TOWN OF SWANZEY, NH

APPLICATION FOR RESTORATION OF INVOLUNTARILY MERGED LOTS PURSUANT TO RSA 674:39-aa

Instructions & General Information for Restoration of Involuntarily Merged Lots

In accordance with NH RSA 674:39-aa, any owner of lots merged by municipal action for zoning, assessing, or taxation purposes prior to September 18, 2010 and without the consent of the owner may request that the lots be restored to their premerger status and all zoning and tax maps shall be updated to identify the premerger boundaries of said lots or parcels as recorded at the Cheshire County Registry of Deeds, provided:

a. The request is submitted to the Swanzey Board of Selectmen prior to December 31, 2016.

b. No owner in the chain of title voluntarily merged his or her lots. If any owner in the chain of title voluntarily merged his or her lots, then all subsequent owners shall be estopped from requesting restoration. The municipality shall have the burden of proof to show that any previous owner voluntarily merged his or her lots.

c. All decisions of the Board of Selectmen may be appealed in accordance with the provisions of RSA 676.

d. The restoration of the lots to their premerger status shall not be deemed to cure any non-conformity with existing local land use ordinances.

The procedure for requesting the Restoration of Involuntarily Merged Lots Pursuant to RSA 674:39-aa is as follows:

1. Complete the Application for Restoration of Involuntarily Merged Lots Pursuant to RSA 674:39-aa. The form must be typed or completed in ink.

2. Attach copies of the following documents:

    a. most current deed(s) for the lots

    b. survey (if available)

    c. if property was obtained from an estate (inherited), attach copy of the statutory "Notice to Cities and Towns"

    d. any other documentation that you think is pertinent

3. The Board of Selectmen shall consider the request within thirty (30) days of receipt of the completed application.

4. Notice of the Selectmen's decision shall be posted in a public place and shall be sent via regular mail to the property owner and the abutting property owners (adjacent to and directly across the street).

If you have any questions, please contact the Town Administrator at 352-7411 ext. 107.

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Name of Property Owner(s):

Mailing Address:

Telephone Number:

Email Address:

Street Location of Parcels Affected by the Requested Restoration:

Properties Requested to be Restored (attach additional sheet if needed):

Parcel 1

Current Deed Reference (book & page) Date Recorded _____

Tax Map _____ Lot Number _____

Parcel 2

Current Deed Reference (book & page) Date Recorded _____

Tax Map _____ Lot Number _____

Parcel 3

Current Deed Reference (book & page) Date Recorded _____

Tax Map _____ Lot Number _____

Please state when you believe the involuntary merger took place:

Signature(s) of Property Owner(s):

Signature:_____ Name:_____ Date:_____

Signature:_____ Name:_____ Date:_____

Adopted by Swanzey Board of Selectmen July 12, 2011