



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

MEETING INFORMATION

Date Submitted: June 18, 2014

Date of Meeting: June 26, 2014

Submitted by: Town Manager Eileen Cabanel

Department:

Time Required: 15 minutes

Speakers:

Background Info. Supplied: Yes: No:

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

| | | | |
|------------------------|-------------------------------------|---|--------------------------|
| Appointment: | <input type="checkbox"/> | Recognition/Resignation/ Retirement: | <input type="checkbox"/> |
| <i>Public Hearing:</i> | <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

Repurchase of Tax Deeded Property

DESCRIPTION OF ITEM

To consider the repurchase of recently tax deeded property tax map parcel 6C/211 and the Town Council deems that this shall include all back taxes, interests and costs, pursuant to RSA 80:80 III and Article 66-1 of the Merrimack Town Code.

REFERENCE (IF KNOWN)

| | | | |
|------------------|-----------|------------------|--|
| RSA: | 80:80 III | Warrant Article: | |
| Charter Article: | 66-1 | 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 type="checkbox"/> | None: | <input type="checkbox"/> |

CONTACT INFORMATION

Name: Eileen Cabanel Address: 6 Baboosic Lake Road
 Phone Number: 424-2331 Email Address: ecabanel@merrimacknh.gov

APPROVAL

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

TITLE V TAXATION

CHAPTER 80 COLLECTION OF TAXES

Real Estate Tax Liens

Section 80:80

80:80 Transfer of Tax Lien. –

I. No transfer of any tax lien upon real estate acquired by a town or city as a result of the execution of the real estate tax lien by the tax collector for nonpayment of taxes thereon shall be made to any person by the municipality during the 2-year period allowed for redemption, nor shall title to any real estate taken by a town or city in default of redemption be conveyed to any person, unless the town, by majority vote at the annual meeting, or city council by vote, shall authorize the selectmen or the mayor to transfer such lien or to convey such property by deed.

II. If the selectmen or mayor are so authorized to convey such property by deed, either a public auction shall be held, or the property may be sold by advertised sealed bids. The selectmen or mayor shall have the power to establish a minimum amount for which the property is to be sold and the terms and conditions of the sale.

II-a. If the selectmen or mayor are authorized to transfer such liens during the 2-year redemption period, either a public auction shall be held, or the liens may be sold by advertised sealed bids. The selectmen or mayor may establish minimum bids, and may set the terms and conditions of the sale. Such liens may be sold singly or in combination, but no fractional interest in any lien shall be sold. Such transfer shall not affect the right of the owner or others with a legal interest in the land to redeem the tax lien pursuant to RSA 80:69, or make partial payments in redemption pursuant to RSA 80:71, but the transferee shall become the lienholder for purposes of RSA 80:72 and 80:76.

III. The selectmen may, by a specific article in the town warrant, or the mayor, by ordinance, may be authorized to dispose of a lien or tax deeded property in a manner than otherwise provided in this section, as justice may require.

IV. Such authority to transfer or to sell shall continue in effect for one year from the date of the town meeting or action by the city or town council provided, however, that the authority to transfer tax liens, or to sell real estate acquired in default of redemption, or to vary the manner of such sale or transfer as justice may require, may be granted for an indefinite period, in which case the warrant article or vote granting such authority shall use the words "indefinitely, until rescinded" or similar language.

V. Towns and cities may retain and hold for public uses real property the title to which has been acquired by them by tax collector's deed, upon vote of the town meeting or city council approving the same.

VI. For purposes of this section, the authority to dispose of the property "as justice may require" shall include the power of the selectmen or mayor to convey the property to a former owner, or to a third party for benefit of a former owner, upon such reasonable terms as may be agreed to in writing, including the authority of the municipality to retain a mortgage interest in the property, or to reimpose its tax lien, contingent upon an agreed payment schedule, which need not necessarily reflect any prior redemption amount. Any such agreement shall be

recorded in the registry of deeds. This paragraph shall not be construed to obligate any municipality to make any such conveyance or agreement.

Source. 1987, 322:1. 1992, 173:3, 4. 1993, 176:10. 1997, 266:4, eff. Jan. 1, 1998.

Town of Merrimack, NH

Chapter 66. TOWN COUNCIL

[HISTORY: Adopted by the Town of Merrimack as indicated in article histories. Amendments noted where applicable.]

Article I. Tax Title Deed Properties

[Adopted 5-16-1991 ATM by Art. 26; amended by Town Council 11-5-2009; 1-26-2012]

§ 66-1. Transfer of tax lien.

Pursuant to RSA 80:80, the Town Council is authorized to retain for public use or to sell, either by private sale to the previous owner from whom title was obtained through the Tax Collector's deed or public auction, and for such price and upon such terms as in its judgment may seem best, any real estate or interest therein to which the Town has obtained or shall obtain title by Tax Collector's deed for the nonpayment of taxes, and further, during the period when title to said property shall be held by the Town, the Town Council is given authority to rent, use or administer the same as in its judgment may seem best.