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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: 271-2214 FAX: 271-6488 WWW.NHDFL.ORG

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

July 17, 2017

REQUESTED ACTIONS

1. Pursuant to RSA 4:40, authorize the Department of Natural and Cultural Resources (DNCR) to convey by quitclaim deed, a 0.1 - acre portion of Bradford Pines Natural Area (BPNA) in Bradford, NH to Fredrick Vega, in exchange for an undeveloped 0.1-acre parcel abutting BPNA, also in Bradford, NH. No State Funds
2. Pursuant to RSA 227-H:3,I, authorize DNCR to accept, by Warranty Deed from Fredrick Vega, title to a 0.1-acre parcel of undeveloped land fronting the Warner River, abutting BPNA in the Town of Bradford. No State Funds
3. Pursuant to RSA 4:40,III-A, authorize DNCR to accept the \$1,100 administrative fee for deposit into Accounting Unit 03-35-35-351010-72000000, the "Forest Improvement Fund".

EXPLANATION

The purpose of the exchange is to enable DNCR to complete a Boundary Line Agreement (BLA) with Fredrick Vega, thereby eliminating long-standing building and parking area encroachments by a previous owner. Mr. Vega now operates a dental practice and DNCR wishes to resolve the encroachments without impacting his dental practice. The BLA, approved by Bradford Planning Board, will result in Mr. Vega conveying to the State, by warranty deed, river frontage on the Warner River in trade for the state surplus parcel. Funded by Mr. Vega, Fremeau Appraisal, Inc. has determined the market value of both parcels to be \$1000 (statement of value attached).

Recently enacted Chapter 19, Laws of 2016, permits DNCR to enter into a boundary line agreement with our abutter pursuant to the process for disposal of real estate as outlined in RSA 4:40.

The surplus action that made this exchange possible was approved by the New Hampshire Council on Resources and Development on September 8, 2016, and approved by the Long Range Capital Planning and Utilization Committee on October 26, 2016.

Your approval is subject to final approval of the legal documents as to form, substance and execution by the NH Department of Justice.

Respectfully submitted,

Approved by,

for
Brad W. Simpkins, Director
Division of Forests and Lands

Jeffrey J. Rose, Commissioner
Department of Natural and Cultural
Resources

New Hampshire Council on Resources and Development

NH Office of Energy and Planning
107 Pleasant Street, Johnson Hall
Concord, NH 03301
Phone: 603-271-2155
Fax: 603-271-2615



TDD Access: Relay NH
1-800-735-2964

MEMORANDUM

TO: Commissioner Jeffrey J. Rose
Department of Resources and Economic Development

FROM: Susan Slack, Principal Planner *Susan Slack*
NH Office of Energy and Planning

DATE: September 8, 2016

SUBJECT: Surplus Land Review, SLR 16-005-Bradford

On September 8, 2016, the Council on Resources and Development (CORD) took action on the following Surplus Land Review application:

Request to dispose of .1 acre of land in the Bradford Pines Natural Area off West Main Street and Route 103 in Bradford (part of Map 2, Lot 1) through a boundary line agreement with Richard M. Vega, in return for .1 acre of land (part of Map 16, Lot 9) to eliminate an encroachment onto State lands created by a previous owner. The property proposed for disposal by the State does not have water access; the property the State will receive in exchange has frontage on the Warner River.

CORD members voted to **RECOMMEND APPROVAL** of SLR 16-005 as submitted.

cc: Bill Carpenter, NH Department of Resources and Economic Development
Amanda Merrill, Director, NH Office of Energy and Planning
Chair, Long Range Capital Planning and Utilization Committee

RECEIVED

OCT 31 2016

D.R.E.D.



LRCP 16-027

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

October 27, 2016

Jeffrey J. Rose, Commissioner
Department of Resources and Economic Development
172 Pembroke Road
Concord, New Hampshire 03301

Dear Commissioner Rose,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:40, on October 26, 2016, approved the request of the Department of Resources and Economic Development, to surplus a .1 (one tenth) acre portion of Bradford Pines Natural Area (BPNA) in Bradford, N.H. to Fredrick Vega, in exchange for an undeveloped .1 (one tenth) acre parcel abutting BPNA, also in the Town of Bradford, at no cost, and assess a \$1,100 Administrative Fee, subject to the conditions as specified in the request dated October 12, 2016.

Sincerely,

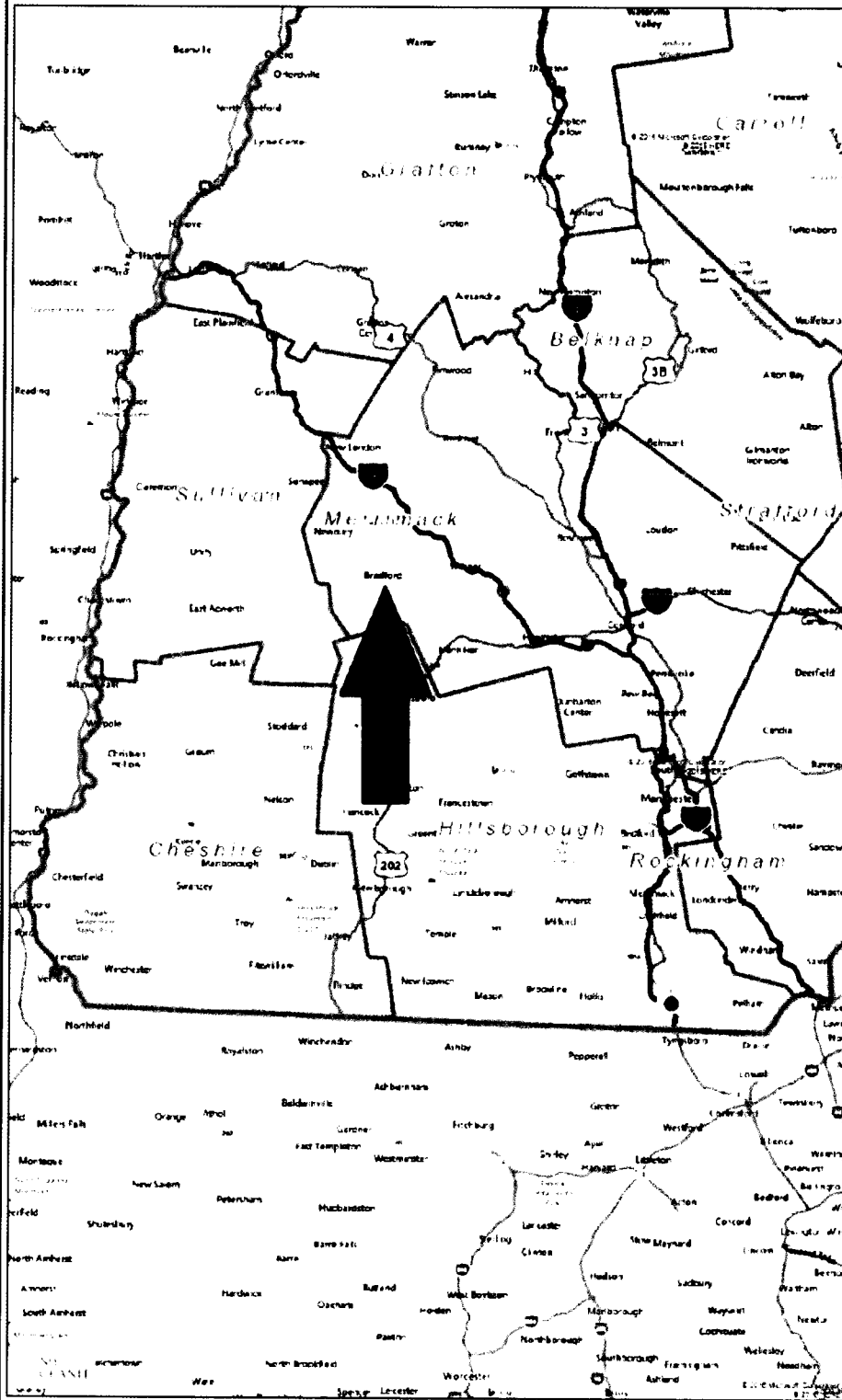
A handwritten signature in black ink, appearing to read "Michael W. Kane".

Michael W. Kane
Legislative Budget Assistant

MWK/pe
Attachment

Cc: Bill Carpenter, Bureau of Land Management, DRED ✓

Locus Map Bradford Pines N A



Legend

- State
- County
- Interstates
- Turnpikes
- US Routes

Map Scale

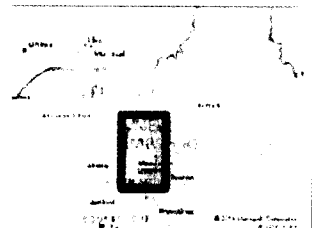
1: 775,309



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Map Generated: 7/6/2016

Notes



Bradford Pines N A aerial



Legend

- Parcels - polygons
- State
- County
- City/Town
- Interstates
- Turnpikes
- US Routes
- State Routes
- Local Roads
- NH 2015 1-foot RGB

Map Scale

1: 1,624



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Map Generated: 7/6/2016

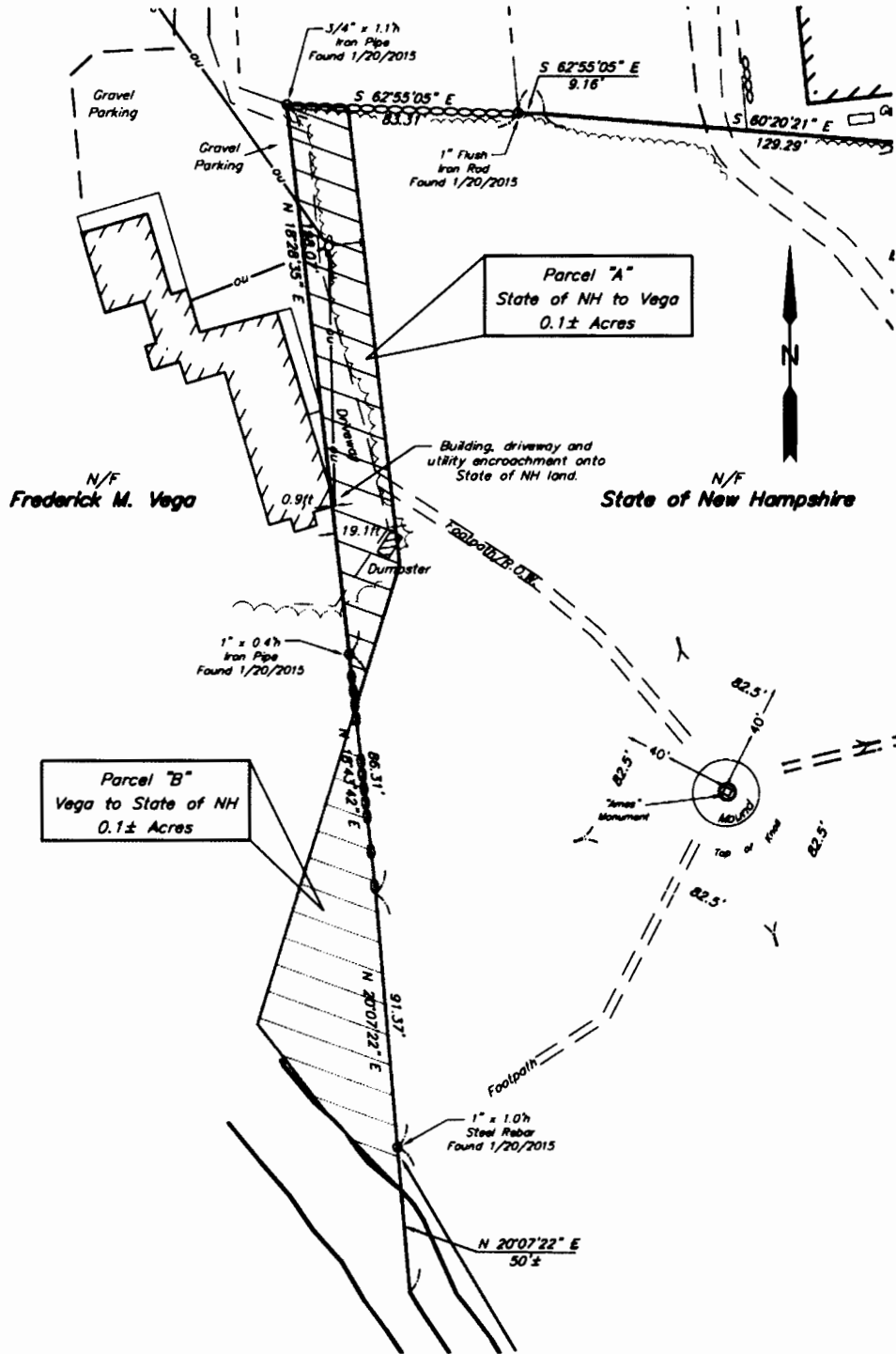
Notes

Blank area for notes.



Bradford Pines Natural Area

PROPOSED PARCEL SWAP



FREMEAUX APPRAISAL, INC.

11 Stark Street • Manchester, New Hampshire 03101
Telephone (603) 622-8826 • Telecopier (603) 626-1311

June 8, 2016

Frederick M. Vega
360 Pembroke Street,
Pembroke, NH 03275

Re: Two vacant parcels of land to be exchanged and identified as:
Parcel A - .1 acres owned by the State of New Hampshire and part of Map 2, Lot 106
Parcel B - .1 acres owned by Richard M. Vega and part of Map 16, Lot 91
Off West Main Street and Route 103
Bradford, New Hampshire
Project File No: 8.403

Dear Mr. Vega:

We have prepared the attached Appraisal Report for the purpose of estimating the market values of the fee simple interests in the above referenced properties as of May 12, 2016, the date of inspection. This appraisal was prepared in conformance with Standards Rule 2-2 (a) of the Uniform Standards of Professional Appraisal Practice (USPAP) for an Appraisal Report.

The property, which hereinafter is referred to as the subject, consists of two separate, but abutting, .1 acre pieces of land off West Main Street and Route 103 in the Residential/Business zoning district of Bradford. The pieces are portions of larger parcels owned by the State of New Hampshire (Map 2, Lot 106) and Richard M. Vega (Map 16, Lot 91). The pieces are identified by a drawing supplied by the client and are included herein.

The two slivers of land which comprise the subject are to be exchanged with one another. The .1 acre piece owned by the State of New Hampshire (Parcel A) will benefit Mr. Vega since it will allow for continued use of this land, and the .1 acre piece owned by Mr. Vega (Parcel B) will benefit the State as it will add frontage on the Warner River to the Bradford Pines Natural Area. Parcel A is improved with a gravel driveway and possibly a corner of the existing mixed use building owned by Mr. Vega. In addition this portion of the subject is crossed by utility wires for the mixed use building. It is a hypothetical condition of this appraisal that this portion of the subject is unimproved.

Your attention is called to the Assumptions and Limiting Conditions, which are an integral part of the analysis. It is assumed that hazardous substances do not exist at the subject properties. No apparent evidence of contamination or potentially hazardous materials was observed on the date of inspection. However, we are not qualified to determine the existence of, and no certification is made as to the presence or absence of any hazardous substances. No responsibility is assumed for any such conditions or for any expertise or engineering knowledge required to discover them.

Based on this analysis, and subject to the Assumptions and Limiting Conditions summarized within, it is our opinion that the market value of the fee simple interest of the .1 acres, which is a part of Map 2, Lot 106, and is owned by the State of New Hampshire, as of May 12, 2016 was as shown below:

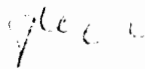
ONE THOUSAND DOLLARS.....\$1,000

It is our opinion that the market value of the fee simple interest of the .1 acres, which is a part of Map 16, Lot 91, and is owned by Richard M. Vega, as of May 12, 2016 was as shown below:

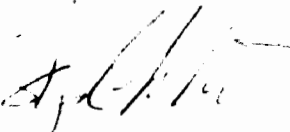
ONE THOUSAND DOLLARS.....\$1,000

Respectfully submitted,

FREMEAU APPRAISAL, INC.



Joseph G. Fremeau, MAI
NHCG-89
President



Stephen R. Mirick
NHCG-737

FREMEAU APPRAISAL, INC.

Tax Stamp: \$ _____
Grantor exempt: Reg 802.03(a)
Recording Fee: \$ _____
L-Chip Surcharge: \$25.00
Return to:

QUITCLAIM DEED

The **State of New Hampshire**, through its Department of Natural and Cultural Resources (formerly known as Department of Resources and Economic Development (DRED)), with a principal office at 172 Pembroke Road, Concord, New Hampshire, 03301 "Grantor", for consideration paid, grants to **Fredrick M. Vega**, with a mailing address of 360 Pembroke Street, Pembroke, NH 03275, "Grantee", with Quitclaim Covenants,

A portion of Bradford Pines State Forest situated off of Route 103 in the Town of Bradford, County of Merrimack, State of New Hampshire and being more particularly described as follows:

Beginning at an iron pipe located at the northwesterly corner of the property know as Bradford Pines State Forest, also being the northwesterly corner of the land herein conveyed;

Thence S62°55'05"E a distance of 22.00' to a rebar;

Thence S18°28'35"W a distance of 164.98' to a rebar;

Thence S42°20'35"W a distance of 53.97' to a point;

Thence N18°43'42"E a distance of 19.56' to an iron pipe;

Thence N18°28'35"E a distance of 198.07 to the point of beginning.

Said parcel being approximately 0.1 acres, and is shown as "Parcel A" on a plan entitled "Boundary Line Adjustment Plan, Between Fredrick M. Vega and State of New Hampshire, Dept. of Resources and Economic Dev." prepared by DRED and recorded at the Merrimack County Registry of Deeds as Plan # _____.

SUBJECT TO: A right of way across said parcel to the burial grounds.

MEANING and INTENDING: To describe a portion of the premises conveyed by Davis & Symonds Lumber Company to the State of New Hampshire dated September 28, 1951 and recorded in Book 707, Page 105, of the Merrimack County Registry of Deeds.

**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF NATURAL AND
CULTURAL RESOURCES**

Jeffrey J. Rose, Commissioner
Duly Authorized

**STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS.**

On this _____ day of _____ Jeffrey J. Rose, Commissioner of the Department of Natural and Cultural Resources of the State of New Hampshire, known to me or satisfactorily proven to be the person described in the foregoing instrument, and acknowledged that he was duly authorized and executed the same in the capacity therein stated and for the purposes therein contained.

Before me: _____
Justice of the Peace/Notary Public

My Commission Expires: _____

(seal or stamp)

Approved as to form, substance and execution:

**STATE OF NEW HAMPSHIRE
OFFICE OF THE ATTORNEY GENERAL**

Dated

Jeanine Girgenti, Esquire
Assistant Attorney General

This conveyance by the State of New Hampshire was authorized by vote of New Hampshire Governor and Executive Council at a meeting held in Executive Council Chambers, Concord, New Hampshire on _____, Agenda Item No. _____

Return to:

Lands Management Administrator
Department of Natural and Cultural Resources
Division of Forests and Lands
172 Pembroke Road
Concord, NH 03301

**This transfer is exempt from
the payment of real estate
transfer tax pursuant to
NH RSA 78-B:2(I)**

WARRANTY DEED

I, **Fredrick M. Vega**, with a mailing address of 360 Pembroke Street, Pembroke, NH 03275 "Grantor", for consideration paid, grants to the **State of New Hampshire**, through its Department of Natural and Cultural Resources (formerly Department of Resources and Economic Development, DRED), with a principal office at 172 Pembroke Road, Concord, New Hampshire, 03301 "Grantee", with warranty covenants, fee simple title to a certain parcel of unimproved land situated off West Main Street, in the Town of Bradford, NH, County of Merrimack, State of New Hampshire, being more particularly described as follows:

Beginning at a point being the northeasterly corner of the lot herein conveyed;

Thence S18°43'42"W a distance of 66.75' partially along a stonewall to a point;

Thence S20°07'22"W a distance of 91.37' to a rebar;

Thence S20°07'22"W a distance of 52'± to the thread of the West Branch Warner River;

Thence Northwesterly along the thread of the River;

Thence N42°20'35"E a distance of 36'± to a rebar;

The tie line between the last two mentioned rebars being N12°40'44"W a distance of 74.80';

Thence N42°20'35"E a distance of 102.86' to the point of beginning.

Said parcel being approximately 0.1 acres, and is shown as "Parcel B" on a plan entitled "Boundary Line Adjustment Plan, Between Fredrick M. Vega and State of New Hampshire, Dept. of Resources and Economic Dev." prepared by DRED and recorded at the Merrimack County Registry of Deeds as Plan # 201700012339 .

Meaning and Intending: To convey a portion of the premises conveyed to Fredrick M. Vega by deed from United States Small Business Administration dated Jan. 8, 1986 and recorded in Book 1545, Page 333 of the Merrimack County Registry of Deeds.

The premises herein conveyed is not homestead property of the Grantor.

GRANTOR

Fredrick M. Vega

**THE STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS.**

Personally appeared the above named, Fredrick M. Vega, and acknowledged the foregoing instrument by them made to be their voluntary act and deed.

Before me: _____
Justice of the Peace/Notary Public

My Commission Expires: _____

(seal or stamp)

Approved as to form, substance and execution:

**STATE OF NEW HAMPSHIRE
OFFICE OF THE ATTORNEY GENERAL**

Dated

Jeanine Girgenti, Esquire
Assistant Attorney General

This conveyance to the State of New Hampshire was authorized by vote of New Hampshire Governor and Executive Council at a meeting held in Executive Council Chambers, Concord, New Hampshire on _____, Agenda Item No. _____