

FORM

PA-36

NEW HAMPSHIRE DEPARTMENT OF REVENUE ADMINISTRATION

**DISCRETIONARY EASEMENT APPLICATION**

**STEP 1 PROPERTY OWNER (S)**

PLEASE TYPE OR PRINT	LAST NAME		FIRST NAME	
	LAST NAME		FIRST NAME	
	STREET ADDRESS			
	ADDRESS (CONTINUED)			
	TOWN/CITY		STATE	ZIP CODE

**STEP 2 PROPERTY LOCATION**

PLEASE TYPE OR PRINT	STREET			
	TOWN/CITY		COUNTY	
	NUMBER OF ACRES IN PARCEL		NUMBER OF ACRES IN REQUESTED EASEMENT	
	MAP #	LOT #	BOOK #	PAGE #
	CHECK ONE: <input type="checkbox"/> Original Application <input type="checkbox"/> Renewal			TAX YEAR

**STEP 3 REASON FOR DISCRETIONARY EASEMENT APPLICATION**

<input type="checkbox"/> Preservation of a Golf Course	<input type="checkbox"/> Preservation of an airport	<input type="checkbox"/> Preservation of Open Space
<input type="checkbox"/> Preservation of land for outdoor recreation by/or for the education of the general public		
Description of Public Benefit:		

**STEP 4 SIGNATURES OF ALL PROPERTY OWNERS OF RECORD**

TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (in black ink)	SIGNATURE (in black ink)	DATE

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**DISCRETIONARY EASEMENT APPLICATION**  
 (CONTINUED)

**STEP 5 TO BE COMPLETED BY THE LOCAL ASSESSORS**

<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED	Pending approval of Discretionary Easement agreement by landowner and assessing officials.
Comments:	

**STEP 6 APPROVAL OF A MAJORITY OF SELECTMEN/ASSESSORS**

TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE
TYPE OR PRINT NAME (ink black ink)	SIGNATURE (in black ink)	DATE

**STEP 7 DOCUMENTATION**

(a) A map of the entire parcel showing the property location, orientation, overall boundaries and acreages clearly showing easement area requested.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
(b) An appraisal justifying the value of the requested easement.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**DISCRETIONARY EASEMENT APPLICATION****GENERAL INSTRUCTIONS**

<b>WHO MUST FILE</b>	Form PA-36, discretionary easement application, shall be used by land owners applying for a discretionary easement, in accordance with RSA 79-C:3.
<b>WHAT TO FILE</b>	Land owners submitting a completed application, Form PA-36, shall also: <ul style="list-style-type: none"> <li>(1) Submit a map of the entire parcel, showing: <ul style="list-style-type: none"> <li>(a) The location and orientation of the property; and</li> <li>(b) The overall boundaries and acreages of land indicating that land for which an easement is and is not requested; and</li> </ul> </li> <li>(2) Submit an appraisal to justify the value of the requested easement.</li> </ul>
<b>WHEN TO FILE</b>	A completed Form PA-36, a map of the land to be subject to the discretionary easement, and an appraisal of the value of the easement to be conveyed must be filed on or before April 15 of the tax year the easement is to be granted.
<b>WHERE TO FILE</b>	Once completed and signed in black ink, this form and attachments shall be filed as follows: <ul style="list-style-type: none"> <li>Original: Register of Deeds</li> <li>Copy: Local Assessing Officials</li> <li>Copy: Land Owner</li> </ul>
<b>APPEALS</b>	If an application for a discretionary easement is denied, an applicant may appeal within six months of any such action by the assessing officials in writing to the New Hampshire board of Tax & Land Appeals or the County Superior Court in accordance with RSA 79-A:9 or RSA 79-A:11.  Forms for appealing to the Board of Tax and Land Appeals may be obtained from the NH Board of Tax and Land Appeals, 107 Pleasant Street, Concord, NH 03301 or by calling (603) 271-2578 or by visiting their web site at <a href="http://www.state.nh.us/btla">www.state.nh.us/btla</a> . Be sure to specify that you are appealing the denial of the Discretionary Easement Application.
<b>ADA</b>	Individuals who need auxiliary aids for effective communication in programs and services of the department are invited to make their needs and preferences known to the NH Department of Revenue Administration.
<b>NEED HELP</b>	Contact your local municipality or the Property Appraisal Division at (603) 271-2687

**LINE-BY-LINE INSTRUCTIONS**

<b>STEP 1</b>	Enter the complete name(s), address, municipality, state and zip code of the land owner(s) requesting a discretionary easement under RSA 79-C:3.
<b>STEP 2</b>	Enter the property location information in the spaces provided, the number of acres in the parcel, the number of acres of the requested easement, the tax year, and whether this is an original application or a renewal.
<b>STEP 3</b>	Check the reason for application and describe how the property meets the tests of public benefit per RSA 79-C:3. Submit additional sheets if necessary.
<b>STEP 4</b>	All owners of record must type or print their full name, sign and date in black ink in the spaces provided. If there are more than 4 owners, submit a supplemental list of all additional owners names and signatures.
<b>STEP 5</b>	The local assessing officials shall complete this section, indicating approval or denial pending final approval of the selectmen or assessors. In the event of a denial, the local assessing officials may indicate in the comments section the cause of denial or qualifications relating to the easement requested.
<b>STEP 6</b>	Signatures and dates in black ink of a majority of the local selectmen or tax assessors on the lines provided indicates final approval.
<b>STEP 7</b>	(a) Indicate whether a map has been included as described. (b) Indicate whether an appraisal has been submitted. <b>If either document is missing or incomplete, this application shall be denied pursuant to RSA 79-C:4,II.</b>