

Timeline of Events for Pattee Property Purchase Aug-Oct 2008

Wed Aug 12: CCC Monthly business meeting. As an FYI Jules mentioned that the Pattee estate was for sale and wondered if it was worth exploring as a conservation property. All consented.

Fri Aug 15: Jules and Lisa met with realtor Laurie Coffin to review realtor sheets. They assigned themselves some fact finding jobs including contacting SPNHF, Park and Recreation board members, and The sellers of the property.

Mon Aug 18: Jules, Melissa, Lisa and Jane met at Noseworthy Real Estate office with the sellers who communicated their wishes to sell the entire property as a unit.

Mon Aug 25: CCC members attended Select Board meeting and presented a letter of intent to purchase the Pattee property using conservation funds. There were no objections to this idea but the Select Board refused to take a vote since it was deemed outside their jurisdiction. The board also recommended we research some comparative properties to confirm that the asking price of \$215,000 seemed reasonable.

Tues Aug 26: Ann Marie forwarded an e-mail to the CC from Town Attorney Laura Spector in response to the Purchase and Sales agreement and procedures for the possible purchase. It was determined by Laura that the purchase and sales agreement should include language indicating that it was contingent upon votes approving the purchase by the Conservation Commission and the approval of the purchase by the Board of Selectmen and by Public Hearing.

Wed Aug 27: Ann Marie drafted a Public Hearing notice to be posted at the Town Office and Northway Bank in Campton and submitted to the Record Enterprise. The Public hearing Date was set for Sept 17, 2008 @ 7:00 pm.

Wed Sep 10: CCC monthly business meeting. Jules presented data he compiled summarizing comparative property prices for the area both as sold and currently on the market. CC members voted to enter into a Purchase and Sales agreement to purchase 10.7 acres of Pattee land which does not include the house and 0.5 acre it sits on, for \$125,000, pending positive outcome from Public Hearing.

Mon Sep 15: CCC work session for preparation of Public Hearing presentation. Jules reported that the CCC was on the Selectmen's Sep 22nd meeting agenda, at which time we would presumably get the 125,000 P&S agreement signed pending positive feedback from the Public Hearing.

Wed Sep 17: Public Hearing, 7:00 pm, Campton Historical Society. (Detailed in separate Public Hearing minutes submitted to town) After unanimous approval from hearing attendees, CCC members officially voted to enter into a P&S agreement in the amount of \$125,000 to acquire the Pattee property.

Thurs Sep 18: The seller Patricia Sawyer contacted Jules Doner and notified him of a higher counter offer of over 190k that included the house.

Fri Sep 19: Laurie Coffin reiterated the information about the counter offer and said that our 125k offer would be rejected outright if we submitted it. Therefore, Lisa contacted all CCC members by phone and

was able to report consensus opinion that we should offer 195k for the house and the land, based on the idea that the house lot would be sold ASAP after the closing in order to regain the funds spent on the house lot for conservation uses. We communicated this to Laurie Coffin and she was able to get a verbal agreement from Priscilla Sawyer to accept that offer and wait for the written document to be signed by the Selectmen on Mon Sep. 22nd. The verbal agreement indicated that a down payment and signed P&S was needed by Tues., Sept. 23rd. Another counter offer for \$201,000 came in over the weekend. The seller held to the verbal agreement, even though she had to wait to hear if the Selectmen approved of the \$195,000 offer.

Mon Sep22: The Selectmen agreed to the new version of the P&S agreement, to include the house lot at \$195,000, but wanted to run the P&S by the town attorney .

Tues Sep 23: A down-payment of \$5,000 was drawn from the Conservation Fund and was presented to the realtor with the signed P&S form. Prior to getting the P&S form signed by Sharon Davis, Jules received verbal information from Ann Marie that the idea of re-selling the house would have to be brought forth at Town meeting.

Fri Sep26: Verbal communication by Lisa to Jess asking the CC to consider entering into a new P&S agreement separating the house lot out from the rest of the land. At this point Lisa withdrew from the project.

Sun Sep 28: Jess, Melissa, Tammy, and realtor Laurie Coffin met to discuss Lisa's proposal, which was to avoid having Conservation Funds tied up in unwanted property until March and enter into a new P&S agreement, for the land alone at \$130,000. The conditions for this were that Lisa enters into a separate P&S agreement for the balance (\$65,000), for the house lot. Both agreements would have to close the same day, Oct. 14th, to meet the conditions of sale imposed by the seller. Jess, Tammy and Melissa agreed that this idea would need to be brought before the Selectmen.

Mon Sep 29: The plan for a P&S agreement, at \$130,000 was rejected by the Select Board on the grounds of a conflict of interest. The Select Board was willing to sign a purchase & sales agreement for \$125,000, as this is what was presented originally at the Public Hearing. The Selectmen also asked that CC members not communicate with Lisa until after the closing.

Tues Sep 30: Jess communicated with Laurie Coffin at the real estate office to explain the Select board's position at the previous night's meeting. A signed P&S agreement for \$125,000 was delivered to Noseworthy. Jules delivered a water test kit to Jess since the Pattee house water system was in preparation for testing. Lisa e-mailed the CCC to withdraw her interest in purchasing the house property separately at the higher price.

Wed Oct 1st: Ann Marie called Jess and said that the Selectmen decided the \$60 water test was unnecessary since it would have to be repeated upon reselling the house in the spring.

Thurs Oct 2: Jess, Melissa and Tammy met to discuss how to proceed and agreed to return to the \$195,000 P&S agreement including the house with the intent to resell after town meeting in Mar 2009.

They sent an e-mail to both the Selectmen and the realtor detailing questions remaining relative to insurance, electricity and winterization cost responsibilities. Eric Wooster visited the Blanchard parcel and determined that the siding was not of the asbestos type.

Fri Oct 3: An e-mail was sent to Lisa welcoming her involvement in business due to the fact that her offer was withdrawn.

Tue Oct 7: Ann Marie communicated that the Selectmen preferred to leave the electricity on at the Pattee house to discourage vandals and to have light in the event of an emergency.

Wed Oct8: CCC business meeting. All members except Jane who was not present participated in creating a timeline of the Pattee project for public record. It was agreed that there was a need to somehow work our conservation goals into the verbiage of the deed before the closing.

Thurs Oct 9: Ian Halm inspected the water system to determine what winterization would entail, and Eric Wooster inspected the roof for damage which was deemed sound.

Thurs Oct 9: Jess e-mailed town atty. Laura Spector requesting that the following statement be inserted into the deed: "The land will be managed by the Conservation Commission in accordance with our mission to protect the natural resources of the community and a deviation from this mission would necessitate compensating the Conservation Fund for the fair market value of the portion of the land affected".

Fri Oct 10: Laura Spector responded via e-mail and advised against including this language in the deed , saying she has never seen such language in a deed when a conservation commission acquires land, and doing so MAY cause the land to lose value. She also said that there was no legal reason to do so and referred to her earlier suggestion that "if the town desires in the future to use a portion of the property for non-conservation purposes, town meeting would have to vote to approve that change of use. The town general fund may also need to reimburse the conservation fund for the fair market value of the property; however we are not aware of any cases addressing that issue".

Additionally, Laura said that if we are truly concerned about the future use of the property, we might consider a conservation easement which will permanently restrict the use of the property but will definitely reduce its value upon resale.

Tues Oct 14: After consulting with the NH Assoc. of Conservation Commissions and The Forest Society, Jess emailed Laura Spector more examples of protective language and it was agreed that the final following statement be inserted into the deed: "This purchase is made with money from the Conservation Fund which was created by Town Meeting vote on March 14, 2001 (Warrant Article 30).

TuesOct14: The Pattee Property closing was conducted at 3:30 pm at Noseworthy Realty with Jess as the CCC representative and Sharon Davis as the Select Board representative.

