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THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Commissioner

31

Andre Briere
Deputy Commissioner

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

Bureau of Right-of-Way
December 13, 2022

REQUESTED ACTION

Pursuant to RSA 4:39-c and RSA 228:31, authorize the New Hampshire Department of Transportation (Department) to sell 0.85 +/- acres of state-owned land located at the intersection of NH Route 9 and Elm Street, in the City of Keene. The sale will be direct to Paul Dubriske (Grantee), for \$12,100, which includes an Administrative Fee of \$1,100, effective upon Governor and Executive Council approval.

The Department's Bureau of Finance and Contracts has determined the parcel was originally purchased with 20% Highway Funds and 80% Federal Funds.

Funding is to be credited as follows:

04-096-096-960015-0000-UUU-402156 Administrative Fee	<u>FY 2023</u> \$1,100
04-096-096-960015-0000-UUU-409279 Sale of Parcel (20% of \$11,000.00)	<u>FY 2023</u> \$2,200
04-096-096-963515-3054-401771 Sale of Parcel (80% of \$11,000.00)	<u>FY 2023</u> \$8,800

EXPLANATION

The Department received a request from the Grantee, to acquire the 0.85 +/- acres of vacant land abutting his property. The original 2.12 ± acre parcel, was purchased in 1973 for the Keene Bypass F-10-1(3) P-2962b project for \$11,500. A total of 1.27± acres of the subject property was used for the alteration of NH Route 9 (Franklin Pierce Highway).

Pursuant to RSA 4:39-c, this disposal was reviewed by the Department and determined to be surplus to its operational needs. The sale will include the following conditions:

- The Grantee will be required to solicit a NH Licensed Land Surveyor, to survey and prepare a Right of Way adjustment plan meeting the NH Code of Administrative Rules 503.09, to be submitted to the Department for review and approval. Upon approval by the Department, the Grantee is required to record the plan under RSA 478:1-a, in the Cheshire County Registry of Deeds, from which the Department will prepare the conveyance deed. The Grantee will supply a full-size copy of the recorded plan and draft description of the surveyed parcel(s).
- No points of access shall be granted along NH Route 9 (Franklin Pierce Highway).
- The Department shall retain a drainage easement to accommodate an existing 24" culvert on the property.

On September 19, 2022, the Long-Range Capital Planning and Utilization Committee, approved the Department's request (LRCP 22-021) to sell this parcel of state-owned land directly to Paul Dubriske, for \$11,000, and to assess the administrative fee of \$1,100.

Pursuant to RSA 4:39-c, the Department solicited interest from the City of Keene and the City did not respond. Pursuant to RSA 204-D:2, the Department also solicited interest from the New Hampshire Housing Finance Authority, who also declined the offer.

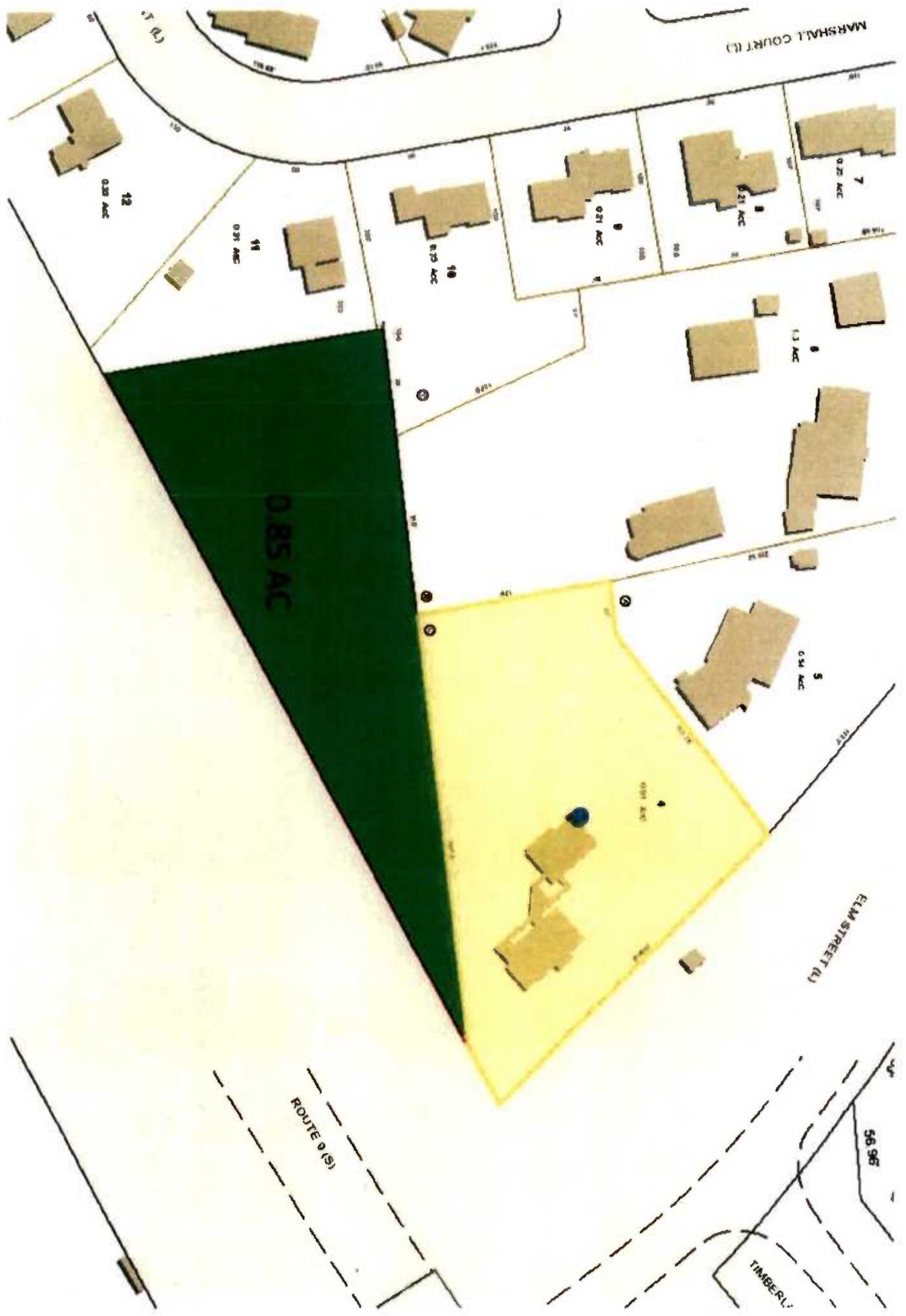
The Department respectfully requests authorization to sell the subject parcel, as noted above.

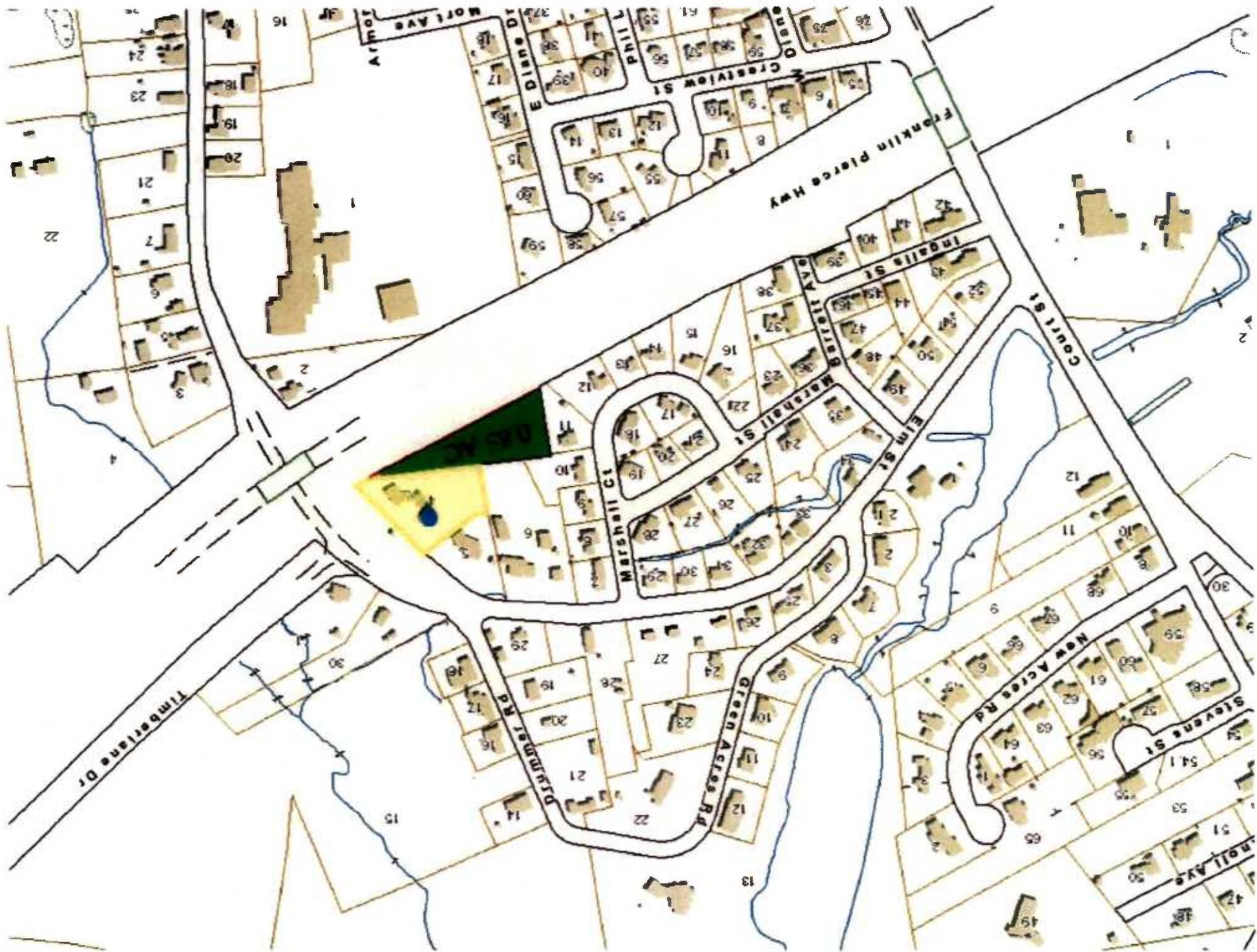
Respectfully,



William Cass, P.E.
Commissioner

Attachments



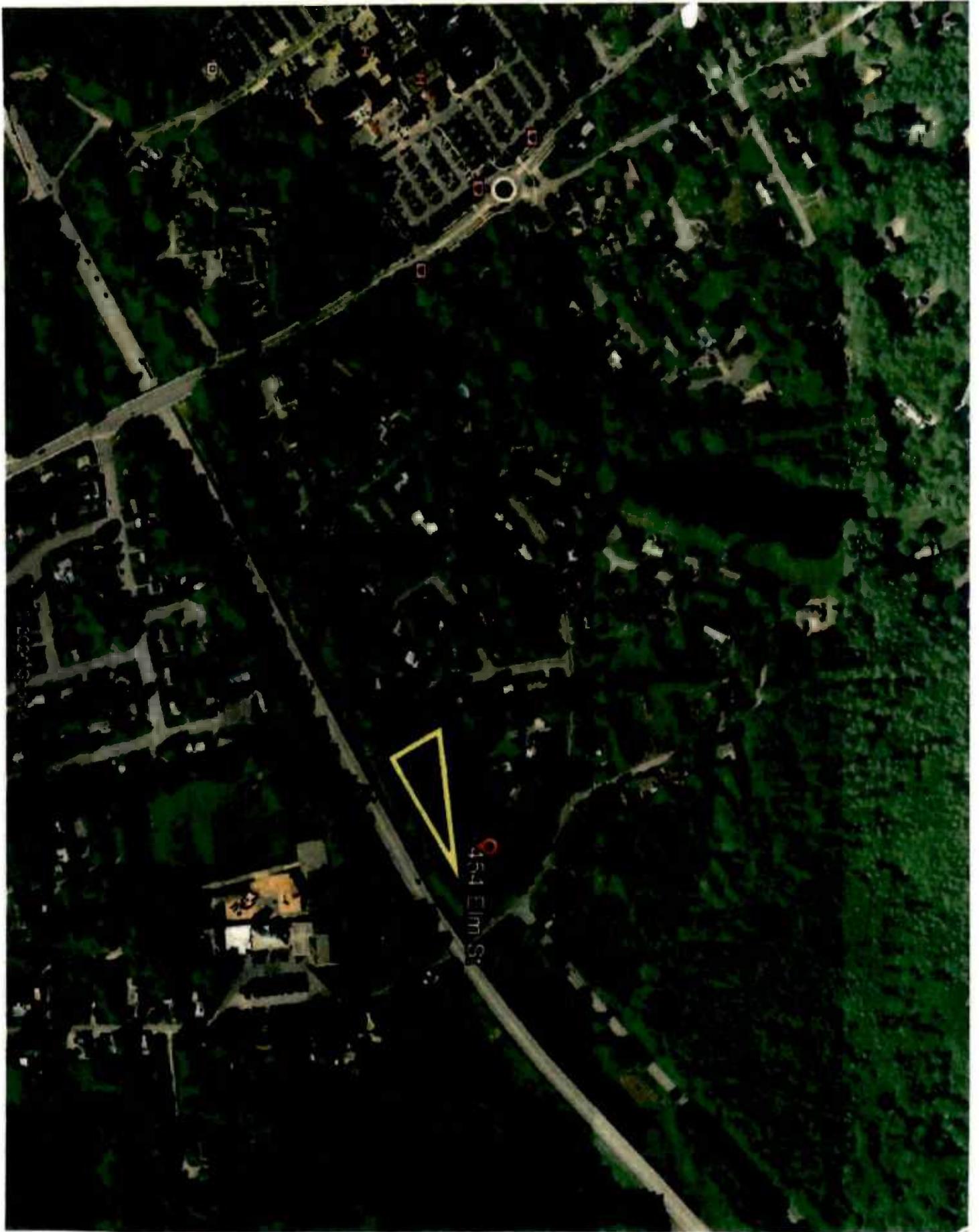


STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE
ADMINISTRATION

MOSAIC PARCEL
MAP SHARING
POOL



This map was compiled using data believed to be accurate; however, a degree of error is inherent in all maps. This map was distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of the maps to define the limits or jurisdiction of any federal, state, or local government. Detailed on-the-ground surveys and historical analyses of sites may differ from the maps.



**STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION**

USCP 22-021

FROM: Stephen G. LaBonte *SLB*
Administrator

DATE: July 21, 2022

AT: Dept. of Transportation
Bureau of Right-of-Way

SUBJECT: Sale of State-Owned Land in Keene
RSA 4:39-c

TO: Representative John Graham, Chairman
Long Range Capital Planning and Utilization Committee

Approved by the Long Range
Capital Planning & Utilization
Committee September 19, 2022

REQUESTED ACTION

The New Hampshire Department of Transportation (Department), pursuant to RSA 4:39-c, requests authorization to sell 0.85 +/- of an acre of state-owned land, located at the intersection of Elm Street and NH Route 9, in the City of Keene. The sale will be directly to the abutting owner, Paul Dubriske (Grantee), in the amount of \$11,000.00, plus an administrative fee of \$1,100.00. The sale would be subject to conditions as specified in this request.

EXPLANATION

The subject property is the remnant of a larger 2.12 +/- acres parcel, originally acquired by the Department in 1973, via warranty deed, for \$11,500.00. The property was acquired for the Keene Bypass F-012-1(3) P-2962b Project. Of the original 2.12 +/- acre parcel, 1.27 +/- acres was used for the alteration NH Route 9 (Franklin Peirce Highway). After a departmental review, it was determined that the subject parcel is surplus to the Department's operational needs and available for disposal. This parcel will be conveyed with the following conditions:

- The Department shall retain a drainage easement to accommodate an existing 24" culvert located on the parcel.
- The Grantee will be responsible for submitting a Right of Way Adjustment Plan, prepared at their expense, by a land surveyor licensed in the State of New Hampshire. This survey will describe the parcel being sold and will be used, by the Department, to prepare the deed for this sale.

A Right-of-Way Appraiser from the Department evaluated the subject property and prepared a contributory value appraisal. Based upon their analysis it was felt that the contributory value for the property, as of June 29, 2022, was \$11,000.00.

Pursuant to RSA 4:39-c, the Department will offer the property to the Town of Keene. The Department will also offer the property to the New Hampshire Housing Finance Authority, pursuant to RSA 204-D:3.

The Department respectfully requests authorization to sell the subject parcel as outlined above.

SGL/ARP/jl
Attachments

DEPT. OF TRANSPORTATION
BUREAU OF RIGHT OF WAY

July 8, 2022

JUL 11 2022

RECEIVED

Andrew R Pacuk
Property Agent I
State of NH Department of Transportation
Bureau Of Right-of-Way
JO Morton Building Room 100
7 Hazen Drive, PO Box 0483
Concord NH 03302-0483

RE: Sale of State-owned Property To Dubriske

Hello Andrew-

Thank you for the quick turnaround of the appraisal for the property abutting our property.

We accept the appraisal and would like to move forward with the purchasing of this land.

I understand that we will provide you with a registered survey and record it in the Cheshire County Registry of deeds and you will use this to prepare our new deed for the property.

Do we need to provide a survey for the two pieces at the front of our property that borders the old Elm Street right of way? If so please advise and let me know if each one of those two pieces would be recorded as a separate parcel at the registry.

Again, thank you and the team for handling this.

Best Regards,



Paul Dubriske
454 Elm Street, Kene NH.
603-903-4342
pauldubriske@gmail.com



NEW HAMPSHIRE
HOUSING

Rob Dapice
Executive Director/CEO
rdapice@nhhfa.org

DEPT. OF TRANSPORTATION
BUREAU OF RIGHT OF WAY

OCT 07 2022

RECEIVED

October 5, 2022

Stephen G. LaBonte, Administrator
Bureau of Right of Way
New Hampshire Department of Transportation
JO Morton Building, Room 100
7 Hazen Drive
P.O. Box 483
Concord, NH 03302-0483

RE: Keene property

Dear Mr. LaBonte:

New Hampshire Housing Finance Authority is not interested in purchasing the property located in Keene, described in your letter of September 19, 2022.

We would like to thank you for giving us the opportunity to review this parcel.

Sincerely,

Robert B. Dapice
Executive Director/CEO

Enclosures