

13C Dm



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES
OFFICE OF THE COMMISSIONER
25 Capitol Street – Room 120
Concord, New Hampshire 03301

LINDA M. HODGDON
Commissioner
(603) 271-3201

JOSEPH B. BOUCHARD
Assistant Commissioner
(603) 271-3204

February 5, 2013

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

REQUESTED ACTION

The Department of Administrative Services ("DAS") and the Department of Resources and Economic Development ("DRED") jointly request approval to transfer management responsibility for approximately 4.03 acres of the Ahern State Park property in Laconia from DRED to DAS, as summarized by the attached "Transfer of Management Responsibility" declaration, in order to aid DAS in complying with 2011 N.H. Laws 224:80.

EXPLANATION

The DAS Commissioner has been directed by 2011 N.H. Laws 224:80 to "offer for sale to the city of Laconia the former Laconia state school property and the former Laconia state school and training center property, except those portions of the properties required for state use . . ." The portion of the subject property required for ongoing State use and continuity of State operations consists of approximately 13.09 acres of the existing Lakes Region Facility property (formerly known as the "Laconia State School" campus), upon which is located the Department of Safety, Division of Emergency Services, Communications and Management, Bureau of Emergency Communications (9-1-1) Laconia facility and other State offices.

Because this area to be retained would otherwise become a landlocked parcel, an additional 4.03 acres of frontage land along N.H. Route 106 must be annexed from abutting Ahern State Park in order for the retained parcel to comply with the minimum road frontage requirements of the Laconia Zoning Ordinance, thereby preserving maximum flexibility for future DAS management of the retained parcel. As a result, DAS and DRED have agreed to transfer management responsibility for approximately 4.03 acres of the Ahern State Park property in Laconia from DRED to DAS, as summarized by the attached "Transfer of Management Responsibility" declaration. Ahern State Park would be left with sufficient road frontage along N.H. Route 106 to comply with the Laconia Zoning Ordinance, and it would continue to benefit from public vehicular access by way of the present route using Right Way Path and Ahern Park Road.

This transfer was proposed as a lot line adjustment in the Lakes Region Facility subdivision application, which was conditionally approved by the City of Laconia Planning Board at its meeting on April 3, 2012. This transfer was submitted to the Long Range Capital Planning and Utilization Committee for review as an "Informational Item" at the November 27, 2012 meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda M. Hodgdon". The signature is written in a cursive, flowing style.

Linda M. Hodgdon
Commissioner

Attachments

Return to:

**Jared J. Nylund
Real Property Asset Manager
NH Department of Administrative Services
25 Capitol Street, Room 212
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
Ahern State Park
From
The New Hampshire Department of Resources and Development
To
The New Hampshire Department of Administrative Services
For
Annexation to the Lakes Region Facility Property
in connection with the Subdivision thereof**

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 ADMINISTRATIVE SERVICES**, of 25 Capitol Street, Room 120, Concord, New Hampshire 03301 (“DAS”), management responsibility for the following land held in title by the State of New Hampshire located in the City of Laconia, County of Belknap, State of New Hampshire (the “Premises”):

A certain parcel of land located along N.H. Route 106, adjacent to its intersection with Right Way Path and Old North Main Street, consisting of approximately 4.03 acres, more or less, and shown as “Portion of Lot 3 to be Annexed to Lot 1” on Sheet 4 of 10 of a plan entitled “Subdivision Plat of the land of the

State of New Hampshire, Project Location: Parade Road/N.H. Route 106, Laconia, N.H., Map 318, Block 142, Lot 1, Map 333, Block 508, Lot 3" dated November 2011, revised through April 18, 2012, prepared by Richard D. Bartlett & Associates, LLC, to be recorded in the Belknap County Registry of Deeds in connection herewith (the "Plan"), more particularly bounded and described as follows:

Beginning at a granite bound set at the northeast corner of the herein described parcel along the west side of N.H. Route 106, adjacent to its intersection with Right Way Path and Old North Main Street;

Thence South 14°36'25" West along said N.H. Route 106 a distance of 489.13 feet to a granite bound set at the southeast corner of the herein described parcel;

Thence North 69°48'15" West along land now or formerly of Ahern State Park a distance of 443.89 feet to a granite bound found at the southwest corner of the herein described parcel;

Thence North 65°05'50" East along land now or formerly of the State of New Hampshire, to which the herein described parcel is annexed hereby, a distance of 174.98 feet to a granite bound found;

Thence North 14°37'25" East along said land now or formerly of the State of New Hampshire a distance of 476.34 feet to a point along the south side of Right Way Path, being the northwest corner of the herein described parcel;

Thence South 50°34'55" East along said Right Way Path a distance of 337.83 feet to the point of beginning.

EXCEPTING AND RESERVING:

- the nonexclusive right to be retained by DRED to develop, use, maintain, repair, regrade, replace, widen, resurface, remove snow from, and permit the public to use, at DRED's convenience and expense, that existing portion of Ahern Park Road located on said Premises, as shown on the Plan, together with a one hundred (100) foot wide right-of-way corridor extending fifty (50) feet to either side of the centerline of said existing Ahern Park Road, for public recreational use and access to and from Ahern State Park; and the nonexclusive right to maintain, repair, and replace, as needed and at its convenience and expense, all Ahern State Park and Ahern Park Road signs located along said portion of Ahern Park Road and all surface water drainage infrastructure located beneath Ahern Park Road and otherwise within said right-of-way corridor.

The management responsibility transferred to DAS hereby shall include the responsibility to maintain the Premises, including, without limitation, maintaining, repairing, and replacing, as needed, any surface water drainage or utility infrastructure located on said Premises (except for drainage culverts beneath Ahern Park Road) and keeping said Premises mowed, but said management responsibility shall not include the responsibility to maintain or repair Ahern Park Road or the responsibility to maintain or repair any Ahern State Park or Ahern Park Road signs located along said Ahern Park Road.

CONDITIONS:

- DRED shall have the nonexclusive right to use, maintain, repair, resurface, and remove snow, at its convenience and expense, from that existing portion of Right Way Path extending between N.H. Route 106 and Ahern Park Road, as shown on the Plan, for public vehicular access to and from Ahern State Park, said right to be preserved by a right-of-way access easement to be reserved by the State of New Hampshire in any sale of the abutting parcel containing Right Way Path.
- The rights of public access reserved by and granted to DRED hereby shall not expire unless and until such time as alternate public access to and from Ahern State Park has been established.

PURPOSE: The purpose of this Transfer of Land Management Responsibility is to provide road frontage for the abutting parcel of land shown as “Proposed Lot 318-538-1.1” on the Plan by annexing the Premises to it.

[signatures on next page]

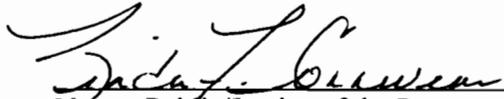
Executed this 2nd day of August, 2012.

STATE OF NEW HAMPSHIRE
DEPARTMENT OF RESOURCES
AND ECONOMIC DEVELOPMENT

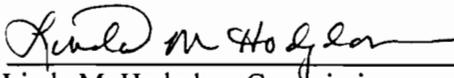
By: 
George M. Bald, Commissioner

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS

On this 2nd day of August, 2012, personally appeared George M. Bald, 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.

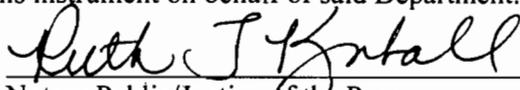

Notary Public/Justice of the Peace
My commission expires: LINDA F. CORRIVEAU, Notary Public
My Commission Expires September 9, 2014

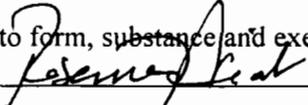
STATE OF NEW HAMPSHIRE
DEPARTMENT OF ADMINISTRATIVE
SERVICES

By: 
Linda M. Hodgdon, Commissioner

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS

On this 13th day of August, 2012, personally appeared Linda M. Hodgdon, Commissioner of the Department of Administrative 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 she was duly authorized to execute this instrument on behalf of said Department.


Notary Public/Justice of the Peace RUTH J. KIMBALL
My commission expires: Notary Public - New Hampshire
My Commission Expires April 14, 2015

Approved by the Department of Justice as to form, substance and execution:
Date: 8-14-12 Attorney: 

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

