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STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
DIVISION OF FORESTS AND LANDS

172 Pembroke Road Concord, New Hampshire 03301
Phone: 603-271-2214 Fax: 603-271-6488 www.nhdfl.org

2B

November 4, 2019

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

REQUESTED ACTION

Pursuant to RSA 4:8 and RSA 227-H:6, authorize the Department of Natural and Cultural Resources (DNCR) to accept the donation of approximately 6.0 +/- acres of undeveloped forestland abutting Pine River State Forest in the Town of Effingham, worth an assessed value of \$17,900, from the Marie S. McCall 1989 Revocable Trust (Trust) effective upon Governor and Council approval.

EXPLANATION

The DNCR has received an offer, through the Trustees of the Trust, to donate approximately 6.0 +/- acres (by deed) of forestland abutting the eastern side of Pine River State Forest. The DNCR is seeking authority to accept the donation.

The DNCR believes that this parcel would be a good addition to Pine River State Forest as it would provide an additional point of access for management and add timber resources to the existing forest management area.

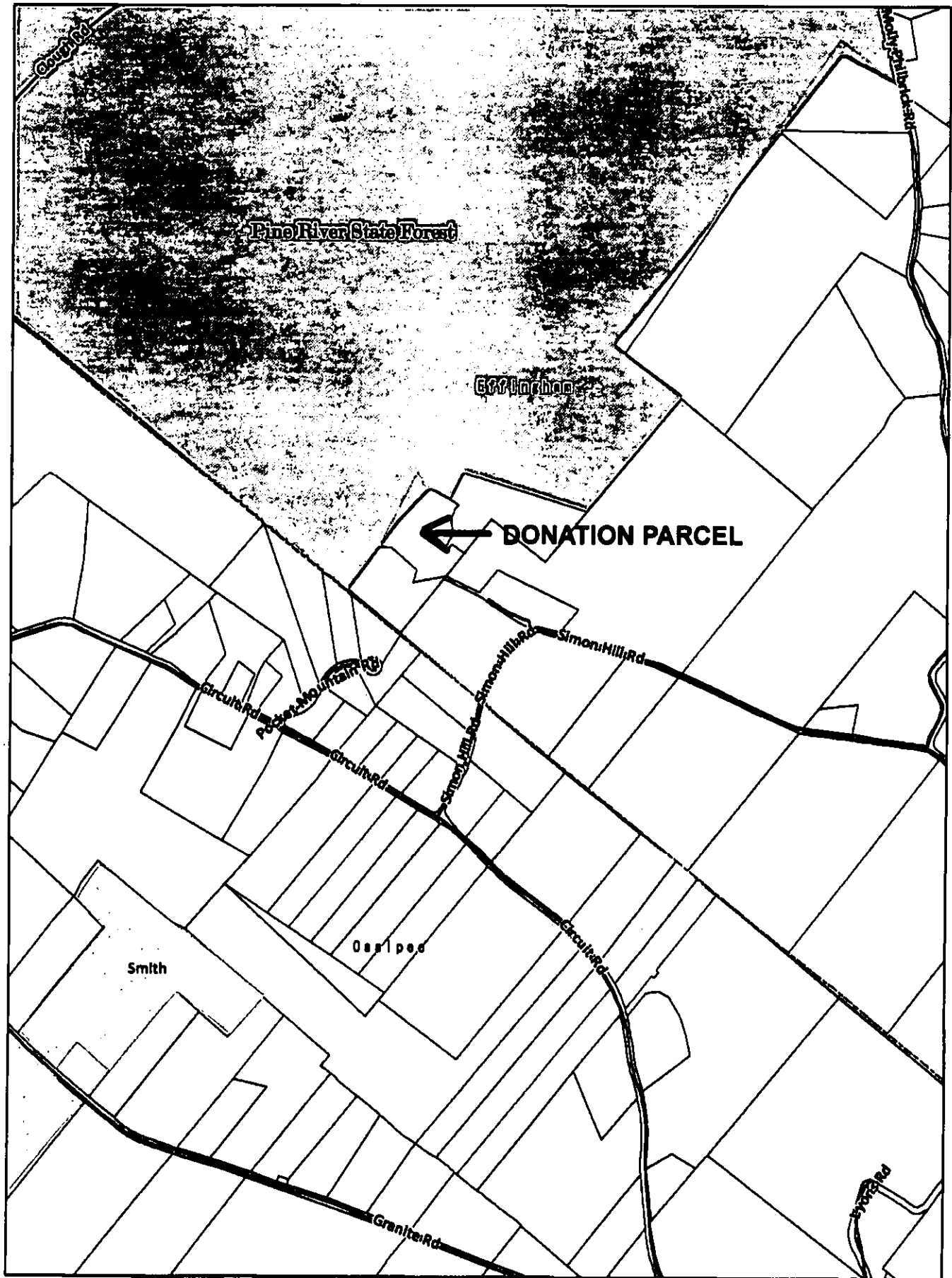
Your approval would be subject to the deed's final approval by the Department of Justice.

Respectfully submitted,

Brad W. Simpkins
Director

Concurred,

Sarah L. Stewart
Commissioner



Court Rd

North Hills Rd

Pine River State Forest

Effingham

← DONATION PARCEL

Circuit Rd

East Mountain Rd

Simon Hill Rd

Simon Hill Rd

Circuit Rd

Circuit Rd

Smith

Oasipes

Granite Rd

Stone Rd

AGREEMENT
between
NEW HAMPSHIRE
DEPARTMENT OF NATURAL AND CULTURAL RESOURCES
and
THE MARIE S. MCCALL 1989 REVOCABLE TRUST
DANIEL MCCALL AND FRED T. KIRK, TRUSTEES

THIS AGREEMENT entered in to this 2nd day of October, 2019 between the New Hampshire Department of Natural and Cultural Resources, hereinafter called the "STATE" and the Marie S. McCall 1989 Revocable Trust u/a/t dated October 29, 1990 as amended, hereinafter called the "GRANTOR".

WITNESSETH, the GRANTOR hereby agrees to donate to the STATE all rights, title and interest in a certain parcel of land in the Town of Effingham, County Carroll, State of New Hampshire containing 6.0 acres more or less, identified as Effingham Tax Map 419, Lot 6, being the same parcel devised by the Last Will and Testament of Marie S. McCall to the Grantor (see Estate of Marie S. McCall, 3rd Circuit Probate Division-Ossipee, Case Number 312-2018-ET-00010).

The STATE shall have the right to terminate this agreement at any time it deems appropriate as the result of information ascertained during title work, boundary survey and/or a hazardous waste assessment, which would render the parcel unacceptable for the purposes intended herein.

The GRANTOR shall convey said premise to STATE in fee simple, free and clear of all liens, rights of dower or other encumbrances (unless otherwise specified) by a good and sufficient deed of conveyance, in the usual form of warranty deed, except that if the GRANTOR conveys as executor, trustee, administrator or guardian, or in any trust capacity, the usual deed given in such cases shall be accepted. Said conveyance shall also be made subject to all restrictions, easements and conditions of record, if any.

Transfer of property shall be delivered at a date mutually agreed upon by the parties hereto.

Acceptance of donation is subject to approval by the Governor and Executive Council.

STATE is to have possession of the premises on the date of the transfer of title.

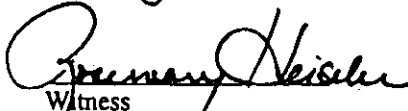
This AGREEMENT is binding on GRANTOR, heirs, successors, or assigns.


This document has been executed in duplicate.


(signatures appear on next page)

IN WITNESS WHEREOF, this Agreement has been duly authorized by the parties hereto as of the date first above written.



Witness


Witness


Witness


Daniel McCall
Trustee


Fred T. Kirk
Trustee


Sarah L. Stewart
Commissioner

Prepared by and Return to:
Marshall, Crane & McAloon, P.C.
69 Winn Street
Burlington, MA 01803

DRAFT FIDUCIARY DEED

WE, DANIEL McCALL and FRED T. KIRK, as we are Co-Trustees of the Marie S. McCall 1989 Revocable Trust u/a/t dated October 29, 1990, as amended (see Trustees' Certificate to be recorded herewith) with a mailing address of 53 Bow Street, Woburn, Massachusetts 01801, for consideration paid, grant to the NEW HAMPSHIRE DEPARTMENT OF NATURAL AND CULTURAL RESOURCES

A certain parcel of land situate in Effingham, Carroll County, New Hampshire, conveyed to Francis X. McCall by Thomas E. Snider by deed dated March 23, 1957, recorded with Carroll County Records, Book 318, Page 222, and described in said deed as follows:

Starting at the junction of two walls easterly from Howe Barn, so called, and running by the old wall easterly and northerly to an old apple tree spotted near a yellow birch near an old road, then from the apple tree spotted near the yellow birch to a white birch spotted, thence from the said white birch near a ravine over a pile of rocks, thence from pile of rocks named to a large pile of rocks; thence from large pile of rocks to a stone wall; thence by said stone wall to starting point, meaning to convey that part of the Howe place, so-called, with the buildings thereon and the old fields surrounded by the above bounds, subject to restrictions and rights of record so far as they may be in force.

For Grantors' title see deed of Francis X. McCall to Edward H. Hall (deceased July 9, 2010) and Marie McCall (deceased December 29, 2015) as joint tenants with right of survivorship dated August 18, 1964 and recorded with Carroll County Records in Book 382, Page 161; see also Estate of Marie S. McCall, 3rd Circuit-Probate Division-Ossipee, Case Number 312-2018-ET-00010.

Said premises are conveyed subject to and with the benefit of rights of way and easements of record so far as the same may now be in force and applicable.

Notary Public: *signature*

Print Name: _____

COMMONWEALTH OF MASSACHUSETTS

My Commission Expires:

DRAFT