

STATE OF NEW HAMPSHIRE  
DEPARTMENT of RESOURCES and ECONOMIC DEVELOPMENT  
OFFICE of the COMMISSIONER

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MJT

172 Pembroke Road P.O. Box 1856 Concord, New Hampshire 03302-1856

603-271-2411  
FAX: 603-271-2629

May 5, 2014

Her Excellency, Governor Margaret Wood Hassan  
And the Honorable Executive Council  
State House  
Concord, NH 03301

**REQUESTED ACTION**

Authorize the Department of Resources and Economic Development (DRED) and the Department of Health and Human Services (DHHS) to exchange management responsibility for State land parcels of approximately equal acreage located in Concord, New Hampshire, said parcels consisting of approximately 0.89 acres of Russell Shea State Forest land to be annexed to the abutting DHHS Russell Farm parcel at 84 Iron Works Road in exchange for approximately 1.03 acres of the DHHS Russell Farm parcel to be annexed to the abutting Russell Shea State Forest. **No Funding Required**


**EXPLANATION**

DHHS is in the process of preparing for disposal pursuant to RSA 4:40 the land and buildings comprising the DHHS Russell Farm property at 84 Iron Works Road, Concord, New Hampshire ("Russell Farm"). Because Russell Farm is presently part of a larger tax parcel that also includes part of Russell Shea State Forest, the tax parcel must be subdivided with the approval of the City of Concord Planning Board before DHHS may sell the resulting Russell Farm parcel to a third party. At the request of the Rivers Management Advisory Committee (RMAC) and the interagency Council on Resources and Development (CORD), and with the advice of RMAC member agencies including the Department of Environmental Services, Fish and Game Department, and DRED, DHHS has agreed with DRED to make the interagency land exchange described herein for the purpose of preserving in its natural and undeveloped state a portion of the Russell Farm parcel consisting of a strip of land along the west bank of the Turkey River without causing DHHS to suffer a significant reduction in the net acreage and marketability of the Russell Farm parcel to be sold. An additional purpose is to assure State owned connectivity between abutting State Forest lands in the Turkey River basin in the vicinity of Iron Works Road.

The proposed exchange is already incorporated into the tax parcel subdivision application, which received conditional approval from the City Planning Board on February 19, 2014. The completion of the proposed exchange is one of the conditions remaining to be satisfied prior to obtaining final Planning Board approval of the subdivision. The proposed exchange is summarized by the two attached declarations of Transfer of Management Responsibility, both of

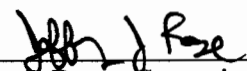
which remain subject to final approval by the Department of Justice as to form, substance and execution.

Respectfully submitted,



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Nicholas A. Toumpas, Commissioner  
Department of Health and Human Services

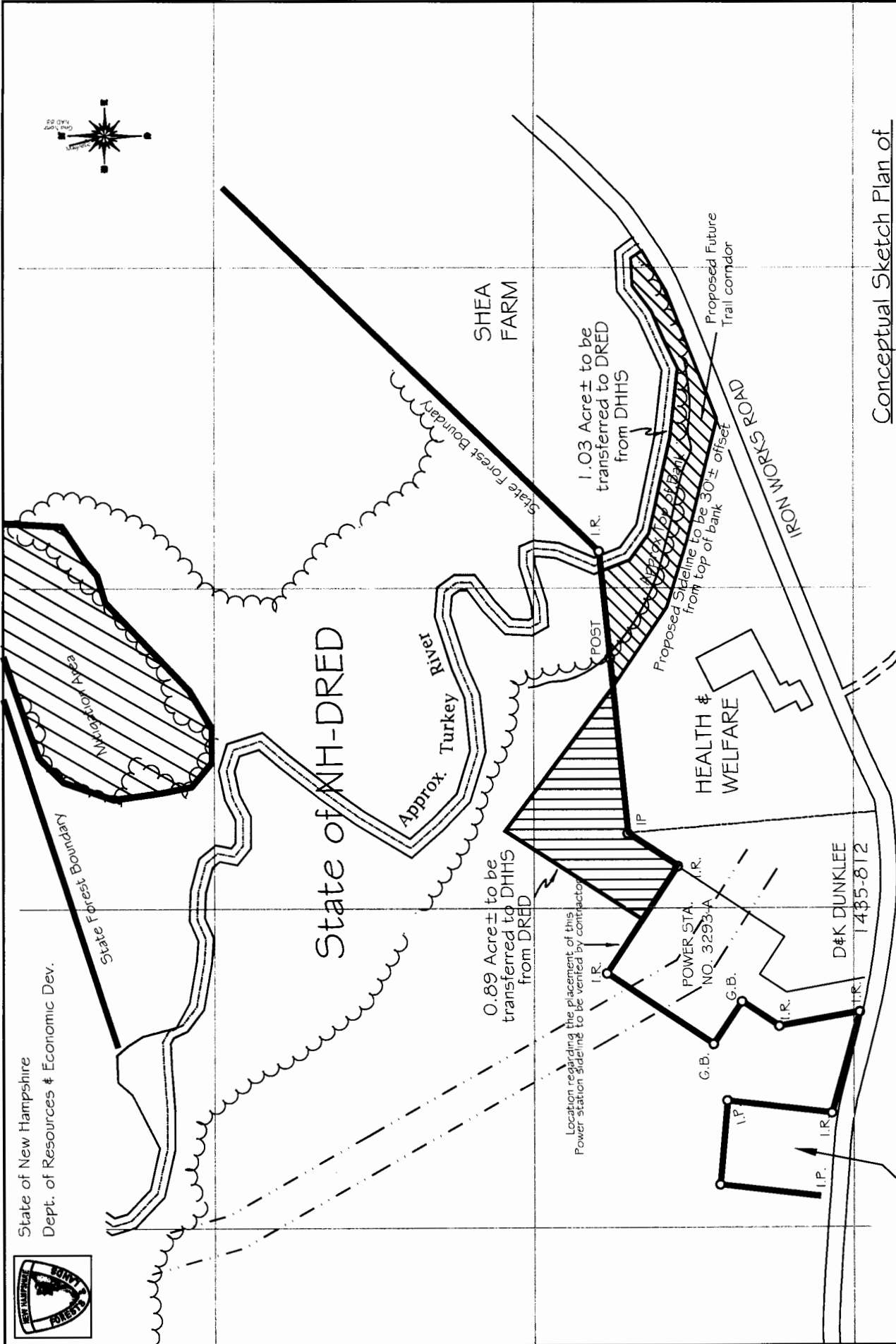


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Jeffrey J. Rose, Commissioner  
Department of Resources and Economic  
Development



State of New Hampshire  
Dept. of Resources & Economic Dev.



Conceptual Sketch Plan of  
 Proposed Land Exchange Between  
 State of New Hampshire Agencies  
 DRED & DHHS  
 Concord, New Hampshire  
 August, 2013  
 Scale: 1"=200'

SEE PLAN FOR C. KEANE BY  
 R. BARTLETT ASSOC. INC. 9/94

**Return to:**

**Jared J. Nylund  
Real Property Asset Manager  
NH Department of Administrative Services  
25 Capitol Street, Room 113A  
Concord, New Hampshire 03301**

**THIS IS A TRANSFER OF RESPONSIBILITY  
BETWEEN AGENCIES OF THE STATE OF NEW  
HAMPSHIRE AND IS NOT A SALE, GRANT, OR  
TRANSFER OF AN INTEREST IN REAL  
PROPERTY SUBJECT TO THE NEW  
HAMPSHIRE REAL ESTATE TRANSFER TAX  
IMPOSED BY RSA 78-B:1.**

**Transfer of Management Responsibility  
of a Portion of  
Russell Shea State Forest  
From  
The New Hampshire Department of Resources and Economic Development  
To  
The New Hampshire Department of Health and Human Services  
For  
Annexation to the proposed Russell Farm parcel  
in connection with the Subdivision of  
City of Concord Tax Map 93, Block 1, Lot 2**

**THIS IS NOT A DEED OR A TRANSFER OF TITLE**

The **STATE OF NEW HAMPSHIRE, DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT**, of 172 Pembroke Road, P.O. Box 1856, Concord, New Hampshire 03302-1856 (“DRED”), pursuant to Governor and Executive Council approval on \_\_\_\_\_, item # \_\_\_\_\_, transfers to the **STATE OF NEW HAMPSHIRE, DEPARTMENT OF HEALTH AND HUMAN SERVICES**, of 129 Pleasant Street, Concord, New Hampshire 03301 (“DHHS”), management responsibility for the following land held in title by the State of New Hampshire located in the City of Concord, County of Merrimack, State of New Hampshire (the “Premises”):

A certain parcel of land located near Iron Works Road, consisting of approximately 0.89 acres, more or less, and shown as “Portion of NH-DRED Management Area to be Transferred to NH-DHHS” on a plan

entitled "Management Boundary Plat prepared for the State of New Hampshire DRED and DHHS, Project Location: Map 93, Block 1, Lot 2, 84 Iron Works Rd, Concord NH" dated January 2013, prepared by Richard D. Bartlett & Associates, LLC, on file with DRED and DHHS (the "Plan"), more particularly bounded and described as follows:

Beginning at a steel pin found at the northeast corner of land now or formerly of Daniel F. and Kristin W. Dunklee, located North 23°42'35" West a distance of approximately 345.92 feet from a point along the northerly side of Iron Works Road at the southeast corner of said land of Dunklee;

Thence North 84°14'05" East along other land now or formerly of the State of New Hampshire a distance of approximately 234.46 feet to a steel pin set at the easterly corner of the herein described parcel;

Thence North 54°43'55" West along other land now or formerly of the State of New Hampshire a distance of approximately 273.71 feet to a steel pin set at the northerly corner of the herein described parcel;

Thence South 35°16'05" West along other land now or formerly of the State of New Hampshire a distance of approximately 250.51 feet to a steel pin set in the northeasterly line of land now or formerly of Unitil Energy Systems, Inc., being the westerly corner of the herein described parcel;

Thence South 56°24'05" East along said land now or formerly of Unitil Energy Systems, Inc. a distance of approximately 99.71 feet to a rebar found, being the southerly corner of the herein described parcel;

Thence North 33°32'50" East along the aforementioned land of Dunklee a distance of approximately 93.72 feet to the point of beginning.

The management responsibility transferred to DHHS hereby shall include full responsibility for the Premises. The transfer memorialized hereby shall have the effect of removing the herein described parcel from Russell Shea State Forest.

**PURPOSE:** The purpose of this Transfer of Land Management Responsibility is to provide to DHHS a parcel of land to be annexed to the abutting Russell Farm parcel in exchange for a parcel of land of approximately equal area along the Turkey River to be transferred concurrently herewith from DHHS to DRED to be annexed to the abutting Russell Shea State Forest.

[signatures on next page]

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF RESOURCES  
AND ECONOMIC DEVELOPMENT**

By: \_\_\_\_\_  
Jeffery J. Rose, Commissioner

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK, SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, personally appeared Jeffrey J. Rose, Commissioner of the Department of Resources and Economic Development of the State of New Hampshire, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he was duly authorized to execute this instrument on behalf of said Department.

\_\_\_\_\_  
Notary Public/Justice of the Peace  
My commission expires: \_\_\_\_\_

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

By: \_\_\_\_\_  
Nicholas A. Toumpas, Commissioner

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK, SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, personally appeared Nicholas A. Toumpas, Commissioner of the Department of Health and Human Services of the State of New Hampshire, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he was duly authorized to execute this instrument on behalf of said Department.

\_\_\_\_\_  
Notary Public/Justice of the Peace  
My commission expires: \_\_\_\_\_

Approved by the Department of Justice as to form, substance and execution:  
Date: \_\_\_\_\_ Attorney: \_\_\_\_\_

Approved by the Governor and Executive Council on \_\_\_\_\_, Item # \_\_\_\_\_.

**Return to:**

**Bill Carpenter, Administrator  
Land Management Bureau  
NH Department of Resources and Economic Development  
172 Pembroke Road, P.O. Box 1856  
Concord, New Hampshire 03302-1856**

**THIS IS A TRANSFER OF RESPONSIBILITY  
BETWEEN AGENCIES OF THE STATE OF NEW  
HAMPSHIRE AND IS NOT A SALE, GRANT, OR  
TRANSFER OF AN INTEREST IN REAL  
PROPERTY SUBJECT TO THE NEW  
HAMPSHIRE REAL ESTATE TRANSFER TAX  
IMPOSED BY RSA 78-B:1.**

**Transfer of Management Responsibility  
of a Portion of  
Russell Farm  
From  
The New Hampshire Department of Health and Human Services  
To  
The New Hampshire Department of Resources and Economic Development  
For  
Annexation to Russell Shea State Forest  
in connection with the Subdivision of  
City of Concord Tax Map 93, Block 1, Lot 2**

**THIS IS NOT A DEED OR A TRANSFER OF TITLE**

The **STATE OF NEW HAMPSHIRE, DEPARTMENT OF HEALTH AND HUMAN SERVICES**, of 129 Pleasant Street, Concord, New Hampshire 03301 (“DHHS”), pursuant to Governor and Executive Council approval on \_\_\_\_\_, item # \_\_\_\_\_, transfers to the **STATE OF NEW HAMPSHIRE, DEPARTMENT OF RESOURCES AND ECONOMIC DEVELOPMENT**, of 172 Pembroke Road, P.O. Box 1856, Concord, New Hampshire 03302-1856 (“DRED”), management responsibility for the following land held in title by the State of New Hampshire located in the City of Concord, County of Merrimack, State of New Hampshire (the “Premises”):

A certain parcel of land located along the Turkey River and Iron Works Road, consisting of approximately 1.03 acres, more or less, and shown as “Portion of NH-DHHS Management Area to be

Transferred to NH-DRED” on a plan entitled “Management Boundary Plat prepared for the State of New Hampshire DRED and DHHS, Project Location: Map 93, Block 1, Lot 2, 84 Iron Works Rd, Concord NH” dated January 2013, prepared by Richard D. Bartlett & Associates, LLC, on file with DRED and DHHS (the “Plan”), more particularly bounded and described as follows:

Beginning at a steel pin set along the northerly side of Iron Works Road at the southerly corner of the herein described parcel;

Thence North  $75^{\circ}17'20''$  West along other land now or formerly of the State of New Hampshire a distance of approximately 175.79 feet to a steel pin set;

Thence North  $67^{\circ}32'25''$  West along other land now or formerly of the State of New Hampshire a distance of approximately 147.04 feet to a steel pin set;

Thence North  $52^{\circ}52'35''$  West along other land now or formerly of the State of New Hampshire a distance of approximately 96.74 feet to a steel pin set at the westerly corner of the herein described parcel;

Thence North  $84^{\circ}14'05''$  East along other land now or formerly of the State of New Hampshire a distance of approximately 184.50 feet to a point in the thread of the Turkey River, being the northerly corner of the herein described parcel;

Thence turning and following the thread of the Turkey River south and east downriver a distance of approximately 546 feet along said Turkey River to a point along the northerly side of Iron Works Road at the easterly corner of the herein described parcel;

Thence westerly following Iron Works Road along a curve having a radius of 1,030.13 feet for a distance of approximately 224.58 feet to a point along the northerly side of Iron Works Road;

Thence South  $71^{\circ}32'50''$  West along Iron Works Road a distance of approximately 84.54 feet to the point of beginning.

The management responsibility transferred to DRED hereby shall include full responsibility for the Premises. Upon completion of the transfer memorialized hereby the herein described parcel shall be annexed to Russell Shea State Forest.

**PURPOSE:** The purpose of this Transfer of Land Management Responsibility is to provide to DRED a parcel of land along the Turkey River to be annexed to the abutting Russell Shea State Forest in exchange for a parcel of land of approximately equal area to be transferred concurrently herewith from DRED to DHHS to be annexed to the abutting Russell Farm parcel.

[signatures on next page]



Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

By: \_\_\_\_\_  
Nicholas A. Toumpas, Commissioner

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK, SS

On this \_\_\_\_\_ day of \_\_\_\_\_, 2014, personally appeared Nicholas A. Toumpas, Commissioner of the Department of Health and Human Services of the State of New Hampshire, known to me or satisfactorily proven to be the person whose name is subscribed to the foregoing instrument, and acknowledged that he was duly authorized to execute this instrument on behalf of said Department.

\_\_\_\_\_  
Notary Public/Justice of the Peace  
My commission expires: \_\_\_\_\_

**STATE OF NEW HAMPSHIRE  
DEPARTMENT OF RESOURCES  
AND ECONOMIC DEVELOPMENT**

By: \_\_\_\_\_  
Jeffery J. Rose, Commissioner

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK, SS

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Date: \_\_\_\_\_ Attorney: \_\_\_\_\_

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