



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information**, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20**

days prior to the requested meeting date to meet publication deadlines (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: 6/20/2022 Date of Meeting: July 14, 2022
 Submitted by: Keach-Nordstrom Associates Time Required: 15 minutes
 Department: Public Works Background Info. Supplied: Yes No
 Speakers: Dawn Tuomala (DPW) and Paul Chisholm (KNA)

CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input checked="" type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

The un-dedication of portions of Acre Lane and Claire Street in the Level Acres Development and Acceptance of the Proposed Easements.

DESCRIPTION OF ITEM

“Lot Consolidation, Subdivision and Road Un-dedication Plan” Sheets 1 and 2 show the 2 sections of road that are being requested to be released and un-dedicated. The Releases of Public Dedication and Conditions of Release Document have also been prepared for the Council to be considered. The Easement plan and deeds have also been attached for their review.

REFERENCE (IF KNOWN)

RSA: Warrant Article:
 Charter Article: Town Meeting:
 Other: N/A:

EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input checked="" type="checkbox"/>	None:	<input type="checkbox"/>

CONTACT INFORMATION

Name: **Paul Chisholm** Address: **10 Commerce Park North #3**
 Phone Number: **603-627-2881** Email Address: **pchisholm@keachnordstrom.com**

APPROVAL

Town Manager: Yes No Chair/Vice Chair: Yes No



TOWN OF MERRIMACK INTER-DEPARTMENT COMMUNICATION

DATE: July 5, 2022

AT (OFFICE): Department of Public Works

FROM: Dawn B. Tuomala, PE, LLS, CWS
Deputy Director/Town Engineer

To: Paul Micali,
Town Manager

SUBJECT: **Road and Drainage Easements
Governor's Hill Corp
Phase III Easements and Un-dedication
Acre Lane, Theodore Street and Claire Street**

Level Acres is a subdivision that was approved between February 23, 1966 and revised April 5, 1977 being recorded in the Hillsborough County Registry of Deeds as plans #4425 & #5050. Governor's Hill Corp and their representatives have been working to create a plans, and deeds needed to establish the easements that are necessary to construction the roads and drainage to the current Town requirements.

The Lot Consolidation, Subdivision and Road Un-dedication Plan, an Easement Plan for the Benefit of the Town of Merrimack, the Easement Deeds and the Release of Public Dedication and Conditions of Release Document have all been reviewed and approved by the Town Attorney Matt Serge. All of his required changes have been incorporated and are acceptable to him (see attached email). Copies of all of the documents have been attached as backup for the meeting.

Phase III of the development has required the approval of the Planning Board for the Lot Consolidation, Subdivision and Road Un-dedication (see the attached plans). The last condition of the approval is to have the Council consider whether to un-dedicate the 2 sections of the road that have been highlighted on the plans. The Release of Public Dedication and Conditions of Release for is also attached.

There have been several conditions put within the Un-dedication documents:

1. The Easement Plan and deeds be recorded in the HCRD (see attached and below)
2. Drainage infrastructure needs to be completed prior to any issuance of Certificate of Occupancy Permits are given
3. They meet all of the recommendations of the staff of the Town of Merrimack Community Development, The Department of Public Works and un conjunction with the un-dedication by the Town Council

We are requesting that the Town Council approve the Road Un-dedication with the above mentioned conditions and that they further authorize you to sign the release as their agent. Once

signed, the documents and the plans can then be recorded in the Hillsborough County Registry of Deeds.

Also attached is a copy of the Easement Plan and The Road Widening and Drainage easement documents. The documents will be signed and notarized by the owners of the property before the meeting. These documents are required as part of the road construction to be able to bring the road construction up to the required standards today. The Council should consider the formal acceptance of these required easements. This is very similar to what was done in December 2021 for the Cathy, Constance and Brick Lane part of this subdivision.

Should you have any questions please let me know,
Thank you for your help in this matter.

Dawn

CC: Kyle Fox; Director
File

Return To:
Town of Merrimack
Community Development Dept.
6 Baboosic Lake Road
Merrimack, NH 03054

RELEASE OF PUBLIC DEDICATION
AND CONDITIONS OF RELEASE

NOW COME Governor's Hill Corp., a New Hampshire corporation, with an address of 317 South River Road, Bedford, NH 03110, owner of land by deed dated September 23, 2019 and recorded in the Hillsborough County Registry of Deeds at Book 9212, Page 851, located near and abutting **Claire Street** and **Acre Lane**, so-called, within the Town of Merrimack, New Hampshire, and the Town of Merrimack, a municipal corporation with a mailing address of 6 Baboosic Lake Road, Merrimack, NH 03054, and hereby acknowledge and confirm:

1. the release from public dedication a portion of **Claire Street**, so-called, being shown on a plan of land entitled "Lot Consolidation, Subdivision and Road Undedication Plan, Map 6D Lots 75, 76, 77, 78, 79 & 81, Claire, Theodore, Louie & Robert Streets, Merrimack, New Hampshire, Hillsborough County" recorded in the Hillsborough County Registry of Deeds as Plan # _____ (Sheet 1) bounded and described as follows:

Beginning at a point at the southeasterly corner of the herein described premises, said point in located at the westerly corner of Lot 6D-66 on the northerly line of Clarie Street (unimproved);

thence South 33°28'56" West along proposed Lot 6D-77, a distance of 40.00 feet to a point on the southerly line of Claire Street (unimproved);

thence North 56°31'04" West, a distance of 145.54 feet to a point;

thence North 27°06'55" East, a distance of 40.25 feet to a point;

thence South 56°31'04" East, a distance of 150.00 feet to a point to the point of beginning.

Said area of Claire Street to be undedicated containing 5,910 square feet or 0.14 acres, more or less.

2. the release from public dedication a portion of **Acre Lane**, so-called,

being shown on a plan of land entitled "Lot Consolidation,

Subdivision and Road Undedication Plan, Map 6D Lots 124 & 125

Map 7D Lots 57, 58, 62 & 63, Acre Lane and Theodore &

Constance Streets, Merrimack, New Hampshire, Hillsborough

County" recorded in the Hillsborough County Registry of Deeds as

Plan # _____ (Sheet 2) bounded and described as follows:

Beginning at a point at the southeasterly corner of the herein described premises, said point is located at the westerly corner of Lot 6D-123 on the northerly line of Acre Lane (unimproved);

thence South 33°28'56" West along adjusted Lot 7D-57 and adjusted Lot 6D-124, a distance of 40.00 feet to a point on the southerly line of Claire Street (unimproved);

thence North 56°31'04" West, a distance of 181.39 feet to a point;

thence northeasterly by a curve to the left having a radius of 50.00 feet with an arc length of 41.16 feet to a point;

thence South 56°31'04" East, a distance of 181.39 feet to a point to the point of beginning.

Said area of Acre Lane to be undedicated containing 7,144 square feet or 0.16 acres, more or less

3. In accordance with the provisions of New Hampshire Revised Statutes Annotated 231:51, Governor's Hill Corp. acknowledges the vote of the Town of Merrimack Town Council on July 14, 2022, releasing that portion of **Claire Street** and **Acre Lane** described

herein. By virtue of the release, any public rights in the previously dedicated portions of **Claire Street** and **Acre Lane** no longer exist, the adjacent lots are no longer burdened by that dedication, and ownership boundaries of the adjacent lots shall be as shown on said Plan.

4. Governor's Hill Corp. acknowledges that this release by the Town Council of the Town of Merrimack is conditioned upon: (1) a grant from Governor's Hill Corp. to the Town of Merrimack of the public drainage and access easement as shown on a plan entitled "Easement Plan for the benefit of the Town of Merrimack, Acre Lane, Theodore Street, & Claire Street located in the Level Acres Subdivision Map 6D & 7D, Merrimack, New Hampshire, Hillsborough County" recorded in the Hillsborough County Registry of Deeds as Plan # _____ and easement Deed recorded in the Hillsborough County Registry of Deeds in Book _____ Page _____; (2) the drainage infrastructure being completed and no Certificate of Occupancy for the lots shown on the above referenced plan shall be issued until that drainage infrastructure is completed; and, (3) the recommendations of the staff of the Town of Merrimack Community Development Department, the Department of Public Works Department in conjunction with the undedication of **Claire Street** and **Acre Lane**, so called, by the Merrimack Town Council on July 14, 2022.

IN WITNESS WHEREOF, Governor's Hill Corp. and the Town of Merrimack execute this acknowledgment, release, and discharge confirming the actions and conditions of the Town of Merrimack Town Council, this _____ day of _____, 2022.

GOVERNOR'S HILL CORP.

By: _____
Its: Robert Lamontagne, President
Duly Authorized

TOWN OF MERRIMACK

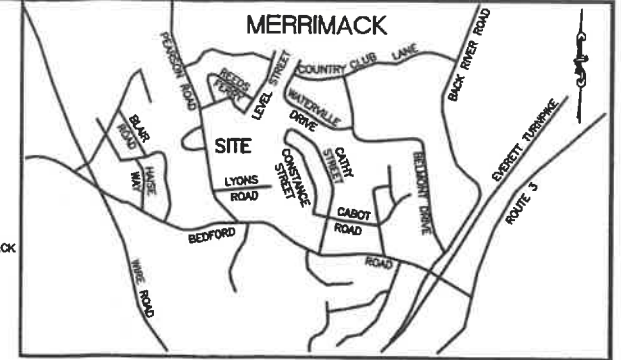
By: _____
Its: Paul Micali, Town Manager
Duly Authorized

REFERENCE PLANS:

1. "ROADWAY IMPROVEMENTS & SEWER EXTENSION - LEVEL ACRES SUBDIVISION, MERRIMACK, NEW HAMPSHIRE, MAY 22, 2018, LAST REVISED JULY 22, 2019 PREPARED BY THIS OFFICE AND ON FILE WITH THE TOWN OF MERRIMACK.
2. "PLAN OF LAND OF L.J. ROY - MERRIMACK, N.H. LEVEL ACRES DEVELOPMENT" SCALE: 1" = 100', PREPARED BY GEORGE C. BENJAMIN C.E. APPROVED BY THE TOWN OF MERRIMACK SECTION ON 2-23-1988 REVISED THROUGH 4-5-71, H.C.R.D. PLANS #3305, #4425 & #5050.

LEGEND

- STONE BOUND TO BE SET
- IRON ROD TO BE SET
- GRANITE BOUND FOUND
- ABUTTER LINE
- PROPERTY LINE
- EDGE OF PAVEMENT
- BUILDING SETBACK
- WETLAND
- LOT LINE TO BE REMOVED
- PROPOSED DRAINAGE EASEMENT
- 25' WETLAND BUFFER LINE
- 40' WETLAND STRUCTURAL SETBACK



NOTES:

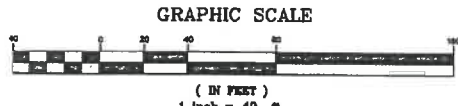
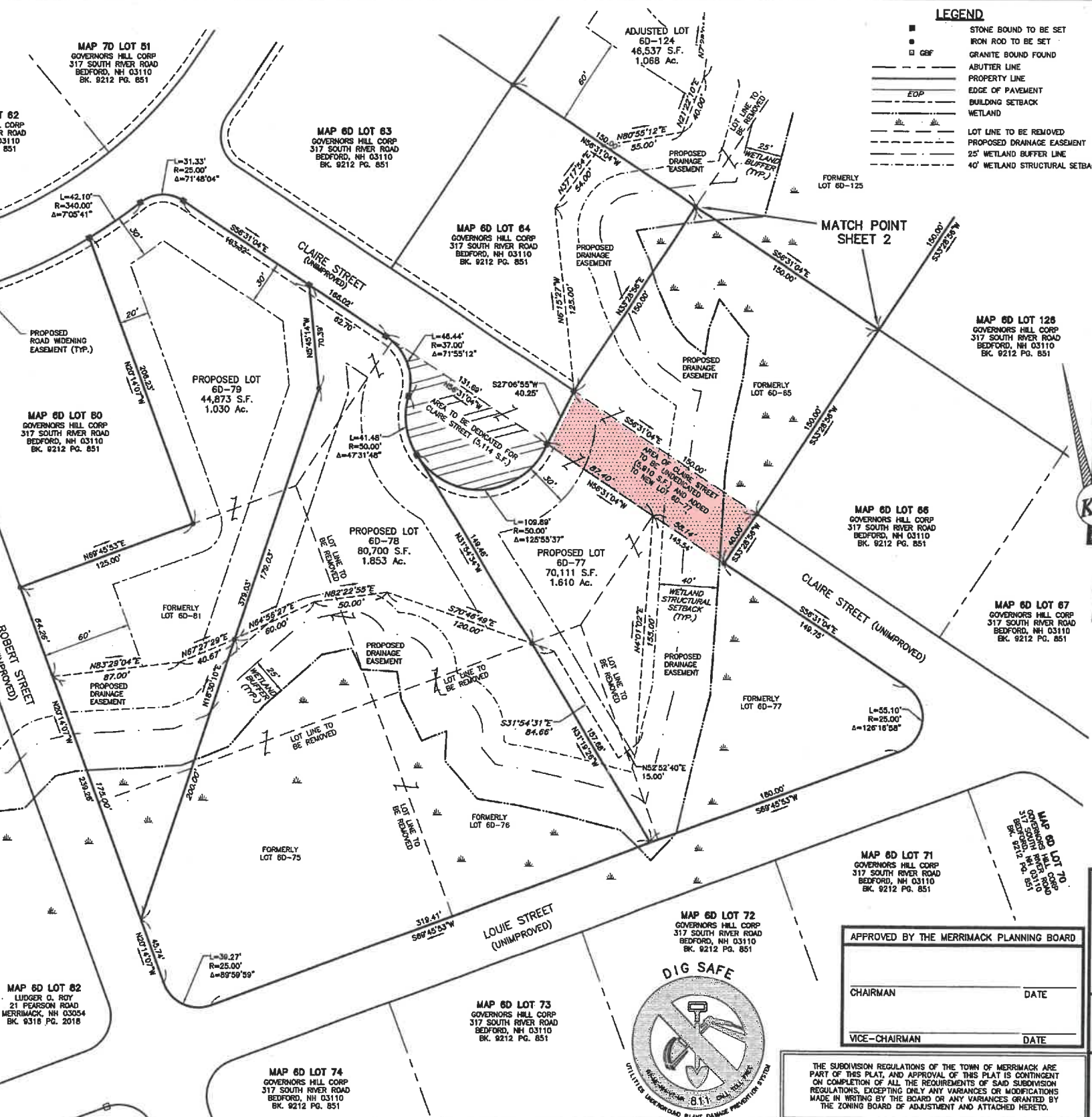
1. THE PURPOSE OF THIS PLAN IS TO:
 - 1.1. UNDEDICATE A PORTION OF THE CLAIRE STREET RIGHT-OF-WAY;
 - 1.2. DEDICATE A PORTION OF LOTS 6D-78 & 6D-77 TO BE ADDED TO CLAIRE STREET FOR THE PROPOSED CUL-DE-SAC;
 - 1.3. CONSOLIDATE LOTS 6D-65, 6D-76, 6D-78, 6D-77, 6D-79, 6D-80, 6D-81 AND THE UNDEDICATED PORTION OF CLAIRE STREET INTO ONE LOT;
 - 1.4. SIMULTANEOUSLY RE-SUBDIVIDE THE NEWLY CONSOLIDATED LOT INTO 3 LOTS.
2. PROPOSED LOT AREAS:
 - LOT 6D-77 = 70,111 S.F. (40,015 S.F. CONTIGUOUS UPLAND)
 - LOT 6D-78 = 80,700 S.F. (40,050 S.F. CONTIGUOUS UPLAND)
 - LOT 6D-79 = 44,873 S.F. (41,150 S.F. CONTIGUOUS UPLAND)
3. THE SUBJECT PARCELS ARE LOCATED WITHIN THE AQUIFER CONSERVATION DISTRICT AND RESIDENTIAL (R4) ZONING DISTRICT, WHICH HAS THE FOLLOWING DIMENSIONAL REQUIREMENTS FOR:
 - R-4 (RESIDENTIAL DISTRICT WITH PUBLIC WATER AND PUBLIC SEWER)
 - MINIMUM LOT SIZE = 40,000 S.F.
 - MINIMUM FRONTAGE = 150 FT
 - MINIMUM BUILDING SETBACKS:
 - FRONT 30 FT
 - SIDE 20 FT
 - REAR 60 FT
 - DEPTH 150 FT
4. EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) FOR THE TOWN OF MERRIMACK NEW HAMPSHIRE, HILLSBOROUGH COUNTY, COMMUNITY PANEL NUMBER 3301C0380D PANEL NUMBER 483 OF 701, EFFECTIVE DATE SEPTEMBER 25, 2008, INDICATES THAT NO PORTION OF THE SUBJECT PREMISES IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA.
5. THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN, PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT THE STATE AT 811.
6. EASEMENTS, RIGHTS AND RESTRICTIONS SHOWN OR IDENTIFIED HEREON ARE THOSE FOUND DURING RESEARCH AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. OTHER EASEMENTS, RIGHTS AND RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF THE SUBJECT PREMISES MAY DETECT.
10. THE LOTS WILL BE SERVICED BY MERRIMACK VILLAGE DISTRICT WATER AND MUNICIPAL SEWER.
11. THIS PLAN SET CONTAINS A TOTAL OF 4 SHEETS. SHEETS 1 AND 2 ARE TO BE RECORDED AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. THE ENTIRE PLAN SET IS ON FILE WITH TOWN OF MERRIMACK PLANNING DEPARTMENT.
12. I CERTIFY THAT I, THE TOWN OF MERRIMACK'S SUBDIVISION REGULATIONS AS SET FORTH IN SECTION 4.16 STORM DRAINAGE SYSTEM. FURTHERMORE, IN MY PROFESSIONAL OPINION, ANY RUNOFF INCIDENT TO DEVELOPMENT ON THIS SITE SHALL HAVE NO ADVERSE EFFECTS ON ANY OPEN OR CLOSED, PUBLIC OR PRIVATE, DRAINAGE FACILITIES, NOR SHALL IT HAVE ADVERSE EFFECTS ON DOWNSTREAM PROPERTIES.
13. FRONTAGE OF NEW LOTS:
 - DEED DATE
 - 6D 79 178.75'
 - 6D 78 150.82'
 - 6D 77 150.14'
14. THE MERRIMACK TOWN COUNCIL APPROVED THE DEDICATIONS AND UNDEDICATION OF THE ROADS ON
15. THE MERRIMACK PLANNING BOARD APPROVED A WAIVER FROM SECTION 4.20 PEDESTRIAN WAYS AND SIDEWALKS SUBSECTION (2) OF THE MERRIMACK SUBDIVISION REGULATIONS ON SEPTEMBER 7, 2021.

CONDITIONS OF APPROVAL:

1. FINAL PLANS AND MYLARS TO BE SIGNED BY ALL PROPERTY OWNERS. THE APPROPRIATE PROFESSIONAL ENDORSEMENTS AND SIGNATURES SHALL ALSO BE ADDED TO THE FINAL PLANS AND MYLARS.
2. THE APPLICANT SHALL OBTAIN ANY REQUIRED STATE APPROVALS/PERMITS APPLICABLE TO THE PROJECT AND PROVIDE COPIES TO THE COMMUNITY DEVELOPMENT DEPARTMENT, AS APPLICABLE.
3. THE APPLICANT SHALL NOTE ANY WAIVERS GRANTED BY THE BOARD ON THE FINAL PLANS AND MYLARS (INCLUDING SECTION, AND DATE GRANTED) AS APPLICABLE.
4. THE APPLICANT SHALL PROVIDE DRAFT COPIES OF ANY APPLICABLE LEGAL DOCUMENTS FOR REVIEW, IF APPLICABLE AND AT THE APPLICANTS EXPENSE, BY THE TOWN'S LEGAL COUNSEL.
5. THE APPLICANT SHALL ADDRESS ANY FORTHCOMING COMMENTS FROM THE FIRE DEPARTMENT AS APPLICABLE.
6. THE APPLICANT SHALL ADDRESS ANY FORTHCOMING COMMENTS FROM MERRIMACK VILLAGE DISTRICT, AS APPLICABLE.
7. THE APPLICANT SHALL ADDRESS THE FOLLOWING COMMENTS FROM THE PUBLIC WORKS DEPARTMENT, AS APPLICABLE.
8. THE APPLICANT SHALL ADDRESS ANY REQUESTS MADE BY THE PLANNING BOARD DURING THE PUBLIC HEARING.
9. THE APPLICANT SHALL ADDRESS THE FOLLOWING PLANNING STAFF TECHNICAL COMMENTS:
 - A. AMEND NOTE #1.2 ON SHEET 1 TO REFERENCE LOT 77, NOT 79, TO BE ADDED TO THE CLAIRE STREET ROW;
 - B. ON SHEETS 1 AND 3, ADD "UNIMPROVED" TO THE ROAD NAME LABELS FOR BOTH LEVEL STREET AND CLAIRE STREET;
 - C. THE NEW PORTION OF LEVEL STREET THAT IS BEING CONSTRUCTED AS PART OF THIS PLAN IS LIKELY GOING TO HAVE A DIFFERENT NAME DUE TO THE EXISTENCE OF LEVEL STREET FURTHER DOWN (BUT NOT CONNECTED DUE TO THE PRESENCE OF WETLANDS). THE APPROPRIATE STREET NAME SHOULD BE REFLECTED ON THE FINAL PLAN FOLLOWING REVIEW AND APPROVAL FROM THE FIRE DEPARTMENT;
 - D. ON SHEETS 1 AND 2, ADD A NOTE THAT LISTS THE FRONTAGE FOR EACH PARCEL;
 - E. ON SHEET 1, ADD THE MINIMUM LOT DEPTH REQUIREMENT TO NOTE #3;
 - F. ON SHEET 2, THE TWO BUILDING ENVELOPE APPEAR TO BE DELINEATED WITH THE "ABUTTER LINE" INSTEAD OF THE BUILDING SETBACK LINE;
 - G. ADD MENTION OF THE AQUIFER CONSERVATION DISTRICT TO NOTE #3 ON SHEETS 1 AND 2;
 - H. DELINEATE THE 40' WETLAND STRUCTURAL SETBACK & 25' WETLAND BUFFER ON THE PLAN;
 - I. INDICATE THAT THE SUBJECT LOTS WILL BE SERVICED BY MERRIMACK VILLAGE DISTRICT FOR WATER SERVICE, SPECIFICALLY;
 - J. PER SECTION 4.08.1.1.6, APPLICANT SHALL PROVIDE A WRITTEN STATEMENT FROM MERRIMACK VILLAGE DISTRICT AS TO THE AVAILABILITY OF WATER SUPPLY TO THE DEVELOPMENT;
 - K. LABEL THE DISTANCE BETWEEN PROPERTY LINES AND STRUCTURAL SETBACK LINES.
10. THE APPLICANT IS RESPONSIBLE FOR RECORDING THE PLAN (INCLUDING RECORDING FEE AND THE \$25.00 LCHP FEE, CHECK MADE PAYABLE TO THE HILLSBOROUGH COUNTY TREASURER) AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. THE APPLICANT IS ALSO RESPONSIBLE FOR PROVIDING PROOF OF SAID RECORDING(S) TO THE COMMUNITY DEVELOPMENT DEPARTMENT;
11. ANY PROPOSED EASEMENTS AND/OR APPLICABLE LEGAL DOCUMENTS SHALL BE RECORDED AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS AT THE EXPENSE OF THE APPLICANT;
12. THE APPLICANT SHALL OBTAIN RIGHT-OF-WAY PERMITS FROM THE PUBLIC WORKS DEPARTMENT FOR ALL NEW DRIVEWAYS;
13. THE APPLICANT SHALL ADDRESS ANY FORTHCOMING COMMENTS FROM THE BUILDING DEPARTMENT, AS RELATED TO BUILDING CODE COMPLIANCE AND PERMIT APPLICATION, AS APPLICABLE (THAT ARE NOT DEEMED PRECEDENT CONDITIONS);
14. THE APPLICANT SHALL ADDRESS THE ANY FORTHCOMING COMMENTS FROM THE FIRE DEPARTMENT, AS RELATED TO PROPERTY ADDRESSING AND FIRE CODE COMPLIANCE, AS APPLICABLE.

UTILITY NOTE

THE UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN DRAWN FROM FIELD SURVEY INFORMATION AND OR PLOTTED FROM EXISTING DRAWINGS. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHER, KEACH-NORDSTROM ASSOCIATES, INC. DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. KEACH-NORDSTROM ASSOCIATES, INC. HAS NOT PHYSICALLY LOCATED THE UNDERGROUND PORTIONS OF THE UTILITIES.



LOT CONSOLIDATION, SUBDIVISION AND ROAD UNDEDICATION PLAN
 MAP 6D LOTS 75, 76, 77, 78, 79 & 81
 CLAIRE, THEODORE, LOUIE & ROBERT STREETS
 MERRIMACK, NEW HAMPSHIRE
 HILLSBOROUGH COUNTY

OWNER AND APPLICANT:
 GOVERNORS HILL CORP
 317 SOUTH RIVER ROAD
 BEDFORD, NH 03110
 BK. 9212 PG. 851

K/A KEACH-NORDSTROM ASSOCIATES, INC.
 Civil Engineering Land Surveying Landscape Architecture
 10 Commerce Park North, Suite 305, Bedford, NH 03110 Phone (603) 887-2881

APPROVED BY THE MERRIMACK PLANNING BOARD

CHAIRMAN	DATE
VICE-CHAIRMAN	DATE

THE SUBDIVISION REGULATIONS OF THE TOWN OF MERRIMACK ARE PART OF THIS PLAN, AND APPROVAL OF THIS PLAN IS CONTINGENT ON COMPLETION OF ALL THE REQUIREMENTS OF SAID SUBDIVISION REGULATIONS, EXCEPTING ONLY ANY VARIANCES OR MODIFICATIONS MADE IN WRITING BY THE BOARD OR ANY VARIANCES GRANTED BY THE ZONING BOARD OF ADJUSTMENT AND ATTACHED HERETO.

CERTIFICATION:
 I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION, FURTHER, THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY MADE ON THE GROUND BY THIS OFFICE DURING DECEMBER OF 2018 THROUGH JANUARY OF 2019. SAID SURVEY HAS AN ERROR OF CLOSURE BETTER THAN ONE PART IN TEN THOUSAND (1:10,000).

ANTHONY M. BASSO
 LICENSED LAND SURVEYOR

OWNER OF RECORD
 SIGNATURE: [Signature]
 GOVERNORS HILL CORP.
 DATE: 6/15/22

JOSHUA BISEN
 No. 233
 REGISTERED PROFESSIONAL SURVEYOR

THE LIMITS OF JURISDICTIONAL WETLANDS AS SHOWN ON THIS PLAN WERE DELINEATED BY JOSHUA BISEN CIVS 233 OF KEACH-NORDSTROM ASSOCIATES. DELINEATION WAS PERFORMED ON AUGUST OF 2021 IN ACCORDANCE WITH:
 • US ARMY CORPS OF ENGINEERS REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL
 • NORTH CENTRAL AND NORTHEAST REGION TECHNICAL REPORT ERO/CEL 17-12-1, JANUARY 2012, VERSION 2.0
 • NEW ENGLAND HYDRO SOILS TECHNICAL COMMITTEE 2018 VERSION 4, FIELD INDICATORS FOR IDENTIFYING HYDROIC SOILS IN NEW ENGLAND, NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION, LOWELL, MA.
 • NORTH AMERICAN DIGITAL FLORA: NATIONAL WETLAND PLANT LIST, CURRENT VERSION



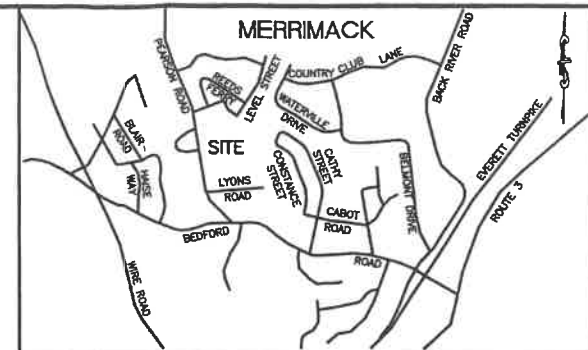
REVISIONS

No.	DATE	DESCRIPTION	BY
1	6-29-2021	PER CONDITIONS OF APPROVAL	POC
2	10-11-2021	PER TOWN COMMENTS	ACL
3	3-15-2022	PER TOWN COMMENTS	ACL
4	6-9-2022	EASEMENT REVISIONS	ACL

DATE: AUGUST 16, 2021 SCALE: 1" = 40'
 PROJECT NO: 18-0829-1 SHEET 1 OF 4

REFERENCE PLANS:

- "ROADWAY IMPROVEMENTS & SEWER EXTENSION - LEVEL ACRES SUBDIVISION, MERRIMACK, NEW HAMPSHIRE" MAY 22, 2018, LAST REVISED JULY 22, 2019 PREPARED BY THIS OFFICE AND ON FILE WITH THE TOWN OF MERRIMACK.
- "PLAN OF LAND OF L.A. ROY - MERRIMACK, N.H. LEVEL ACRES DEVELOPMENT" SCALE: 1" = 100', PREPARED BY GEORGE C. BENJAMIN C.E. APPROVED BY THE TOWN OF MERRIMACK SELECTMAN ON 2-23-1966 REVISED THROUGH 4-3-71, H.C.R.D. PLANS #3305, #4425 & #5050.



LEGEND

- STONE BOUND TO BE SET
- IRON ROD TO BE SET
- GRANITE BOUND FOUND
- ABUTTER LINE
- PROPERTY LINE
- EDP
- EDGE OF PAVEMENT
- BUILDING SETBACK
- WETLAND
- LOT LINE TO BE REMOVED
- PROPOSED DRAINAGE EASEMENT
- 25' WETLAND BUFFER LINE
- 40' WETLAND STRUCTURAL SETBACK

NOTES:

- THE PURPOSE OF THIS PLAN IS TO:
 - UNDEDICATE A PORTION OF THE ACRE LANE RIGHT-OF-WAY TO BE ADDED TO LOTS 60-125 & 70-58;
 - DEDICATE A PORTION OF LOTS 60-124 & 70-57 TO BE ADDED TO ACRE LANE FOR THE PROPOSED CUL-DE-SAC;
 - CONSOLIDATE THE ADJUSTED LOTS AS FOLLOWS:
 - CONSOLIDATE LOTS 70-63, 70-62 & 70-58 WITH LOT 70-57
 - CONSOLIDATE LOT 60-125 WITH LOT 60-124
- PROPOSED LOT AREAS:
 - LOT 60-124 = 89,984 S.F. (24,033 S.F. CONTIGUOUS UPLAND)
 - LOT 70-57 = 44,873 S.F. (21,356 S.F. CONTIGUOUS UPLAND)
 - NOTE: THE EXISTING LOTS ARE PRE-EXISTING NON-CONFORMING AND WILL BECOME LARGER AND HAVE LARGER CONTIGUOUS UPLANDS RESULTING FROM THE PROPOSED CHANGES.
- THE SUBJECT PARCELS ARE LOCATED WITHIN THE AQUIFER CONSERVATION DISTRICT AND RESIDENTIAL (RM) ZONING DISTRICT, WHICH HAS THE FOLLOWING DIMENSIONAL REQUIREMENTS FOR:
 - MINIMUM BUILDING SETBACKS:
 - FRONT 30 FT
 - SIDE 20 FT
 - REAR 60 FT
- EXAMINATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS (FIRM) FOR THE TOWN OF MERRIMACK NEW HAMPSHIRE HILLSBOROUGH COUNTY, COMMUNITY PANEL NUMBER 33011003860 PANEL NUMBER 483 OF 701, EFFECTIVE DATE SEPTEMBER 25, 2009, INDICATES THAT NO PORTION OF THE SUBJECT PREMISES IS LOCATED WITHIN A DESIGNATED FLOOD HAZARD AREA.
- THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR SHALL CONTACT DIG SAFE AT 811.
- EASEMENTS, RIGHTS AND RESTRICTIONS SHOWN OR IDENTIFIED HEREON ARE THOSE FOUND DURING RESEARCH AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. OTHER EASEMENTS, RIGHTS AND RESTRICTIONS MAY EXIST WHICH A TITLE EXAMINATION OF THE SUBJECT PREMISES MAY DETERMINE.
- THE LOTS WILL BE SERVICED BY MERRIMACK VILLAGE DISTRICT WATER AND MUNICIPAL SEWER.
- THIS PLAN SET CONTAINS A TOTAL OF 4 SHEETS. SHEETS 1 AND 2 ARE TO BE RECORDED AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS. THE ENTIRE PLAN SET IS ON FILE WITH TOWN OF MERRIMACK PLANNING DEPARTMENT.
- I CERTIFY THAT I HAVE FOLLOWED THE TOWN OF MERRIMACK'S SUBDIVISION REGULATIONS AS SET FORTH IN SECTION 4.16 STORM DRAINAGE SYSTEM. FURTHERMORE, IN MY PROFESSIONAL OPINION, ANY RUNOFF INCIDENT TO DEVELOPMENT ON THIS SITE SHALL HAVE NO ADVERSE EFFECTS ON ANY OPEN OR CLOSED, PUBLIC OR PRIVATE, DOWNSTREAM DRAINAGE FACILITIES, NOR SHALL IT HAVE ADVERSE EFFECTS ON DOWNSTREAM PROPERTIES.
- FRONTAGE OF NEW LOTS:

LOTS	FRONTAGE
- 60-124	180.68'
- 70-57	180.68'
- THE MERRIMACK TOWN COUNCIL APPROVED THE DEDICATIONS AND UNDEDICATION OF THE ROADS ON
- THE MERRIMACK PLANNING BOARD APPROVED A WAIVER FROM SECTION 4.20 "PEDESTRIAN WAYS AND SIDEWALKS" SUBSECTION 2.7 OF THE MERRIMACK SUBDIVISION REGULATIONS ON SEPTEMBER 7, 2021.

LOT CONSOLIDATION AND ROAD UNDEDICATION PLAN
 MAP 6D LOTS 124 & 125 MAP 7D LOTS 57, 58, 62 & 63
 ACRE LANE AND THEODORE & CONSTANCE STREETS
 MERRIMACK, NEW HAMPSHIRE
 HILLSBOROUGH COUNTY

OWNER AND APPLICANT:
 GOVERNORS HILL CORP
 317 SOUTH RIVER ROAD
 BEDFORD, NH 03110
 BK. 9212 PG. 851

KEACH-NORDSTROM ASSOCIATES, INC.
 Civil Engineering Land Surveying Landscape Architecture
 10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 627-8881

REVISIONS			
No.	DATE	DESCRIPTION	BY
1	9-28-2021	PER CONDITIONS OF APPROVAL	PDC
2	10-11-2021	PER TOWN COMMENTS	ACL
3	3-15-2022	PER TOWN COMMENTS	ACL
4	8-9-2022	EASEMENT REVISIONS	ACL

DATE: AUGUST 16, 2021 SCALE: 1" = 40'
 PROJECT NO: 18-0829-1 SHEET 2 OF 4

APPROVED BY THE MERRIMACK PLANNING BOARD

CHAIRMAN	DATE
VICE-CHAIRMAN	DATE

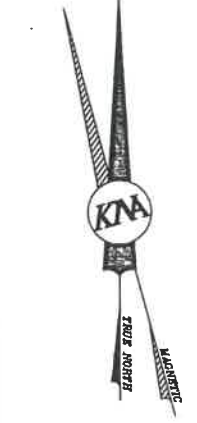
THE SUBDIVISION REGULATIONS OF THE TOWN OF MERRIMACK ARE PART OF THIS PLAN, AND APPROVAL OF THIS PLAN IS CONTINGENT ON COMPLETION OF ALL THE REQUIREMENTS OF SAID SUBDIVISION REGULATIONS, EXCEPT ONLY ANY VARIANCES OR MODIFICATIONS MADE IN WRITING BY THE BOARD OR ANY VARIANCES GRANTED BY THE ZONING BOARD OF ADJUSTMENT AND ATTACHED HERETO.

CERTIFICATION:
 I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION. FURTHER, THAT THIS PLAN IS BASED ON AN ACTUAL FIELD SURVEY MADE ON THE GROUND BY THIS OFFICE DURING DECEMBER OF 2018 THROUGH JANUARY OF 2019. SAID SURVEY HAS AN ERROR OF CLOSURE BETTER THAN ONE PART IN TEN THOUSAND (1:10,000).

 LICENSED LAND SURVEYOR

OWNER OF RECORD

SIGNATURE: _____
 GOVERNORS HILL CORP.
 DATE: 6/15/22

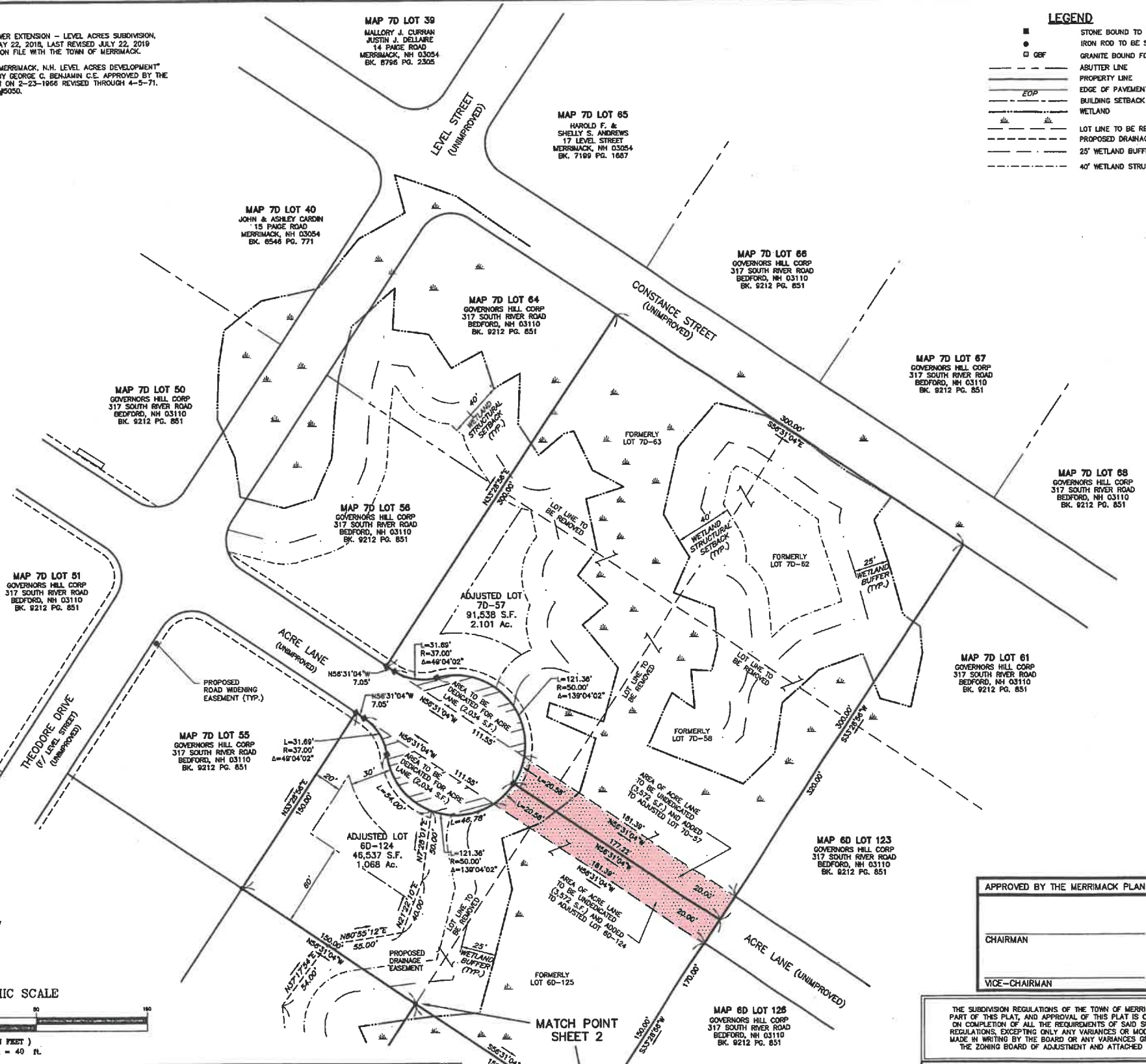


GRAPHIC SCALE
 (IN FEET)
 1 inch = 40 ft.

UTILITY NOTE
 THE UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN DRAWN FROM FIELD SURVEY INFORMATION AND OR PLOTTED FROM EXISTING DRAWINGS. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHER, KEACH-NORDSTROM ASSOCIATES, INC. DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. KEACH-NORDSTROM ASSOCIATES, INC. HAS NOT PHYSICALLY LOCATED THE UNDERGROUND PORTIONS OF THE UTILITIES.



THE LIMITS OF JURISDICTIONAL WETLANDS AS SHOWN ON THIS PLAN WERE DELINEATED BY JOSHUA BRIEN CWS 226 OF KEACH-NORDSTROM ASSOCIATES. DELINEATION WAS PERFORMED ON AUGUST 2021 IN ACCORDANCE WITH:
 • US ARMY CORPS OF ENGINEERS REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTH-CENTRAL AND NORTH-EAST REGION, TECHNICAL REPORT ERODC-11-12-1, JANUARY 2012, VERSION 2.0
 • NEW ENGLAND HYDRIC SOILS TECHNICAL COMMITTEE, 2018 VERSION 4, FIELD INDICATORS FOR IDENTIFYING HYDRIC SOILS IN NEW ENGLAND, NEW ENGLAND INTERSTATE WATER POLLUTION CONTROL COMMISSION, LOWELL, MA.
 • NORTH AMERICAN DIGITAL FLORA: NATIONAL WETLAND PLANT LIST, CURRENT VERSION



PROPOSED LOT 60-77
 70,111 S.F.
 1.610 Ac.

After recording, return to:
Bernstein, Shur, Sawyer & Nelson, PA
670 North Commercial Street, Suite 108
P.O. Box 1120
Manchester, NH 03105-1120

DRAINAGE AND ROAD WIDENING EASEMENT DEED

Governor's Hill Corp., a New Hampshire corporation with an address of 317 South River Road, Town of Bedford, County of Hillsborough, and State of New Hampshire 03110 (the "Grantor"), for consideration paid, grants to **Town of Merrimack**, of 6 Baboosic Lake Road, Town of Merrimack, County of Hillsborough, and State of New Hampshire 03054 (the "Grantee"), said easements are located in the Town of Merrimack, County of Hillsborough and State of New Hampshire, bounded and described as follows:

Proposed Drainage Easements and Proposed Road Widening Easements on certain parcels of land with improvements thereon, located in Merrimack, Hillsborough County, New Hampshire, being shown on a Plan entitled, "Easement Plan for the Benefit of the Town of Merrimack, Acre Lane, Theodore Street, & Claire Street, Located in the Level Acres Subdivision Map 6D & 7D, Merrimack, New Hampshire Hillsborough County", Prepared by Keach-Nordstrom Associates, Inc. dated October 28, 2021, last revised April 28, 2022 and recorded at the Hillsborough County Registry of Deeds as Plan No. _____, described more particularly as follows:

Road Widening & Drainage Easement "A" on Lots 7D-46-1, 7D-47, 7D-48, 7D-49 & 7D-50

Beginning at a point at the southwesterly corner of the herein described premises, said point in located at the southwesterly corner of Lot 7D-46-1 at the northwesterly intersection of Pearson Road and Acre Lane;

thence North 68°25'47" East along said Acre Lane, a distance of 509.20 feet to a point;

thence Easterly along said Acre Lane, a distance of 134.52 feet along a curve to the right having a radius of 140.00 feet and a central angle of 55°03'08" to a point;

thence South 56°31'04" East along said Acre Lane, a distance of 126.55 feet to a point;

thence Easterly along said Acre Lane, a distance of 16.09 feet along a curve to the left having a radius of 25.00 feet and a central angle of 36°52'12" to a point;

thence North 56°31'04" West onto Lot 7D-50, a distance of 134.03 feet to a point;

thence North 33°34'16" East, a distance of 144.99 feet to a point at Lot 7D-40;

thence North 56°31'22" West along said Lot 7D-40 & Lot 7D-41, a distance of 219.95 feet to a point at the northwesterly corner of Lot 7D-49 and the southerly line of Lot 7D-43;

thence South 68°24'24" West along said Lot 7D-43, a distance of 40.99 feet to a point;

thence South 54°38'23" East across Lot 7D-48 and Lot 7D-49, a distance of 228.48 feet to a point;

thence South 33°34'16" West, a distance of 104.07 feet to a point;

thence Westerly, a distance of 131.84 feet along a curve to the left having a radius of 145.00 feet and a central angle of 52°05'45" to a point;

thence South 68°25'47" West, a distance of 455.95 feet to a point;

thence North 12°38'56" West, a distance of 197.21 feet to a point on the southerly line of Lot 7D Lot 46;

thence South 68°24'24" West along said Lot 7D-46, a distance of 52.34 feet to a point on the easterly side of said Pearson Road;

thence South 13°38'41" East along said Pearson Road, a distance of 89.85 feet to a point;

thence South 11°10'57" East along said Pearson Road, a distance of 53.97 feet to a point;

thence South 12°21'15" East, a distance of 58.48 feet to the point of beginning.

Said Road Widening & Drainage Easement "A" Containing 24,303 square feet or 0.56 acres, more or less.

Road Widening Easement "B" on Lots 6D-60, 6D-61, 6D-62, 7D-51, 7D-51-1, 7D-52, 7D52-1, 7D-53 & 7D-54

Beginning at a point at the northwesterly corner of the herein described premises, said point is located on the southerly line of Acre Lane and further located North 68°25'47" East, a distance of 37.89 feet from the northwest corner of Lot 7D-54 at the southwesterly intersection of Pearson Road and Acre Lane;

thence North 68°25'47" East along said Acre Lane, a distance of 476.23 feet to a point;

thence Easterly along said Acre Lane, a distance of 96.08 feet along a curve to the right having a radius of 100.00 feet and a central angle of 55°03'08" to a point;

thence South 56°31'04" East, a distance of 126.55 feet to a point;

thence Southerly along said Acre Lane, a distance of 39.27 feet along a curve to the right having a radius of 25.00 feet and a central angle of 90°00'00" to a point on the northerly side of Theodore Drive;

thence South 33°28'56" West along said Theodore Drive, a distance of 226.01 feet to a point;

thence Southwesterly along said Theodore Drive, a distance of 189.98 feet along a curve to the right having a radius of 300.00 feet and a central angle of 36°16'58" to a point;

thence South 69°45'53" West along said Theodore Drive, a distance of 333.66 feet to a point;

thence North 13°22'31" West onto Lot 6D-60, a distance of 5.04 feet to a point;

thence North 69°45'53" East, a distance of 333.06 feet to a point;

thence Northeasterly, a distance of 186.81 feet along a curve to the left having a radius of 295.00 feet and a central angle of 36°16'58" to a point;

thence North 33°28'56" East, a distance of 226.01 feet to a point;

thence Northerly, a distance of 31.42 feet along a curve to the left having a radius of 20.00 feet and a central angle of 90°00'00" to a point;

thence North 56°31'04" West, a distance of 126.55 feet to a point;

thence Westerly, a distance of 91.28 feet along a curve to the left having a radius of 95.00 feet and a central angle of 55°03'08" to a point;

thence South 68°25'47" West, a distance of 477.49 feet to a point;

thence North 07°27'39" West, a distance of 5.16 feet to a point to the point of beginning.

Said Road Widening Easement "B" Containing 7,400 square feet or 0.17 acres, more or less.

Road Widening & Drainage Easement "C" on Lot 6D-60 & 7D-54

Beginning at a point at the northwesterly corner of the herein described premises, said point is located at the northwesterly corner of Lot 7D-54 at the southwesterly intersection of Acre Lane and Pearson Road;

thence South 14°28'03" East along said Pearson Road, a distance of 178.23 feet to a point at the northwesterly corner of Lot 6D-60;

thence South 12°06'43" East along said Pearson Road, a distance of 88.05 feet to a point;

thence South 04°52'56" East along said Pearson Road, a distance of 96.64 feet to a point at the northwesterly intersection of Theodore Drive and Pearson Road;

thence North 69°45'53" East along said Theodore Drive, a distance of 29.01 feet to a point;

thence North 13°22'31" West onto said Lot 6D-60, a distance of 156.09 feet to a point;

thence North 07°27'39" West, a distance of 208.77 feet to a point on the southerly line of said Acre Lane;

thence South 68°25'47" West along said Acre Lane, a distance of 29.57 feet to a point to the point of beginning.

Said Road Widening and Drainage Easement "C" Containing 7,981 square feet or 0.18 acres, more or less.

Road Widening "D" on Lots 6D-77, 6D-78, 6D-79 & 6D-80

Beginning at a point at the northeasterly corner of the herein described premises, said point is located on the northeasterly terminus of Claire Street and further located South 27°06'55" West, a distance of 40.25 feet from the southeasterly corner of Lot 6D-64;

thence South 56°30'59" East onto Lot 6D-77, a distance of 5.09 feet to a point;

thence Westerly, a distance of 165.49 feet along a non tangent curve to the right of which the radius point lies North 66°59'36" West a radius of 55.00 feet, and having a central angle of 172°23'44" to a point;

thence Northerly, a distance of 40.17 feet along a reverse curve to the left having a radius of 32.00 feet and a central angle of 71°55'12" to a point;

thence North 56°31'04" West, a distance of 166.03 feet to a point;

thence Westerly, a distance of 25.06 feet along a curve to the left having a radius of 20.00 feet and a central angle of 71°48'04" to a point;

thence Southwesterly, a distance of 108.89 feet along a reverse curve to the right having a radius of 345.00 feet and a central angle of 18°05'02" to a point;

thence South 69°45'53" West, a distance of 50.19 feet to a point on the easterly line of Robert Street;

thence Northeasterly along said Robert Street, a distance of 16.09 feet along a non tangent curve to the right of which the radius point lies South 57°06'18" East a radius of 25.00 feet, and having a central angle of 36°52'12" to a point on the southerly line of Theodore Drive;

thence North 69°45'53" East along said Theodore Drive, a distance of 35.19 feet to a point;

thence Northeasterly along said Theodore Drive, a distance of 107.31 feet along a curve to the left having a radius of 340.00 feet and a central angle of 18°05'02" to a point at the northwesterly intersection of said Claire Street;

thence Easterly along said Claire Street, a distance of 31.33 feet along a reverse curve to the right having a radius of 25.00 feet and a central angle of 71°48'04" to a point;

thence South 56°31'04" East along said Claire Street, a distance of 166.03 feet to a point;

thence Southerly along said Claire Street, a distance of 46.44 feet along a curve to the right having a radius of 37.00 feet and a central angle of 71°55'12" to a point;

thence Easterly along said Claire Street, a distance of 151.37 feet along a reverse curve to the left having a radius of 50.00 feet and a central angle of 173°27'25" to the point of beginning.

Said Road Widening Easement "D" Containing 2,747 square feet or 0.06 acres, more or less

Road Widening Easement "E" on Lots 6D-63, 6D-64, 6D-124 & 7D-55

Beginning at a point at the southerly corner of the herein described premises, said point is located at the southerly corner of Lot 6D-64 on the northeasterly terminus of Claire Street;

thence North 56°31'04" West along said Claire Street, a distance of 275.79 feet to a point;

thence Northerly along said Claire Street, a distance of 40.91 feet along a curve to the right having a radius of 25.00 feet and a central angle of 93°46'10" to a point on the southerly line of Theodore Street;

thence Northeasterly along said Theodore Street, a distance of 22.37 feet along a reverse curve to the left having a radius of 340.00 feet and a central angle of 03°46'10" to a point;

thence North 33°28'56" East along said Theodore Street, a distance of 226.01 feet to a point at the northwesterly intersection of Acre Lane;

thence Easterly along said Acre Lane, a distance of 39.27 feet along a curve to the right having a radius of 25.00 feet and a central angle of 90°00'00" to a point;

thence South 56°31'04" East along said Acre Lane, a distance of 132.05 feet to a point;

thence Southeasterly along said Acre Lane, a distance of 31.69 feet along a curve to the right having a radius of 37.00 feet and a central angle of 49°04'02" to a point;

thence Southeasterly along said Acre Lane, a distance of 54.00 feet along a reverse curve to the left having a radius of 50.00 feet and a central angle of 61°52'46" to a point;

thence South 07°28'01" West onto Lot 6D-124, a distance of 5.12 feet to a point;

thence Northwesterly, a distance of 60.57 feet along a reverse curve to the right having a radius of 55.00 feet, and having a central angle of 63°05'54" to a point;

thence Northwesterly, a distance of 27.40 feet along a curve to the left having a radius of 32.00 feet, and having a central angle of 49°04'02" to a point;

thence North 56°31'04" West, a distance of 132.05 feet to a point;

thence Westerly, a distance of 31.42 feet along a curve to the left having a radius of 20.00 feet and a central angle of 90°00'00" to a point;

thence South 33°28'56" West, a distance of 226.01 feet to a point;

thence Southerly, a distance of 22.70 feet along a curve to the right having a radius of 345.00 feet and a central angle of 3°46'10" to a point;

thence Southerly, a distance of 32.73 feet along a curve to the left having a radius of 20.00 feet and a central angle of 93°46'10" to a point;

thence South 56°31'04" East, a distance of 271.63 feet to a point;

thence South 06°15'27" East, a distance of 6.50 feet to a point to the point of beginning.

Said Road Widening Easement "E" Containing 4,066 square feet or 0.10 acres, more or less.

Road Widening Easement "F" on Lots 7D-56 & 7D-57

Beginning at a point at the northeasterly corner of Lot 6D-124 on the southeasterly line of Acre Lane;

thence Northwesterly along said Acre Lane, a distance of 121.36 feet along a curve to the left having a radius of 50.00 feet and a central angle of 139°04'02" to a point;

thence Westerly along said Acre Lane, a distance of 31.69 feet along a reverse curve to the right having a radius of 37.00 feet and a central angle of 49°04'02" to a point;

thence North 56°31'04" West along said Acre Lane, a distance of 132.05 feet to a point;

thence Northwesterly along said Acre Lane, a distance of 16.09 feet along a curve to the right having a radius of 25.00 feet and a central angle of 36°52'12" to a point;

thence South 56°31'04" East across Lot 7D-56 and Lot 7D-57, a distance of 147.05 feet to a point;

thence Easterly, a distance of 27.40 feet along a curve to the left having a radius of 32.00 feet and a central angle of 49°04'02" to a point;

thence Southeasterly, a distance of 133.50 feet along a reverse curve to the right having a radius of 55.00 feet and a central angle of 139°04'02" to a point on the easterly line of Lot 6D-124;

thence North 56°31'04" West along said Lot 6D-124, a distance of 5.00 feet to a point to the point of beginning

Said Road Widening Easement "F" Containing 1,496 square feet or 0.03 acres, more or less.

Drainage Easement "G" on Lots 6D-64, 6D-77, 6D-78 & 6D-124

Beginning at a point located at the southerly corner of Lot 6D-64 on the northeasterly terminus of Claire Street;

thence North 06°15'27" West onto said Lot 6D-64, a distance of 125.00 feet to a point;

thence North 37°17'54" East, a distance of 54.00 feet to a point;

thence North 80°55'12" East, a distance of 55.00 feet to a point;

thence North 21°22'10" East, a distance of 40.00 feet to a point;

thence North 07°28'01" East, a distance of 50.00 feet to a point on the southerly line of Acres Lane;

thence Easterly along Acre Lane, a distance of 67.36 feet along a non tangent curve to the left of which the radius point lies North 20°40'12" East a radius of 50.00 feet, and having a central angle of 77°11'16" to a point at the southwesterly corner of Lot 7D-57;

thence South 56°31'04" East along said Lot 7D-57, a distance of 177.22 feet to a point on the northerly terminus of Acre Lane (not constructed);

thence South 33°28'56" West along said Acre Lane, Lot 6D-126, Lot 6D-66 and the northerly terminus of Claire Street (not constructed), a distance of 360.00 feet to a point;

thence South 56°31'04" East along said Claire Street, a distance of 149.75 feet to a point;

thence Southerly along said Claire Street, a distance of 55.10 feet along a curve to the right having a radius of 25.00 feet and a central angle of 126°16'58" to a point on the northerly line of Louie Street (not constructed);

thence South 69°45'53" West along said Louie Street, a distance of 499.41 feet to a point on the southeasterly intersection of Robert Street (not constructed);

thence Northwesterly along said Robert Street (not constructed), a distance of 39.27 feet along a curve to the right having a radius of 25.00 feet and a central angle of 89°59'59" to a point;

thence North 20°14'07" West along said Robert Street, a distance of 220.74 feet to a point;

thence North 83°29'04" East onto Lot 6D-79, a distance of 87.00 feet to a point;

thence North 67°27'29" East, a distance of 40.67 feet to a point at Lot 6D-78;

thence North 64°56'27" East, a distance of 60.00 feet to a point;

thence North 82°22'55" East, a distance of 50.00 feet to a point;

thence South 70°46'49" East, a distance of 120.00 feet to a point;

thence South 31°54'31" East, a distance of 84.66 feet to a point;

thence North 52°52'40" East, a distance of 15.00 feet to a point;

thence North 04°01'02" East, a distance of 155.00 feet to a point;

thence North 56°30'59" West, a distance of 87.40 feet to a point on the easterly terminus of Claire Street to a point;

thence North 27°06'55" East along said Claire Street, a distance of 40.25 feet to the point of beginning.

Said Drainage Easement "G" Containing 167,153 square feet or 3.83 acres, more or less.

These drainage easements shall include the perpetual right to enter upon the real estate described at any time that the Grantee, its successors or assigns may see fit to construct, maintain, or repair natural drainage areas or to construct, maintain, or repair underground pipelines and/or drains, together with the right to excavate and refill ditches and/or trenches for the location of pipelines and/or drains and to generally use the easement area for drainage purposes. The Grantee, in accepting the drainage easement agrees that it shall repair and resurface any disruption caused by it to paved areas, returning same as close as reasonably possible to its previous condition, and shall regrade, replant and reseed any disruption caused by it to landscaped areas; and that, except in emergency situations, it shall provide the Grantor, its successors and assigns, with 48 hours' prior notice of any maintenance or repairs to be performed. The Grantor, its successors and assigns shall have the right to cross and otherwise utilize the easement area for reasonable purposes.

These road widening easements are intended to accommodate travel and use of public roads and shall include the perpetual right to enter upon the real estate described at any time that the Grantee, its successors or assigns, may see fit to construct, pave and maintain a roadway in the easement area, or to expand the existing abutting roadway. This easement shall also allow the Grantor to clear and maintain the easement to provide adequate sight distance or line of sight associated with the abutting public roadway.

The Grantee, in accepting the road widening easement, agrees that it shall repair and resurface any disruption caused by it to paved areas, returning same as close as reasonably possible to its previous condition and shall regrade, replant and reseed any disruption caused by it to landscaped areas; and that, except in emergency situations, it shall provide the Grantor, its successors and assigns, with 48 hours prior notice of any maintenance or repairs to be performed. The Grantor, its successors and assigns, shall have the right to cross and otherwise utilize the drainage and road widening easement areas for reasonable purposes including maintenance of a lawn or other landscaping which will not interfere with the purpose of these easements. The Grantor, its successors or assigns shall not erect or construct any building or other structure, plant trees or landscaping which obstruct line of sight or sight distance established by the Grantee, or drill or operate any well, or construct any other obstruction on or within the drainage or road widening easement areas. The preceding includes actions or placement of structures that frustrate the purpose for which the drainage or road widening easements were granted, including but not limited to, the dumping of lawn or yard materials or wastes that prevents the necessary drainage and flow of water in the drainage easements or wetlands on site, as well as the dumping of trash, fill, or refuse in the wetlands on site.

For title reference see Book 9212, Page 851 recorded at the Hillsborough County Registry of Deeds. The terms of these easements shall run with the land and shall be binding upon the Grantor its respective heirs, successors, devisees, and assigns. These easements shall be an easement in gross to the Town.

This conveyance is exempt from the real estate transfer tax pursuant to RSA 78-B:2, I; this conveyance is exempt from the LCHIP charge pursuant to RSA 478:17-g, II(a) because the Town is a party.

This is not homestead property.

[Signature page to follow]

IN WITNESS WHEREOF, the owner of record has caused this deed to be executed this _____ day of _____, 2022.

GOVERNOR'S HILL CORP.

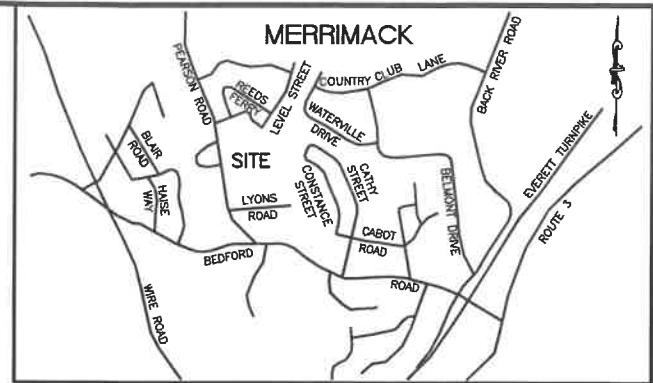
Witness

By: Robert LaMontagne, President

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

On this _____ day of _____, 2022, before me personally appeared Robert LaMontagne, President of Governor's Hill Corp. and acknowledged the foregoing instrument to be his voluntary act and deed on behalf of said corporation.

Notary Public/Justice of the Peace
My Commission Expires: _____



LOCUS MAP
SCALE: 1" = 2,000'

NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEPICT PROPOSED ROAD WIDENING AND DRAINAGE EASEMENTS FOR THE BENEFIT OF THE TOWN OF MERRIMACK FOR PORTIONS OF ACRE LANE, THEODORE DRIVE & CLAIRE STREET AS SHOWN HEREON AND NO OTHER PURPOSE.
2. THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND BY THIS OFFICE DURING DECEMBER OF 2018 AND JANUARY OF 2019.
3. THE GRANTOR, ITS SUCCESSORS OR ASSIGNS SHALL NOT ERRECT OR CONSTRUCT ANY BUILDING OR OTHER STRUCTURE, PLANT TREES OR LANDSCAPING WHICH OBSTRUCT LINE OF SIGHT OR SIGHT DISTANCE ESTABLISHED BY GRANTOR, OR DRILL OR OPERATE ANY WELL, OR CONSTRUCT ANY OTHER OBSTRUCTION ON OR WITHIN THE DRAINAGE OR ROAD WIDENING EASEMENT AREAS. IN ADDITION, INCLUDING BUT NOT LIMITED TO, THERE SHALL BE NO DUMPING OF LAWN OR YARD MATERIALS, OR WASTES, TRASH, FILL, OR REFUSE WITHIN THE EASEMENTS OR WITHIN THE WETLAND AREAS.
4. THIS PLAN SET CONTAINS ONE SHEET WHICH WILL BE RECORDED AT THE HILLSBOROUGH COUNTY REGISTRY OF DEEDS.

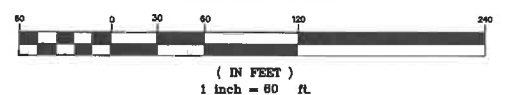
LEGEND

- EDGE OF PAVEMENT
- PROPERTY LINE
- STONEWALL
- PROPOSED EASEMENT

REFERENCE PLANS:

1. "ROADWAY IMPROVEMENTS & SEWER EXTENSION - LEVEL ACRES SUBDIVISION, MERRIMACK, NEW HAMPSHIRE" MAY 22, 2018, LAST REVISED JULY 22, 2019 PREPARED BY THIS OFFICE AND ON FILE WITH THE TOWN OF MERRIMACK.
2. "PLAN OF LAND OF L.V. ROY - MERRIMACK, N.H. LEVEL ACRES DEVELOPMENT" SCALE: 1" = 100', PREPARED BY GEORGE C. BENJAMIN C.E. APPROVED BY THE TOWN OF MERRIMACK SELECTMAN ON 2-23-1986 REVISED THROUGH 4-5-71. H.C.R.D. PLANS #3305, #4425 & #5050.
3. "LOT CONSOLIDATION, SUBDIVISION AND ROAD UNDEDICATION PLAN, MAP 6D LOTS 75, 76, 77, 78, 79 & 81" DATED AUGUST 16, 2021 SCALE: 1" = 40' LAST REVISED 10-11-21, PREPARED BY THIS OFFICE, CONDITIONALLY APPROVED BY THE MERRIMACK PLANNING BOARD AND TO BE RECORDED.
4. "LOT CONSOLIDATION AND ROAD UNDEDICATION PLAN, MAP 6D LOTS 124 & 125 MAP 7D LOTS 57, 58, 52 & 63" DATED AUGUST 16, 2021 SCALE: 1" = 40' LAST REVISED 10-11-21, PREPARED BY THIS OFFICE, CONDITIONALLY APPROVED BY THE MERRIMACK PLANNING BOARD AND TO BE RECORDED.

GRAPHIC SCALE



EASEMENT PLAN
FOR THE BENEFIT OF THE TOWN OF MERRIMACK
ACRE LANE, THEODORE STREET, & CLAIRE STREET
LOCATED IN THE LEVEL ACRES SUBDIVISION
MAP 6D & 7D
MERRIMACK, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

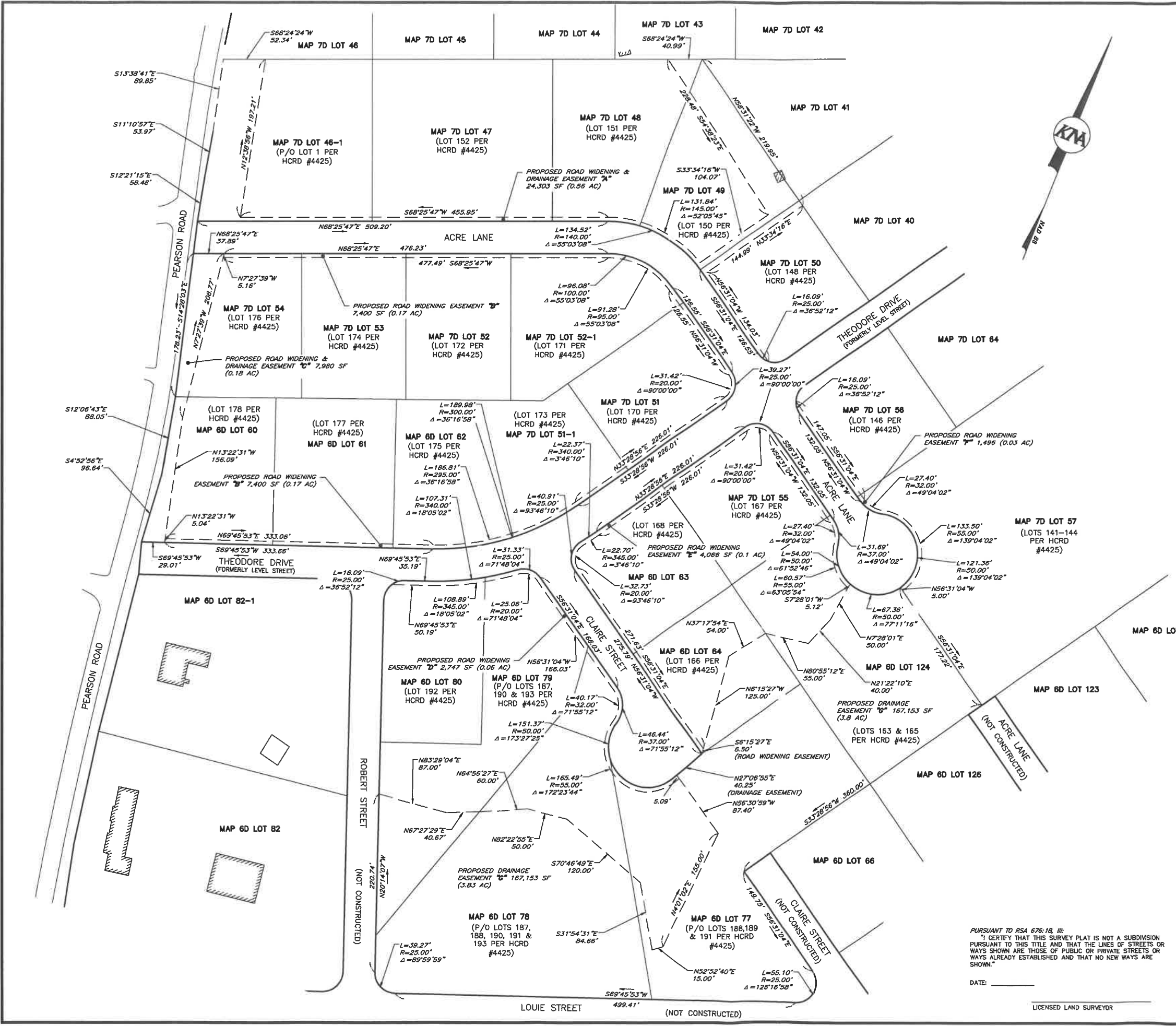
OWNER OF RECORD:
GOVERNOR'S HILL CORP.
317 SOUTH RIVER ROAD
BEDFORD, NH 03110
BK. 9212 PG. 851

KMA
KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 2B, Bedford, NH 03110 Phone (603) 627-8881

REVISIONS

No.	DATE	DESCRIPTION	BY
1	12/06/21	PLAN CLEANUP	CJH
2	02/1/22	PLAN CLEANUP	ACL
3	04/19/22	TOWN COMMENTS	ACL
4	04/28/22	TOWN COMMENTS	ACL

DATE: OCTOBER 28, 2021 SCALE: 1"=60'
PROJECT NO: 18-0829-1 SHEET 1 OF 1



PURSUANT TO RSA 676:18, III:
"I CERTIFY THAT THIS SURVEY PLAN IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS OR WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN."

DATE: _____
LICENSED LAND SURVEYOR