

CITY COUNCIL MEETING
AGENDA ITEM IX



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting November 2016

From: Elizabeth A. Dragon – City Manager

Subject: City Council to consider disposition of Tax Acquired Property 096 lot 412-06 ,
12 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 \$4,624.82).

a. Councilor moves:

“I move that the Franklin City Council authorize the City Manager to dispose of Tax Map 096-412-12, 12 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:

- Auction
- Bid Process
- Direct Sale

Discussion: The mobile home park owner (Don Miner-DRM Corporation) has agreed to purchase the mobile home at 12 Vine Street for taxes due in the amount of \$4,624.82.

Shortly after the property was taken for back taxes & interest due-Brian Barry went to the property to post no-trespassing and secure the vacant home.

This plan avoids the city paying lot rent to the park owner, the cost of winterizing and effort involved to market the mobile home. It also get the property back on the tax rolls.

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 096-412-012, map, disposal letter**



UNDEVELOPED)

95-8
0.15 AcC

95-7
0.28 AcC

95-9
0.44 AcC

95-10
0.57 AcC

6-36
1.28 AcC

96-37
0.57 AcC

LINCOLN STREET

STREET

Sheet L7
MH only

115-118
5.0 AcC
6.1 Ac

96-35
0.44 AcC

96-412
5.54 Ac

115-116
0.25 AcC

96-38
0.63 AcC

115-11
2.0 Ac

96-39
0.50 AcC

-41
AcC

96-34
0.20 AcC

96-28
0.568 Ac

96-33
0.25 AcC

NO

STREET

BOND STREET

11



CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street
Franklin, NH 03235

(603) 934-3900
fax (603) 934-7413
cityhall@franklinnh.org

June 27, 2016

Via Certified Mail – Address Service Requested - Return Receipt Requested

Cornwell, Eleanor M
Berthold, Mary
167 Lake Shore Dr
Franklin, NH 03235

Re: Disposal of Tax Deeded Property
12 Vine St – Map/Lot 096/412/012

Dear Ms. Cornwell & Ms. Berthold:

This notice is being provided to you pursuant to RSA 80:89 as notification of the City's intention to sell real estate (hereafter "the property") located at 12 Vine St (Tax Map 096, Lot 412-012) by sealed bid or public auction or disposition on or about September 26, 2016. The property was acquired by the City pursuant to a Tax Collector's Deed dated May 9, 2016 which was recorded in the Merrimack County Registry of Deeds at Book 3518, Page 305 on June 10, 2016.

You are listed as the former owner of the property.

In accordance with RSA 80:89-I, you, as the former owner, have the right to repurchase the property prior to the City disposing of said property. You may repurchase the property from the City for the sum of **\$9,964.82 (Nine Thousand Nine Hundred Sixty-Four Dollars and Eighty-Two Cents)***. This figure has been determined as follows:

- **\$3,609.95** representing all taxes and utilities assessed but unpaid as of the date of the tax deed, together with all taxes which would thereafter otherwise have been assessed against such property based on its valuation, but for its ownership by the municipality. See RSA 80:90, I(a);
- **\$717.52** representing all statutory interest actually accrued on all back taxes as of the date of the tax deed, together with all statutory interest which would otherwise thereafter have accrued on all taxes listed in subparagraph (a), but for the property's ownership by the municipality. See RSA 80:90, I(b);

- \$22.46 for all fees associated with notice and recording in connection with the tax collection process. See RSA 80:90, I(c);
- \$176.86 for all legal costs incurred by the municipality in connection with the property, including those connected with the municipality's sale or the former owner's repurchase. See RSA 80:90 I(d); and
- \$23.85 representing the incidental and consequential costs incurred by the City in connection with the ownership and disposition of the property. See RSA 80:90, I(e); and
- \$5,340.00 representing the statutory penalty of 15% of the assessed value of the property as of the date of the tax deed, adjusted by the equalization ratio for the year of assessment. See RSA 80:90, I(f).
- \$74.18 representing the amount due to the Merrimack County Registry of Deeds for Tax Stamps/ Transfer Tax that must be paid when recording the new deed. See RSA 78-B:1 Transfer Tax.

If you intend to exercise your right to repurchase the property for the amount specified above, you must inform the City of your intention within thirty (30) days of this notice. See RSA 80:89, II. Notification to the City of your intention to repurchase must be by certified mail and shall indicate that you are ready, willing, and able to pay all back taxes, interest, costs and penalties, as defined in RSA 80:90. See RSA 80:89, II. Within 15 days after notifying the City of your intention to repurchase the property, you must tender the repurchase amount by certified or bank check to the City for \$9,890.64 and to the Merrimack County Registry of Deeds for \$74.18. See RSA 80:89, II. and 78-B:1 Transfer Tax.

If you fail to notify the City of your intention to repurchase the property within the time prescribed above or if you fail to tender required payment within fifteen (15) days after notifying the City of your intention to repurchase, the City will proceed with its offering for sale by sealed bid or public auction and disposition of the property. See RSA 80:89, II.

If you should have any questions in this matter you may contact me at the address on this letterhead or by telephone at (603) 934-3900.

Sincerely,



Elizabeth Dragon
City Manager

CITY OF FRANKLIN
316 CENTRAL ST
FRANKLIN NH 03235

Docket Number: 201600009813
Recorded in Merrimack County, NH
Kathi L. Guay, CPO, Register
BK: 3518 PG: 305, 6/10/2016 10:06 AM
RECORDING \$10.00
SURCHARGE \$2.00

MERRIMACK COUNTY RECORDS

Kathi L. Guay, CPO, Register

8
10/17
2016

TAX COLLECTOR'S DEED KNOWN ALL MEN BY THESE PRESENTS

That I, Katie Gargano, Tax Collector for the CITY OF FRANKLIN, in the County of Merrimack and the State of New Hampshire, for the year 2013 by the authority in me vested by the laws of the State, and in consideration of \$946.01 to me paid by the CITY OF FRANKLIN, located at 316 Central Street, Franklin, NH 03235, do hereby sell and convey to the CITY OF FRANKLIN, a certain tract or parcel of land situated in the CITY OF FRANKLIN, New Hampshire aforesaid, taxed by the Selectmen/Assessors in 2013 to:

**CORNWELL, ELEANOR M
BERTHOLD, MARY
MARY BERTHOLD**

and described in the invoice books as:

Map: 000096

Lot: 000412

Sublot: 000012

Located At 12 VINE STREET

Consisting of 0.000 Acres of Land, Including Any Buildings Thereon, as Recorded at the Registry of Deeds in Book 3001, Page 0732.

The deed is the result of the tax lien execution held at the Tax Collector's Office in the above stated CITY OF FRANKLIN, in the State of New Hampshire on 03/18/2014 and recorded at the Registry of Deeds in Book 3433, Page 2389, to have and to hold said Premises, with the appurtenances, to said CITY OF FRANKLIN's successors/heirs and assigns forever. And I hereby covenant with said CITY OF FRANKLIN, that in making this conveyance I have in all things complied with the law, and that I have good right, so far as that right may depend upon the regularity of my own proceedings, to sell and convey the same in manner aforesaid.

In witness whereof, I have hereunto set my hand and seal, the 9th day of May in the year of our Lord 2016.

Katie Gargano

Katie Gargano

Tax Collector, CITY OF FRANKLIN

State of New Hampshire, County of Merrimack, On

May 9th 2016

Katie Gargano, the above named, personally appearing and acknowledged the foregoing instrument to be his/her voluntary act and deed. Before me

Lauraine G. Paquin

Notary / J.P.

My Commission expires: Aug 5, 2020

LAURAINE G. PAQUIN, Notary Public
State of New Hampshire
My Commission Expires August 5, 2020

