



CITY OF CONCORD

REPORT TO MAYOR AND CITY COUNCIL

FROM: Paul E. Gendron, LLS City Surveyor

DATE: April 4, 2025

SUBJECT: Boundary line agreement between the lands of the City of Concord and The Robert D. & Sherri A. Morrill Revocable Trust dated March 4, 1993

Lands off Penacook Street in the Village of Penacook

Recommendation:

Accept this report, which recommends that the City Manager be authorized to enter into a Boundary Line Agreement with The Robert D. & Sherri A. Morrill Revocable Trust dated March 4, 1993 (the “Morrill Trust”), to resolve boundary line discrepancies due to the loss or obliteration of monumentation.

Background:

In 2023, Richard D. Bartlett & Associates (“Bartlett & Associates”), a local land surveying firm, was hired by the Morrill Trust and the Society for the Protection of New Hampshire Forests (the “Society”) to conduct a boundary survey of the Morrill Trust properties, for the purpose of conveying a conservation easement across a portion of their properties.

The Morrill Trust properties share common boundary lines with two properties owned by the City, Map 06P Lot 22 and Map 06P Lot 22A, which comprise the Penacook Wastewater Treatment Plant property, and Map 13P Lot 11, which is a vacant property near Upper Oxbow Pond at Goodwins Point.

The properties owned by the Morrill Trust consist of Map 13P Lot 4, Map 13P Lot 7, Map 13P Lot 8, and Map 13P and Lot 10.

Discussion:

During the process of completing the boundary survey of the Morrill Trust properties, Bartlett & Associates discovered two areas abutting City land where there was a lack of monumentation on the ground which was either lost, obliterated, or was never established, and the legal descriptions of the deeds of all of the properties were such that the boundary lines could not be determined with any certainty. To comply with RSA 472:3, Bartlett & Associates and the Society have

approached the City, explained the issues, and have asked the City to enter into a boundary line agreement to establish the boundary lines. See the attached map that designates the boundary lines subject to the Boundary Line Agreement.

The City Surveyor has been working with Richard D. Bartlett & Associates to prepare a boundary line agreement plat and a boundary line agreement document. Both the plat and the document would be executed by the City Manager and the trustees of the Morrill Trust, and then they will be put on record at the Merrimack County Registry of Deeds. The trustees of the Morrill Trust have participated in this process and are supportive of the Boundary Line Agreement as proposed.

Staff recommends that the City Manager be authorized to enter into the Boundary Line Agreement with the trustees of the Morrill Trust, to resolve boundary line discrepancies due to the loss or obliteration of monumentation.