



CITY OF CONCORD

New Hampshire's Main Street™

**Legal Department
City Solicitor's Office**

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City Solicitor

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REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Danielle Pacik, Deputy City Solicitor

DATE: August 4, 2023

SUBJECT: 211 Bog Road – Lot Line Adjustment

Recommendation

Accept this report recommending that the City Manager be authorized to enter into a lot line adjustment/land swap with Donna Raymond, the owner of 211 Bog Road.

Background

The City recently entered into a conditional agreement relative to a petition to quiet title regarding the ownership of an abandoned railroad that bisects 211 Bog Road. The City took ownership of the disputed land by tax deed for nonpayment of taxes in 1968. A portion of the railroad bed is currently being used by the Friends of the Concord-Lake Sunapee Rail Trail as a recreational trail.

As part of the agreement, the City and Donna Raymond have agreed to enter into a land transaction in which: (1) the City will deed a portion of its property at Map 32Z, Lot 78 in the amount of approximately .2 acres resulting in a boundary line adjustment that runs a course parallel to and approximately 15 feet north of the centerline of the existing raised railroad bed on Map 32Z, Lot 78 (note - the City will retain an easement to enter onto this property to the extent necessary to maintain, repair or replace infrastructure on the abandoned railroad corridor owned by the City); and (2) Donna Raymond will deed to the City the portion of her property at Map 32Z, Lot 79 in the amount of approximately .3 acres lying to the south of the southerly boundary line of the abandoned railroad corridor owned by the City and known as Map 32Z, Lot 78. Donna Raymond will also execute a quitclaim deed in favor of the City transferring any potential right, title or interest in the remaining railroad bed to the City.

The above-referenced land transaction requires approval by the Planning Board because it will result in new property boundaries. Upon approval by the Planning Board, the City Solicitor's office will work with legal counsel for Donna Raymond to prepare the necessary deeds.

This lot line adjustment will not impact the section of the railroad bed being used by the Friends of the Concord-Lake Sunapee Rail Trail for its recreational trail. The City will continue to own the section of the railroad bed that is currently under a license agreement with the Friends of the Concord-Lake Sunapee Rail Trail for its recreational trail.