

20231



New Hampshire Fish and Game Department

11 Hazen Drive, Concord, NH 03301-6500
Headquarters: (603) 271-3421
Web site: www.WildNH.com

TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-1438
E-mail: info@wildlife.nh.gov

Glenn Normandeau
Executive Director

July 2, 2018

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

REQUESTED ACTION

The New Hampshire Fish and Game Department (NHFG), pursuant to RSA 4:40, respectfully requests approval of the sale of a 2.23 acre parcel of land located near Peppercorn Road in the Town of Ashland to Courtney Craig Smith, Jr. of 238 Monroe Street, Philadelphia, PA 19147 for the fair market value of \$4,000, plus a \$1,100 administrative fee, effective upon Governor and Council approval through June 1, 2019. Funds are to be deposited in account, 20-07500-21550000-405234, Wildlife Habitat Conservation

EXPLANATION

The Department of Transportation purchased 510+/- acres for the construction of Interstate 93 in 1962. The Church Hill WMA in Ashland was created when NHDOT transferred land, surplus to their needs, to the Fish and Game Department in 1972. Since the original acquisition there has been uncertainty about exactly how much land was purchased and where the boundaries were located.

In 1980 William and Patricia Koning purchased a 20.65 acre parcel that was part of the Owl's Nest Development in Ashland. The Konings went on to construct a house and several other structures on the property. In 1999 the Konings conveyed the land and buildings to Courtney C. Smith, the current landowner.

Beginning in 2015, NHFG has been working with Sabourn and Tower Surveying and Septic Design of Woodstock, NH to research and survey the extent and location of the WMA. In January 2017, Sabourn and Tower provided a preliminary plan showing what they determined to be the boundaries of the WMA. One of the findings of their work was that 2.23 acres of the land that was part of the parcel purchased and developed by Koning actually belongs to the State.

Mr. Smith has accepted this plan as accurate and is cooperating with the Department to resolve the issue. He acquired an appraisal by a NH certified residential appraiser, at his own expense, to determine the fair market value of the 2.23 acres of state owned land.

After consultations with the Office of the Attorney General, Mr. Smith and his attorney, we are proposing to sell the 2.23 acres to Mr. Smith at fair market value as determined by the appraisal. The property will be transferred to Mr. Smith through a boundary line agreement to be recorded at the Grafton County Registry of Deeds.

On May 10, 2018 the Council on Resources and Development (CORD) reviewed our request to surplus the 2.23 acres to Mr. Smith and recommended its approval. On June 6, 2018 the Long Range Capital Planning and Utilization Committee approved this request.

Sincerely,

Kathy Labonte
Chief, Business Division

Glenn Normandeau,
Executive Director

STATE OF NEW HAMPSHIRE

Inter-Department Communication

DATE June 29, 2018

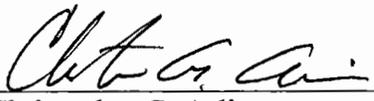
FROM: Christopher G. Aslin
Senior Assistant Attorney General

AT (OFFICE) Department of Justice
Environmental Protection Bureau

SUBJECT: Smith Boundary Line Agreement, Church Hill WMA, Ashland, NH

TO: Richard Cook, Land Agent
New Hampshire Fish and Game Department

The Office of the Attorney General has reviewed the Boundary Line Agreement between Courtney C. Smith, Jr. and the State to effectuate a transfer to Mr. Smith of 2.23 acres of disputed land located in the Town of Ashland, New Hampshire, and approves the Agreement for form and substance only. Following approval by Governor and Executive Council, the fully executed Agreement should be submitted to this office for review of execution prior to recording the Agreement in the Registry of Deeds.



Christopher G. Aslin



LRCP 18-024

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

June 6, 2018

Glenn Normandeau, Executive Director
New Hampshire Fish and Game Department
11 Hazen Drive
Concord, New Hampshire 03301

Dear Executive Director Normandeau,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:40, on June 6, 2018, approved the request of the New Hampshire Fish and Game Department of the sale of a 2.23 acre parcel of land located near Peppercorn Road in the Town of Ashland to Courtney Craig Smith, Jr. of 238 Monroe Street, Philadelphia, Pennsylvania 19147 for the fair market value of \$4,000, plus an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 16, 2018.

Sincerely,

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

Michael W. Kane
Legislative Budget Assistant

MWK/pe
Attachment

Cc: Richard Cook, Land Agent ✓
N.H. Fish and Game Department

New Hampshire Council on Resources and Development

NH Office of Strategic Initiatives
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: Glenn Normandeau, Executive Director, NH Fish and Game Department
(Via email to Glenn.Normandeau@wildlife.nh.gov)

FROM: Michael Klass, Principal Planner 
NH Office of Strategic Initiatives

DATE: May 15, 2018

SUBJECT: Surplus Land Review, SLR 18-001 (Ashland)

On May 10, 2018, the Council on Resources and Development (CORD) took action on the following Surplus Land Review application:

Request from the Fish and Game Department to convey approximately 2.23 acres of the Church Hill Wildlife Management Area off Peppercorn Drive in Ashland at fair market value. The conveyance is intended to correct a boundary line discrepancy with an abutter.

CORD members voted to **RECOMMEND APPROVAL** OF SLR 18-001.

cc: Richard Cook, NH Fish and Game Department
(via email to Richard.Cook@wildlife.nh.gov)
Jared Chicoine, NH Office of Strategic Initiatives
(via email to Jared.Chicoine@osi.nh.gov)
Long Range Capital Planning and Utilization Committee
(via email to pam.ellis@leg.state.nh.us)

16

TL 7-1-7

TL 7-1-22
JOHN J. MORIARTY
G.C.R.D. BK. 2929 PG. 725

20

TL 7-1-9
COURTNEY C. SMITH, JR.
G.C.R.D. BK. 3757 PG. 234 TRACT I
G.C.R.D. PLAN NO. 125

BIEBER
II

TL 7-1-11
STATE OF NEW HAMPSHIRE
"CHURCH HILL
WILDLIFE MANAGEMENT AREA"

NI REV. TRUST
ANNI - TRUSTEES
PG. 234
1459

SMITH
SHED

OVERLAP AREA
2,173 ACRES

APPROXIMATE
ENCLOSURE

SMITH
GARAGE
AND
APARTMENT

DRILLED
WELL

BOUNDARY LINES AS
SHOWN ON G.C.R.D.
PLAN NO. 125 BY
MACOMBER

NSBF IN
STONES

20

TL 7-1-9
COURTNEY C. SMITH, JR.
G.C.R.D. BK. 3757 PG. 234 TRACT I
G.C.R.D. PLAN NO. 125

SMITH
HOUSE

SMITH
GAMEROOM
AND DECK

SEE NOTE 12

COURTNEY C. SMITH, JR.
G.C.R.D. BK. 4252 PG. 33
G.C.R.D. PLAN NO. 15186

COURTNEY C. SMITH, JR.
G.C.R.D. BK. 4252 PG. 33
G.C.R.D. PLAN NO. 15186

OVERLAP AREA DETAIL

SCALE: 1"=50'

