



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

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

Bureau of Right-of-Way
July 6, 2020

REQUESTED ACTION

Pursuant to RSA 4:39-c and 228:31, authorize the Department of Transportation (Department) to sell a portion of the NH Route 11 right-of-way to the 120 Mount Major Highway Realty Trust, the AIMel Trust and the David R. Thomas Revocable Trust (collectively referred to as "the Grantees"). The property consists of 4,080 +/- square-foot (parcel), and is located on the easterly side of NH Route 11 in the Town of Alton. The negotiated and approved price for the property is \$59,180.00, which includes a \$1,100.00 Administrative Fee and is subject to conditions as specified in this request.

Pursuant to RSA 230:45, further authorize the Department to emendate the limits of the NH Route 11 right-of-way for the disposal of the above-mentioned parcel.

The Department's Bureau of Finance and Contracts determined that the above noted portion of NH Route 11 was purchased in 1940, with 100% Highway Funds.

04-096-096-960015-0000-UUU-402156	<u>FY 2021</u>
Administrative Fee	\$ 1,100.00

04-096-096-960015-0000-UUU-409279	<u>FY 2021</u>
Sale of Parcel	\$ 58,080.00
(100% of \$58,080.00)	

EXPLANATION

The Department received a request from the Grantees to purchase a portion of State owned land within the right-of-way, located on the easterly side of NH Route 11 in the Town of Alton. This portion of right-of-way consists of 4,080 +/- square feet. In 1940, the Department acquired the property from the Town of Alton. In order to be able to sell this parcel, the Department wishes to emendate the right-of-way to define this parcel.

A portion of the Grantees' two structures and asphalt parking area, currently encroach upon the subject parcel.

In 2013, the Department filed an affidavit of encroachments, which identifies the subject parcel with the Belknap County Registry of Deeds. The plan entitled "Right of Way Reestablishment Plan, Route 11" identifies the encroachments. The Grantees informed the Department, that the affidavit on file has prevented them from making improvements to their property, and affects the sale of their property.

As a condition of this sale, the Grantees, at their expense, shall have a survey plan prepared by a Land Surveyor licensed in the State of NH. Once the plan is completed, filed and recorded with the Belknap County Registry of Deeds, the Department will reference the plan to prepare deeds for the sale of this parcel.

The Department has determined this parcel to be surplus to its needs and interest.

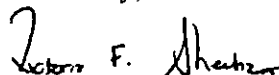
Two appraisals were conducted for the above-mentioned parcel; one by the NHDOT, and the second by Capitol Appraisal Associates, Inc. on behalf of the Grantees. After review of the two appraisals, and negotiations between the Department and the Grantees, the parties agreed on a value of fifty-eight thousand, eighty dollars (\$58,080.00) for the parcel.

On June 22, 2020, the Long Range Capital Planning and Utilization Committee approved the Department's request to sell the parcel to the Grantees for \$58,080.00 plus the Department's Administrative Fee of \$1,100.00.

In accordance with RSA 4:39-c, the Town of Alton was notified of the pending sale, and was given the opportunity to purchase the parcel at the established price. The Town of Alton waived their first right of refusal and declined the opportunity to purchase the parcel.

The Department is respectfully requesting authorization to sell this portion of the NH Route 11 right-of-way to the Grantees, and to emendate the current right-of-way on NH Route 11, as noted above.

Sincerely,



Victoria F. Sheehan
Commissioner

VFS/SGL/lmw
Attachments:



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

State of New Hampshire

OFFICE OF LEGISLATIVE BUDGET ASSISTANT
State House, Room 102
Concord, New Hampshire 03301

CHRISTOPHER M. SHEA, MPA
Deputy Legislative Budget Assistant
(603) 271-3161

STEPHEN C. SMITH, CPA
Director, Audit Division
(603) 271-2785

June 22, 2020

Stephen G. LaBonte, Administrator
Department of Transportation
Bureau of Right-of-Way
John O. Morton Building
Concord, New Hampshire 03301

Dear Mr. LaBonte,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on June 22, 2020, approved the request of the Department of Transportation, Bureau of Right-of-Way, to amend L.RCP 19-020, approved September 10, 2019, by changing the authorization to sell a 4,080 +/- square foot portion of the NH Route 11 State-owned right of way located on the easterly side of NH Route 11 in the Town of Alton directly to 120 Mount Major Highway Realty Trust dated December 16, 2011 to 120 Mount Major Highway Trust, dated December 16, 2011, AllMeI Trust dated 29 June 2017, and David R. Thomas Revocable Trust dated 10 April 2018, with no change in the remaining terms and conditions as specified in the originally approved item (L.RCP 19-020), including the selling price of \$58,080 and an Administrative Fee of \$1,100, as specified in the request dated March 11, 2020.

Sincerely,

/s/ Michael W. Kane

Michael W. Kane
Legislative Budget Assistant

MWK/pc
Attachment

Cc: Adam Smith, Assistant Administrator
Bureau of Right-of-Way

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DEPT. OF
RIGHT-OF-WAY
OCT 24 2019
RECEIVED

Town of Alton



Board of Selectmen
PO Box 659
Phone 603-875-2161

Town Administrator
1 Monument Sq. Alton NH 03809
Fax 603-875-0207 TDD 603-875-0111

October 22, 2019

Stephen G. LaBonte, Administrator
Department of Transportation
Bureau of Right-of-Way
JO Morton Building Room 100
7 Hazen Drive
PO Box 483
Concord, NH 03302-0483

RE: Sale of State Owned Land, Alton, NH, Map 35 Lots 45 and 45B

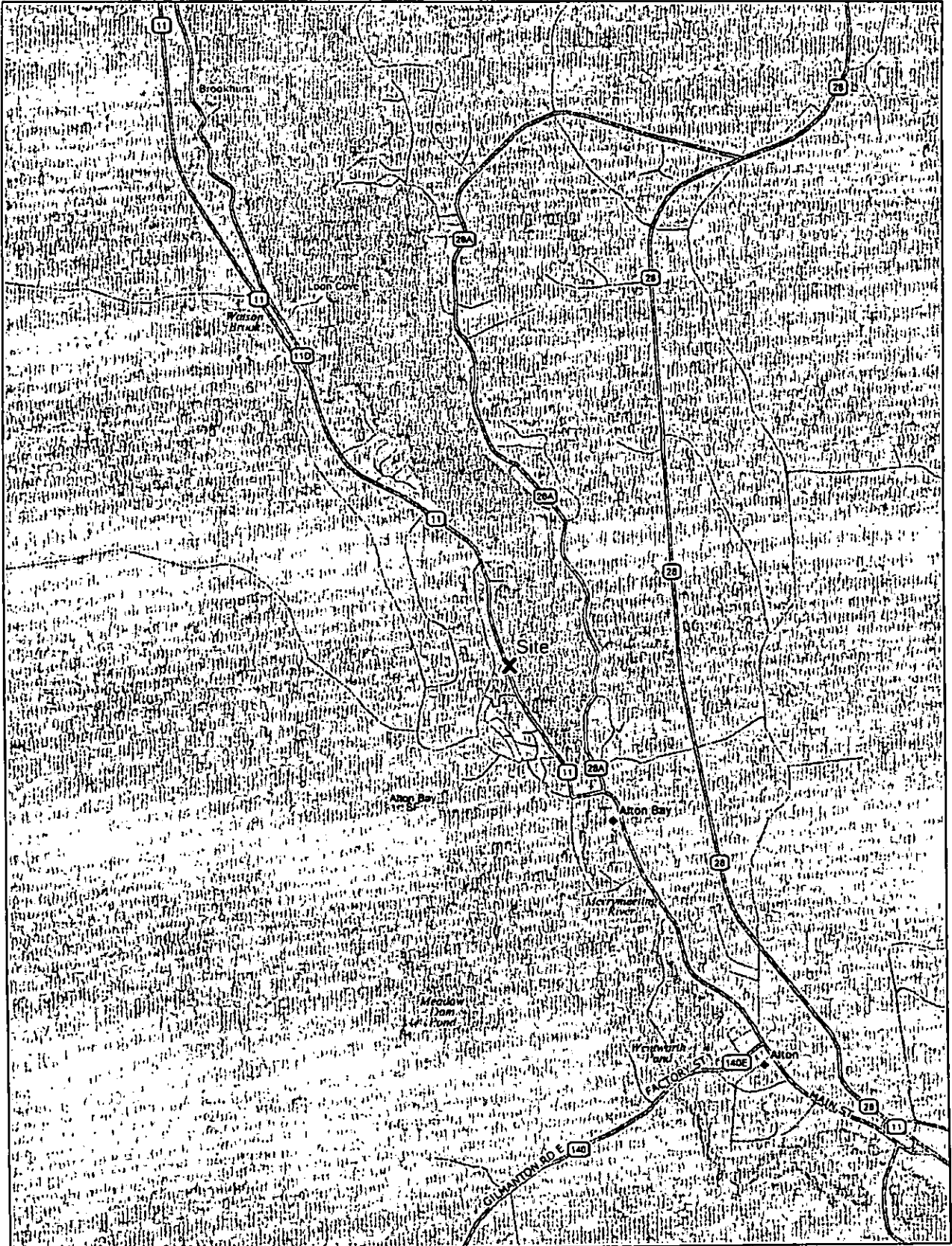
Dear Mr. LaBonte,

At the meeting of the Board of Selectmen held October 21, 2019 the Board unanimously decided that they are not interested in purchasing the State owned property located on the easterly side of NH Route 11/ NH Route 28, known as Map 35, Lots 45 and 45B.

We would like to thank you for the offer. If there are any questions, please feel free to contact my office at 603-875-2113.

Sincerely,

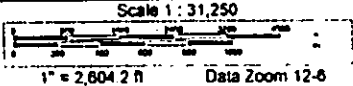
Elizabeth Dionne
Town Administrator

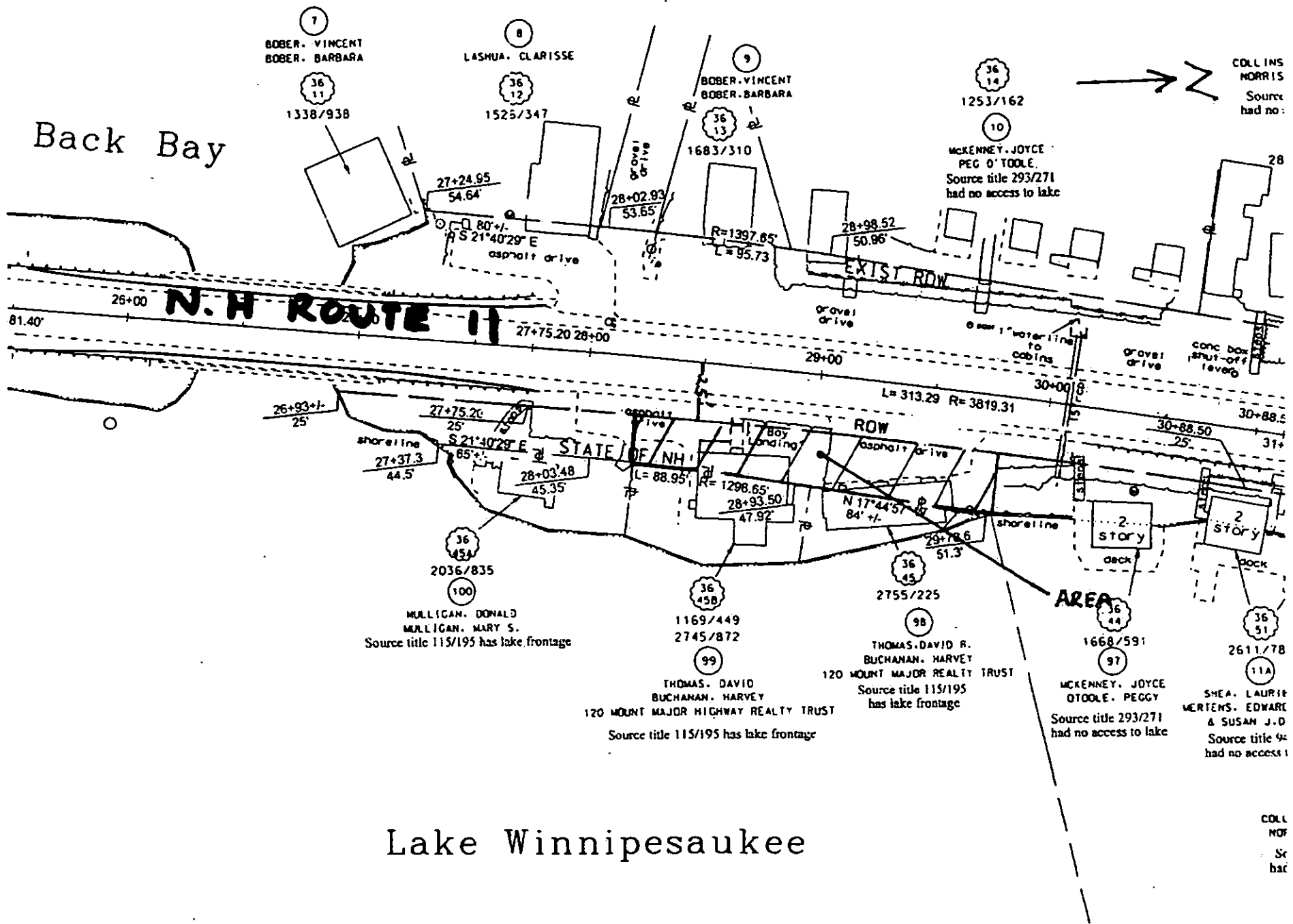


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Back Bay

N.H. ROUTE 11

STATE OF NH

Lake Winnepesaukee

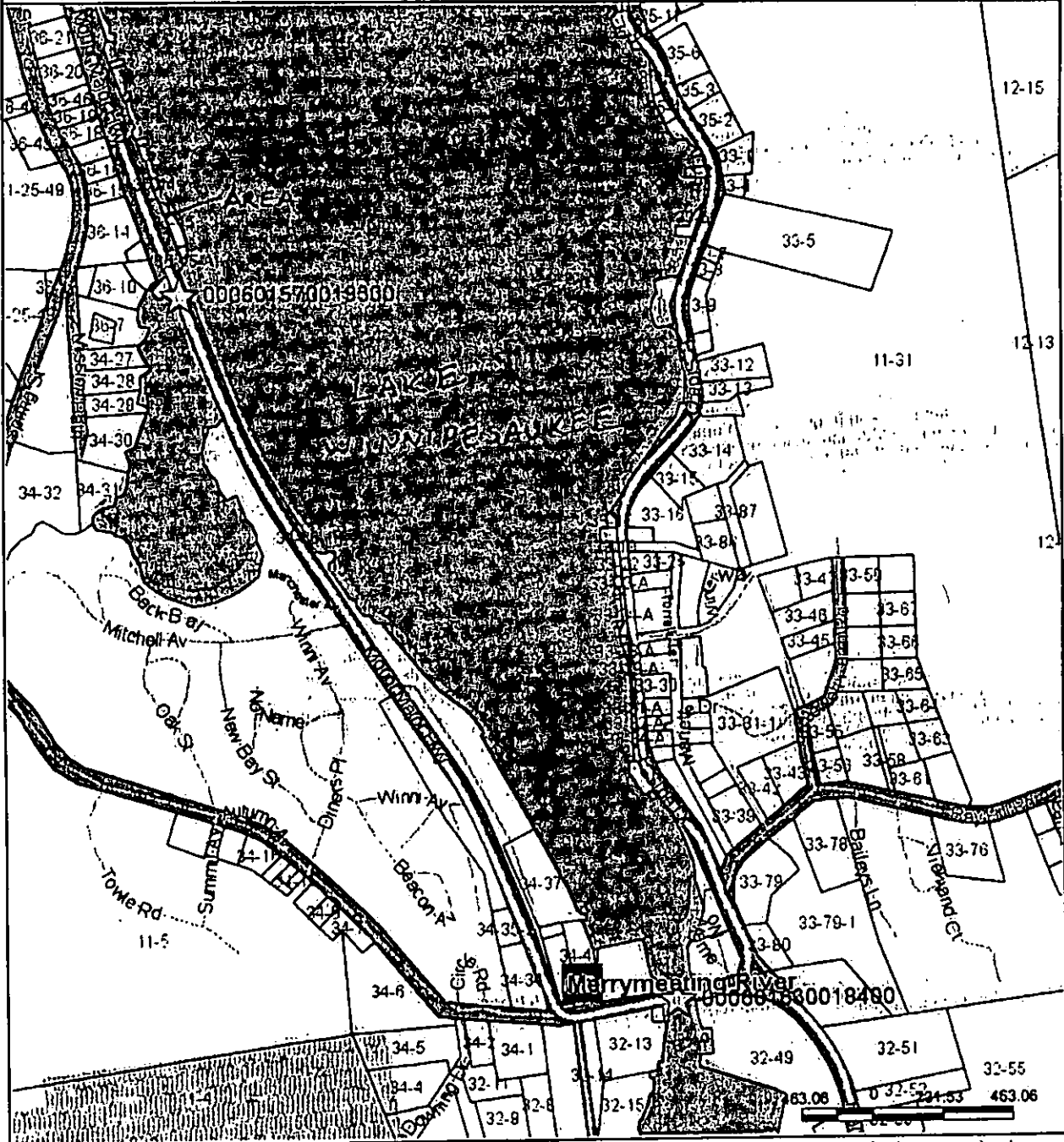
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STATE OF NEW HAMPSHIRE
DEPARTMENT OF REVENUE
ADMINISTRATION

MOSAIC PARCEL
MAP SHARING
POOL



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