



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
25 Capitol Street – Room 100
Concord, New Hampshire 03301
(603) 271-3201 | Office@das.nh.gov

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MAR 04 2026
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Charles M. Arlinghaus
Commissioner

Catherine A. Keane
Deputy Commissioner

Sheri L. Rockburn
Assistant Commissioner

February 11, 2026

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Authorize the Department of Administrative Services (the "Department"), acting pursuant to RSA 4:29 and 2023 N.H. Laws 79:454 on behalf of the State of New Hampshire, to accept from the City of Rochester a perpetual drainage easement over City owned land to benefit abutting State land located at 296 Rochester Hill Road in the City of Rochester, New Hampshire, which is the site of the new Rochester Courthouse construction. Hunting or fishing would not be permissible within the proposed easement area due to its proximity to the main driveway for the new Courthouse facility, an occupied Courthouse building and an abutting house of worship, public roads, and nearby Skyhaven Airport, and also due to the lack of suitable space, rivers, or ponds located therein.

EXPLANATION

The Department proposes to acquire by gift from the City of Rochester a perpetual drainage easement over a portion of abutting City land (Tax Map 255, Lot 21-3) to benefit the State parcel upon which the new courthouse is currently under construction in the city of Rochester (Tax Map 255, Lot 21-1). The parcel of land upon which the State is constructing the Rochester Courthouse facility was acquired by the State from the City of Rochester in February 2025. The proposed drainage easement, which will be required for adequate drainage of the increased impervious surfaces being constructed within the new Courthouse parcel, will allow the State to install a subsurface storm water drainage culvert within said City land and to outflow storm water runoff from the newly constructed Courthouse facility onto said City land. The State shall be solely responsible for maintaining and repairing all such storm water drainage infrastructure to be installed within the proposed easement area and for recording the easement deed to be provided by the City in the Strafford County Registry of Deeds.

Her Excellency, Governor Kelly A. Ayotte
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Based on the foregoing, authorization is hereby requested: to accept on behalf of the State of New Hampshire the gift of the proposed appurtenant drainage easement from the City of Rochester.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Charles M. Arlinghaus', written in a cursive style.

Charles M. Arlinghaus
Commissioner



Site of Future Rochester Courthouse
296 Rochester Hill Road
Rochester, New Hampshire
Google Location Map

(approximate location marked by red pin near center of map detail above)



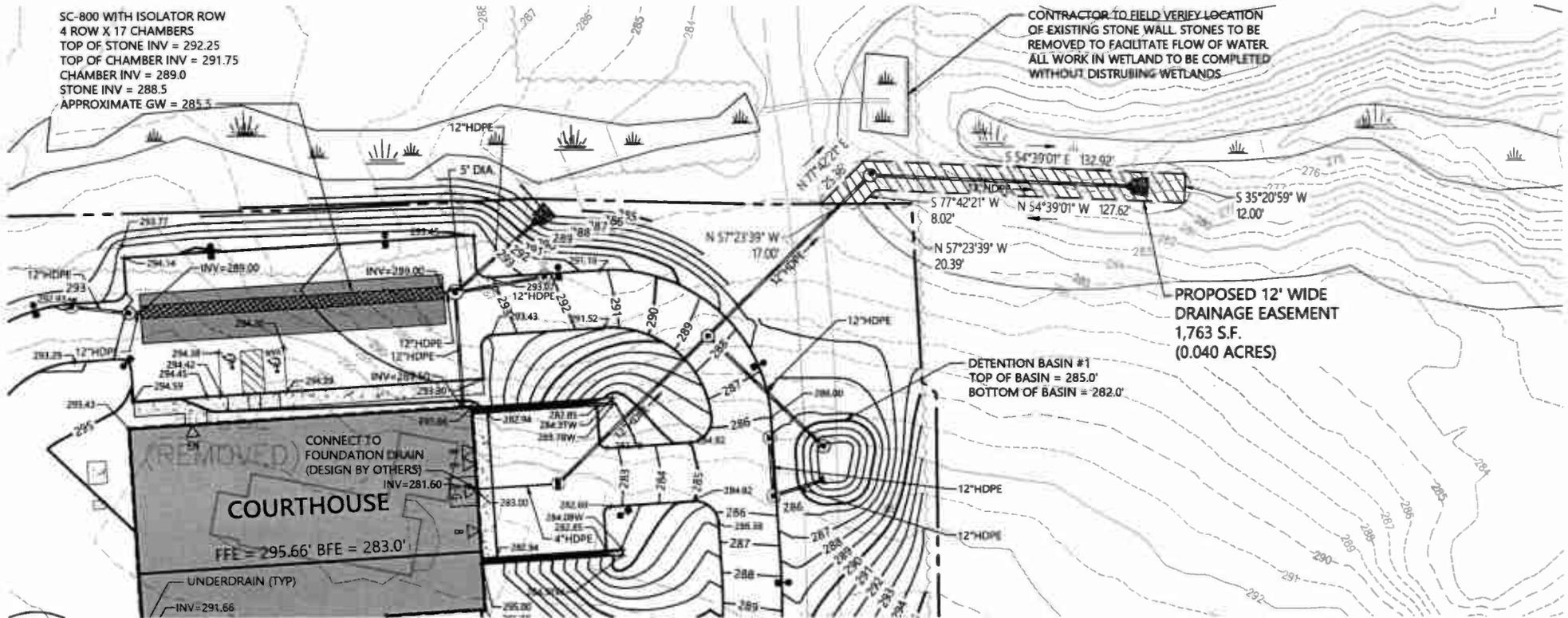
Site of Future Rochester Courthouse
296 Rochester Hill Road (Tax Map 255, Lot 21-1)
Rochester, New Hampshire
City of Rochester GIS Tax Map Detail

(host parcel appears marked by orange arrow above)



Site of Future Rochester Courthouse
296 Rochester Hill Road
Rochester, New Hampshire
City of Rochester GIS Aerial Imagery Map

(host parcel shown as Lot 21-1 at center above)



Return to:

Jared J. Nylund, Real Property Asset Manager
New Hampshire Department of Administrative Services
25 Capitol Street
Concord, New Hampshire 03301

Transfer Tax: EXEMPT per RSA 78-B:2, I (transfer to State)
LCHIP Surcharge: EXEMPT per RSA 478:17-g, II(a) (transfer to State)

DRAINAGE EASEMENT DEED
(296 Rochester Hill Road, Rochester, NH)

KNOW ALL MEN BY THESE PRESENTS, that the **CITY OF ROCHESTER**, a municipal corporation existing under the laws of the State of New Hampshire, having an address of 31 Wakefield Street, Rochester, New Hampshire 03867 (“Grantor”), FOR CONSIDERATION PAID, GRANTS TO the **STATE OF NEW HAMPSHIRE**, acting by and through its Department of Administrative Services pursuant to RSA 4:29 and 2023 N.H. Laws 79:454, as authorized by the Governor and Executive Council on _____, 2026 (Meeting Agenda Item # _____), having an address of 25 Capitol Street, Concord, New Hampshire 03301 (“Grantee”), with WARRANTY COVENANTS, a perpetual storm water drainage infrastructure easement for the construction, installation, repair, maintenance, upgrade, and replacement of subsurface pipes, culverts, manholes, outflows, and associated storm water drainage infrastructure within a portion of certain land of the Grantor located off of Rochester Hill Road in the City of Rochester, County of Strafford, State of New Hampshire and shown as “Map 255 - Lot 21-3” on a plan entitled “Subdivision Plan, Route 108, Rochester Hill Road, Innovation Drive, Rochester, Strafford County, NH, For: City of Rochester”, Scale 1” = 100’, Date: April 2020 (revised to May 11, 2020) prepared by Norway Plains Associates, Inc. and recorded in the Strafford County Registry of Deeds as Plan # 12161 (the “Plan”), and also for the drainage of storm water from certain abutting land of the Grantee shown on the Plan as “Map 255 – Lot 21-1” onto the surface of said land of the Grantor, said rights and easement to be exercised within the following described Easement Area located within said land of the Grantor:

Beginning at a point in the northeasterly boundary of land of the Grantee located North 57°23’39” West a distance of approximately 20.39 feet from a steel stake set by Grant L. Davis Associates found in the end of an old stone wall, said steel stake being the easterly corner of said abutting land of the Grantee;

Thence North 57°23’39” West along said abutting land of the Grantee a distance of approximately 17.00 feet to a point;

Thence North 77°42’21” East a distance of approximately 25.36 feet to a point;

Thence South 54°39’01” East a distance of approximately 132.92 feet to a point;

Thence South 35°20’59” West a distance of approximately 12.00 feet to a point;

Thence North 54°39’01” West a distance of approximately 127.62 feet to a point;

Thence South 77°42'21" West a distance of approximately 8.02 feet to the point of beginning.

Grantee shall be solely responsible for the maintenance of any and all storm water drainage infrastructure installed by the Grantee within the Easement Area.

MEANING AND INTENDING to describe a portion of the premises conveyed to the City of Rochester by Warranty Deed of Bruce E. Moreau, dated December 12, 2016, recorded in the Strafford County Registry of Deeds at Book 4448, Page 224, and by Warranty Deed of Vivian B. Kline, dated September 21, 2016, recorded in the Strafford County Registry of Deeds at Book 4424, Page 664.

EXECUTED this _____ day of _____ 2026.

GRANTOR:
CITY OF ROCHESTER

By: _____
Kathryn Ambrose, City Manager

STATE OF NEW HAMPSHIRE
COUNTY OF STRAFFORD

On this _____ day of _____, 2026, before me personally appeared the above named Kathryn Ambrose, City Manager of Rochester, New Hampshire, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument and acknowledged the same to be her free act and deed for the purposes contained therein on behalf of the City of Rochester.

Notary Public / Justice of the Peace
My Commission Expires:



City Clerk's Office
City Hall - First Floor
150 Wakefield Street, Unit 10
ROCHESTER, NEW HAMPSHIRE 03867-1917
(603) 332-2130 - Fax (603) 509-1915
Web Site: <http://www.rochesternh.gov>

**Excerpt from Meeting Minutes
January 13, 2026**

I, Kelly Walters, City Clerk for Rochester, NH hereby attest that the attached excerpt from the meeting minutes of January 13, 2026 is true and accurate. All Regular City Council Meeting minutes shall be posted in accordance with RSA 91-A.

City Clerk's Office
Rochester, New Hampshire

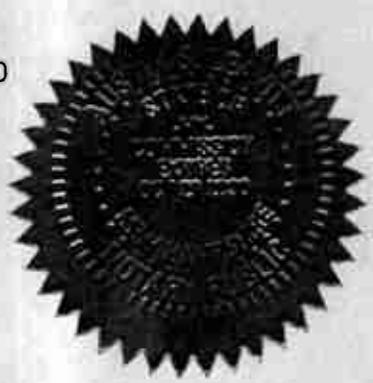
By: Kelly Walters Date: 1/16/2025
Kelly Walters, City Clerk

State of New Hampshire
Strafford County

On this 16th day of January, 2026, Kelly Walters, City Clerk, personally appeared before me:
Austin Leavitt, Deputy City Clerk/Notary Public, and acknowledged the above statement to be true and accurate.

Austin Leavitt
Notary Public

Austin Leavitt
Notary Public
Expiration Date: 10/29/2030



13. New Business

13.1. Resolution Authorizing the Grant of Drainage Easement to the State of New Hampshire and Authorizing the City Manager to Execute All Documents Necessary to Convey the Same *first reading and consideration for adoption*

Mayor Grassie read the resolution by title only for a first time as follows:

Resolution Authorizing the Grant of Drainage Easement to the State of New Hampshire and Authorizing the City Manager to Execute All Documents Necessary to Convey the Same

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ROCHESTER:

The Mayor and City Council hereby authorizes the grant of a drainage easement to the State of New Hampshire related to its construction of a new courthouse on Rochester Hill Road. The easement shall be located on City-owned property (Tax Map 255, Lot 21-3) directly abutting the parcel upon which the State of New Hampshire is constructing the new courthouse at 296 Rochester Hill Road (Tax Map 255, Lot 21-1) in the City of Rochester.

Further, the Mayor and City Council authorizes the City Manager or her designee to execute all documents necessary to convey and grant the drainage easement to the State of New Hampshire.

Mayor Grassie said this resolution could be sent to the January 20, 2026, Workshop Agenda for further review; however, he invited Terence O'Rourke, City Attorney, to give an overview.

Attorney O'Rourke gave a brief overview of the agreement established between the State of New Hampshire and the City of Rochester, noting that the City of Rochester had transferred ownership of property situated on Rochester Hill Road, where the State intends to construct a new courthouse. He explained that the City of Rochester had outgrown its courthouse many years ago. He said in return for the property deeded on Rochester Hill Road, the City of Rochester will be deeded the current courthouse, effectively at no cost.

Attorney O'Rourke reported that construction has already started; however, during the process, it was discovered that a small parcel of land is required for a drainage easement. He spoke about the proposed drainage easement and confirmed that all pertinent departments have reviewed and approved the proposal, including the Department of Public Works, the Planning Department, and the Economic Development Department.

Attorney O'Rourke clarified that there is no reason to be concerned that the drainage easement would adversely affect the small parcel of land in question, should the City decide to sell that piece in the future. He stated that all maintenance and expenses related to the drainage easement will be the responsibility of the State.

Attorney O'Rourke noted that at this stage, for the Executive Council to accept an easement from the City of Rochester, a resolution from the City Council is required, which must indicate that the City Manager is authorized to approve that easement.

Councilor Walker **MOVED** to **ADOPT** the resolution. Councilor Hamann seconded the motion.

Councilor Rice expressed support in the development of a new State Courthouse; however, she did not endorse the approval of a permanent drainage easement on City property without comprehensive and transparent disclosure. She stated that the resolution and accompanying materials fail to specify the dimensions of the easement, details regarding wetlands, or existing stormwater infrastructure. She raised concerns about additional material facts that she believed were buried within the plan. She asserted that a recorded easement must be clear and unequivocal; however, she found the language in the deed to be ambiguous. She provided additional justifications for her belief that this easement requires further legal examination and should be submitted to a committee for more thorough consideration.

Mayor Grassie inquired whether there was a time limitation regarding the approval of this resolution.

Attorney O'Rourke emphasized the legal aspects of the easement. He mentioned that the recipient is the State of New Hampshire and that the City of Rochester has already established an agreement with them. He indicated that this project has undergone thorough review by both City staff and the State of New Hampshire. He stated that postponing the voting would result

in an unnecessary delay in the project that has already begun. Councilor Rice replied that it is not a case to hold up the project, but it is meant to ensure the easement is ready for signing.

Councilor Fontneau asked if the City Manager reviewed the project. City Manager Ambrose indicated that the relevant information is contained within the City Council packet. This project has undergone thorough evaluation and is ready to move forward.

Council briefly discussed sending the matter to a committee for further review or to move forward with adoption. Councilor Fitzpatrick **MOVED to Vote on the Previous Question**. Councilor Walker seconded the motion. The **MOTION CARRIED** by a unanimous voice vote.

Mayor Grassie called for a vote on the motion to adopt the resolution. The **MOTION CARRIED** by a majority voice vote.

13.2 Resolution Authorizing Acceptance of \$2,210.15 from the United States Government related to Seized Funds and Supplemental Appropriation Related Thereto first reading and consideration for adoption

Mayor Grassie read the resolution for the first time by title only as follows:

Resolution Authorizing Acceptance of \$2,210.15 from the United States Government related to Seized Funds and Supplemental Appropriation Related Thereto

BE IT RESOLVED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF ROCHESTER, AS FOLLOWS:

That the Mayor and City Council of the City of Rochester, by adoption of this Resolution, hereby accept Two Thousand Two Hundred Ten and 15/100 Dollars (\$2,210.15) from the United States Government as part of currency seized in Federal criminal investigations.

Further, the Mayor and City Council authorize a supplemental appropriation to the Police Department Operating Budget in the amount of Two Thousand Two Hundred Ten and 15/100 Dollars (\$2,210.15) with the entirety being derived from the Federal forfeiture funds.