



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

26
Beaul

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

Bureau of Right-of-Way
January 7, 2016

REQUESTED ACTION

Pursuant to RSA 4:39-c and 228:31, authorize the Department of Transportation to sell a portion of the NH Route 88 Limited Access Right-of-Way (LAROW) consisting of 2.1 +/- acres northeasterly corner of NH Route 88 and NH Route 27 in the Town of Exeter directly to the San Juan Realty Trust for \$111,100.00 which includes a \$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 88 Limited 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 10 % Highway Funds and 90% Federal Funds.

04-096-096-960015-0000-UUU-402156
Administrative Fee FY 2016
\$1,100.00

04-096-096-960015-0000-UUU-409279
Sale of Parcel FY 2016
\$11,000.00
(10% of \$110,000.00)

04-096-096-963515-3054-401771
Consolidated Federal Aid FY 2016
\$99,000.00
(90% of \$110,000.00)

EXPLANATION

The Department of Transportation has received a request from the abutter, San Juan Realty Trust, for the opportunity to acquire a 2.1 +/- acre portion of State owned land NH Route 88 Limited Access Right of Way located on the northeasterly corner of NH Route 88 and NH Route 27 in the Town of Exeter.

A prominent law firm that is located in the Town of Exeter has lost its lease in its existing location and needs to move to a new location. The Town of Exeter, in working with this law firm has determined that the location of this State land parcel, incorporated into the abutting parcel, will make a suitable site for the new location of this law firm.

The parcel consists of approximately 2.1 +/- acres and is a portion of the Limited Access Right-of-Way acquired in 1959 for the construction of NH Route 88 through this area.

In 1999, this portion of NH Route 88 was reclassified as a Class V highway where the highway maintenance responsibility is by the Town of Exeter while the fee ownership of this highway is still with the State of New Hampshire. The Town of Exeter is supportive of this sale.

The area that the Town of Exeter has determined as surplus to their maintenance needs of NH Route 88 is depicted on the attached plan. The Town proposes to retain fifty (50) feet from the NH Route 88 Center Line and seventy five (75) feet from the NH Route 27 Center Line.

Conditions of this sale would include:

- No access will be granted from this parcel to NH Route 88 or NH Route 27.
- 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 deeds for the sale of this parcel.

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

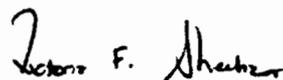
Approval of the sale of this property by the Council of Resources and Development is no longer necessary per RSA 4:39-c, whereas the parcel to be sold was purchased with Highway funds.

The Long Range Capital Planning and Utilization Committee at their November 17, 2015 meeting approved this request that the Department should enter into a direct sale with San Juan Realty Trust and sell this portion of the Limited Access Right-of-Way for \$111,100.00 which includes an Administrative Fee of \$1,100.00.

In accordance with RSA 4:39-c, the Town of Exeter has been offered this property at the approved purchase price and responded to the Department that they are not interested in purchasing the property. The New Hampshire Housing Finance Authority was also offered the property at the approved price in accordance with RSA 204-D: 2 and responded to the Department that they also were not interested in purchasing the property.

Authorization is respectfully requested to sell this portion of the Limited Access Right-of-Way to San Juan Realty Trust and also to adjust the limits of the NH Route 88 Limited Access Right-of-Way as outlined above.

Respectfully,



Victoria F Sheehan.
Commissioner

WJC/PJM/jjo
Attachment



DEPT. OF TRANSPORTATION
RIGHT-OF-WAY

NOV 19 2015

RECEIVED

LRCP 15-037

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

CHRISTOPHER M. SHEA, MPA
Deputy 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

November 17, 2015

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

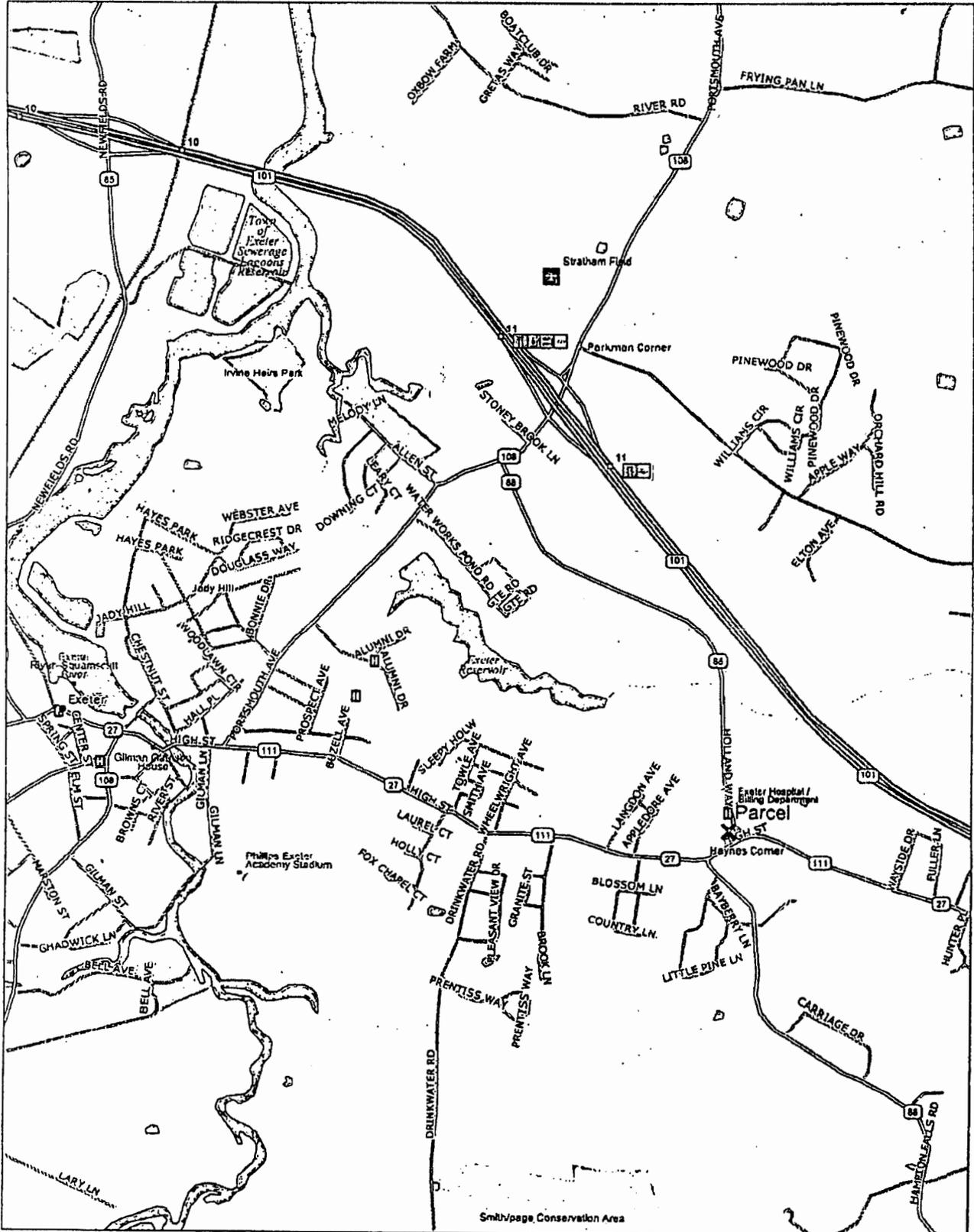
Dear Mr. Schmidt,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on November 17, 2015, approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell a portion of the NH Route 88 Limited Access Right of Way consisting of 2.1 +/- acres located on the northeasterly corner of NH Route 88 and NH Route 27 in the Town of Exeter directly to the San Juan Realty Trust for \$111,100, which includes a \$1,100 Administrative Fee, subject to the conditions as specified in the request dated October 27, 2015.

Sincerely,

Michael W. Kane
Legislative Budget Assistant

MWK/pe
Attachment



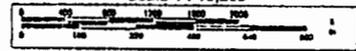
Data use subject to license.

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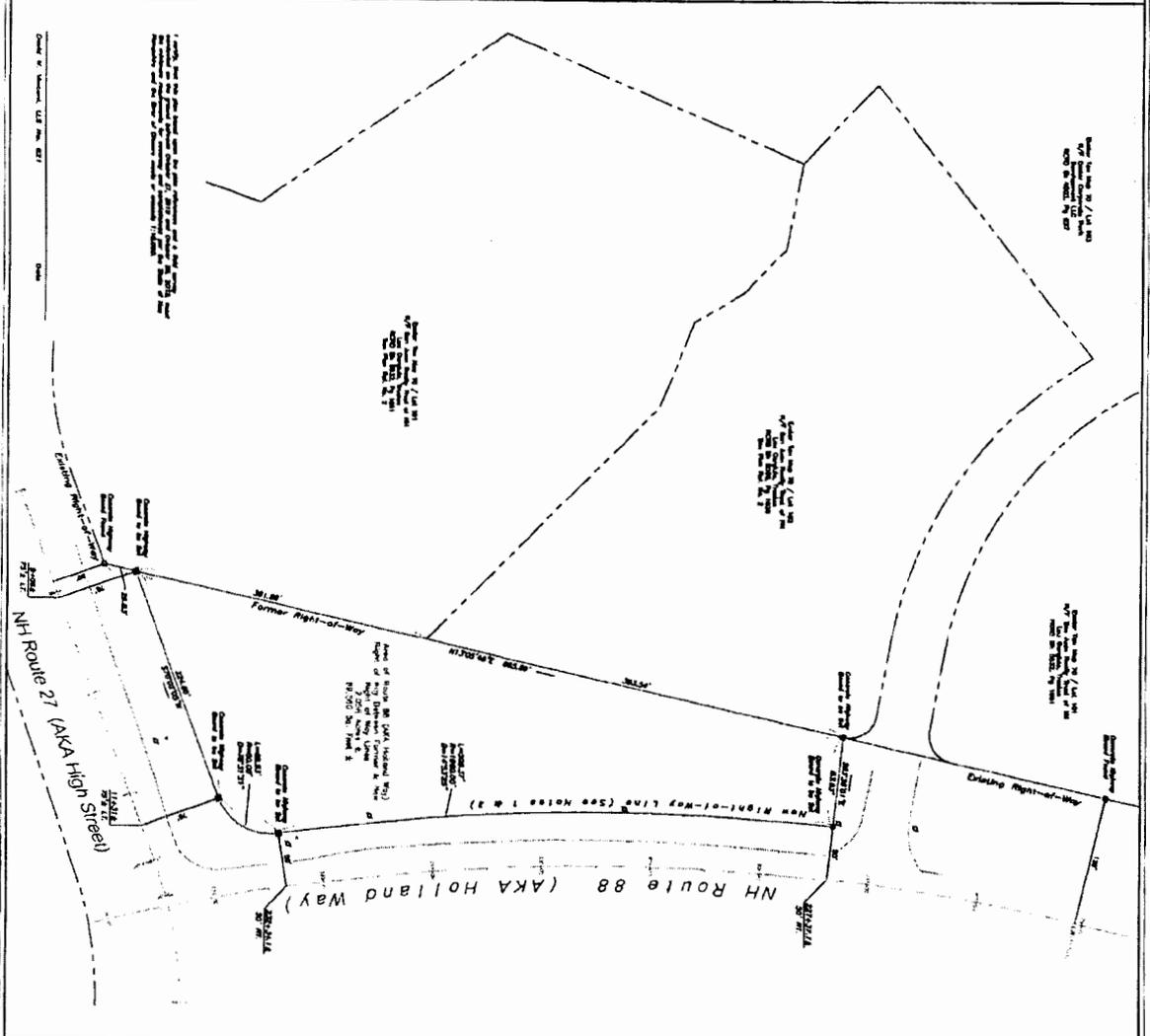


Scale 1 : 19,200



1" = 1,600.0 ft Data Zoom 13-4

REVISED	DATE	REVISIONS AFTER PROPOSAL	DATE	STATION	DESCRIPTION



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

NH DOT

SECTION OF PLANNED DEVELOPMENT

APPROVED BY
 BUREAU OF RIGHT-OF-WAY

PROJECT: ROUTE 88 RIGHT-OF-WAY (AKA HOLLAND WAY) EXETER, NEW HAMPSHIRE

DESIGNED BY: THOMAS ASSOCIATES, PLLC

DATE: JANUARY 2014

SCALE: 1" = 50'

NOTES:

- 1) THE AUTHOR OF THIS PLAN IS TO DIRECT THE ATTENTION OF THE UNITED STATES RIGHT-OF-WAY LAYOUT AS ESTABLISHED BY THE COMMISSIONERS OF HIGHWAYS.
- 2) THIS PLAN ALSO SHOWS THE COMMISSIONERS REVIEW OF HIGHWAY LAYOUT STRIPWAY - EXETER P.A. 270 (1) A-1301 DATED ON MAY 12, 2014 BY EXETER 1635, AMEND 2014.
- 3) FIELD PROCEDURES AND COMMISSIONER'S ACTION PLAN DATA COLLECTION TELEPHONE FORMS DATED OCTOBER 2013.
- 4) BASIS OF RECORD IS FROM PLAN NUMBER PLANS 1 & 2.

DATE: 1/2/14

SCALE: 1" = 50'



BRINGING
YOU HOME
for
40
YEARS

New Hampshire Housing

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DEC 11 2015
DEPT. OF TRANSPORTATION
RIGHT-OF-WAY

December 8, 2015

Charles R. Schmidt, PE
Administrator
New Hampshire Department of Transportation
Bureau of Right-of-Way
JO Morton Building, Room 100
7 Hazen Drive
P.O. Box 483
Concord, NH 03302-0483

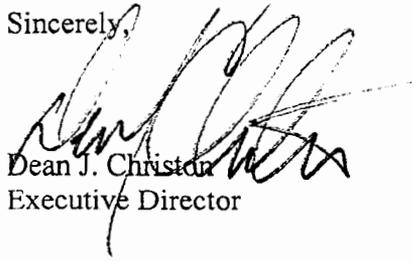
RE: Exeter Property

Dear Mr. Schmidt:

The New Hampshire Housing Finance Authority is not interested in purchasing the property in Exeter described in your letter of December 1, 2015.

Thank you for giving us the opportunity to review this parcel.

Sincerely,



Dean J. Christon
Executive Director

DJC:clp
Attachments

New Hampshire Housing Finance Authority



TOWN OF EXETER, NEW HAMPSHIRE

10 FRONT STREET • EXETER, NH • 03833-3792 • (603) 778-0591 • FAX 772-4709

www.exeternh.gov

Charles R. Schmidt, PE
Administrator
New Hampshire Department of Transportation
Bureau of Right-of-Way
JO Morton Building-Room 100
7 Hazen Drive
PO Box 483
Concord, NH 03302-0483

DEPT. OF TRANSPORTATION
RIGHT-OF-WAY

DEC 10 2015

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Dear Administrator Schmidt:

Thank you for your letter of November 30, 2015 regarding the decision by the New Hampshire Department of Transportation (NHDOT) to surplus 2.1 +/- acres of land located at the northwesterly corner of NH Route 88 and NH Route 27 in the Town of Exeter.

On July 13, 2015, the Exeter Board of Selectmen (BOS) voted unanimously to decline interest in the property and to support the sale of the parcel from the State of New Hampshire to Lou Gargiulo (San Juan Realty Trust).

The draft minutes from the BOS are available at:

http://exeternh.gov/sites/default/files/meetingminutes/bos_draft_minutes_7.13.15.pdf.

Further, the meeting can be viewed on Town Hall Streams at:

http://townhallstreams.com/locations/exeter-new-hampshire/events/25779/nowak_room. The discussion begins at 2hr 42min.

The Town of Exeter is very appreciative of the rapidity and professionalism with which NHDOT moved this project forward. Chief of Property Management, Phil Miles, was particularly helpful and our Town is indebted for his work in this matter.

Please feel free to contact me at your convenience with any feedback or questions.

Sincerely,

Russell Dean
Manager
Town of Exeter, NH