

THE STATE OF NEW HAMPSHIRE

BELKNAP COUNTY

TOWN OF SANBORNTON

IN RE: Mountain View Park Drive, Sanbornton NH

**REVISED PETITION TO THE BOARD OF SELECTMEN FOR THE TOWN OF
SANBORNTON, NH TO RELEASE CERTAIN "PAPER STREETS" AND
ROADWAYS FROM PUBLIC SERVITUDE PURSUANT TO RSA 231:52**

NOW COMES DANIEL DOWNES and KARA DOWNES of Lot 29, Park View Drive, Sanbornton, New Hampshire and DANIELLE BELLIVEAU and GERRY BELLIVEAU of Lot 28 Park View Drive, Sanbornton, New Hampshire and petitions the Board of Selectmen of Sanbornton, NH to release from public servitude certain "paper streets" as denoted on the plan of lots known as Mountain View Park Drive in the Town of Sanbornton, Belknap County, New Hampshire pursuant to RSA 231:52 and in support thereof states as follows:

1. On February 1, 2005, the plan of lots of William D. and Shirley H. Andrews dated December 22, 2004 known as Mountain View Park Drive in Sanbornton, New Hampshire was recorded in the Belknap County Registry of Deeds at Plan Drawer L51-22.
2. The layout of lots in the said plan denoted certain "paper streets", which were never constructed or used as private or public roadways in any manner. Furthermore, said "paper streets" will not be needed in any way for the accommodation of public travel.
3. NH RSA 231:52 authorizes the selectmen of a town to release or discharge any roadway within the town limits from public servitude provided that they will not be needed for public travel.
4. Petitioners hereby request that the Board of Selectmen release and discharge the following "paper streets" from public servitude after notice and public hearing: Maplewood, Northwood, Oakwood, Pinewood, Quincewood, Ridgewood, Sagewood, Thornwood, Underwood and Vinewood.
5. Petitioners further request that the roadways known as Mountain View Park Drive and Lake Shore Drive on the said plan of lots also be included in this request to release public servitude, reserving and keeping in public servitude the segment of the said Mountain View Park Drive near the Franklin/Sanbornton town line where it abuts a lot currently owned by the Town of Sanbornton and any other lots owned by third parties (namely Tax Map 25 Lots 34, 19 and 20) ("the Segment").

6. In support of the release and discharge of the aforementioned "paper streets" and roadways, Daniel Downes has agreed to hire a NH Licensed Land Surveyor to map anew private roadway over and across the lots currently owned by the said Daniel and Kara Downes and the lot owned by Danielle and Gerry Belliveau and to show the Segment, which is not being released from Public Servitude ("the Survey"). Said Survey shall be tendered to the Selectmen for their review and approval as soon as possible.

7. Pursuant to the Settlement Agreement between the parties, the Selectmen have agreed to provide the said release and discharge of public servitude on the aforementioned "paper streets" and roadways within 45 days of the filing of the Survey by Daniel Downs with the Town.

WHEREFORE the Petitioners pray that the Sanbornton Board of Selectmen grant the following relief:

- A. Provide appropriate notice and a public hearing regarding this petition;
- B. Release and discharge from public servitude certain "paper streets" indicated in paragraph #4 above and as denoted on a plan of lots of William D. and Shirley H. Andrews known as Mountain View Park Drive in the Town of Sanbornton, New Hampshire and recorded in the Belknap County Registry of Deeds at Plan Drawer L51-22 after notice and public hearing;
- C. Release and discharge from public servitude two certain roadways in the said Plan known as Mountain View Park Drive and Lake Shore Drive, reserving and keeping in public servitude the Segment.
- D. For such other relief as may be just and equitable.

June 25/17
Date

6/25/17
Date

6/25/17
Date

6-25-17
Date

Respectfully submitted,
Daniel Downes
Daniel Downes

Kara Downes
Kara Downes

Danielle Belliveau
Danielle Belliveau

Gerry Belliveau
Gerry Belliveau