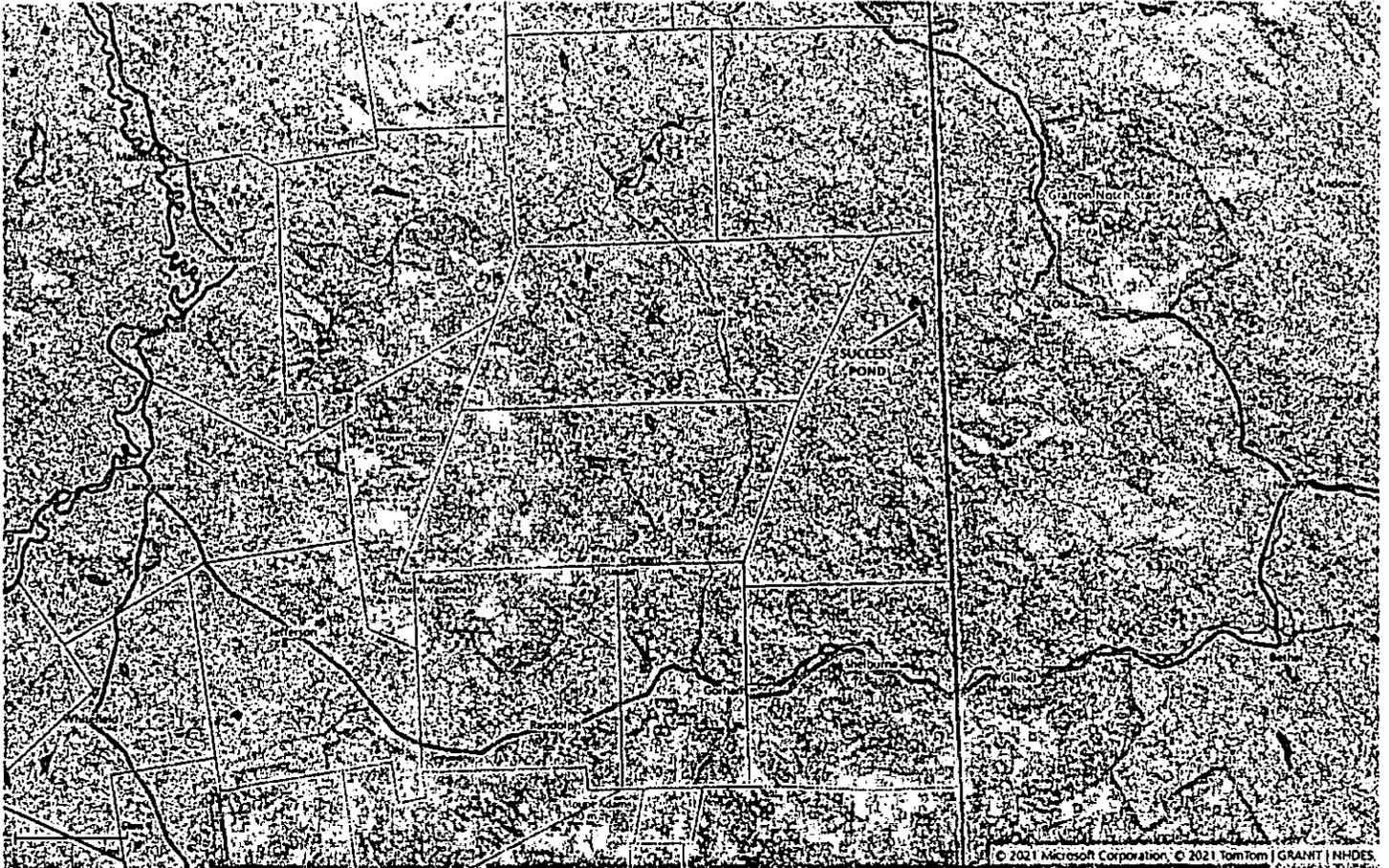
His Excellency, Governor Christopher T. Sununu
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Page 2 of 2

Conservation Easement, except for the subject parcel, which TCF retained for the sole purpose of making a gift of said parcel to the State of New Hampshire. The Fish and Game Commission voted to accept the proposed gift at its regular meeting on December 14, 2021. Pursuant to RSA 212:7, title to the subject parcel and the appurtenant access easement has been approved by the New Hampshire Department of Justice (NHDOJ). After two years of working with TCF, NHFG, and the NHDOJ on this project, minus a pandemic-induced hiatus of several months, the Department is pleased to bring forth this proposed gift of land for acceptance by the State.

Based on the foregoing, I hereby request authorization to accept on behalf of New Hampshire Fish and Game the proposed gift of land from TCF.

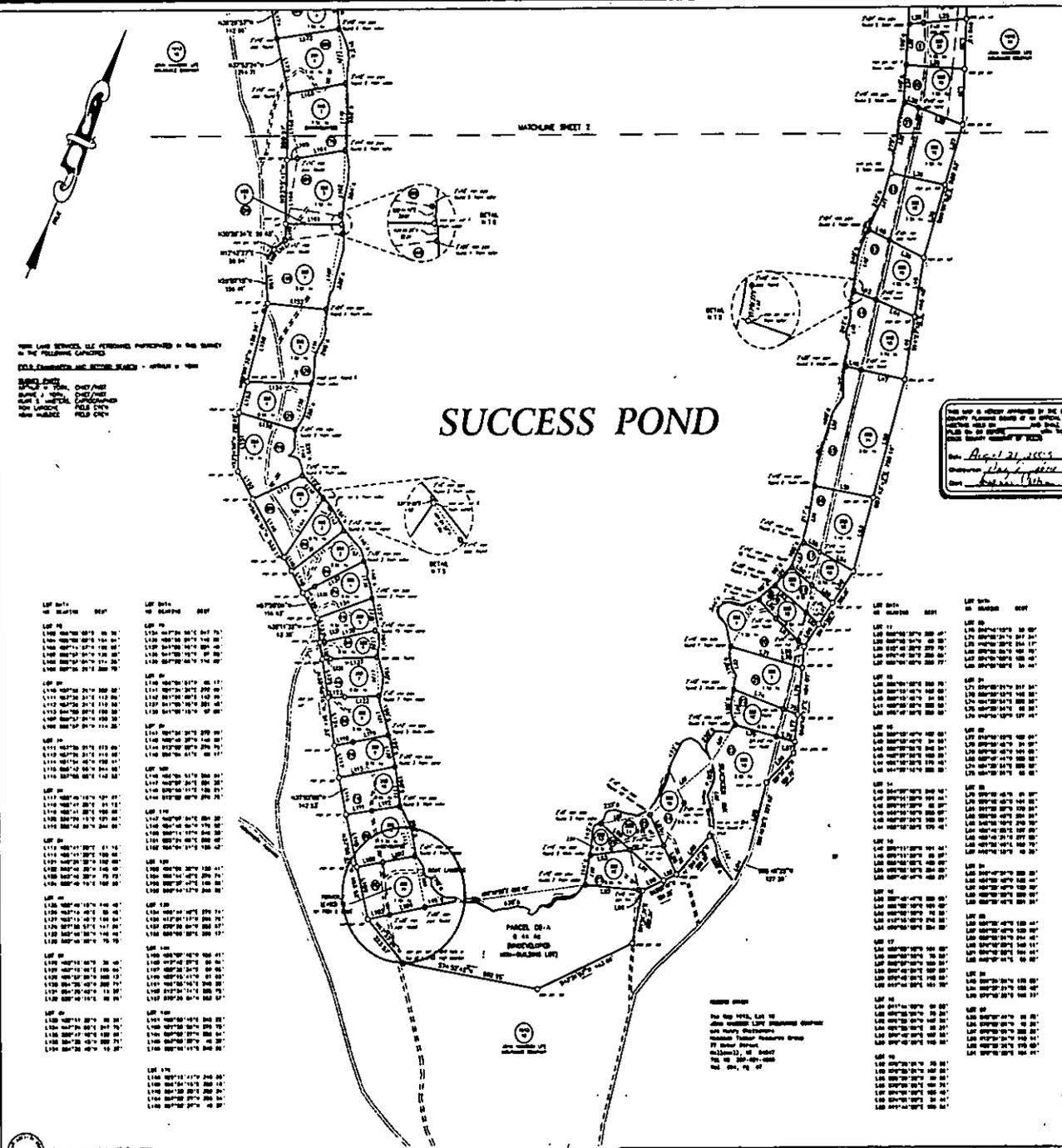
Respectfully submitted,

 Joseph Borehard, Asst. Comm.
for Charles M. Arlinghaus
Commissioner



SUCCESS POND
Unincorporated Township of Success, New Hampshire
(unincorporated township boundary shown above)
GRANITView with Bing Roads basemap

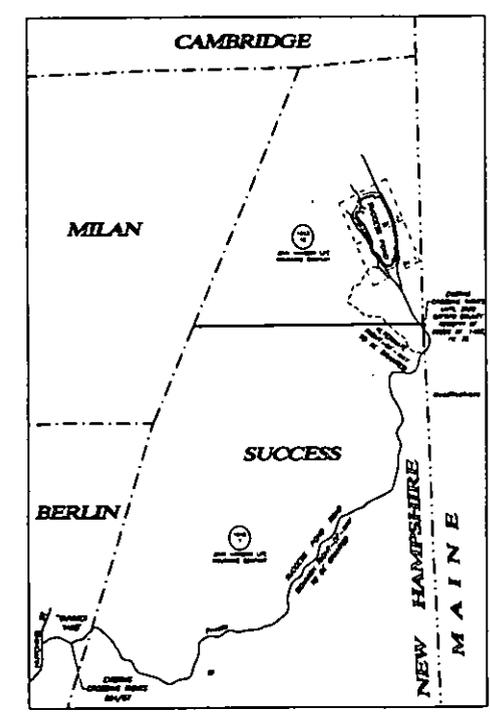
RECEIVED
 AUGUST 22, 2005
 005953
 REGISTERED IN LEADS
 #2068
 York Land Services, LLC
 Survey Report



SUCCESS POND

- PLAN REFERENCES**
1. "NEW HAMPSHIRE LAND CONVEYANCE ACT, SUCCESS POND" FROM SUBJECTS OF A. GARDNER & T. CO. 1988 AND B. GARDNER & T. CO. 1989 & 1991
 2. "NEW HAMPSHIRE LAND CONVEYANCE ACT, SUCCESS POND" FROM SUBJECTS OF A. GARDNER & T. CO. 1988 AND B. GARDNER & T. CO. 1989 & 1991
- NOTES**
1. THIS SURVEY WAS PERFORMED WITH AN ELECTRONIC TOTAL STATION AND DATA COLLECTOR. ELEVATIONS MEASURED WERE CORRECTED AND ADJUSTED USING A LEAST SQUARES ADJUSTMENT METHOD. THE HIGHEST ELEVATION POINT MEASURED BY THE SURVEY IS 9.83 FEET AT THE REAR CORNER OF LOT 1. SURVEY POINT 17 IS LOCATED IN THE CENTER OF THE POND. THE SURVEY WAS CONDUCTED ON AUGUST 21, 2005.
 2. LOT 10 IS COMPOSED OF PARCELS 02-A, 02-B, 02-C, AND 02-D. THIS LOT WILL BE CONVEYED TO THE SUCCESS POND CAMPOWNERS ASSOCIATION AS AN UNDIVIDED UNRESERVED LOT. LOT 10 IS BOUNDARIED BY 25' PAVED DRIVEWAY APPROX. TO PARCELS 02-A, 02-B, 02-C, AND 02-D.
 3. THE LOTS HAVE SUCCESS FROM THE PREVIOUSLY BOUNDARIED LOTS FOR PLAN REFERENCE 1, AND ARE RECORDED BY THE COUNTY AND STATE AS LOTS BY RECORD 1.
 4. BOUNDARY LINE ADJUSTMENTS ARE SHOWN EXTENDING ALL LOTS TO A DEPTH OF APPROXIMATELY 100 FEET.
 5. LOT 10 IS BOUND BY DRIVEWAY LOTS 10A AND 10B.
 6. LOTS 10A AND 10B ARE NOT TO BE CONVEYED FOR THE HANCOCK TRUST.
 7. LOT 10 IS FORMERLY LEASED TO THE NEW HAMPSHIRE STATE DEPARTMENT OF REVENUE UNDER LICENSE 0000000000.

This map is a survey plat of the pond
 Success Pond, in the town of
 Success, New Hampshire.
 August 21, 2005
 York Land Services, LLC
 Survey Report



PLOT PLAN
1" = 1 mile

Lot No.	Area (sq. ft.)	Area (sq. ft.)	Lot No.	Area (sq. ft.)	Area (sq. ft.)
101	10,000	10,000	111	10,000	10,000
102	10,000	10,000	112	10,000	10,000
103	10,000	10,000	113	10,000	10,000
104	10,000	10,000	114	10,000	10,000
105	10,000	10,000	115	10,000	10,000
106	10,000	10,000	116	10,000	10,000
107	10,000	10,000	117	10,000	10,000
108	10,000	10,000	118	10,000	10,000
109	10,000	10,000	119	10,000	10,000
110	10,000	10,000	120	10,000	10,000
121	10,000	10,000	131	10,000	10,000
122	10,000	10,000	132	10,000	10,000
123	10,000	10,000	133	10,000	10,000
124	10,000	10,000	134	10,000	10,000
125	10,000	10,000	135	10,000	10,000
126	10,000	10,000	136	10,000	10,000
127	10,000	10,000	137	10,000	10,000
128	10,000	10,000	138	10,000	10,000
129	10,000	10,000	139	10,000	10,000
130	10,000	10,000	140	10,000	10,000

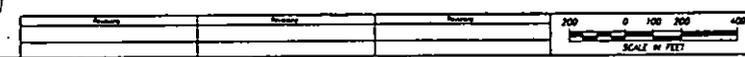
Lot No.	Area (sq. ft.)	Area (sq. ft.)	Lot No.	Area (sq. ft.)	Area (sq. ft.)
151	10,000	10,000	161	10,000	10,000
152	10,000	10,000	162	10,000	10,000
153	10,000	10,000	163	10,000	10,000
154	10,000	10,000	164	10,000	10,000
155	10,000	10,000	165	10,000	10,000
156	10,000	10,000	166	10,000	10,000
157	10,000	10,000	167	10,000	10,000
158	10,000	10,000	168	10,000	10,000
159	10,000	10,000	169	10,000	10,000
160	10,000	10,000	170	10,000	10,000
171	10,000	10,000	181	10,000	10,000
172	10,000	10,000	182	10,000	10,000
173	10,000	10,000	183	10,000	10,000
174	10,000	10,000	184	10,000	10,000
175	10,000	10,000	185	10,000	10,000
176	10,000	10,000	186	10,000	10,000
177	10,000	10,000	187	10,000	10,000
178	10,000	10,000	188	10,000	10,000
179	10,000	10,000	189	10,000	10,000
180	10,000	10,000	190	10,000	10,000

YORK LAND SERVICES, LLC
 Riverside Courtyards, 3 Twelfth Street
 Berlin, New Hampshire 03570 - (603) 752-7782

Plat Prepared for
JOHN HANCOCK LIFE INSURANCE CO.
 showing lots to be conveyed to the
**SUCCESS POND CAMPOWNERS AND
 SUCCESS POND CAMP OWNERS ASSOCIATION INC.**
 Success, New Hampshire

Total Station/PCS: JTS/JTS/ALAN
 Date: 8/21/05
 Scale: 1 inch = 200 feet
 August 21, 2005

THIS SURVEY WAS PERFORMED ON 8/21/05
 SUCCESS POND IN THE TOWN OF SUCCESS, NH





State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES

25 Capitol Street - Room 120
Concord, New Hampshire 03301

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Commissioner
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Joseph B. Bouchard
Assistant Commissioner
(603) 271-3204

Catherine A. Keane
Deputy Commissioner
(603) 271-2059

October 22, 2021

Sally Manikian, NH/VT Representative
The Conservation Fund
1655 N. Fort Myer Drive
Suite 1300
Arlington, Virginia 22209

Dear Ms. Manikian:

This letter acknowledges that The Conservation Fund ("TCF") has offered to make a gift to the State of New Hampshire of a certain parcel of land located on the shore of Success Pond in the Unincorporated Township of Success, Coos County, New Hampshire, together with a vehicular access easement over that certain existing private road known as Success Pond Road. Said parcel of land is referred to as "Lot FG" or the "Fish and Game Lot" as reserved in that certain Quitclaim Deed of TCF to Success Forest LLC dated September 22, 2021, recorded in the Coos County Registry of Deeds at Book 1579, Page 823. The only stated condition of the offered gift is that the State of New Hampshire must take responsibility for the costs of transferring title. The State of New Hampshire anticipates gratefully accepting such a gift upon final authorization by the Governor and Executive Council.

Please affirm TCF's intention to make such a gift of said land to the State of New Hampshire by returning this letter to me with the duly authorized signature of an officer or representative of TCF in the space provided below.

Sincerely,

Jared Nylund
Real Property Asset Manager

Acknowledged and affirmed:
THE CONSERVATION FUND

By: ST

Print Name: Scott M. Tison

Title: Asst. Sec.

Date: 10/26/21

STATE OF MARYLAND
Department of Assessments and Taxation

I, MICHAEL L. HIGGS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO THE FORFEITURE OR SUSPENSION OF CORPORATIONS, OR THE RIGHTS OF CORPORATIONS TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT THE CONSERVATION FUND, A NONPROFIT CORPORATION (D01882109), INCORPORATED MARCH 08, 1985, IS A CORPORATION DULY INCORPORATED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF MARYLAND AND THE CORPORATION HAS FILED ALL ANNUAL REPORTS REQUIRED, HAS NO OUTSTANDING LATE FILING PENALTIES ON THOSE REPORTS, AND HAS A RESIDENT AGENT. THEREFORE, THE CORPORATION IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING WITH THIS DEPARTMENT AND DULY AUTHORIZED TO EXERCISE ALL THE POWERS RECITED IN ITS CHARTER OR CERTIFICATE OF INCORPORATION, AND TO TRANSACT BUSINESS IN MARYLAND.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS DECEMBER 10, 2021.



Michael L. Higgs
Director



301 West Preston Street, Baltimore, Maryland 21201
Telephone Baltimore Metro (410) 767-1340 / Outside Baltimore Metro (888) 246-5941
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice

Online Certificate Authentication Code: hKkPh1FuoUeSQZXfINAzJw
To verify the Authentication Code, visit <http://dat.maryland.gov/verify>

State of New Hampshire

Department of State

CERTIFICATE

I, William M. Gardner, Secretary of State of the State of New Hampshire, do hereby certify that THE CONSERVATION FUND. A NONPROFIT CORPORATION is a Maryland Nonprofit Corporation registered to transact business in New Hampshire on February 16, 2018. I further certify that all fees and documents required by the Secretary of State's office have been received and is in good standing as far as this office is concerned; and the attached is a true copy of the list of documents on file in this office.

Business ID: 788442

Certificate Number: 0005446435



IN TESTIMONY WHEREOF,

I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 22nd day of September A.D. 2021.

A handwritten signature in black ink, appearing to read "William M. Gardner".

William M. Gardner
Secretary of State

THE
CONSERVATION FUND
BOARD RESOLUTION

**Success Pond
Heartwood Forestland Fund VI Property
New Forest Fund
Coos County, New Hampshire**

The Heartwood Forestland Fund VI property, consisting of 8,910± acres, is located in Coos County, New Hampshire. The property is undeveloped and is being acquired, in furtherance of the New Forest Fund Initiative, at the request of the State of New Hampshire. The estimated fair market value is \$7,000,000.

The property has been offered for sale to The Conservation Fund by Heartwood Forestland Fund VI for \$6,000,000. The owner understands that the property may be sold. There appear to be no marketing, financial, public relations or other risks associated with the acquisition and sale of this property.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Conservation Fund may acquire 8,910± acres of land located in Coos County, New Hampshire from Heartwood Forestland Fund VI for \$6,000,000.
2. Any officer or officers or any other person designated in writing by the Chairman or President is authorized in the name and on behalf of The Conservation Fund to:
 - a. Acquire title to the property, execute such documents and take such further actions as the Chairman or President may consider appropriate to acquire the property, and to expend from the Revolving Fund an amount not to exceed \$6,000,000 plus any expenses directly relating to the acquisition.
 - b. Conduct and review an ecological/land use evaluation.
 - c. Sell, transfer, or assign its interest in the property to the State of New Hampshire or other purchaser(s), for such consideration upon such terms and conditions as the Chairman or President may deem appropriate. Execute such documents and take such further actions as the Chairman or President may consider appropriate provided that any ecologically significant elements are adequately protected.
3. The Fund is authorized to fund-raise for any costs incurred relating to the acquisition of the property.
4. Proceeds from the sale of the property shall be applied first to repayment of monies expended from the Revolving Fund for the acquisition; any distribution of additional proceeds shall be designated by the Chairman or President.

ADOPTED by the Board of Directors at its meeting held on the 27th day of July, 2012.

S/ MARGARET A. McCANTS

Margaret A. McCants, Secretary

Resolution No. 065-12

THE
CONSERVATION FUND

BOARD RESOLUTION

OFFICERS AND SIGNATURE AUTHORIZATIONS

WHEREAS, Article IV, Section 1 of the Bylaws, as amended, provides for the Board of Directors to elect or appoint officers, and

WHEREAS, Article IV, Section 3 of the Bylaws, as amended, delineates the signatory authority of the President, and

WHEREAS, Article V, Section 1 of the Bylaws, as amended, also provides that such authorization may be extended to designated personnel.

NOW THEREFORE BE IT RESOLVED THAT:

The Board of Directors hereby elects the following as officers and authorizes the below named individuals to sign any deeds, mortgages, bonds, contracts, options, electronic online documents requiring an electronic signature, or other instruments, for and on behalf of The Conservation Fund:

Lawrence A. Selzer, *President and Chief Executive Officer*

Dean Hollingsworth Cannon, *Executive Vice President and General Counsel*

John S. Gilbert, *Executive Vice President, Chief Financial Officer*

William L. Allen, III, *Senior Vice President*

Brian J. Dangler, *Senior Vice President*

Mark W. Elsbree, *Senior Vice President*

Blaine T. Phillips, Jr., *Senior Vice President*

Kelly M. Reed, *Senior Vice President*

Matthew S. Sexton, *Senior Vice President*

Evan H. Smith, *Senior Vice President, Conservation Ventures*

Thomas R. Duffus, *Vice President*

Monica A. Garrison, *Vice President and Treasurer*

Joseph A. Hankins, *Vice President*

Raymond S. Herndon, *Vice President*

Erik J. Meyers, *Vice President*

Elizabeth Palmer, *Vice President*

Gates M. Watson, *Vice President*

David C. Williams, *Vice President*

Margaret A. McCants, *Secretary*

Sami N. Aboulhosn, *Assistant Secretary, Regional Counsel*

Madison S. Barbee, *Assistant Secretary, Legal Manager*

Christopher D. Bell, *Assistant Secretary, Deputy General Counsel*

Elizabeth G. Engle, *Assistant Secretary, Deputy General Counsel*

Paul F. Hurt, *Assistant Secretary, Deputy General Counsel*

Jodi R. O'Day, *Assistant Secretary, Deputy General Counsel*

Scott M. Tison, *Assistant Secretary, Regional Counsel*

ADOPTED by the Board of Directors at its meeting held on the 14th day of December, 2021, and **REPLACES** Resolution No. 041-21 adopted July 27, 2021.



Margaret A. McCants, *Secretary*

Resolution No. 103-21