

**CITY OF PORTSMOUTH
LEGAL DEPARTMENT
MEMORANDUM**

DATE: SEPTEMBER 12, 2018
TO: JULIET WALKER, PLANNING DIRECTOR
FROM: SUZANNE M. WOODLAND, DEPUTY CITY ATTORNEY *Smw*
RE: PLANNING BOARD AGENDA ITEM – RECOMMENDATION RE SIDEWALK
EASEMENT

A. Matthew Wirth and Michelle Wirth own property at 439 Hanover Street. The property abuts Hanover Street, Brewster Street and Sudbury Street. During the course of a recent public works project, the owner discovered that a portion of the public sidewalk along Hanover, Brewster and Sudbury Street was outside the public right-of-way and encroaching upon the Wirth property.

Mr. and Mrs. Wirth have agreed to convey a sidewalk easement to encompass the existing sidewalk and cure the title defect. The easement area to be conveyed is as shown on the attached plan.

Proposed Motion: Recommend to the City Council that it accept a sidewalk easement from A. Matthew Wirth and Michelle Wirth across property located at 439 Hanover Street.

attachment

cc: Dave Desfosses, Construction Technician Supervisor

RECEIVED

SEP 13 2018

BY: _____

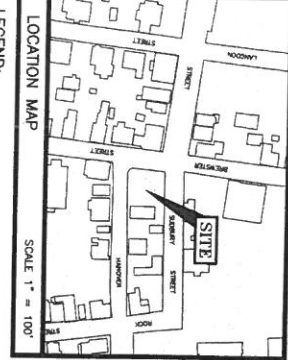


NOTES:

- 1) PARCEL IS SHOWN ON THE CITY OF PORTSMOUTH ASSESSOR'S MAP 138 AS LOT 20.
- 2) OWNERS OF RECORD:
A. MATTHEW WIRTH
439 HANOVER STREET
PORTSMOUTH, NH 03801
3287/1980
- 3) PARCEL IS NOT IN A SPECIAL TOWN HAZARD AREA AS SHOWN ON FIRE PANEL 2301000259E, MAY 17, 2005.
- 4) EXISTING LOT AREA:
6088 S.F.
0.1398 ACRES
- 5) PARCEL IS LOCATED IN GENERAL RESIDENCE C (GR) ZONE.
- 6) THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATION OF A PROPOSED SIDEWALK TO BE GRANTED TO THE CITY OF PORTSMOUTH, THE EXISTENT AREA CONSISTS OF THE AREA BETWEEN THE PROPERTY LINE AND THE EXISTING FENCE AND EXTENSIONS THEREOF.
- 7) LOT LINE AS SHOWN ON PLAN REFERENCE 2, LOTS WERE VOLUNTARILY MERGED, SEE R.I.C.D. 3788/181.

NO.	REVISIONS	DATE
1	REVISED TITLE BLOCK, NOTE 2	9/8/18
0	ISSUED FOR COMMENT	4/29/18

**SIDEWALK
EASEMENT PLAN FOR THE
CITY OF
PORTSMOUTH OVER
TAX MAP 138 - LOT 20**
OWNERS OF RECORD:
**A. MATTHEW WIRTH
MICHELLE B. WIRTH**
439 HANOVER STREET
CITY OF PORTSMOUTH
COUNTY OF ROCKINGHAM
STATE OF NEW HAMPSHIRE
OCTOBER 2017



LEGEND:

- N/W CORNER OF EQUILATERAL TRIANGLE
- REGISTRY OF DEEDS
- RAILROAD SPUR
- MAP 11/LOT 21
- IRON ROD FOUND
- IRON ROD FOUND
- IRON ROD FOUND
- DRILL HOLE FOUND
- DRILL HOLE SET
- BOUND WITH DRILL HOLE
- STONE BOUND WITH DRILL HOLE
- REF. REFERENCE

PLAN REFERENCES:

- 1) PLAN OF ROCK-FIELD, THE TOWN OF PORTSMOUTH BY BRADMAN SHERMAN, 1815 R.I.C.D. 0082.
- 2) PLAN OF FARM, JONES ESTATE, SURRENDER, MAY 20, 1895 BY A.C. HOYT, SURVEYOR, SCALE 1" = 20', R.I.C.D. 00311 (FARMERS' BOOK 624 PAGE 481).
- 3) CONDOMINIUM SITE PLAN FOR 4 & 6 MADDOCK STREET CONDOMINIUM, TAX MAP 138, LOT 25, PORTSMOUTH, NH, PREPARED BY JOHN W. DUBSON, ENGINEERING, DATED 4/2/08, SCALE 1" = 10', R.I.C.D. 0-35841.
- 4) SITE PLAN 21 BARKER STREET, PORTSMOUTH, NH, TAX MAP 138, LOT 11, PREPARED BY ROSS ENGINEERING, DATED 6/29/2011, SCALE 1" = 10', R.I.C.D. 0-40214.
- 5) SUBDIVISION OF LAND FOR THE PORTSMOUTH MFG. & POWER CO. PORTSMOUTH, NH, SCALE 1" = 20' PREPARED BY JOHN W. DUBSON CIVIL ENGINEER, NOV. 1925, R.I.C.D. 0088.
- 6) STANDARD BOUNDARY SURVEY TAX MAP 138 - LOT 60, OWNERS OF RECORD, CITY OF PORTSMOUTH, NH, PREPARED BY JOHN W. DUBSON CIVIL ENGINEER, INC. DATED SEPTEMBER 2015, REV. 9/1/17, SCALE 1" = 20' NOT RECORDED.

**EASEMENT
LENGTH TABLE**

LINE	BEARING	DISTANCE
E	S46°21'55"E	1.34'
F	S47°14'19"W	5.89'
G	S51°21'13"E	2.02'
H	S11°43'57"E	5.67'
I	S56°46'22"E	5.67'
J	S87°52'48"E	4.88'
K	S87°52'48"E	4.88'
L	N16°59'44"E	4.92'
M	S40°21'55"E	2.40'

"I, CERTIFY THAT THIS PLAN WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT IT IS THE RESULT OF A FIELD CHECKED BY ME AND HAS AN ACCURACY OF A FIELD ERROR OF 1:15,000."
[Signature]
DATE **9-7-18**
JOHN R. CHADWICK, L.S. 738

