

Town of Gilmanton, 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 Belknap County Registry of Deeds, provided:

- a. The request is submitted to the Town of Gilmanton Board of Selectmen.
- 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 Town of Gilmanton Board of Selectmen may be appealed in accordance with the provisions of RSA 676. Prior to any action on the application by the Board of Selectmen, the property shall be inspected by the Planning Board with a report of that inspection and recommendation for action to be provided to the Board of Selectmen. By submission of this application, the property owner does hereby consent to the inspection of the property by the Town.
- d. The restoration of the lots to their premerger status shall not be deemed to cure any nonconformity 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 Belknap 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. Written Consent of each Mortgage Holder (if any)*
 - c. Survey (if available)
 - d. Site plan (if available)
 - e. Approved subdivision plan (if available)
 - f. Pre-merger tax bills (if available)
 - g. If the property was obtained from an estate (inherited), attach copy of the statutory "Notice to Cities and Towns"
 - h. 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 Town of Gilmanton. If the request is granted, the assessment of the restored lots will be effective the following April 1st.

* RSA 674:39-aa, II(a) Amended eff Aug 23, 2016; eff Sep. 21, 2021

Town of Gilmanton, NH
**Application for Restoration of
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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/Lot/Sub | | | |
| Street Address | | | |
| Deed Reference Book/Page | | | |

** Please attach a copy of the deed(s) for each parcel, written consent of mortgage holders (if applicable), 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 Town of Gilmanton Board of Selectmen. Please see the Instructions & General Information for additional details. By submission of this application, the property owner does hereby consent to the inspection of the property by the Town.*

Owner's Signature _____

Date _____

Owner's Signature _____

Date _____