



**TOWN OF WARNER, NEW HAMPSHIRE APPLICATION FOR RESTORATION OF INVOLUNTARILY MERGED LOTS**

**PLEASE TYPE**

**Date** \_\_\_\_\_

**Property Owner (s) Name** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Address** \_\_\_\_\_  
\_\_\_\_\_

**Telephone #** \_\_\_\_\_

**Email Address** \_\_\_\_\_

**Parcel to be unmerged** Map \_\_\_\_\_ **Lot** \_\_\_\_\_

**Deeds : List the book and page for all deeds, combined and separated.**

**Book** \_\_\_\_\_ **Page** \_\_\_\_\_

**Book** \_\_\_\_\_ **Page** \_\_\_\_\_

**Book** \_\_\_\_\_ **Page** \_\_\_\_\_

**Are all taxes paid to date?** \_\_\_\_\_

**Date of when you believe the involuntary merger took place.** \_\_\_\_\_

**Approval by the Mortgagee**

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**Name of Mortgage Holder**

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**Signature of Officer or agent for Mortgagee                      Title                      Date**

By signing above, the mortgagee signifies that they do approve and are duly notified that upon approval of this application by the local assessing officials the legal description of the property would change.

**Name of Applicant**\_\_\_\_\_

**Map** \_\_\_\_\_ **Lot** \_\_\_\_\_

**Signature(s) of all property owners:**

**Signature** \_\_\_\_\_ **Name(print)** \_\_\_\_\_ **Date** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Name(print)** \_\_\_\_\_ **Date** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Name(print)** \_\_\_\_\_ **Date** \_\_\_\_\_

**Description of approval:**

**Approval of a majority of Selectmen**

\_\_\_\_\_  
**David Karrick, Jr.**

\_\_\_\_\_  
**Clyde Carson**

\_\_\_\_\_  
**David E. Hartman**

\_\_\_\_\_  
**Date**

**Town of Warner, NH**  
**APPLICATION FOR REESTORATION OF INVOLUNTARILY MERGED LOTS**  
**PURSUANT TO RSA 674:39-aa**

**Instructions & General Information for Restoration of Involuntarily Merged Lots**

In accordance with NH RSA 674:39-aa, any owner of merged by municipal action for zoning, assessing, or taxation purposes 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 Merrimack County Registry of Deeds, provided:

- A. The request is submitted to the Warner Board of Selectmen prior to December 31, 2016.
- B. No owner in the chain of title voluntarily merged his or her lots. If any owner in the chain of title 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 Board of Selectmen may be appealed to the Zoning Board of Adjustment in accordance with RSA 676.
- D. The restoration of the lots to their premerger status shall not be deemed to cure any non-conformity with existing local land use ordinances.

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. This form **must be typed**.
- 2. Attach copies of the following documents:
  - a. Deeds both before and after involuntary merger
  - b. Survey
  - c. If property was obtained from an estate (inherited), attach a copy of the statutory "Notice to Cities and Towns".
  - d. Any other documentation that you think is pertinent
  - e. Receipt of taxes paid.
- 3. **FOUR COMPLETE PACKETS MUST BE SUBMITTED**
- 4. The Board of Selectmen shall consider the request within sixty (60) days of receipt of the completed application.
- 5. Notice of the Selectmen's decision shall be sent via regular mail to the property owner.

If you have any questions, please contact the Assessing Clerk at 456-2298 ext 3.

Adopted by Warner Board of Selectmen May 22, 2012