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Bent



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, 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
April 30, 2015

REQUESTED ACTION

The Department of Transportation, Bureau of Right-of-Way, requests authorization to pay property owners \$179,580.00 as documented in the Contemplated Awards List for amounts greater than \$5,000.00 for the period extending from April 8, 2015 through April 28, 2015, effective upon approval by Governor and Council.

Funding is available based on the
source of funds for each particular project.

FY 2015
\$179,580.00

EXPLANATION

These contemplated award payments are being submitted for approval to compensate property owners, tenants and/or claimants for impacts resulting from Transportation Improvement Projects. The Department certifies that all payments will be made in accordance with all applicable State and Federal regulations as they relate to property acquisition and relocation.

Respectfully,

William Cass, P.E.
Assistant Commissioner

WJC/CRS/dd
Attachments



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



WILLIAM CASS, P.E.
ASSISTANT COMMISSIONER

CONTEMPLATED AWARDS

Project: BERLIN; X-A000(052); 12958B
(reconstruction from Green Street/First Avenue to
Wight Street)

OWNER: [Parcel #159] MAURICE BELANGER & DONNA L. BELANGER

OUT OF COURT SETTLEMENT PRIOR TO A HEARING BEFORE THE NHBTLA BETWEEN THE ATTORNEY GENERALS OFFICE AND THE LAND OWNER IN THE AMOUNT OF \$7,080.00 \$6,580.00

11/30/2012 - AWARDED \$500.00 AND REFUSED
12/5/2012 - DEPOSIT OF DAMAGES WITH CLERK NHBTLA IN AMOUNT OF \$500.00
BALANCE FOR APPROVAL...\$6,580.00

(PURCHASE OF LAND AND RESULTANT DAMAGES-REGULAR)

Project: WALPOLE - CHARLESTOWN; X-A000(487); 14747
(FROM NORTH WALPOLE RECONST TO NH 12A IN CHARLESTOWN, ADD SHOULDERS, IMPROVE DRAINAGE, RELOCATE RR)

OWNER: [Parcel #025] VINCENT F. AUGUSTINOWICZ & EUGENE J. AUGUSTINOWICZ & MARY E. AUGUSTINOWICZ

5950 SF RETAINING WALL EASEMENT \$173,000.00
STRUCTURES/ COMPLETE TAKE QTY: 1

(PURCHASE OF LAND AND RESULTANT DAMAGES-REGULAR)

TOTAL CONTEMPLATED AWARDS: \$179,580.00

Handwritten signature of Charles R. Schmidt

CHARLES R. SCHMIDT, PE
ADMINISTRATOR

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

Julie Owen

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOSEPH A. FOSTER
ATTORNEY GENERAL

ANN M. RICE
DEPUTY ATTORNEY GENERAL



April 21, 2015

DEPT. OF TRANSPORTATION
RIGHT-OF-WAY

APR 23 2015

RECEIVED

William Cass, Acting Commissioner
Dept. of Transportation
7 Hazen Drive
Concord, NH 03301

Re: State of New Hampshire v. Maurice and Donna Belanger, et al
Project: Berlin, X-A000(052), 12958B, Parcel 159
NH Board of Tax and Land Appeals Docket No. 26638-12ED

Dear Acting Commissioner Cass:

The above-captioned eminent domain case has been settled with the condemnees prior to a hearing before the Board of Tax and Land Appeals. The taking occurred on December 5, 2012. The tender of damages was based upon an appraisal report originally completed on May 22, 2012, by Stephen A. Bernard and was in the amount of \$500. An updated appraisal by Fulcrum Appraisal Service completed on December 5, 2012, resulted in an updated estimate of damages of \$2,080. The case was settled for a total of \$7,080.

Given the specific facts of the case, including the additional defense and appraisal costs, it was decided that it was more efficient to settle the case rather than expend the resources associated with a hearing, as well as risking a potential appeal.

Therefore, would you kindly have drawn and sent to me a check in the amount of \$6,580, made payable to "Maurice Belanger and Donna L. Belanger."

Very truly yours,

John J. Conforti

John J. Conforti
Assistant Attorney General
Transportation & Construction Bureau
(603) 271-3675

Project Name Berlin

Project Number 12958B

Checked by JO Date 4-23-15

Approved by Nancy Spaulding Date: 4.23.15

JJC:jsd

cc: Charles R. Schmidt, Administrator, Bureau of Right-of-Way, Dept. of Transportation
Stephen A. Bernard, Chief Right-of-Way Appraiser, Department of Transportation
Jamie Sikora, Special Programs Manager, U.S. Department of Transportation

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