City of Concord, 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 RSA 674:39-aa, any owner of a lot or parcel of land merged by municipal action for zoning, assessing, or taxation purpose 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 Merrimack County Registry of Deeds, provided:

a. The request is submitted to the Concord City Council 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 by any overt act or conduct 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 Concord City Council 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.

e. In the event the request is granted, the property owner will be required to pay the filing fee to register a Notice of Lot Restoration at the Merrimack County Registry of Deeds.

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. Deed(s) for each lot or parcel.
   b. Survey (if available).
   c. Site plan (if available).
   d. Approved subdivision plan (if available)
   e. Pre-merger tax bills (if available)
   f. If the property was obtained from an estate (inherited), attach copy of the statutory "Notice to Cities and Towns"
   g. Any other documentation that you think is pertinent

Please be advised that the restoration of involuntarily merged lots may have assessment implications and may only be developed in accordance with the Ordinances of the City of Concord. If the request is granted, the assessment of the restored lots will be effective the following April 1st.

If you have any questions, please contact the City of Concord Zoning Administrator, (603) 225-8580.

December 2011

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Applicant Information

Owner(s) Name _____

Address/Street Number _____

City & State _____ **Telephone ( )** _____

Current Parcel Information (use additional sheet if more than three parcels involved)*

	Parcel 1	**Parcel 2**	**Parcel 3**
Assessor's Map/Block/Lot			
Assessor's Tract Number(s) (if known)			
Street Address or Address Range			
Deed Reference Book/Page			

**Please attach a copy of the deed for each parcel. Please also attach any relevant surveys, site plans, approved subdivision plans, pre-merger tax bills or other documentation that you think is pertinent. This application must be submitted to the City Council prior to December 31, 2016. Please see the Instructions & General Information for additional details.*

Owner's Signature _____ **Date** _____

Owner's Signature _____ **Date** _____