



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



WILLIAM CASS, P.E.
ASSISTANT COMMISSIONER

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

Bureau of Right-of-Way
June 10, 2015

REQUESTED ACTION

Pursuant to RSA 4:39-c and 228:31, authorize the Department of Transportation to sell a portion of the Controlled Access Right-of-Way (CAROW) consisting of 7,785 +/- square feet located at the northwest corner of NH Route 111 and Lamson Road in the Town of Windham directly to Carrier Windham Realty LLC for \$8,600.00 which includes an \$1,100.00 Administrative Fee, subject to the conditions as specified in this request.

Pursuant to RSA 230.45, further authorize the Department of Transportation to adjust the limits of the NH Route 111 Controlled Access Right-of-Way for the disposal of the above-mentioned parcel.

It has been determined by the Division of Finance that this Right-of-Way was originally purchased with 13.5% Highway Funds and 86.5% Federal Funds.

04-096-096-960015-0000-UUU-402156 Administrative Fee	<u>FY 2016</u> \$1,100.00
04-096-096-960015-0000-UUU-409279 Sale of Parcel (13.5% of \$7,500.00)	<u>FY 2016</u> \$1,012.50
04-096-096-963515-3054-401771 Consolidated Federal Aid (86.5% of \$7,500.00)	<u>FY 2016</u> \$6,487.50

EXPLANATION

The Department of Transportation has received a request from Carrier Windham Realty LLC (Robert Carrier) for the opportunity to acquire a portion of State owned NH Route 111 Controlled Access Right-of-Way consisting of 7,785 +/- square feet located at the northwest corner of NH Route 111 and Lamson Road in the Town of Windham.

This parcel of State owned land was acquired in 2004 for the layout and reconstruction of NH Route 111 through this area as part of the Windham- Salem NHS-RS-RUR-M-STP-F-T-0381(005), 10075 project. In order to be able to sell this parcel, the Department wishes to adjust the layout to define this parcel.

Conditions of this sale would include:

- No access to either NH Route 111 or Lamson Road from this parcel.
- The purchaser of this parcel would at their expense have a survey plan prepared by a Licensed Land Surveyor describing the parcel being sold, and record this plan in the Rockingham County Registry of Deeds. The Department will use this plan to prepare a deed for the sale of this parcel.

- The Department will reserve a 636 +/- square foot drainage easement over a portion of the State owned parcel to be conveyed.
- The Department will except and reserve an access easement over the parcel it is selling to Robert Carrier. This will allow access to the State of New Hampshire, its employees, its subcontractors, contractors, and assigns, vehicular and pedestrian traffic over this parcel for the limited purpose of accessing and maintaining a detention pond located in the State of New Hampshire Controlled Access Right-of-Way located easterly of this parcel as shown on the enclosed Plan. The purchaser specifically grants to the State of New Hampshire the right of travel of vehicles, equipment, machinery, and people over the easement area to reach and maintain the detention pond as shown on the Plan.
- Robert Carrier will also grant to the Department an access easement over the adjacent parcel identified on Windham Tax Map as Parcel 13-A-159, which Robert Carrier owns. This easement will also allow access to the State of New Hampshire, its subcontractors, contractors, and assigns, vehicular and pedestrian traffic over this parcel for the limited purpose of accessing and maintaining a detention pond located in the State of New Hampshire Controlled Access Right-of-Way located as shown on the enclosed Plan. The purchaser specifically grants to the State of New Hampshire the right of travel of vehicles, equipment, machinery, and people over the easement area to reach and maintain the detention pond.

This request has been reviewed by this Department and it has been determined that this parcel is surplus to our operational needs and interest.

Approval of the sale of this property by the Council of Resources and Development is no longer necessary per RSA 4:39-c whereas the parcel to be sold was purchased with Highway funds.

The Long Range Capital Planning and Utilization Committee at their March 26, 2015 meeting approved this request that the Department should enter into a direct sale with Robert Carrier and sell this portion of the Controlled Access Right-of-Way for \$8,600.00 which includes an Administrative Fee of \$1,100.00.

Robert Carrier has requested that the Department please deed this property to him in the entity Carrier Windham Realty LLC, of which he is the owner. The Department has agreed to this arrangement.

In accordance with RSA 4:39-c, the Town of Windham has been offered this property at the approved purchase price and they did not express an interest in purchasing the property.

Authorization is respectfully requested to sell this portion of the Controlled Access Right-of-Way to Carrier Windham Realty LLC, and also to adjust the limits of the NH Route 111 Controlled Access Right-of-Way as outlined above.

Respectfully,



William Cass, P.E.
Assistant Commissioner

WJC/PJM/dd
Attachment

MAR 30 2015

RECEIVED



LRCP 15-005

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State of New Hampshire

OFFICE OF LEGISLATIVE BUDGET ASSISTANT
State House, Room 102
Concord, New Hampshire 03301

STEPHEN C. SMITH, CPA
Director, Audit Division
(603) 271-2785

March 27, 2015

Charles R. Schmidt, P.E., Administrator
Department of Transportation
Bureau of Right-of-Way
John O. Morton Building
Concord, New Hampshire 03301

Dear Mr. Schmidt,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on March 26, 2015, approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell a portion of the Controlled Access Right-of-Way consisting of 7,785 +/- square feet located at the northeast corner of NH Route 111 and Roulston Road in the Town of Windham directly to Robert Carrier for \$8,600, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 17, 2015.

Sincerely,

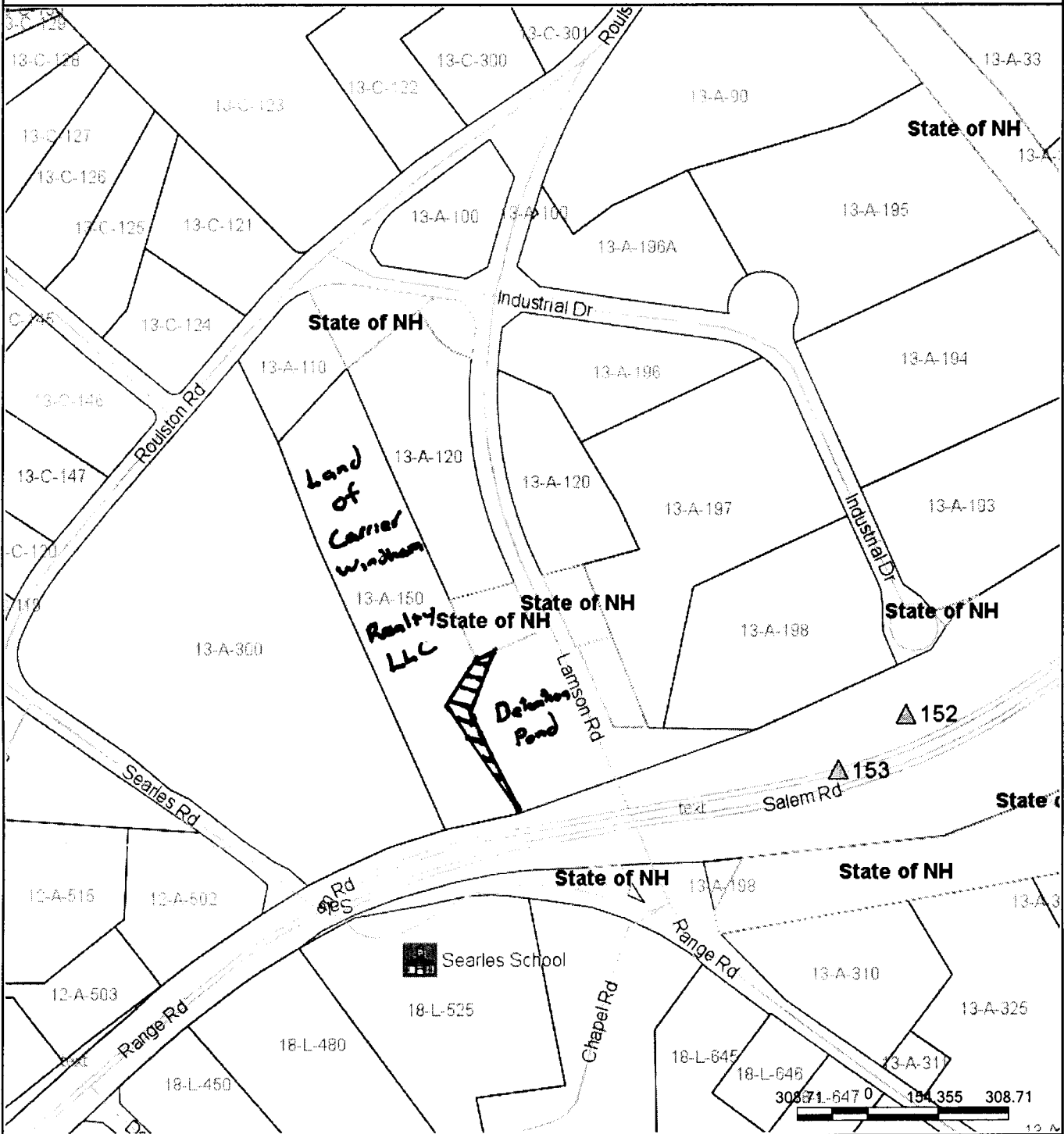
A handwritten signature in cursive script that reads "Jeffrey A. Pattison".

Jeffrey A. Pattison
Legislative Budget Assistant

JAP/pe
Attachment

STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE
ADMINISTRATION

MOSAIC PARCEL
MAP SHARING
POOL



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