



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



*Paul
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Victoria F. Sheehan
Commissioner

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
October 10, 2017

REQUESTED ACTION

Pursuant to RSA 4:39-c and 228:31, authorize the Department of Transportation to release and amend deed restrictions that were placed on a parcel of land formerly owned by the Department of Transportation and now owned by the Town of Kingston located in the Town of Kingston, directly to the Town of Kingston for \$46,600.00 which includes a \$1,100.00 Administrative Fee subject to the conditions as specified in this request.

It has been determined by the Division of Finance that this Right-of-Way was originally purchased with 80% Federal Funds and 20% Highway Funds.

04-096-096-960015-0000-UUU-402156	<u>FY 2018</u>
Administrative Fee	\$1,100.00
04-096-096-960015-0000-UUU-409279	<u>FY 2018</u>
Sale of Parcel	\$9,100.00
(20% of \$45,500.00)	
04-096-096-963515-3054-401771	<u>FY 2018</u>
Consolidated Federal Aid	\$36,400.00
(80% of \$45,500.00)	

EXPLANATION

The Department has received a request from the Town of Kingston requesting the Department to release and amend deed restrictions from a deed restriction that was placed on a parcel of land formerly owned by the Department and now owned by the Town of Kingston.

This parcel was originally acquired by the Department in 1985 for the widening of the NH Route 125 through the area. The remainder of that parcel (6.95 acres) was sold by the Department with the following deed restriction placed on the parcel:

- 1) That the land would revert back to the State for the original purchase price, if the Town ever declares is surplus.

- 2) Access to the land, subject to Department approval, will be granted for only recreational purposes or while the land stays in public ownership.

The Town of Kingston has requested to have the Department release deed restriction #1 listed above and amend deed restriction #2 to read: No access will be granted to NH Route 125 from this parcel.

Removal of this restriction would need written approval from the Department because it would affect property rights on this parcel. This action will require that this request go through the RSA 4:39-c process.

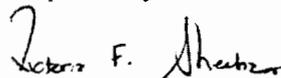
This request has been reviewed by this Department and it has been determined that this parcel is surplus to our operational needs and interest.

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 on which the deed restriction was placed was originally purchased with Highway funds.

The Long Range Capital Planning and Utilization Committee at their September 19, 2017 meeting approved this request that the Department should release and amend deed restrictions from a deed that was placed on a 6.95 ac parcel of land formerly owned by the Department of Transportation and now owned by the Town of Kingston located in Kingston directly to the Town of Kingston for \$46,600.00 which includes an Administrative Fee of \$1,100.00.

Authorization is respectfully requested to release this condition of a deed restriction to the Town of Kingston as outlined above.

Respectfully,



Victoria F Sheehan
Commissioner

VFS/PJM/kjk

Attachments: LRCPUC Approval Letter, Maps



LRCP 17-020

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Legislative Budget Assistant
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Deputy Legislative Budget Assistant
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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

September 20, 2017

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,

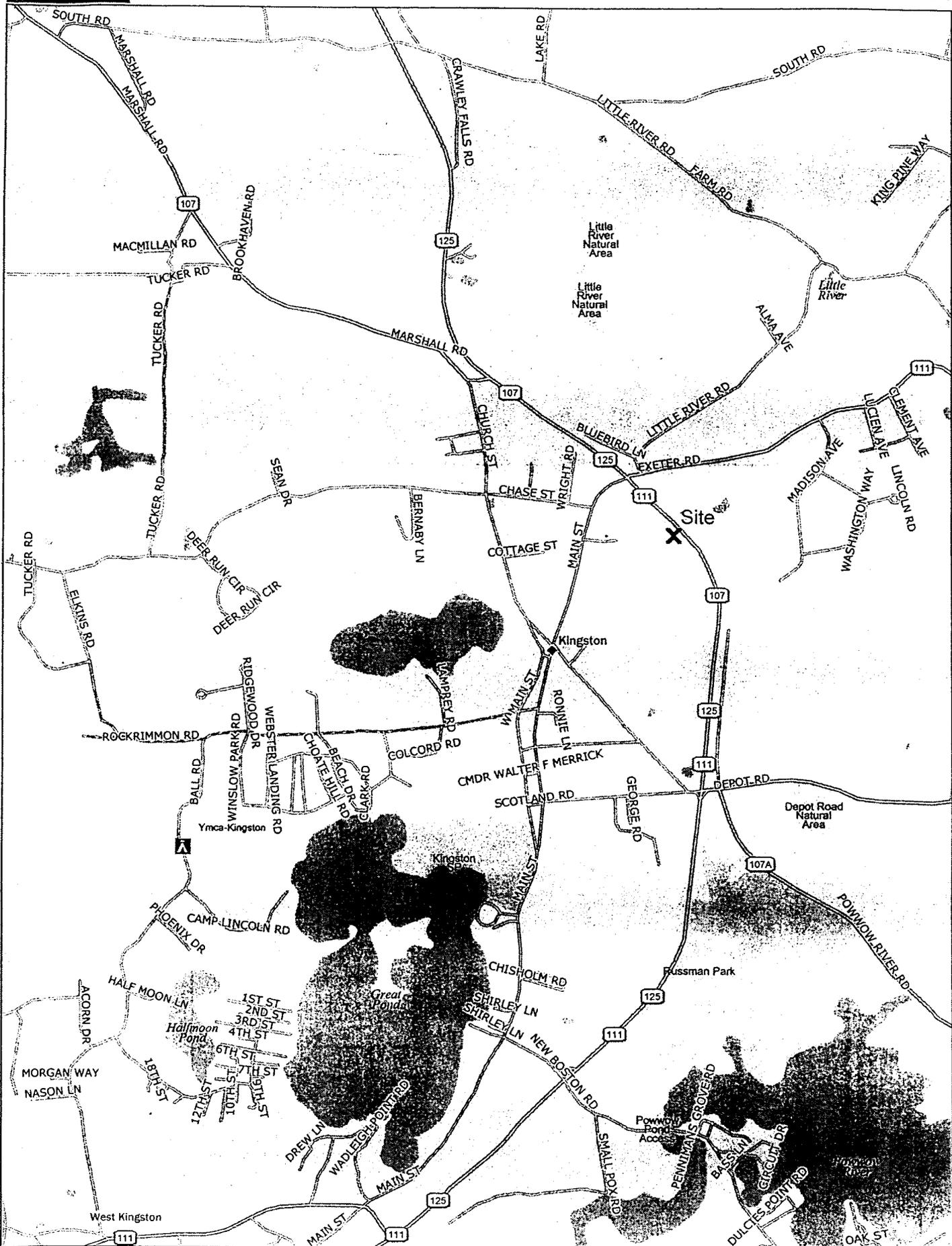
The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on September 19, 2017, approved the request of the Department of Transportation, Bureau of Right-of-Way, to release and amend deed restrictions from a deed that was placed on a 6.95 acre parcel of land, formerly owned by the Department of Transportation and now owned by the Town of Kingston located in the Town of Kingston, directly to the Town of Kingston for \$46,600, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated August 10, 2017.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Kane".

Michael W. Kane
Legislative Budget Assistant

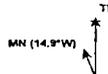
MWK/pe
Attachment



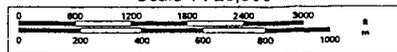
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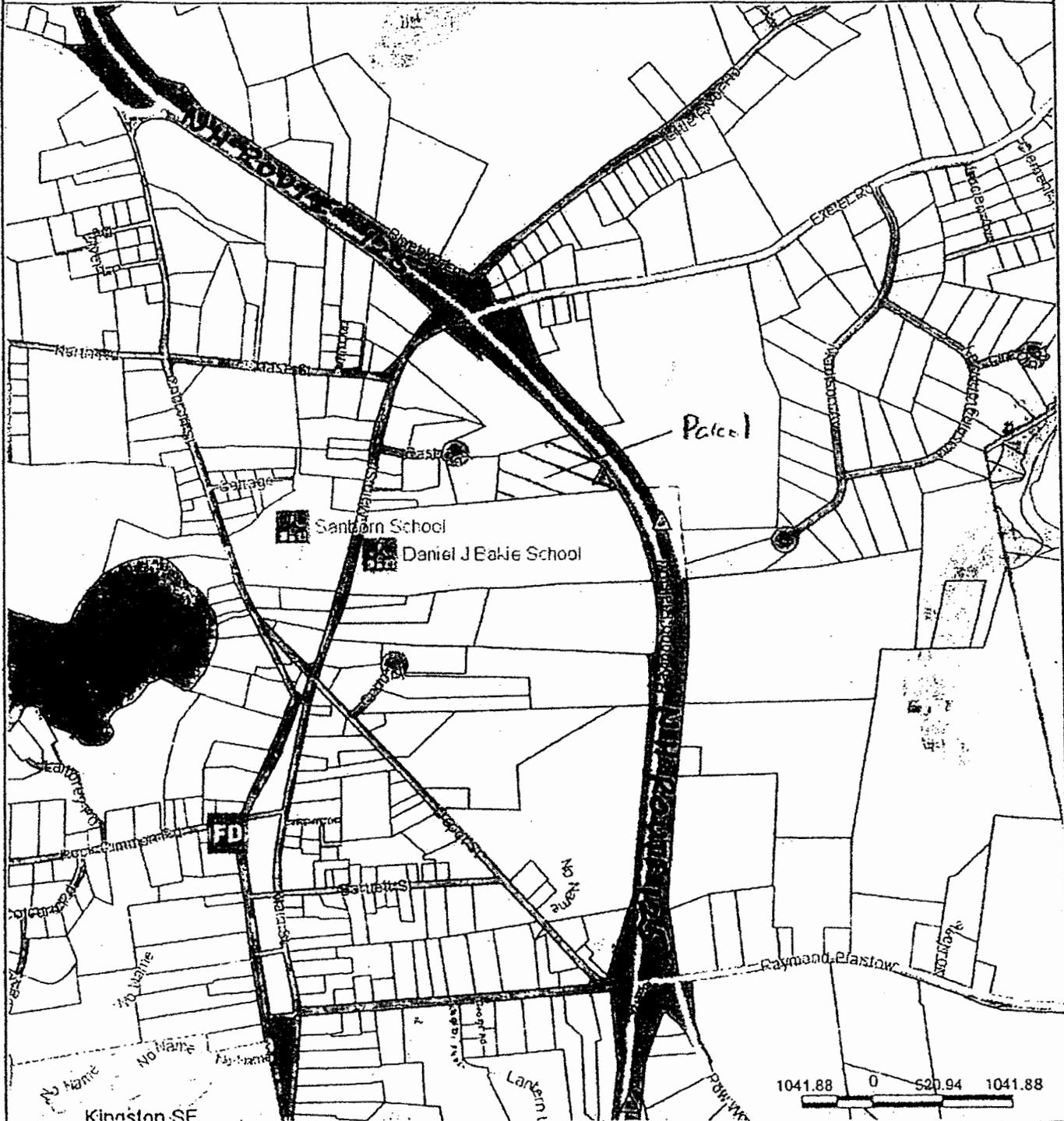
www.delorme.com



Scale 1 : 25,000



1" = 2,083.3 ft Data Zoom 13-0



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