

Windham School District

School Administrative Unit #95

Winfried Feneberg
Superintendent

Adam Steel
Director of Business, Finance, and Operations

Kori Alice Becht
Director of Curriculum, Instruction, and Assessment

Rosalyn Moriarty
Director of Student Services

Carol St. Pierre
Director of Human Resources

• 19 Haverhill Road, Windham, NH 03087 • Phone: (603) 425-1976 • Fax: (603) 425-1719 • www.windhamsd.org •

To: Winfried Feneberg, Superintendent
From: Adam Steel, Business Administrator
RE: Heritage Hill Road Improvements

Monday, August 04, 2014

Dear Mr. Feneberg,

The Windham Middle School site is tax lot 24-F-2000. The driveway is between lots 24-F-1605 and 1607 as shown on the tax map and on plan recorded at the Rockingham County Registry of Deeds as plan D-8636. The Town acquired title to this right-of-way by deed of Lalys Realty Trust dated December 17, 1982, recorded in Rockingham County Registry of Deeds Book 2457 Page 1923. A copy of the recorded plan and deed are included herewith for your easy reference.

By virtue of the approval and recording of the plan, the area is dedicated for road purposes and may be built upon with the approval of the Board of Selectmen. The BOS may choose to involve the Planning Board since the construction of a road would result in a new traffic pattern for this area with the introduction of school specific traffic onto Heritage Hill Road.

I have drafted a letter to the BOS seeking their approval to move forward.

Should the BOS approve our request, I would recommend the District engage Tighe & Bond (Brad Mezquita) to develop both a set of drawings that can be used for public bidding and a project budget to be used for budgeting purposes.

A rough schedule for this project is as follows:

1. August: Board of Selectmen Review
2. September: Development of plans and drawings
3. October: Solicit input from the community and abutters on Heritage Hill
4. November: School Board review of project budget and decision for warrant article inclusion
5. April: Contingent upon funding, public bidding

6. May: Awarding of the bid by the School Board
7. July-August: Construction of the project
8. September: Close-out

Requested Board Actions

1. None: Consensus requested.

Attachment(s)

1. Draft letter to the Board of Selectmen
2. Deed from Book 2457 Page 1923
3. Plan D8636
4. Tax Map 2013 page 33

March 4, 2014

Town of Windham Board Members
P.O. Box 120
Windham, NH 03087-0120

Dear Board Members:

The Windham School District is investigating the possibility of improving the unpaved access driveway from Heritage Hill Road to the Windham Middle School property. Presently, this "driveway" is for the use of fire department apparatus only. The plan under consideration is to grade, curb and pave the area in question so that it could be used in the future as a secondary ingress/egress for parents and bus transportation of students.

The Windham Middle School site is tax lot 24-F-2000. The driveway is between lots 24-F-1605 and 1607 as shown on the tax map and on plan recorded at the Rockingham County Registry of Deeds as plan D-8636. The Town acquired title to this right-of-way by deed of Lalys Realty Trust dated December 17, 1982, recorded in Rockingham County Registry of Deeds Book 2457 Page 1923. A copy of the recorded plan and deed are included herewith for your easy reference.

Based on correspondence with Dave Sullivan earlier this year, it is our understanding that since the Town owns the right-of-way; the School District has to submit a written request to the Selectmen to perform work within the right-of-way. Please consider this letter as that request and advise as to what the next step in this process will be.

Thank you for your anticipated cooperation.

Regards,

Adam Steel
Director of Business, Finance and Operations

2 possible copies
1 page

2457 P1923

KNOW ALL MEN BY THESE PRESENTS, That Elizabeth M. Morgan, Trustee of Lalys Realty Trust, Windham, Rockingham County, New Hampshire

for consideration paid, grant to the Town of Windham, Rockingham County, Windham, New Hampshire

with warranty covenants

TRACT I

A certain parcel of land on the westerly side of South Lowell Road, Windham, New Hampshire, known as Heritage Hill Road and more particularly described on Plan #D-8636, entitled "Morgan Subdivision", dated April 19, 1979 and further described on Plan #D-10669, entitled "Morgan Subdivision", dated March 11, 1982. Both plans are prepared by Edward N. Herbert, Surveyor Associates Inc., and are recorded in the Rockingham County Registry of Deeds.

Excepted therefrom is a certain small circular parcel of land labeled as "Temporary Turn-around" on Plan D08636, and a certain small circular piece of land identified as "Temp Turn-around" on Plan D-10669. Neither of said exceptions shall affect the grant herein of a continuous strip of land, shown as Heritage Hill Road on both of the aforesaid plans, which is 50 feet wide and extends from the westerly side of South Lowell Road continuously in a westerly direction to land now or formerly of Everett and Emma Ryan, as shown on Plan D-10669.

TRACT II

A certain parcel of land on the westerly side of South Lowell Road, Windham, New Hampshire, containing 6,556 square feet and more particularly described on Plan D-8636, aforesaid. Said parcel of land is bounded on the east by South Lowell Road and on the west by Lot 24-F-1601, all as shown on said plan. This parcel is conveyed subject to the condition that grantee shall not sell, bargain, convey, or convey rights of way over, the parcel of land herein conveyed for a period of twenty (20) years without the express written consent of the grantor, its heirs, successors or assigns.

TRACT III

A certain parcel of land on the westerly side of South Lowell Road, Windham, New Hampshire, containing 10,452 square feet as shown on Plan D-8636 aforesaid. Said parcel is bounded on the east by South Lowell Road and on the west by Lot-24-F-1600, all as shown on said plan. This parcel is conveyed subject to the condition that grantee shall not sell, bargain, convey, or convey rights of way over, the parcel of land herein conveyed for a period of twenty (20) years without the express written consent of the grantor, its heirs, successors or assigns.

For title of grantor see Volume 2300, Page 1793, said Registry of Deeds. For Declaration of Trust of Lalys Realty Trust, see Volume 2300, Page 1798, said Registry. Elizabeth M. Morgan was appointed sole trustee of Lalys Realty Trust by document dated April 24, 1979 and recorded in the Rockingham County Registry of Deeds at Volume 2336, Page 1560.

Witness hand and seal this 17th day of November, 1982

Clifford Jensen

Elizabeth M. Morgan, Trustee of Lalys Realty Trust

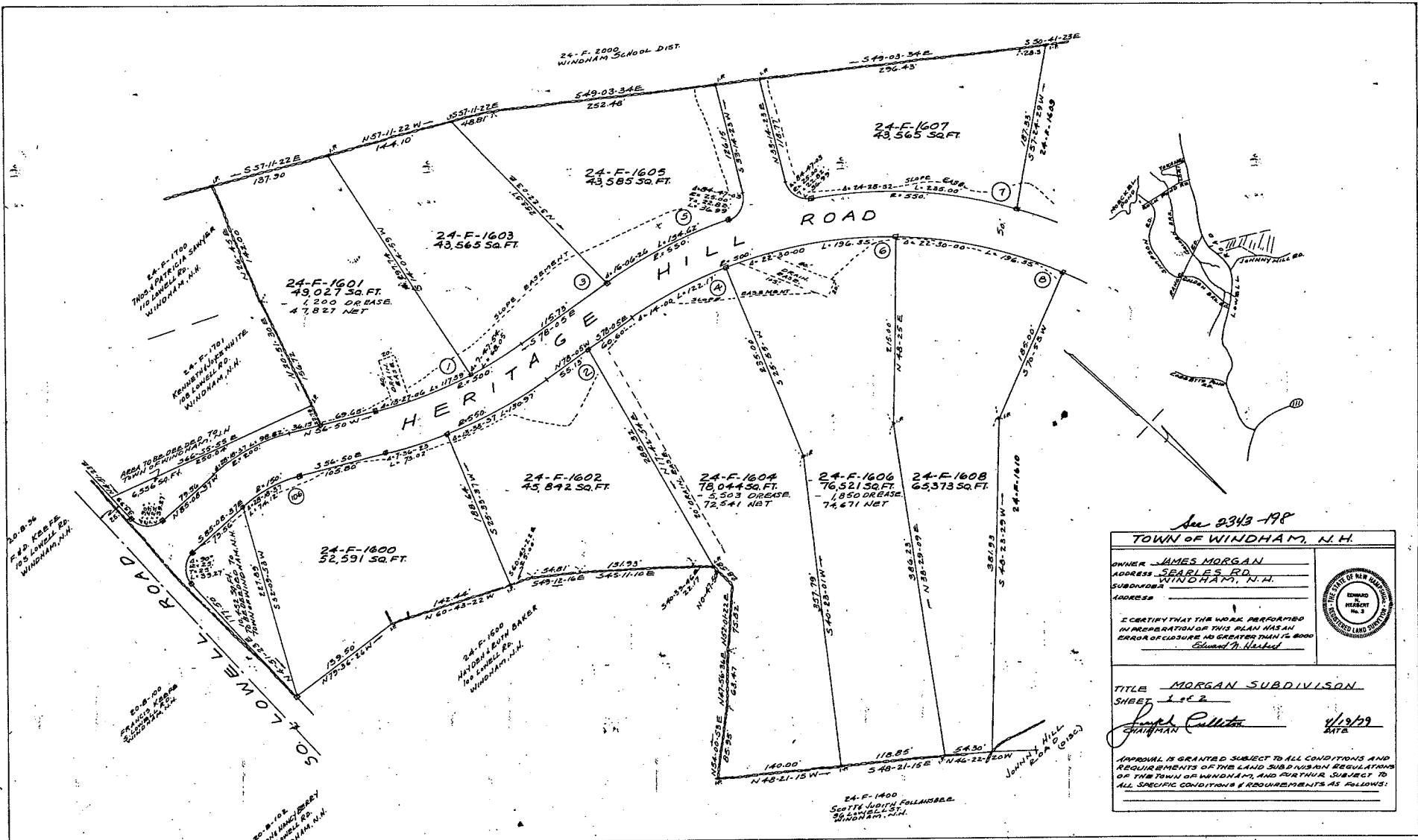
State of New Hampshire

Rockingham ss: Nov. 17 A. D. 1982

Personally appeared Elizabeth M. Morgan, Trustee of Lalys Realty Trust known to me, or satisfactorily proven, to be the person whose name is subscribed to the foregoing instrument and acknowledged that she executed the same for the purposes therein contained.


Below me [Signature] Notary Public

2:334
Aug 26 10 19 AM '83



See 2343-198

TOWN OF WINDHAM, N.H.

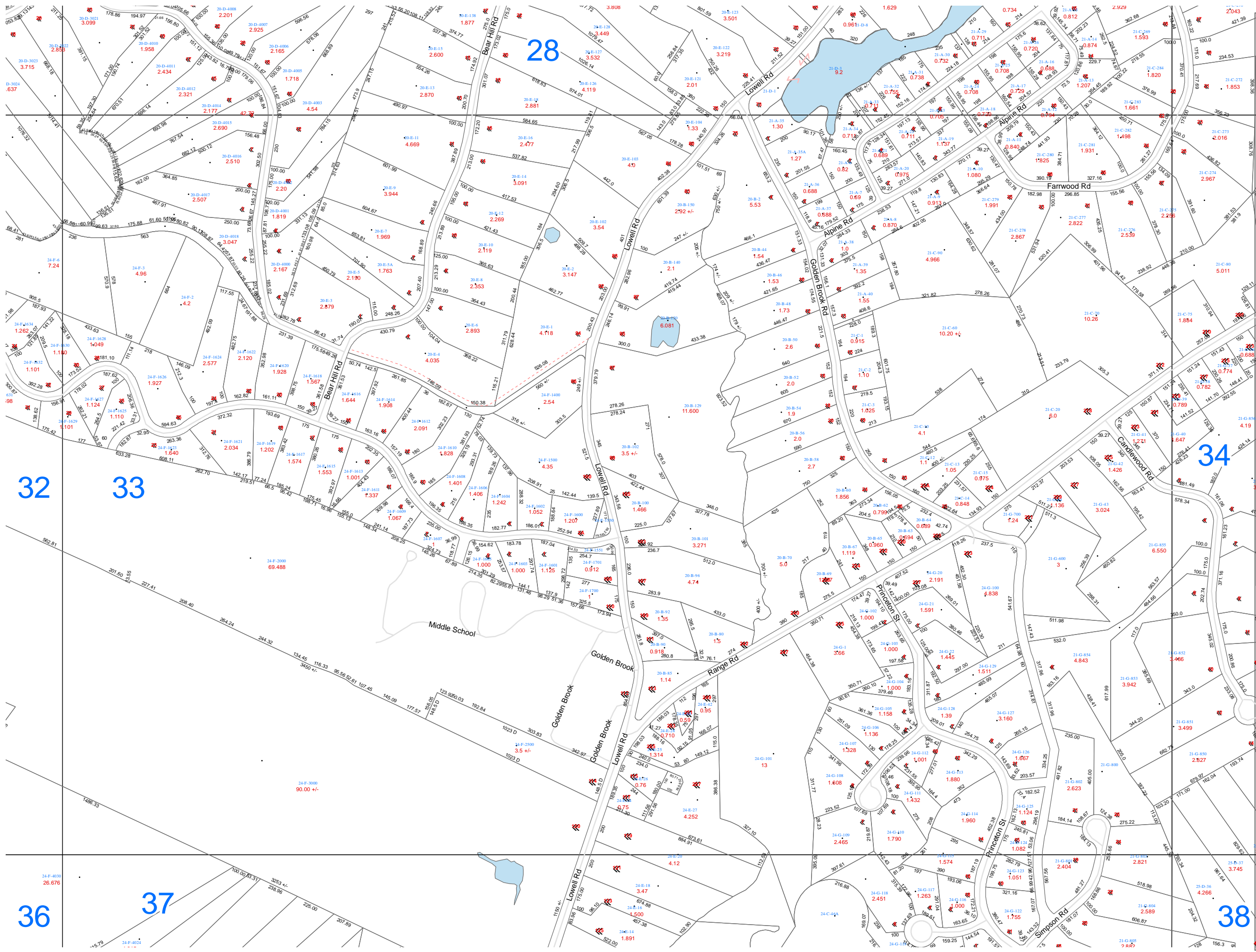
OWNER <u>JAMES MORGAN</u>	
ADDRESS <u>SEABLE'S RD.</u>	
SUBDIVISION <u>WINDHAM, N.H.</u>	
ADDRESS _____	
I CERTIFY THAT THE WORK PERFORMED IN PREPARATION OF THIS PLAN HAS AN ERROR OF CLOSURE NO GREATER THAN 1/8000 <i>Edward J. Haskett</i>	
TITLE <u>MORGAN SUBDIVISION</u>	
SHEET <u>1 of 2</u>	
<i>James Morgan</i> TOWNSMAN	<u>4/19/79</u> DATE
APPROVAL IS GRANTED SUBJECT TO ALL CONDITIONS AND REQUIREMENTS OF THE LAND SUBDIVISION REGULATIONS OF THE TOWN OF WINDHAM, AND FURTHER SUBJECT TO ALL SPECIFIC CONDITIONS & REQUIREMENTS AS FOLLOWS:	

x) **D8636** Sheet 1 of 2

Windham

2013

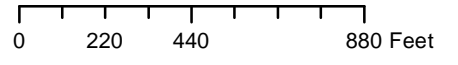
Tax Map Page 33



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MAP KEY

- Tax Number of Lot 2-A-348
- Acreage of Lot 2.942
- Street Number 123



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36 37

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