



**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION**



**CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER**

**JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER**

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

Bureau of Right-of-Way
September 11, 2013

REQUESTED ACTION

Pursuant to RSA 4:39-c and 228:31, AUTHORIZE the Department of Transportation to sell a 0.21 +/- of an acre portion of the NH Route 111 Limited Access Right-of-Way located on the southeast corner of NH Route 28 and NH Route 111 in the Town of Windham directly to Kano Real Estate Development, LLC, for twenty-three thousand one hundred (\$23,100.00) dollars which includes a one thousand one hundred (\$1,100.00) dollar Administrative Fee, effective upon Governor and Executive Council approval.

It has been determined by the Division of Finance that this Right-of-Way was originally purchased with 13.17% Highway Funds and 86.83% Federal Funds.

04-096-096-960015-0000-UUU-402156 Administrative Fee	<u>FY 2014</u> \$ 1,100.00
04-096-096-960015-0000-UUU-409279 Sale of Parcel	<u>FY 2014</u> \$ 2,897.40
04-096-096-963515-3054-401771 Consolidated Federal Aid	<u>FY 2014</u> \$ 19,102.60

EXPLANATION

The Department of Transportation has received a request from the abutter, Kano Real Estate Development, LLC, for the opportunity to acquire a portion of NH Route 111 Limited Access Right-of-Way located on the southeast corner of NH Route 28 and NH Route 111 in the Town of Windham.

The area, consisting of approximately 0.21 of an acre, was acquired in 2003 as part of the Windham-Salem NHS-RS-RUR-M-STP-F-T-038-1 (5), 10075 project and is a portion of the Limited Access Right-of-Way for the NH Route 111/NH Route 28 intersection that was constructed as part of the project.

No access will be granted to adjacent roadways through 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 June 25, 2013 meeting approved this request that the Department should enter into a direct sale with Kano Real Estate Development, LLC, and sell this portion of the Limited Access Right-of-Way for \$23,100.00 which includes an Administrative Fee of \$1,100.00.

In accordance with RSA 4:39-c, the Town of Windham has been offered this parcel for purchase. They have had thirty (30) days to consider this offer and have declined interest in the parcel.

Authorization is respectfully requested to sell this portion of the Limited Access Right-of-Way to Kano Real Estate Development, LLC, as outlined above.

Respectfully,

Handwritten signature of Christopher D. Clement, Sr. in black ink.

Christopher D. Clement, Sr.
Commissioner

CDC/PJM/dd
Attachment

JUN 27 2013

RECEIVED



LRCP 13-030

JEFFRY A. PATTISON
Legislative Budget Assistant
(603) 271-3161

MICHAEL W. KANE, 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

RICHARD J. MAHONEY, CPA
Director, Audit Division
(603) 271-2785

June 25, 2013

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 June 25, 2013, approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 0.21 +/- acre portion of the Limited Access Right-of-Way located on the southeast corner of NH Route 28 and NH Route 111 in the Town of Windham directly to Kano Real Estate Development, LLC, for \$23,100 which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated June 11, 2013.

Sincerely,

Handwritten signature of Jeffrey A. Pattison in black ink.
Jeffrey A. Pattison
Legislative Budget Assistant

JAP/pe
Attachment



TOWN OF WINDHAM, NEW HAMPSHIRE

OFFICE OF THE SELECTMEN AND TOWN ADMINISTRATOR
POST OFFICE BOX 120, 4 NORTH LOWELL ROAD, WINDHAM NH 03087-0120

July 16, 2013

DEPT. OF TRANSPORTATION
RIGHT-OF-WAY

JUL 18 2013

RECEIVED

Mr. Charles Schmidt, PE
Administrator
NH Department of Transportation
John O. Morton Building
7 Hazen Drive, P.O. Box 483
Concord, NH 03302-0483

Re: Sale of State Owned Land – Windham-Salem 10075, Parcels 223 (Rte 111 and Rte 28)

Dear Mr. Schmidt:

On behalf of the Board of Selectmen, I extend our thanks to the State for offering the Town of Windham the opportunity to purchase the surplus property located at the intersection of Rte 111 and 28, known as Parcel 223. I send this to advise you that, after review and discussion regarding this parcel, the Board of Selectmen found there to be no interest in obtaining the property and, as such, has voted to respectfully decline the State's offer.

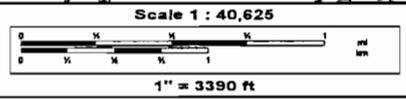
Should you have any questions or require further information regarding the Board's decision, please feel free to contact me.

Respectfully submitted,

David Sullivan
Town Administrator



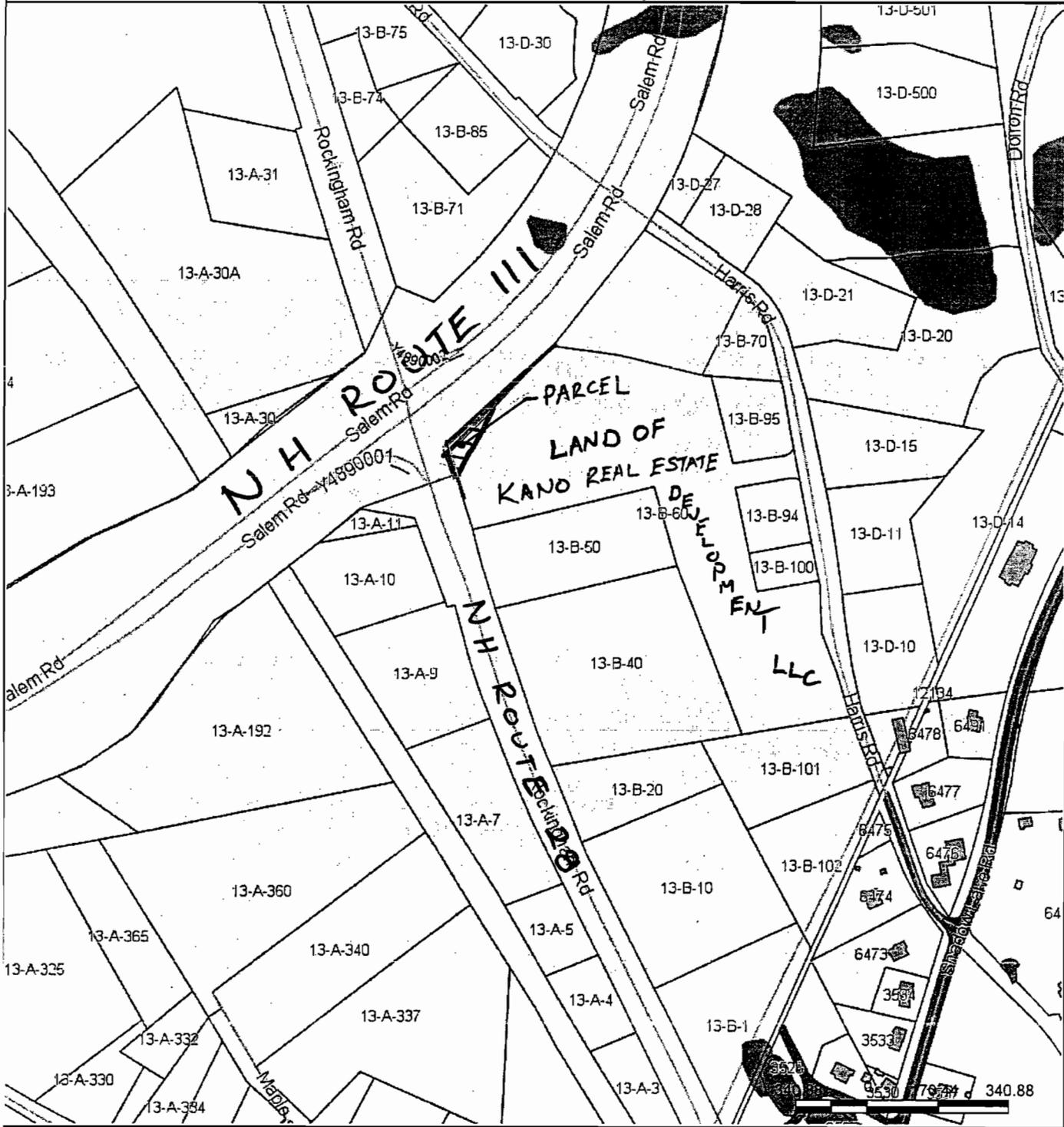
Site/corner Rt 28 and Rt 111



WINDHAM

STATE OF NEW HAMPSHIRE

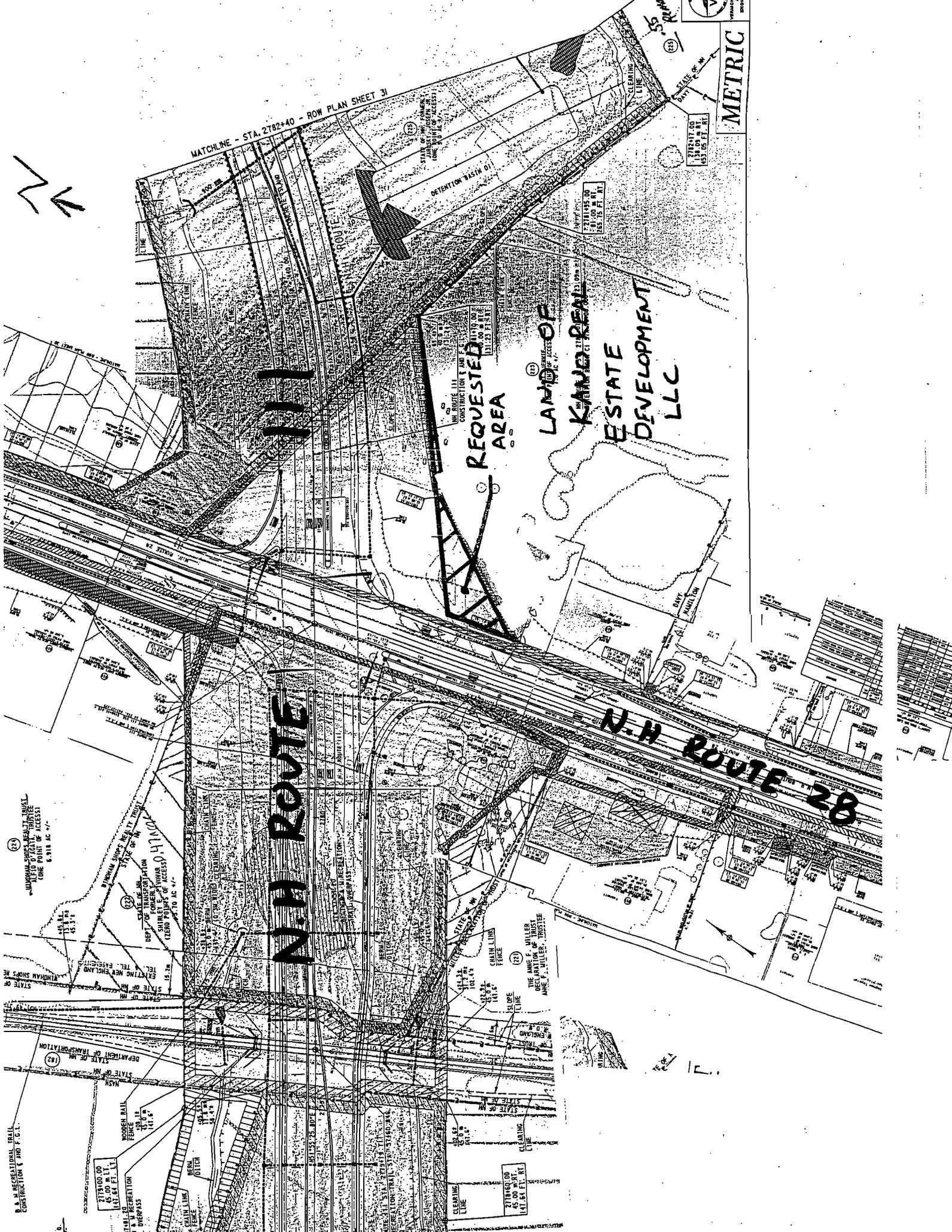
Tax Map showing location of 0.21 Ac parcel of
State Sowned land in Windham
Mosaic Parcel Map



This map was compiled using data believed to be accurate; however, a degree of error is inherent in all maps. This map was distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of the maps to define the limits or jurisdiction of any federal, state, or local government. Detailed on-the-ground surveys and historical analyses of sites may differ from the maps.

MATCHLINE - STA. 2782+40 - ROW PLAN SHEET 31

METRIC



REQUESTED AREA

LAND OF THE STATE OF
KAMBER REAL ESTATE DEVELOPMENT LLC

N.H. ROUTE

N.H. ROUTE 28

278100.00
45.00 A.L.L.
141.64 F.T.L.

B.A. RECREATION TRAIL
CONSTRUCTION & MAINT.

BOBBEN RAIL
FENCE

CHAIN LINK
FENCE

Table with multiple columns and rows, likely a schedule of materials or quantities. The text is too small to read accurately.



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

(ROWMS 10075, Parcel 223)

June 26, 2013

David Sullivan, Town Administrator
Town of Windham
PO Box 120, 3 North Lowell Road
Windham, NH 03087

Re: Sale of State Owned Land in Windham
Windham- Salem NHS-RS-RUR-M-STP-F-038-1(5), 10075
Parcel 223

Dear Mr. Sullivan:

The New Hampshire Department of Transportation is proposing to sell a portion of the State owned Limited Access Right-of-Way for the NH Route 111 and NH Route 28 intersection consisting of approximately 0.21 +/- acre located in the Town of Windham. This area is located at the southeasterly quadrant of the NH Route 111 and NH Route 28 intersection. This area is also adjacent to the parcel identified in Windham Tax Records as Lot 13-B-60.

The Department proposes to sell the area located at the southeasterly quadrant of the NH Route 111 and NH Route 28 intersection. A condition of this sale is that no access will be allowed to either NH Route 111 or NH Route 28 from this parcel.

The Department is proceeding with the sale of this area to the abutter, Kano Real Estate Development, LLC (pending Governor and Executive Council approval), for \$23,100.00, which includes an Administrative Fee of \$1,100.00.

By statute, the Town of Windham must be notified of this proposed sale to determine if the Town of Windham has an interest in purchasing this property before it is sold to the general public. I request that the Town of Windham please contact me within thirty (30) days concerning their interest in the purchase of this State owned property for the listed value.

If you have any questions, please feel free to contact either Phillip J. Miles, Chief of Property Management for the Department, or myself, at the phone number listed below.

Sincerely,

[Handwritten signature of Charles R. Schmidt]

Charles R. Schmidt, PE
Administrator

CRS/PJM/dd
Enclosures
Certified Mail

cc: Phillip J. Miles, Chief of Property Management
Attorney William R. Mason, 2648 North Broadway, Suite 205, Salem, NH 03079-0319

Bureau of Right-of-Way
JO Morton Building - Room 100
7 Hazen Drive PO Box 483

Concord, NH 03302-0483
TELEPHONE: 603-271-3734 • FAX: 603-271-3914 • TDD: RELAY NH 1-800-735-2964 • INTERNET: WWW.NHDOT.COM

JUN 27 2013

RECEIVED



LRCP 13-030

JEFFRY A. PATTISON
Legislative Budget Assistant
(603) 271-3161

MICHAEL W. KANE, 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

RICHARD J. MAHONEY, CPA
Director, Audit Division
(603) 271-2785

June 25, 2013

Approved

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 June 25, 2013, approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 0.21 +/- acre portion of the Limited Access Right-of-Way located on the southeast corner of NH Route 28 and NH Route 111 in the Town of Windham directly to Kano Real Estate Development, LLC, for \$23,100 which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated June 11, 2013.

Sincerely,

Handwritten signature of Jeffrey A. Pattison in black ink.
Jeffrey A. Pattison
Legislative Budget Assistant

JAP/pe
Attachment

