

CITY COUNCIL MEETING

AGENDA ITEM VIII



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting August 2014

From: Elizabeth A. Dragon – City Manager

Subject: City Council to consider disposition of Tax Acquired Property 096 lot 412-06 , 6 Vine Street (mobile home only in Brandon Park Estates)

Suggested Motion:

1. Pursuant to RSA 47:5, the City can dispose of property at any time.
I suggest that the City Council authorize the City Manager to execute a sale of this property to the mobile park owner for taxes due of \$3,444.76.
 - a. Councilor moves:
“I move that the Franklin City Council authorize the City Manager to dispose of Tax Map 096-412-06, 6 Vine Street (mobile home) only through a negotiated direct sale to Mobile home park owner DRM Corporation.”
 - b. Mayor calls for a second, discussion, and the roll call vote.
2. The options available to the Council include:
 - o Auction
 - o Bid Process
 - o Direct Sale

Discussion: The mobile home park owner (Don Miner-DRM Corporation) has agreed to purchase the mobile home at 6 Vine Street for taxes due in the amount of \$3,444.76.

Shortly after the property was taken for back taxes & interest due-Brian Barry went to the property to post no-trespassing and secure the home if vacant. However, two people were residing at 6 Vine Street and indicated they had been renting from the Owner of the mobile home park.

Apparently, Don Miner purchased the mobile home but when the mortgage company originally took possession through foreclosure from John Noyes they did not record a deed at the time. Therefore, there is a deed missing showing transfer ownership from John Noyes to the mortgage company and then to Fred Poisson. The Deed to DRM was recorded but because the one from John Noyes never happened the property remained in the name of John Noyes (here at the city) even though he has been gone for some time and has come to city hall to try to get this out of his name the last couple years. (copy of the deed attached transferring from Fred Poisson to DRM).

The chain of title needed to show transfer from John Noyes, to mortgage holder, then to Fred Poisson then to DRM. It appears the mortgage holder skipped a step and a deed in the interim was never recorded.

Mr. Miner has been renting out the property and realizes he owes the city the back taxes and interest. We have spoken to John Noyes who agrees he lost the mobile home to foreclosure and has not been in the property for several years.

This plan avoids the city paying lot rent and avoids fighting a legal battle over ownership. It also finally deals with deed issue and puts the property in the correct owner's name-DRM Corporation.

Fiscal Impact: Selling the property will place it back on the tax rolls and deal with an ongoing legal issue over the deed.

Attachments/Exhibits: 1. **Tax Map/Card 096-062-52**

Franklin Fire Department

Code Enforcement Division

Request for Inspection:

Date: 4/23/14

Name: Noyes, John W.

Telephone: _____

Location: 6 Vine St.

Map: 096 Lot: 412-06

Zone _____ New Map # _____

Type of Inspection	Failed Date	Approved Date
Footing/Foundation		
Rough		
Insulation		
Fire Protection System		
Mechanical		
Final For CO		
Welfare Dept.		
New Business/Change of Use		
Other: <u>Back tax insp.</u>		<u>4/23/14</u>

Date Needed: 4/23/14 Time: 1030

Comments: Manufactured house in fair condition.

Copy to: City Clerk


Inspector

CITY OF FRANKLIN

316 Central Street

Franklin, NH 03235

Office Hours

Monday - Friday

8:15 AM - 5:00 PM

(603) 934-3109

NOYES, JOHN W
NOYES, PATRICE M
6 VINE STREET
FRANKLIN, NH 03235-0151

OFFICE OF THE TAX COLLECTOR
SUMMARY OF ACTIVITY FOR 000096 000412 000006
Printed Monday, April 21, 2014
Interest Calculated As Of 04/24/2014

Map Lot Sub: 000096 000412 000006

Invoice: 2012L01439434		Acres: 0.00	Location: 6 VINE STREET		
		Bill Amount: \$ 883.79	Due Date: 03/14/2012		
Date	Activity	Amount	Int. Paid	Penalty	Int./Pen. Due
04/04/2012	Mtge Search/Notice	\$ 0.00	\$ 0.00	\$ 28.00	\$ 0.00
03/04/2014	Deed Notice	\$ 0.00	\$ 0.00	\$ 39.42	\$ 0.00
04/24/2014	Int/Pen From 03/14/2012	\$ 0.00	\$ 0.00	\$ 0.00	\$ 403.45
Total Due For Invoice 2012L01439434:					\$ 1,287.24
Per Diem:	0.4358				

Invoice: 2013L01464831		Acres: 0.00	Location: 6 VINE STREET		
		Bill Amount: \$ 912.40	Due Date: 03/13/2013		
Date	Activity	Amount	Int. Paid	Penalty	Int./Pen. Due
04/18/2013	Mtge Search/Notice	\$ 0.00	\$ 0.00	\$ 23.58	\$ 0.00
04/24/2014	Int/Pen From 03/13/2013	\$ 0.00	\$ 0.00	\$ 0.00	\$ 206.71
Total Due For Invoice 2013L01464831:					\$ 1,119.11
Per Diem:	0.4500				

Invoice: 2013L03000180		Acres: 0.00	Location: 6 VINE STREET		
		Bill Amount: \$ 886.37	Due Date: 03/18/2014		
Date	Activity	Amount	Int. Paid	Penalty	Int./Pen. Due
04/16/2014	Mtge Search/Notice	\$ 0.00	\$ 0.00	\$ 23.90	\$ 0.00
04/24/2014	Int/Pen From 03/18/2014	\$ 0.00	\$ 0.00	\$ 0.00	\$ 40.07
Total Due For Invoice 2013L03000180:					\$ 926.44
Per Diem:	0.4371				

Total Due For Parcel 000096 000412 000006: \$ 3,332.79

Per Diem: 1.3229

Total Due For All Parcels: \$ 3,332.79

LEVY YEAR TAX TYPE INFORMATION		
B - Betterment	P - Property	T - Timber Yield
G - Gravel Yield	R - Residence	U - Use Change
L - Lien	S - Sewer	W - Water

6 VINE STREET	MAP/LOT: 096-412-06	77	ZONING: R2	LIVING UNITS: 1	CLASS: R - 103	CARD # 1	OF 1
CURRENT OWNER/ADDRESS							
NOYES, JOHN W							
NOYES, PATRICE M							
6 VINE STREET							
FRANKLIN NH 03235-							
DEED BOOK: 2179							
DEED PAGE: 06/0							
DEED DATE: 19991014							
LAND DATA:				NBHD ID: 204.00			
TYPE				ASSESSMENT INFORMATION			
LINEAR W.F.				PRIOR CURRENT			
SIZE				LAND BUILDING			
INFLUENCE FACTORS				TOTAL			
%				32,700 32,700			
LAND VALUE				32,700			
TOTAL LAND VALUE:				32,700			
PROPERTY VISIT HISTORY							
20090605 BL ENT, GAINED							
20080605 SP OCC, NOT HOME							
20000815 MT UNOCCUPIED							
UPDATE							

Sale info not verified by assessor's office

SALES DATA:				PERMIT DATA:			
Date	Type	Price	Valid Date	#	Amount	Purpose	

Dwelling Data:		COST APPROACH COMPUTATIONS	
Style:	MH	Base Price	80,470
Story Ht.	1.00	Plumbing	2,280
Attic:	NONE	Additions	2,000
Walls:	ALUM/VINYL	Unfin. Area	
Bedrooms:	3	Basement	-11,140
Total Rooms:	5		
Full Baths:	1		
Half Baths:	1		
Add'l Fixtures:	7		
Total Fixtures:	7		
Basement:	NONE		
Fin Bsmt. Living Area:			
Basement Rec Room Area:			
Heating System: GAS			
Heating Type: BASIC			
FIREPLACE WB:	/		
Mtl:	/		
Basement Garage (# cars):			
Ground Flr Area: 924			
Total Living Area: 924			
Quality Grade: D			
Condition: AVERAGE			
Marketability: AV			
Year Built: 1999			
Erf. Year Built:			
Unfinished Area:			
Unheated Area:			

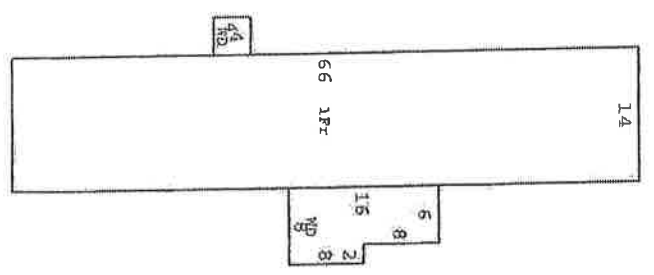
ADDITION DATA:					
Lower Level	First Floor	Second Floor	Third Floor	Area	Value
	Wood Deck			16	300
	Wood Deck			112	1700
				0	00
				0	00
				0	00
				0	00

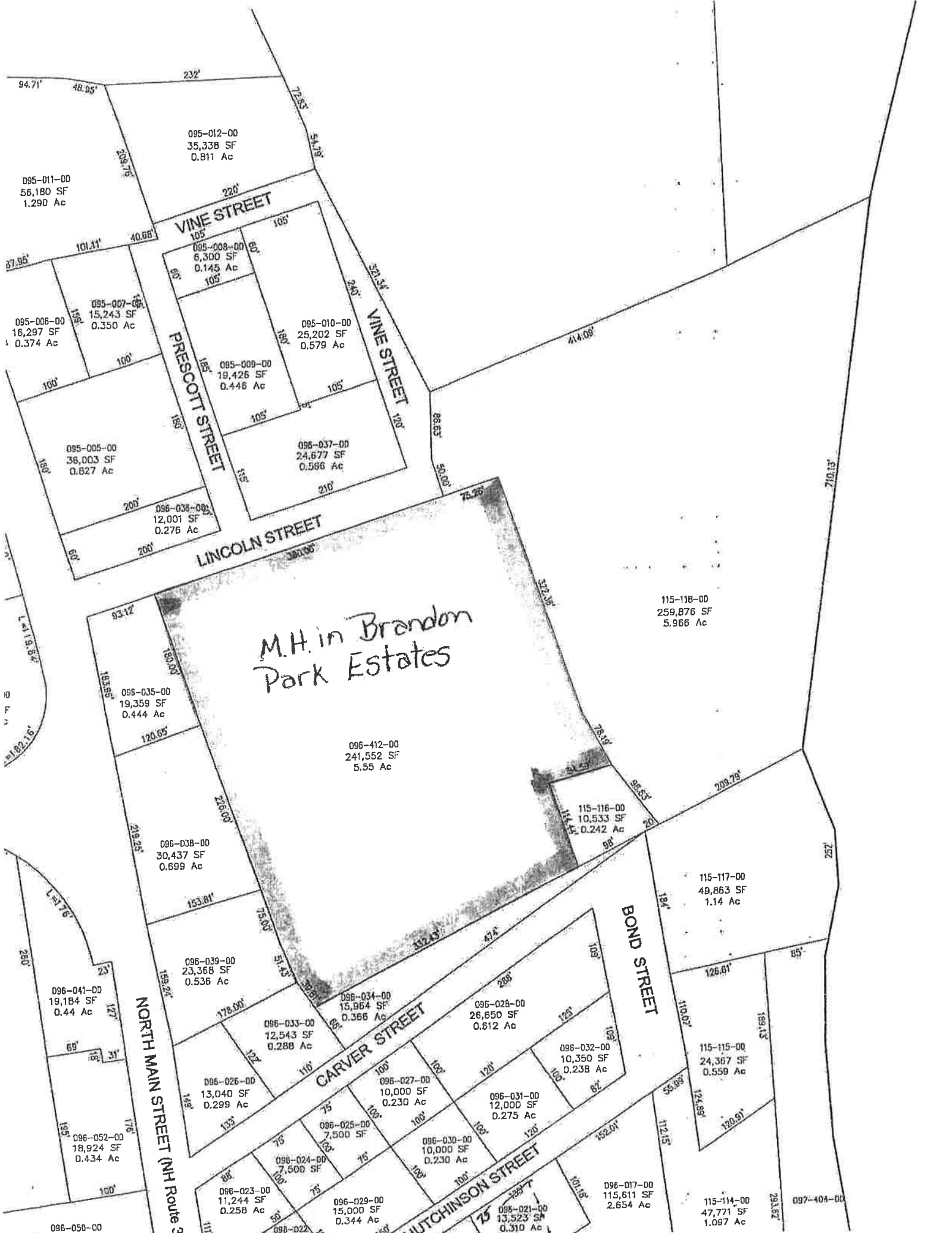
OUTBUILDING DATA								
Type	Qty	Yr	Size1	Size2	Grd	Cond	Ma	Value
RS2	1	1999	5	8	D	F		\$160
TOTAL RCMLD								32,500

VALUE FLAG:5
NOTES:

OUTBUILDING TOTAL: \$200

MAP SHEET # L7 House Color: 7 TAN





M.H. in Brandon
Park Estates

095-012-00
35,338 SF
0.811 Ac

095-011-00
56,180 SF
1.290 Ac

095-006-00
18,297 SF
0.374 Ac

095-007-00
15,243 SF
0.350 Ac

095-008-00
6,300 SF
0.145 Ac

095-010-00
25,202 SF
0.579 Ac

095-009-00
18,426 SF
0.446 Ac

095-005-00
36,003 SF
0.827 Ac

095-037-00
24,677 SF
0.566 Ac

096-038-00
12,001 SF
0.276 Ac

115-138-00
259,876 SF
5.966 Ac

096-035-00
19,359 SF
0.444 Ac

096-412-00
241,552 SF
5.55 Ac

115-116-00
10,533 SF
0.242 Ac

096-038-00
30,437 SF
0.699 Ac

115-117-00
49,863 SF
1.14 Ac

096-039-00
23,368 SF
0.536 Ac

096-041-00
19,184 SF
0.44 Ac

096-034-00
15,964 SF
0.366 Ac

096-028-00
26,650 SF
0.612 Ac

096-033-00
12,543 SF
0.288 Ac

096-032-00
10,350 SF
0.238 Ac

115-115-00
24,367 SF
0.559 Ac

096-026-00
13,040 SF
0.299 Ac

096-027-00
10,000 SF
0.230 Ac

096-031-00
12,000 SF
0.275 Ac

096-052-00
18,924 SF
0.434 Ac

096-024-00
12,500 SF

096-030-00
10,000 SF
0.230 Ac

096-017-00
115,611 SF
2.654 Ac

096-023-00
11,244 SF
0.258 Ac

096-029-00
15,000 SF
0.344 Ac

096-021-00
13,523 SF
0.310 Ac

115-114-00
47,771 SF
1.097 Ac

096-050-00

097-404-00

Docket number
Recorded in Merrimack County, NH
Kathi L. Guay, CPO, Register
BK: 3430 PG: 1556 2/11/2014 11:50 AM
LCHIP \$25.00 RECORDING \$14.00
TRANSFER TAX \$105.00
SURCHARGE \$2.00

Grantee

1449
2-
25-

MERRIMACK COUNTY RECORDS
Kathi L. Guay, CPO, Register

105.00

MANUFACTURED HOUSING WARRANTY DEED

KNOWN ALL MEN AND WOMEN BY THESE PRESENTS, That, Fred Poisson of 113 Main Street, in Franklin County of Merrimack, State of New Hampshire, for consideration paid, grant to DRM Corporation. Of 142 Church Street, Laconia New Hampshire, County of Belknap with warranty covenants the following, manufactured housing

Manufacturer: Fleetwood
Model/year 1999
Serial Number: PAFLX22A46566-EG13

A certain Fleetwood manufactured housing unit is situated at 6 Vine Street, Brandon Park Estates Mobile Home Park, Town of Hill, County of Merrimack and State of New Hampshire. The Tract or parcel of land upon which the manufactured housing unit is situated is owned by MAJ Realty, INC. by Deed and recorded in the Merrimack County Registry of Deeds at Book 2180, Page 127.

I, Fred Poisson, hereby release all rights of homestead and any other interest in the above-described manufactured housing to DRM Corporation

WITNESS our hands this 30 day of Jan 2014
[Signature]
WITNESS

[Signature]
Fred Poisson

STATE OF NEW HAMPSHIRE
Belknap: SS

DATED January 30, 2014

Before me, personally appeared Fred Poisson, known to me or satisfactorily prove, to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purposes therein contained.



[Signature]
NOTARY OF PUBLIC