



TOWN OF WESTMORELAND

Restoration of Involuntarily Merged Lots Pursuant to RSA 674:39-aa

Instructions & General Information

In accordance with NH RSA 674:39-aa, any owner of lots 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 Cheshire County Registry of Deeds, **provided:**

- a. The request is submitted to the Westmoreland 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 stopped 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 Selectmen may be appealed in accordance with the provisions of 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.

Procedure:

1. Complete the Application for Restoration of Involuntarily Merged Lots Pursuant to RSA 674:39-aa.
2. Attach copies of the following documents:
 - a. Current deed(s) for the lots
 - b. Survey (if available)
 - c. If property was obtained from an estate, attach copy of the statutory "Notice to Cities and Towns"
 - d. Pre-merger tax bills (if available)
 - e. Any other documentation that you think is pertinent
3. The Selectmen shall consider the request within sixty (60) days of receipt of the completed application.
4. Notice of the Selectmen's decision shall be sent via regular mail to the property owner.

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 Westmoreland.

If the request is granted, the assessment of the restored lots will be effective the following April 1st.

If the application is granted, the property owner will be required to pay the filing fee to record the Notice of Decision at the Cheshire Registry of Deeds.

Board of Selectmen
780 Route 63, PO Box 55, Westmoreland, NH 03467
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FAX (603) 399-4386
E-mail: townofwestmoreland@myfairpoint.net



TOWN OF WESTMORELAND

**Restoration of Involuntarily Merged Lots
Pursuant to RSA 674:39-aa**

Application

Name of Property Owner(s): _____

Mailing Address: _____

Telephone #: _____ E-mail Address: _____

Parcel to be restored/unmerged: Map#: _____ Lot#: _____

Road location of parcel(s) affected by the requested restoration: _____

Deeds: List the book & page for all deeds, combined and separated (attach additional sheet if needed):

Book#: _____ Page#: _____ Date Recorded: _____

Book#: _____ Page#: _____ Date Recorded: _____

Book#: _____ Page#: _____ Date Recorded: _____

Date of when you believe the involuntary merger took place: _____

Signature(s) of Property Owner(s):

Signature: _____ Name: _____ Date: _____

Signature: _____ Name: _____ Date: _____