

36 *slam*

Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

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

Bureau of Right-of-Way
August 25, 2020

REQUESTED ACTION

Pursuant to RSA 4:39-c and 228:31, authorize the New Hampshire Department of Transportation (Department) to sell a 1.0 +/- acre parcel of State owned land on the northerly side of Enterprise Drive in the Town of Windham. The sale will be directly to the Town of Windham (Grantee) for \$5,100.00, which includes a \$1,100.00 administrative fee, effective upon Governor and Executive Council approval.

The Department's Bureau of Finance and Contracts determined this parcel was originally purchased with 90% Federal Funds and 10% Highway Funds.

Funding is to be credited as follows:

04-096-096-960015-0000-UUU-402156 Administrative Fee	<u>FY 2021</u> \$1,100.00
04-096-096-960015-0000-UUU-409279 Sale of Parcel (10% of \$4,000.00)	<u>FY 2021</u> \$400.00
04-096-096-963515-3054-401771 Consolidated Federal Aid (90% of \$4,000.00)	<u>FY 2021</u> \$3,600.00

EXPLANATION

The Department received a request from the Town of Windham "Grantee" to acquire the 1 +/- acre parcel of State owned land located on the northerly side of Enterprise Drive in the Town of Windham.

The Grantee intends to maintain the parcel as a local memorial site in conjunction with the archaeological site known as "Indian Rock", which is located on this parcel.

Indian Rock is a large natural boulder with a circular depression on top. The boulder was "traditionally held to be the site where Native American inhabitants of the Windham area pounded corn". A bronze commemorative plaque was placed on the rock by the town in 1933.

The New Hampshire Natural Heritage Bureau (NHB) has noted the plaque on the rock is symbolic of the value Windham residents bestow on its former Native American population of the area. The Indian Rock site is as an important historical property and has been mentioned in the Town's historical publications since 1883.

This parcel is a portion of two parcels acquired by the Department in 1956 and 2007 in conjunction with the construction of the original NH Route 111 (now Enterprise Drive) and NH Route 111 as currently located.

Conditions of this sale include:

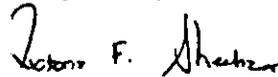
1. No access will be permitted from this parcel to NH Route 111, access will be from Enterprise Drive.
2. The Town, at their expense will be required to have a subdivision plan prepared by a New Hampshire Licensed Land Surveyor to establish the boundaries of the parcel being sold and record the plan in the Rockingham County Registry of Deeds. The Department will use this plan to prepare a deed for the sale of this area.
3. The property will be used only for recreational purposes remaining as open space and not be used for development.
4. If the property is deeded to a private entity at a later date, an archeological easement is required and will need to be included in the conveyance deed. Conveyance of the property requires authorization from the New Hampshire Department of Transportation through consultation with the New Hampshire Natural Heritage Bureau (NHB).

Pursuant to RSA 4:39-c, this sale has been reviewed by the Department and determined to be surplus to the Department's operational needs and interests.

At the June 22, 2020 Long Range Capital Planning and Utilization Committee meeting, this request was approved (LRCP 20-006), the sale price being \$5,100.00 which includes the Administrative Fee of \$1,100.00.

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

Respectfully,



Victoria F. Sheehan
Commissioner

VFS/DAD
Attachments



MICHAEL W. KANE, MPA
Legislative Budget Assistant
(603) 271-3161

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

CHRISTOPHER M. SHEA, MPA
Deputy Legislative Budget Assistant
(603) 271-3161

June 22, 2020

Stephen G. LaBonte, Administrator
Department of Transportation
Bureau of Right-of-Way
John O. Morton Building
Concord, New Hampshire 03301

Dear Mr. LaBonte,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on June 22, 2020, approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell a parcel of State owned land consisting of 1 +/- acre parcel located on the northerly side of Enterprise Drive in the Town of Windham directly to the Town of Windham for \$5,100, which includes a \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 11, 2020.

Sincerely,

/s/ Michael W. Kane

Michael W. Kane
Legislative Budget Assistant

MWK/pe
Attachment

Cc: Adam Smith, Assistant Administrator
Bureau of Right-of-Way



TOWN OF WINDHAM, NEW HAMPSHIRE

OFFICE OF THE BOARD OF SELECTMEN/TOWN ADMINISTRATOR

3 NORTH LOWELL ROAD – WINDHAM, NEW HAMPSHIRE 03087

PH: 603 432-7732 FAX: 603 965-1234 EMAIL: TOWNADMIN@WINDHAMNH.GOV

March 12, 2019

Mr. Phillip Miles
Chief of Property Management
NHDOT, Bureau of Right of Way
7 Hazen Drive, PO Box 483
Concord, NH 03302-0483

Re: *Indian Rock Parcel – Windham*

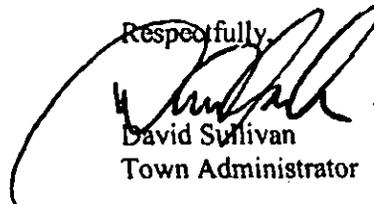
Phil,

I send this to confirm our earlier email conversation relative to the State's subdivision of a proposed parcel of land to include our historic Indian Rock; and the Board of Selectmen's affirmation of same.

As I indicated to you, after reviewing the plan sent by you as part of their February 11, 2019 meeting, the Board of Selectmen is in agreement that the proposed 1-acre area around Indian Rock is appropriate to protect the site. Accordingly, I would now request on their behalf that you move forward with determining the surplus status of the parcel, as well as the appraised value of same, so that I may pass that information on to the Board. As you are aware, if the Board concurs with the purchase price proposed by the State, we would then need to proceed locally with a warrant article to finalize the purchase.

In closing, I thank you for your continued assistance. Should have any questions, or require anything further as it pertains to this matter, please feel free to contact me.

Respectfully,



David Sullivan
Town Administrator

