

**MICHAEL BEHRENDT**  
Durham Town Planner  
**Town of Durham**  
8 Newmarket Road  
Durham, NH 03824-2898

Phone: (603) 868-8064  
[mbehrendt@ci.durham.nh.us](mailto:mbehrendt@ci.durham.nh.us)  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

## MEMORANDUM

TO: Planning Board

FROM: Michael Behrendt, Durham Town Planner

DATE: September 30, 2024

SUBJ: Narrative for 65 Durham Point Road (Map 215, Lot 6) – 2-lot subdivision application

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See the map at the bottom from Durham's GIS system. The realtor Val Shelton contacted me a few months ago to let me know that she is marketing the subject lot (Map 115, Lot 6), a vacant parcel owned by the Sally Ford trust. There was an agreement made in 1985 for the owner at the time to convey some land adjacent to the road to the Town of Durham so that Durham Point Road could be relocated.

The earlier road was hazardous with a tight 90 degree turn. The plan allowed the Town to create a more gentle curve in the road, rather than running straight alongside Lot 23 as can be seen in the map. Unfortunately, the expanded right of way to accommodate the new road was never conveyed. Now that the property is on the market, Ms. Shelton asked that the Town address the situation so that a new buyer will have a clear established front boundary line.

In exchange for the land that was supposed to be conveyed the Town of Durham relocated a driveway on the subject lot to better serve the lot. That work was completed at the time. The agreement called for the Town to survey the area to be conveyed and prepare the deed. No survey was ever prepared so the Town recently hired Doucet Survey for this purpose and that work is finished. We are working with the Town Attorney now to prepare the deed.

It appears that the right of way containing (the entirety of) Durham Point Road is not owned by the Town. Older roads were generally not conveyed to the municipality so the adjacent landowners typically retained ownership of the land to roughly the centerline of the road while the municipality acquired the right to operate the road for the benefit of the public, including necessary ancillary uses for drainage, utilities, sidewalks, etc. In modern development, roads created in new subdivisions are deeded to the town (except where a road is to remain private).

Thus, we are cutting out the front portion of the subject lot as depicted on the attached plat. There are no earlier surveys of the lot so we do not know exactly where the old right of way line/front boundary line was, but we know it ran from the easterly front corner of the subject lot to the westerly front corner, probably in a fairly straight line.

The applicant will own the remainder of the subject lot to the northeast of the curved dashed line. The Town will own a curved parcel shown to the southwest of the curved dashed line. And the property owner will technically still own the area within the old right of way. Therefore, this is a 2-lot subdivision as the parcel being conveyed to the Town is being cut out of the subject lot. The deed will have language addressing the uncertainty of the southwesterly boundary of the lot being conveyed.

I will present the application to the Planning Board. If there are any questions that I cannot answer I will obtain an answer from the surveyor or realtor. Once the 2-lot subdivision is approved, we will record the plat and the deed, completing the conveyance to the Town. This is a Town project so it is exempt from zoning and approval but we think it best to approach the unusual situation conservatively: to notify abutters, hold a public hearing, and ask for official approval from the board.





**TOWN OF DURHAM**  
**Planning Department**  
8 Newmarket Road  
Durham, NH 03824-2898  
Phone (603) 868-8064  
[www.ci.durham.nh.us](http://www.ci.durham.nh.us)

## **Subdivision Application**

### **Property Information**

Property address/location: **65 Durham Point Road**

Tax map #: **115** Lot #'(s): **6** Zoning district: **Rural**

Size of site: **22 acres**

#### Overlay zoning districts

Wetland Overlay? Yes: **X** Shoreland Overlay? Yes: **X**

Flood Overlay? Yes: **X at the northerly end of the lot** Aquifer Overlay? No **X**

### **Proposed Project**

Name of project (if applicable): **Adjustment of Right of Way line (See narrative).**

Which kind of subdivision is proposed? Conservation: \_\_\_\_; Conventional: **X (See narrative)**

Total number of proposed lots: **2** Will there be a new street? No: **X**

Wetlands: Is fill proposed? **No**

### **Utilities**

Town water? yes \_\_\_\_ no **X**

Town sewer? yes \_\_\_\_ no **X**

Distance from nearest fire hydrant: **At Schoolhouse Lane**

### **Property Owner**

Name (include name of individual): **Daniel Ford, trustee of 1999 Sally Ford Trust**

Mailing address: **65 Durham Point Road, Durham, NH 03824**

Telephone #: **See agent information below.** Email: **See agent information below.**

(over)

**Applicant/developer** (if different from property owner)

Name (include name of individual): **Michael Behrendt for Town of Durham**

Mailing address: **8 Newmarket Road, Durham, NH 03824**

Telephone #: **603-868-8064** Email: mbehrendt@ci.durham.nh.us

**Surveyor**

Name (include name of individual): **Elizabeth Keegan for Doucet Survey, LLC**

Telephone #: **603-659-6560** Email: elizabeth@doucetsurvey.com

**Other professional/designer/agent**

**Val Shelton, Realtor. Agent for property owner.**

**APPLEDORE REAL ESTATE, INC  
124 Cushing Road | Newmarket, NH 03857  
C: 603-770-3410 | O: 603-659-0199  
valerie@GreatBayNH.com**

**Submission of application**

This application must be signed by the property owner, applicant/developer (if different from property owner), *and/or* the agent. If not by the property owner, then a separate statement from the owner authorizing submission of the application with the authorization to enter the property (next page) is required.

*I(we) hereby submit this Subdivision application to the Town of Durham Planning Board and attest to the best of my(our) knowledge that all of the information on this application form and in the accompanying application materials and documentation is true and accurate. I(we) understand that any additional costs for review of this application will be borne by the owner/applicant.*

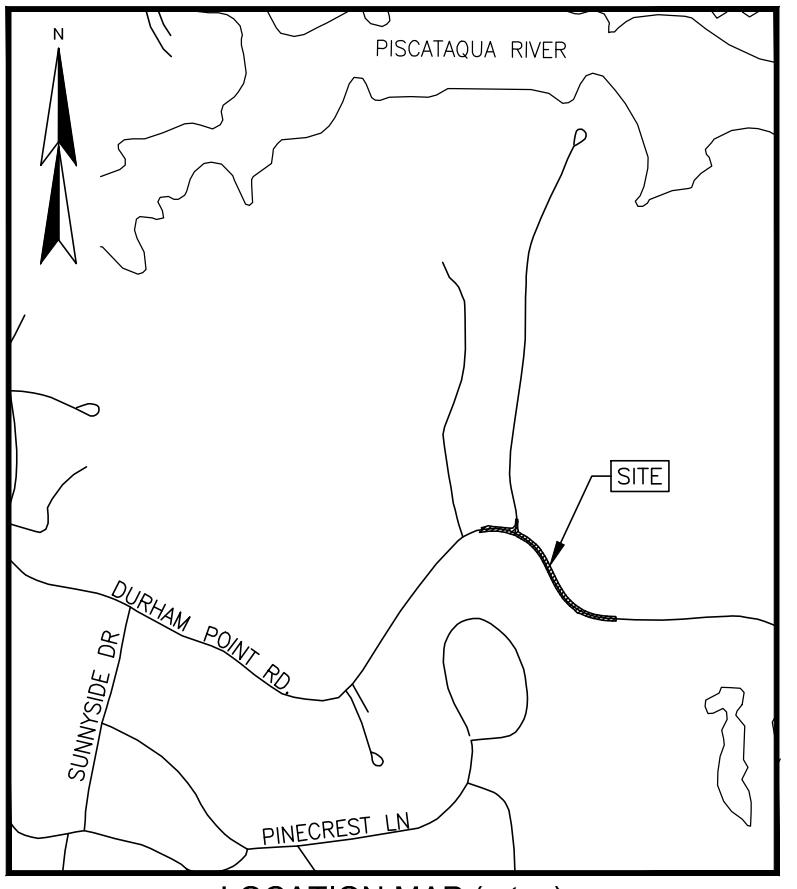
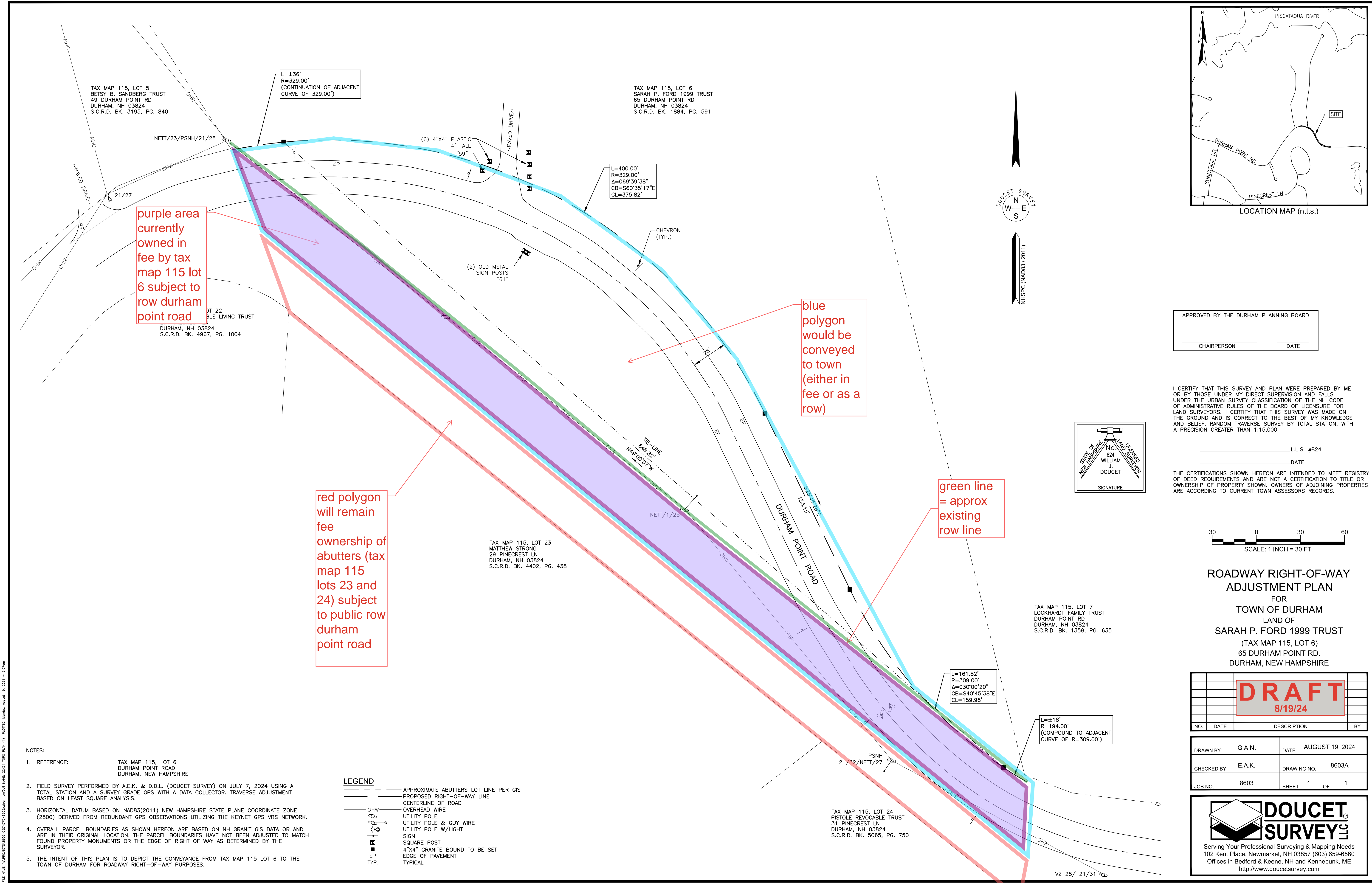
Signature of property owner: See authorization from owner for Val Shelton, agent

Signature of applicant:  \_\_\_\_\_  
Todd Selig, Town Administrator, for the Town of Durham

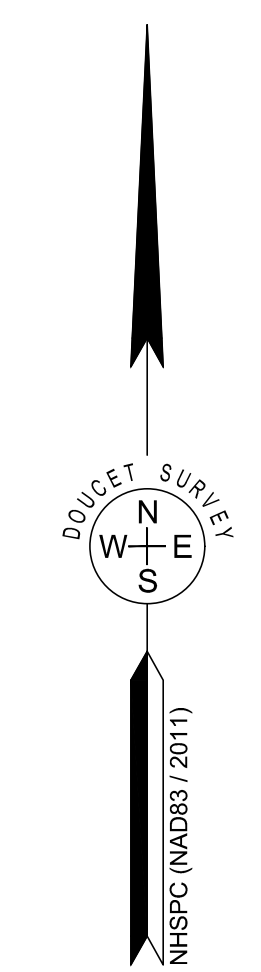
Date: 10/1/24

Signature of agent: See email from agent.





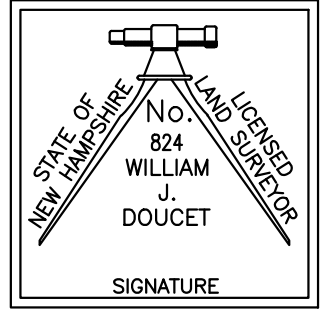
LOCATION MAP (n.t.s.)



APPROVED BY THE DURHAM PLANNING BOARD

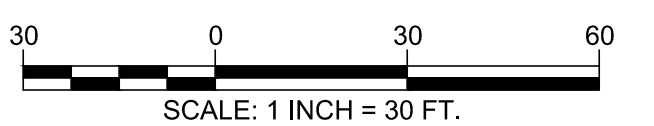
CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

I CERTIFY THAT THIS SURVEY AND PLAN WERE PREPARED BY ME OR BY THOSE UNDER MY DIRECT SUPERVISION AND FALLS UNDER THE URBAN SURVEY CLASSIFICATION OF THE NH CODE OF ADMINISTRATIVE RULES OF THE BOARD OF LICENSURE FOR LAND SURVEYORS. I CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. RANDOM TRAVERSE SURVEY BY TOTAL STATION, WITH A PRECISION GREATER THAN 1:15,000.



LL.S. #824  
DATE \_\_\_\_\_

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET REGISTRY OF DEED REQUIREMENTS AND ARE NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT TOWN ASSESSORS RECORDS.



**ROADWAY RIGHT-OF-WAY  
ADJUSTMENT PLAN**  
FOR  
TOWN OF DURHAM  
LAND OF  
SARAH P. FORD 1999 TRUST  
(TAX MAP 115, LOT 6)  
65 DURHAM POINT RD.  
DURHAM, NEW HAMPSHIRE

<b>DRAFT</b> 8/19/24			
NO.	DATE	DESCRIPTION	BY

DRAWN BY:	G.A.N.	DATE:	AUGUST 19, 2024
CHECKED BY:	E.A.K.	DRAWING NO.	8603A
JOB NO.	8603	SHEET	1 OF 1

- NOTES:
- REFERENCE: TAX MAP 115, LOT 6 DURHAM POINT ROAD DURHAM, NEW HAMPSHIRE
  - FIELD SURVEY PERFORMED BY A.E.K. & D.D.L. (DOUCET SURVEY) ON JULY 7, 2024 USING A TOTAL STATION AND A SURVEY GRADE GPS WITH A DATA COLLECTOR. TRAVERSE ADJUSTMENT BASED ON LEAST SQUARE ANALYSIS.
  - HORIZONTAL DATUM BASED ON NAD83(2011) NEW HAMPSHIRE STATE PLANE COORDINATE ZONE (2800) DERIVED FROM REDUNDANT GPS OBSERVATIONS UTILIZING THE KEYNET GPS VRS NETWORK.
  - OVERALL PARCEL BOUNDARIES AS SHOWN HEREON ARE BASED ON NH GRANIT GIS DATA OR AND ARE IN THEIR ORIGINAL LOCATION. THE PARCEL BOUNDARIES HAVE NOT BEEN ADJUSTED TO MATCH FOUND PROPERTY MONUMENTS OR THE EDGE OF RIGHT OF WAY AS DETERMINED BY THE SURVEYOR.
  - THE INTENT OF THIS PLAN IS TO DEPICT THE CONVEYANCE FROM TAX MAP 115 LOT 6 TO THE TOWN OF DURHAM FOR ROADWAY RIGHT-OF-WAY PURPOSES.

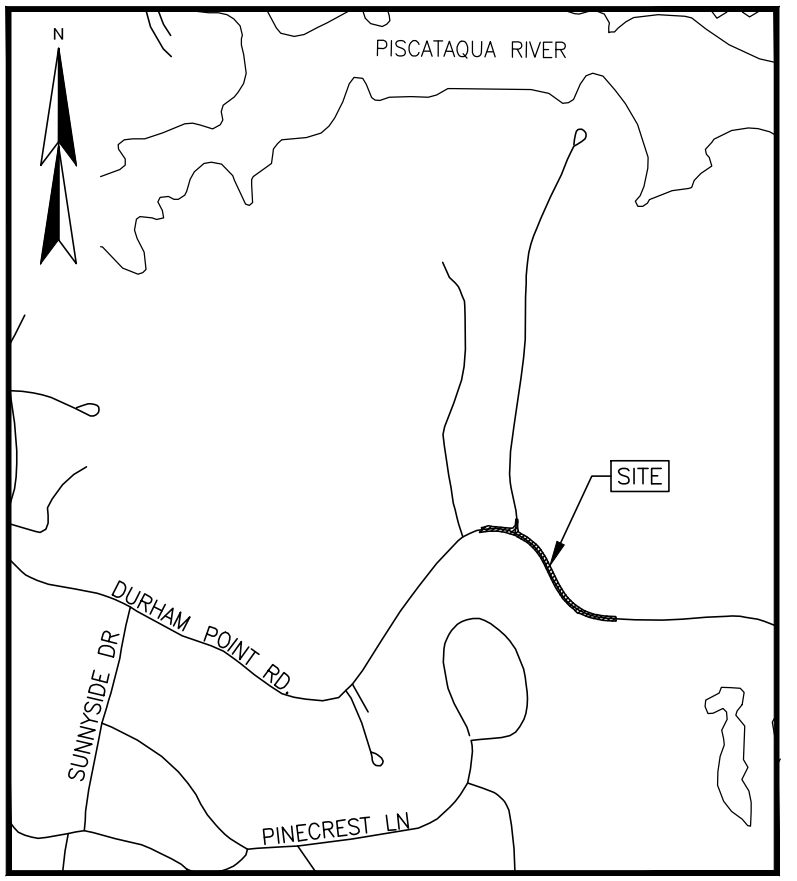
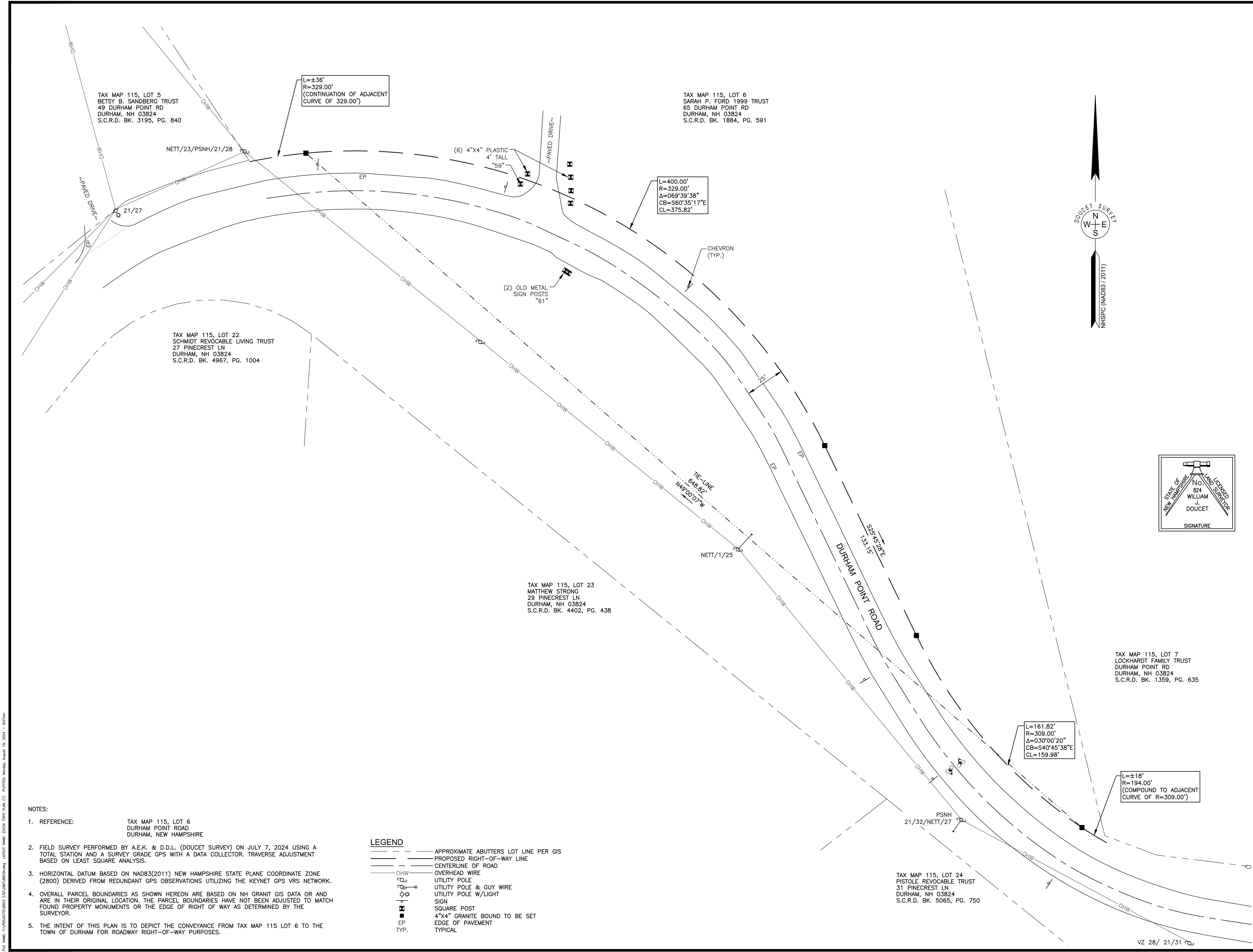
**LEGEND**

---	APPROXIMATE ABUTTERS LOT LINE PER GIS
---	PROPOSED RIGHT-OF-WAY LINE
---	CENTERLINE OF ROAD
OHW	OVERHEAD WIRE
○	UTILITY POLE
○	UTILITY POLE & GUY WIRE
○	UTILITY POLE W/LIGHT SIGN
■	SQUARE POST
■	4"x4" GRANITE BOUND TO BE SET
EP	EDGE OF PAVEMENT
TYP.	TYPICAL

FILE NAME: N:\PROJECTS\8603A\8603A.dwg PLOT DATE: 22/08/2024 10:00:00 AM (J) PLOTTED: Monday, August 19, 2024 10:45:00am

VZ 28/ 21/31





LOCATION MAP (n.t.s.)

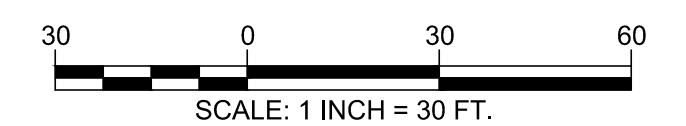
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CHAIRPERSON \_\_\_\_\_ DATE \_\_\_\_\_

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\_\_\_\_\_, L.L.S. #824  
DATE \_\_\_\_\_

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**ROADWAY RIGHT-OF-WAY  
ADJUSTMENT PLAN**  
FOR  
TOWN OF DURHAM  
LAND OF  
SARAH P. FORD 1999 TRUST  
(TAX MAP 115, LOT 6)  
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DURHAM, NEW HAMPSHIRE

<b>DRAFT</b>			
8/19/24			
NO.	DATE	DESCRIPTION	BY

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CHECKED BY:	E.A.K.	DRAWING NO.	8603A
JOB NO.	8603	SHEET	1 OF 1

**DOUCET SURVEY**  
Serving Your Professional Surveying & Mapping Needs  
102 Kent Place, Newmarket, NH 03857 (603) 659-6560  
Offices in Bedford & Keene, NH and Kennebunk, ME  
<http://www.doucetsurvey.com>

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FILE NAME: VZ\PROJECTS\8603A\8603A.dwg USER: EAK DATE: 22/08/2024 10:00:00 AM (J) PLOTTED: Monday, August 19, 2024 10:45:00am

MEMORANDUM OF UNDERSTANDING

NOW COMES THE TOWN OF DURHAM, a municipal corporation having a principal place of business at the Durham Town Hall in Durham, New Hampshire, and Serena Hurlbert of Durham Point Road, Durham, New Hampshire, individually and in her capacity as owner of property in Durham, Tax Map #11-36-4, and agree as follows:

1. The Town of Durham is desirous of obtaining fee simple ownership of a parcel of land owned by Serena Hurlbert located off of Durham Point Road in Durham, New Hampshire. Said parcel of land being shown on Exhibit A which is attached hereto and made part of this Memorandum of Understanding.
2. The Town of Durham is desirous of obtaining the property referred to in paragraph 1 in order to construct a new roadway, shoulders, and slopes across said property. Said construction to be in conjunction with Town of Durham Project Improvements to Paine's Corner.
3. Serena Hurlbert is desirous as compensation for conveyance of said property to the Town of Durham for obtaining appraisal of said property by a certified appraiser by the Town of Durham. Said appraisal shown by letter of Howard Promer, Representative for United Appraisal Company and being Exhibit B which is attached hereto and made part of this Memorandum of Understanding.
4. Serena Hurlbert agrees to convey said property to the Town of Durham within six (6) months of the signature of this Agreement on parcel Tax Map #11-36-4 and shown as land on said Exhibit A, one acre plus or minus, for the construction of new roadway, shoulders, and slopes across said property. The Town of Durham agrees to prepare formal registered survey of land to be conveyed, drawing of deed for said parcel in which roadway will be built and all legal costs thereto to complete above defined work.
5. Upon the execution of the Memorandum of Understanding, the Town of Durham can immediately go onto the property described in paragraph 1 and begin construction of the roadway, shoulders, and slopes across said property.

Dated: June 7, 1985

TOWN OF DURHAM:

BY: Arnold Goodman

**NOTICE TO BUYERS: THE SURVEY AND DEED TO CONVEY THE LAND UNDER DURHAM POINT ROAD IS CURRENTLY BEING COMPLETED BY THE TOWN OF DURHAM. TRANSFER OF TITLE TO 65 DURHAM POINT SHALL BE AFTER THE SURVEY AND ROAD DEED TO THE TOWN IS RECORDED.**

OWNER OF PROPERTY, TOWN OF DURHAM  
TAX MAP PARCEL #11-36-4

BY: Serena C P Hurlbert


## **Subdivision (Minor) Checklist – for formal application**

For a subdivision with three or fewer total lots or one without a new road

Town of Durham Planning Department

**\*To be filled out by the applicant/agent**

Project Name: 65 Durham Point Road 2-lot subdivision Map: 15 Lot: 6 Date: September 30, 2024

Applicant/agent: Town of Durham Signature: 

*Please see the Durham Subdivision Regulations for more information. Note that various items may be submitted later.*

<u><b>General Items</b></u>	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Waiver Requested</b>	<b>Comments</b>
<b>15</b> sets completed application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
<b>3</b> sets of full-size plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
<b>15</b> sets of 11 X 17 reductions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Electronic copy of plans and application	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
<b>15</b> sets letter of intent	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Fee for application and notices	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	Town is exempt from fees_
Completed abutters list	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Copy of existing covenants, easements, and deed restrictions	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
 <b><u>Plan Information</u></b>					
Basic information including:	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• Tax map and lot #	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• Name of project	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• Date	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• North arrow	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• Scale	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• Legend	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• Revision block	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• Vicinity sketch - no less than 1" = 1,000'	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Name and address of applicant	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Approval block (for signature by staff)	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Name, stamp, and NH license # of land surveyor	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
References to neighboring plans and subdivisions	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

(over)



	Yes	No	N/A	Waiver Requested	Comments
Information on abutting properties:					
• owner name	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• owner address	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
• tax map and lot #	X	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

**Zoning**

Zoning designations of subject parcel and in vicinity of parcel	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	Will add
Zoning requirements for district:					
• frontage	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	Will add
• lot dimensions	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	Will add
• setbacks	<input type="checkbox"/>	X	<input type="checkbox"/>	<input type="checkbox"/>	Will add
Zoning overlay districts	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	_____

**Platting**

Surveyed property lines including:					
• existing and proposed bearings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	Show for pertinent area
• existing and proposed distances	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	Show for pertinent area
• existing and proposed pins	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	Show for pertinent area
Existing and proposed locations of:					
• monuments	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	Show for pertinent area
• benchmarks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	_____
Proposed square footage for each lot	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Subdivision # on each lot (1, 2, 3, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	X	<input type="checkbox"/>	_____

**Topographic and Site Features**

Existing buildings and structures	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	_____
Existing driveways and access points	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Contour lines and spot elevations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Soil types and boundaries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	_____
Soil test pit locations, profiles, and depth to water table and ledge	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Percolation test locations and results	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Water features (ponds, streams)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	_____
Wetlands, including name of certified wetlands scientist & license #	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
tement whether located in flood area, and if so, 100 year flood elevation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Delineation of treed and open areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	

**Waiver**

	<b>Yes</b>	<b>No</b>	<b>N/A</b>	<b>Requested</b>	<b>Comments</b>
Overview of types of trees and vegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Location of rock outcroppings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Stone walls and archaeological features	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Locations of trails and paths	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Other natural/cultural resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	

Subject to NH Rivers Management Program RSA 483 or Shoreland Act 483B? Yes  No X

**Utilities**

*Show existing and proposed for all subject lots and within right of way. Include plans, profiles, sizes, materials, and all details, as appropriate.*

Water lines/well (with appropriate radius)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	_____
Sewer lines/septic and leaching areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Fire hydrant locations and details	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Electric, telephone, cable TV (underground)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Gas lines	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	
Any proposed drainage or grading plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	X	

***Additional Comments:***

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AUTHORIZATION TO ACT AS AGENT

VALERIE R. SHELTON of 124 Cushing Rd, Newmarket NH is hereby designated as the person whom is authorized to act as my agent with regards to meetings and discussions with the Town of Durham to complete the terms of the Memorandum of Understanding dated June 7, 1985 between the Town of Durham NH and Serena Hurlbert for property identified in the MoU as Tax Map 11-36-4, and now known as 65 Durham Point Road. The property is currently held by the Trust of Sarah P. Ford 1999 Trust, Daniel F. Ford, Trustee (see Probate 319-2023-ET-00452.) For title reference, see SCRD Bk. 1884 Pg. 0591 deed from Serena Coe Paine Hurlbert to Sarah P. Ford. I understand and agree, as the current holder of title to the property, I will be required to execute a deed as predicated in the 1985 MoU which conveys in fee to the Town of Durham NH the portion of the Trust's property depicting the Durham Point Road shown southerly of Lot 6, Tax Map 115; said area to be surveyed by a licensed NH land surveyor prior to conveyance.

All communications to the owner may be addressed to the Authorized Agent. This Authorization is in effect until such time as revoked in writing by the undersigned party.

BY: Daniel F Ford, Trustee  
Sarah P Ford 1999 Trust

Signed: 

<i>Daniel F. Ford, Trustee</i>	dotloop verified 06/23/24 11:53 AM EDT EXNK-I30M-JHPR-INN6
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Daniel F. Ford, Trustee Date

Acceptance: The undersigned hereby accepts the appointment by the above-named party to represent them in the matters contained herein.

Signed: 

<i>Valerie Shelton</i>	dotloop verified 06/23/24 11:26 AM EDT IP8Z-OVCM-A977-K3XR
------------------------	--

  
Valerie R. Shelton, Principal Date  
Appledore Real Estate, Inc.  
124 Cushing Road  
Newmarket, NH 03857  
[Valerie@GreatBayNH.com](mailto:Valerie@GreatBayNH.com) 603-770-3410



## CERTIFICATION OF TRUST

The undersigned Trustee, Daniel F. Ford, hereby certifies the following:

- 1) This Certification of Trust relates to the **Sarah P. Ford 1999 Trust** (the "Trust") created by agreement executed by Sarah P. Ford on May 24, 1999, as amended (the "Agreement").
- 2) The name of the Grantor is Sarah P. Ford.
- 3) The name of the Trustee is Daniel F. Ford.
- 4) The name and address of each trustee empowered to act under the Agreement at the time of the execution of this Certification of Trust is:

Primary: Daniel F. Ford, 433 Bay Road, Durham, New Hampshire 03824

- 5) The Trustees are afforded all powers provided trustees under N.H. Rev. Stat. Ann. § 564-B *et seq.*, the New Hampshire Trust Code, and N.H. Rev. Stat. Ann. § 564-A *et seq.*, Certain Provisions Regarding Trusts, as may be amended from time to time, and are authorized by the Agreement to acquire, sell, convey, pledge, mortgage, lease, manage, operate, control, transfer title, divide, convert or allot the trust property, including, without limitation, real and personal property, securities of all kinds, upon such terms and conditions as the Trustee may deem advisable except as limited by the following (if none, so indicate): NONE

A copy of the pertinent pages of the Agreement that contain the Trustee's powers may be provided upon request.

- 6) The Agreement provides that the signature of only one Trustee is required for trust administration.
- 7) The Trust currently is irrevocable.
- 8) The Trust's taxpayer identification number is 93-6451659.
- 9) Trust property may be titled as follows: Daniel F. Ford, as Trustee of the Sarah P. Ford 1999 Trust, dated May 24, 1999, as amended.
- 10) Pursuant to New Hampshire RSA 564-B:10-1012, a person (other than a beneficiary) who in good faith deals with a trustee is not required to inquire into the extent of the trustee's powers or the propriety of their exercise; and a person who in good faith delivers assets to a trustee need not ensure the proper application thereof.
- 11) Pursuant to New Hampshire RSA 564-B:10-1013, a person who acts in reliance upon this Certification of Trust without knowledge that the representations contained in it are incorrect is not liable to any person for so acting and may assume without inquiry the

existence of the facts contained in this Certification of Trust. Pursuant to RSA 564-B:10-1013(h), any person making a demand for the production of the entire trust instrument, in addition to this duly executed Certification of Trust or excerpts of the Trust, is liable for damages if a court determines such person did not act in good faith in demanding the instrument.

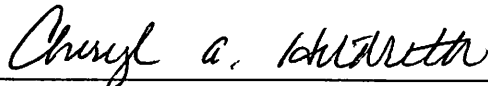
- 12) The Agreement has not been revoked, modified, or amended in any manner that would cause the foregoing representations to be incorrect.
- 13) The undersigned hereby represents that the statements contained in this Certification of Trust are true and correct, and that there are no other provisions in the Agreement or amendments to it that limit the powers of the Trustee to acquire, sell, convey, pledge, mortgage, lease, manage, operate, control, transfer title, divide, convert, allot or sell trust property including, without limitation, real and personal property. This Certification of Trust is being signed by the currently acting trustee of the trust.



Daniel F. Ford, Trustee

STATE OF NEW HAMPSHIRE  
COUNTY OF Strafford

On this 3 day of July 2023, before me, personally appeared the above-named Trustee, Daniel F. Ford, personally known to me (or proven to me on the basis of statutory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that this individual executed the same in the individual's authorized capacity.



Justice of the Peace/Notary Public/

Commissioner of Deeds

My commission expires:

**CHERYL A HILDRETH**  
**NOTARY PUBLIC**  
**State of New Hampshire**  
**My Commission Expires**  
**May 4, 2027**