



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

28



William Cass, P.E.
Commissioner

David Rodrigue, P.E.
Assistant Commissioner
Andre Briere, Colonel, USAF (RET)
Deputy Commissioner

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

Bureau of Right-of-Way
February 21, 2023

REQUESTED ACTION

Under RSA 4:39-c and RSA 228:31, authorize the New Hampshire Department of Transportation (Department) to sell 0.3 +/- of an acre of state-owned land, on Martin Road in the Town of Epping. The sale will be direct to the abutting property owner, 46 Martin Rd LLC (Grantee), in the amount of \$1,000, plus 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 80% Highway Funds and 20% 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 (80% of \$1,000)	<u>FY 2023</u> \$800
04-096-096-963515-3054-401771 Sale of Parcel (20% of \$1,000)	<u>FY 2023</u> \$200

EXPLANATION

The Grantee submitted a request to acquire the property described above to expand their current lot. The parcel consists of 13,068 square feet or 0.3 ± acres of land and is a portion of a larger parcel acquired in 1962 from James A. Leddy for \$16,200, for the Raymond-Epping P-3885-A project.

The conveyance of the subject parcel will be sold as-is, where-is, with the following conditions:

- The buyer (Grantee) will be required to commission a Land Surveyor licensed in NH, to survey and prepare a Perimeter Boundary Line plan depicting the limits of the right-of-way, 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 Buyer is required to record the plan under RSA 478:1-a, in the Rockingham County Registry of Deeds, from which the Department will prepare the conveyance deed. The Buyer will supply a full-size copy of the recorded plan and a draft description of the surveyed parcel(s).
- The Grantee shall be responsible for obtaining all local and state land use approvals precedent to the closing.

Under RSA 4:39-c, the Department reviewed this disposal and determined it to be surplus to its operational needs and interests. The Department solicited interest from the Town of Epping, which did not respond or show interest in the property.

Under RSA 204-D:2, the Department solicited interest from the New Hampshire Housing Finance Authority, which also did not respond or express any interest in the property.

The Long Range Capital Planning and Utilization Committee approved the Department's request (LRCP 22-043) to sell the above-listed parcel of land direct to 46 Martin Rd LLC, for \$1,000, and to assess an administrative fee of \$1,100 at the November 28, 2022 meeting.

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

Respectfully,



William J. Cass
Commissioner

WJC/ARP
Attachments

STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION

LRCP 22-043

FROM: Stephen G. LaBonte
 Administrator

DATE: November 10, 2022

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

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

Approved by the Long Range
 Capital Planning & Utilization
 Committee November 28, 2022

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

REQUESTED ACTION

The New Hampshire Department of Transportation (Department), pursuant to RSA 4:39-c, requests authorization to sell a 0.2 +/- of an acre parcel of state-owned land, which is located at the intersection of Martin Road and NH Route 101, in the Town of Epping. The sale will be direct to 46 Martin Road LLC. (Grantee) in the amount of \$1,000.00, and the Department will assess an administrative fee of \$1,100.00, pursuant to RSA 4:40, III-A. The sale will be subject to conditions as specified in this request.

EXPLANATION

The Grantee submitted a request to acquire the property described above to expand their current lot which is located at 46 Martin Road. The subject parcel abuts the Grantee's property and acquiring the property would help accommodate business growth. This 0.2+/- acre parcel is a portion of a larger 18.5 +/- acre parcel acquired in 1962 from James A. Leddy for \$16,200.00, for the Raymond-Epping P3885A F018-2(14) project and identified on the plan as parcel 27. The parcel is also identified on the Epping tax records as Map 36, Lot 23.

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 Property will be sold "as-is, where-is."
- The Grantee will be required to contract a land surveyor licensed in NH to survey and prepare a Perimeter Boundary Line Plan, to be submitted to the Department for review and approval. Upon approval by the Department, the Grantee is required to record the plan in the Rockingham County Registry of Deeds, from which the Department will prepare the conveyance deed.

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 October 5, 2022, was \$1,000.00.

Pursuant to RSA 4:39-c, the Department will solicit interest from the Town of Conway. Pursuant to RSA 204-D:2, the Department will also solicit interest from the New Hampshire Housing Finance Authority.

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

SGL/ARP/jl
 Attachments

November 1, 2022

Stephen LaBonte, Administrator
c/o Andrew Pacuk, Property Agent II
Bureau of Right-of-Way
NH Department of Transportation
PO Box 483
Concord, NH 03302-0483

RE: Acceptance of NHDOT Value for the Requested Surplus Land in the Town of Epping

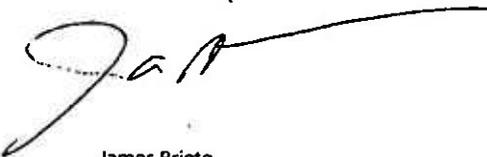
46 Martin Road LLC accepts the appraised value of \$1,000 (total cost of \$2,100) to acquire the abutting parcel deemed surplus by NHDOT; the parcel (0.3+/- acres) located in the Town of Epping, NH and identified as Map 36 on Lot 23 on the Town of Epping tax map, based on the letter from you on October 31, 2022.

We will engage a NH Licensed Land Surveyor to complete the requested boundary survey plan for submission and approval to NHDOT. Thank you.

Please contact me or Bob Landry with any questions at RLandry@vhb.com or 603.848.9061.

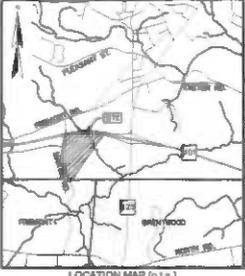
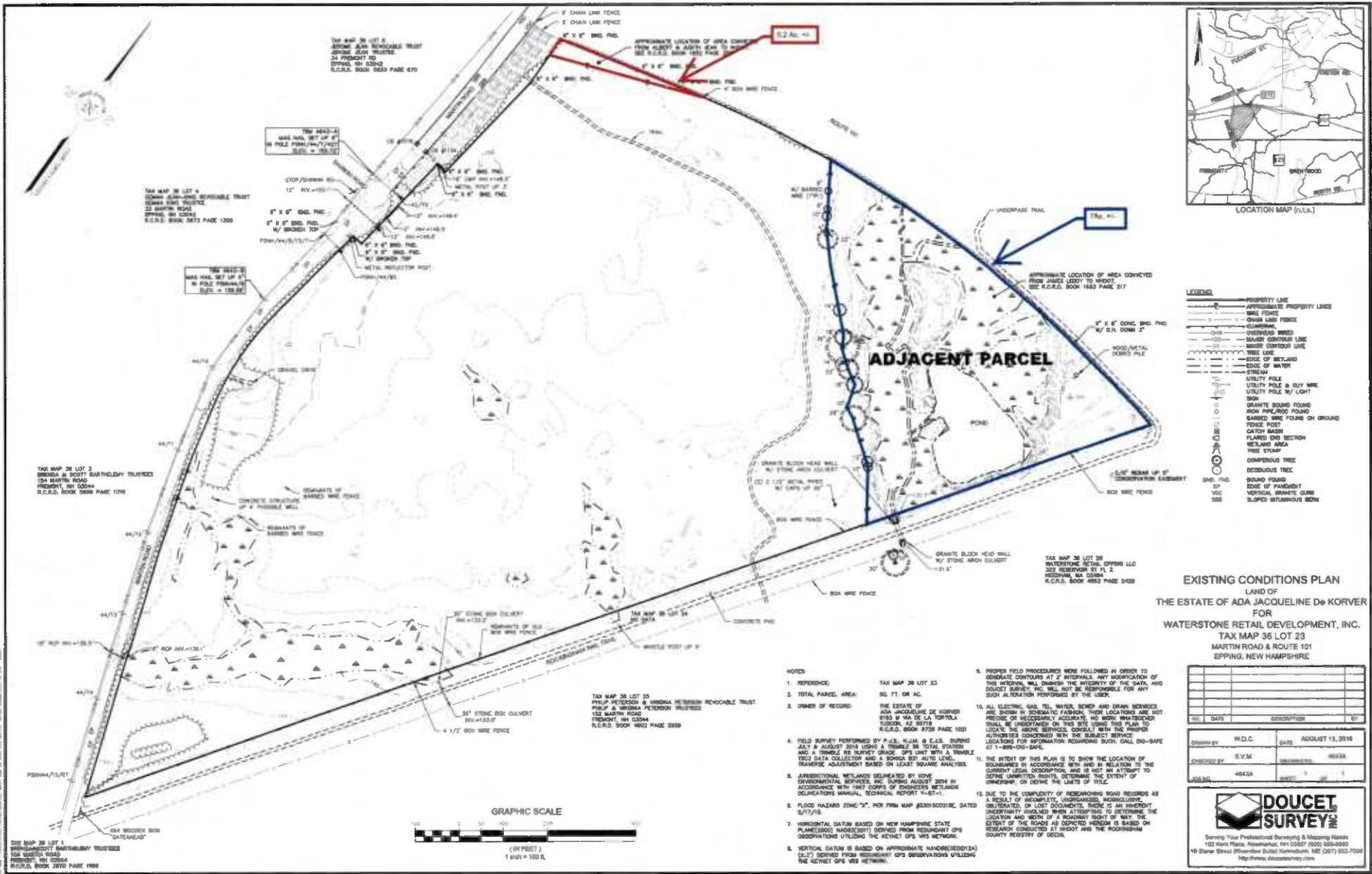
Thank you.

Best,



James Prieto

46 Martin Rd LLC
PO Box 1267
Nashua, NH 03060
603.867.3183
jprieto@granitecre.com



LEGEND

- PROPERTY LINE
- - - APPROXIMATE PROPERTY LINES
- 2" BBS FENCE
- - - CHAIN LINK FENCE
- OVERHEAD WIRE
- UNDERGROUND WIRE
- SAVER CONTOUR LINE
- BARRIER CONTOUR LINE
- TREE LINE
- EDGE OF BUCKLAND
- EDGE OF WATER
- STREAM
- UTILITY POLE
- UTILITY POLE W/ GUY WIRE
- UTILITY POLE W/ LIGHT
- BOX
- GRANITE BOUND FOUND
- BORN PIPE/ROD FOUND
- BARRIED WIRE FOUND ON GROUND
- FENCE POST
- CATCH BASIN
- FLARED END SECTION
- WELAND AREA
- TREE STRAP
- COMPANION TREE
- DECIDUOUS TREE
- BOUND FOUND
- EDGE OF PARADISE
- VERTICAL GRANITE CURB
- SLOPED STAIRWAYS

EXISTING CONDITIONS PLAN
 LAND OF
 THE ESTATE OF ADA JACQUELINE DORNER
 FOR
 WATERSTONE RETAIL DEVELOPMENT, INC.
 TAX MAP 36 LOT 23
 MARTIN ROAD & ROUTE 101
 EPPING, NEW HAMPSHIRE

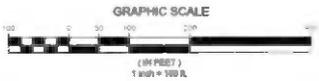
NO.	DATE	DESCRIPTION	BY

Drawn by:	W.D.C.	DATE:	AUGUST 13, 2016
Checked by:	S.V.M.	DATE:	8/15/16
Scale:	465A	Sheet:	1 of 1



Surveying Your Professional Surveying & Mapping Needs
 102 Main Place, Northampton, MA 01067 (508) 858-8880
 10 Stone Street (Provincetown Office) Provincetown, MA (207) 852-7038
<http://www.doucetsurvey.com>

- NOTES**
- REFERENCE: TAX MAP 36 LOT 23
 - TOTAL PARCEL AREA: 50.71 AC.
 - OWNER OF RECORD: THE ESTATE OF ADA JACQUELINE DORNER 4183 W. MA. 62 LA TORTOLA YUCCA AZ 80718 P.L.C.D. BOOK 8708 PAGE 1031
 - FIELD SURVEY PERFORMED BY P.J.S. M.J.M. & E.J.S. DURING JULY & AUGUST 2016 USING A TRIMBLE 560 TOTAL STATION AND A TRIMBLE R5 SURVEY GRADE GPS UNIT WITH A TRIMBLE TSC3 DATA COLLECTOR AND A SONOTA BT AUTO LEVEL. TRANSFER ADJUSTMENT BASED ON LEAST SQUARE ANALYSIS.
 - ADDITIONAL METRANOS DEMONSTRATED BY SOME ENVIRONMENTAL SERVICES, INC. DURING AUGUST 2016 IN ACCORDANCE WITH HAY GROUP'S ENGINEERS METRANOS DELEGATIONS MANUAL, TECHNICAL REPORT Y-87-1.
 - FLOOD HAZARD ZONE "X", PER FIRM MAP 8301SC0218E DATED 3/7/16.
 - HORIZONTAL DATUM BASED ON NEW HAMPSHIRE STATE PLANE/2011 MARSCHALLI DERIVED FROM REPERMANT GPS OBSERVATIONS UTILIZING THE KEYNET GPS VRS NETWORK.
 - VERTICAL DATUM IS BASED ON APPROXIMATE MANDARIN(2011A) (GLT) DERIVED FROM REPERMANT GPS OBSERVATIONS UTILIZING THE KEYNET GPS VRS NETWORK.
 - PROPER FIELD PROCEDURES WERE FOLLOWED IN ORDER TO GENERATE CONTOURS AT 2' INTERVALS. ANY MODIFICATION OF THIS INTENTION WILL DRAIN THE INTEGRITY OF THE DATA, AND DOUCET SURVEY, INC. WILL NOT BE RESPONSIBLE FOR ANY SUCH A MODIFICATION PERFORMED BY THE USER.
 - ALL ELECTRIC, GAS, TEL, WATER, SEWER AND DRAIN SERVICES ARE SHOWN IN SYMBOLIC FASHION. THEIR LOCATIONS ARE NOT PRECISE OR NECESSARILY ACCURATE. NO WORK WHATSOEVER SHALL BE UNDERTAKEN ON THIS SITE USING THIS PLAN TO LOCATE THE ABOVE SERVICES. CONSULT WITH THE PROPER AUTHORITIES CONCERNED WITH THE SUBJECT SERVICE LOCATIONS FOR INFORMATION REGARDING SUCH. CALL 800-SAFE 211-888-00-SAFE.
 - THE INTENT OF THIS PLAN IS TO SHOW THE LOCATION OF BOUNDARIES IN ACCORDANCE WITH AND IN RELATION TO THE CURRENT LEGAL DESCRIPTION, AND IS NOT AN ATTEMPT TO DEFINE UNLIMITED RIGHTS, DETERMINE THE EXTENT OF OWNERSHIP, OR DEFINE THE LIMITS OF TITLE.
 - DUE TO THE COMPLEXITY OF RESEARCHING ROAD RECORDS AS A RESULT OF INCOMPLETE, UNORGANIZED, INCONSISTENT, OBLITERATED, OR LOST DOCUMENTS, THERE IS AN INHERENT UNCERTAINTY INVOLVED WHEN ATTEMPTING TO DETERMINE THE LOCATION AND WIDTH OF A BOUNDARY RIGHT OF WAY. THE EXTENT OF THE ROAD AS DEPICTED HEREON IS BASED ON RESEARCH CONDUCTED AT THE TIME AND THE ROCKINGHAM COUNTY REISTRY OF DEEDS.



TAX MAP 36 LOT 1
 BROADBENT BATHING TRUST
 154 MARTIN ROAD
 EPPING, NH 03044
 R.C.S.D. BOOK 2870 PAGE 1989

TAX MAP 36 LOT 4
 BROADBENT BATHING TRUST
 154 MARTIN ROAD
 EPPING, NH 03044
 R.C.S.D. BOOK 2873 PAGE 1300

TAX MAP 36 LOT 5
 BROADBENT BATHING TRUST
 154 MARTIN ROAD
 EPPING, NH 03044
 R.C.S.D. BOOK 2833 PAGE 670

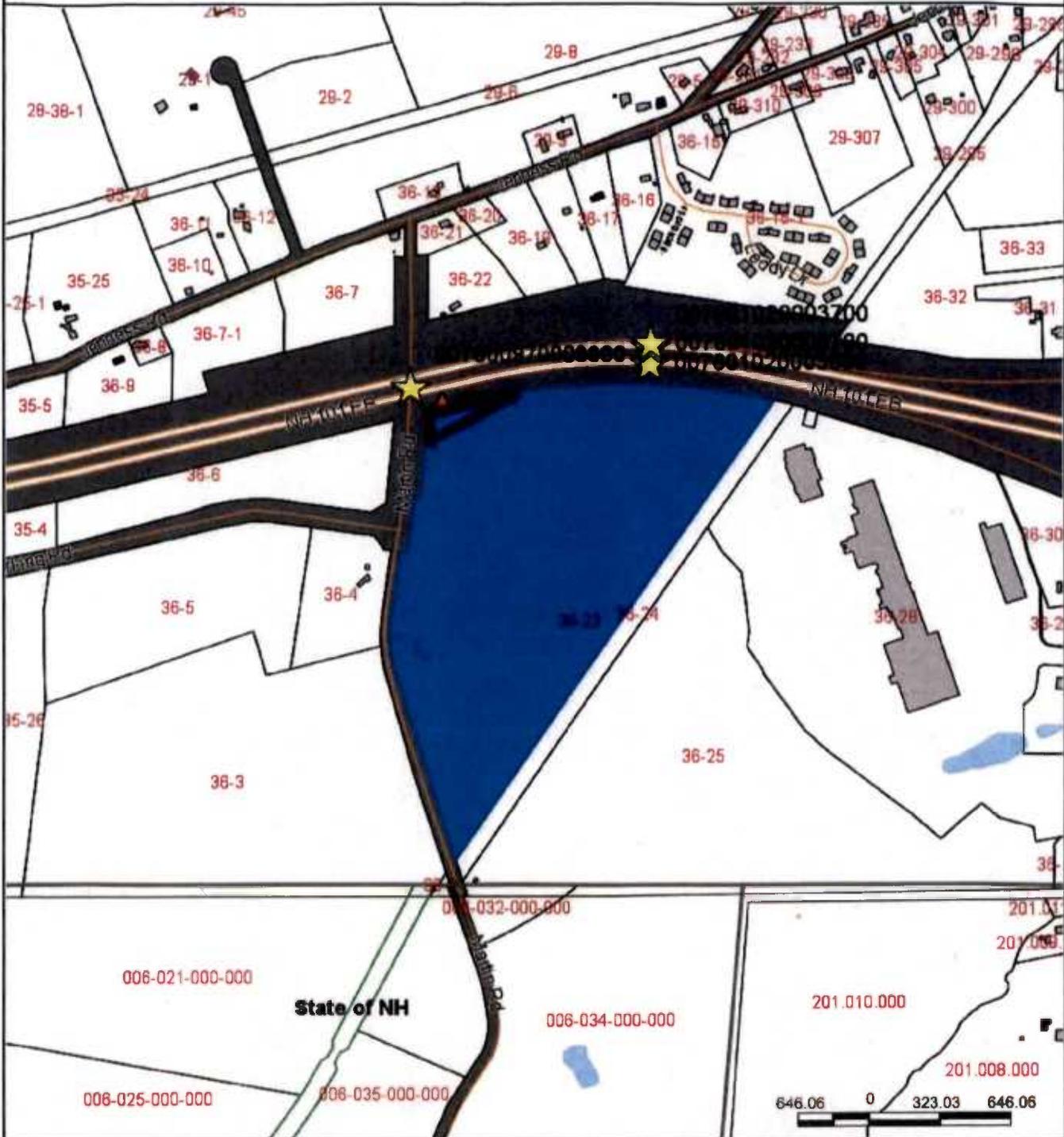
TAX MAP 36 LOT 3
 BROADBENT BATHING TRUST
 154 MARTIN ROAD
 EPPING, NH 03044
 R.C.S.D. BOOK 2869 PAGE 1076

TAX MAP 36 LOT 25
 PHILIP PETERSON & VIRGINIA PETERSON REVOCABLE TRUST
 152 MARTIN ROAD
 EPPING, NH 03044
 R.C.S.D. BOOK 4802 PAGE 2859

TAX MAP 36 LOT 20
 WATERSTONE RETAIL, EPPING LLC
 222 NEWBURY ST. # 2
 MEDFORD, MA 02155
 R.C.S.D. BOOK 4883 PAGE 2489

STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE
ADMINISTRATION

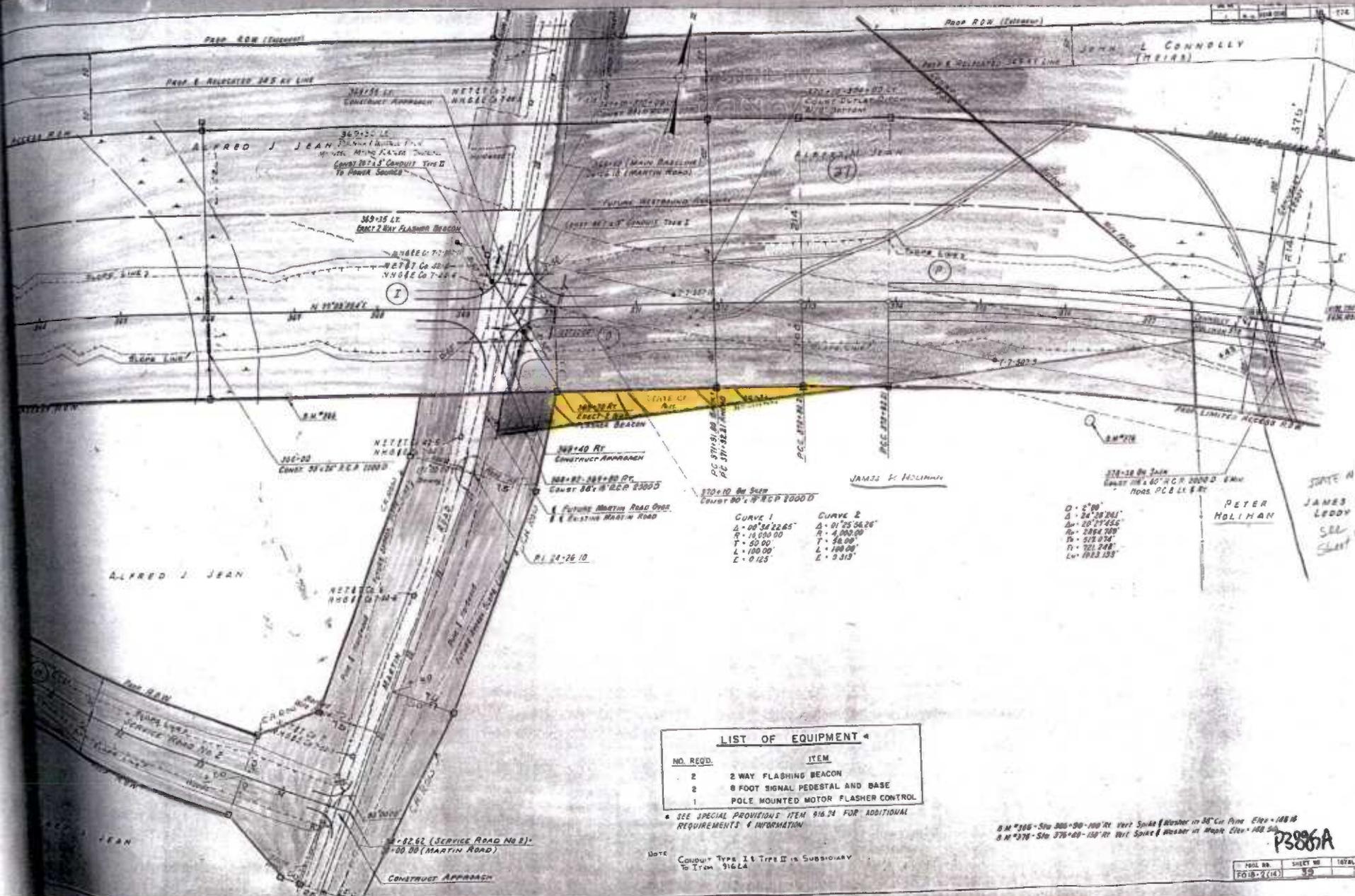
MOSAIC PARCEL
MAP SHARING
POOL



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.



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LIST OF EQUIPMENT 4

NO. REQD.	ITEM
2	2 WAY FLASHING BEACON
2	8 FOOT SIGNAL PEDESTAL AND BASE
1	POLE MOUNTED MOTOR FLASHER CONTROL

* SEE SPECIAL PROVISIONS ITEM 916.24 FOR ADDITIONAL REQUIREMENTS & INFORMATION

NOTE: CONDUIT TYPE I & II TYPE II IS SUBSIDIARY TO ITEM 916.24

B.M. 366 - Sta 305+00 - 100' BY 100' SPK. # NUMBER 11 30' Cu Pipe Elev = 128.18
 B.M. 378 - Sta 376+00 - 150' BY 150' SPK. # NUMBER 11 30' Cu Pipe Elev = 128.50

P3886A

ROLL NO.	SHEET NO.	TOTAL SHEETS
FOUR-2(4)	55	74