

STATE OF NEW HAMPSHIRE  
BEFORE THE  
PUBLIC UTILITIES COMMISSION

**Petition of Pennichuck Water Works, Inc. for Permission To  
Engage in the Business as a Public Water Utility in a Limited  
Area within the Town of Derry known as Harvest Estates  
and for Approval of Rate Schedules**

**EXHIBIT LIST**

**DLW-1** – Main Extension Agreement

**DLW-2** – Town Council vote

**DLW-3** – Subdivision Plans, Hampstead Road Subdivision, Hampstead Road, Derry, New Hampshire,” Prepared for Ronald F. Mead, by Promised Land Survey, LLC, and dated March 2, 2005, and recorded in the Rockingham County Registry of Deeds at Plan D34278, sheets 1-12.

**DLW-4** – plan titled “Town of Derry, Pennichuck Water,” dated and last revised on May 30, 2010.

**DLW-5** – Foreclosure deed

**DLW-6** – Drew Woods System Upgrade Fee



# PENNICHUCK WATER

25 Manchester St.  
Merrimack, N.H. 03054  
(603)882-5191

## MAIN EXTENSION AGREEMENT CONSTRUCTION BY CUSTOMER

By and Between:

Pennichuck Water Works, Inc. with an address of 25 Manchester St Merrimack, NH. 03054 (hereinafter referred to as "PENNICHUCK") and Keystone Builders, LLC With an address of 17 Bridge Street Suite 203 Billerica, MA. 01821 (hereinafter referred to as the "CUSTOMER").

The CUSTOMER is present owner/developer of the property identified as

Harvest Estates  
Derry, NH

The CUSTOMER hereby petitions PENNICHUCK for an extension of PENNICHUCK'S facilities to supply domestic service to the above mentioned property. Therefore, for valuable consideration, the parties agree as follows:

1. The Project. The CUSTOMER shall furnish and install: **Approximately 70' feet of 8" CL52 DICL Pipe** and other equipment and appurtenances all as describe in, and in accordance with the plan submitted by the CUSTOMER as approved by PENNICHUCK across **Hampstead Road** and as attached as Exhibit A (the "Project"). The CUSTOMER agrees to supply PENNICHUCK with a copy of said plan on diskette in AutoCad format. In accordance with the Tariff, the size and type of the materials used in the Project shall be purchased by the CUSTOMER and approved by PENNICHUCK prior to commencing construction.

2. The Project. The CUSTOMER shall furnish and install: **Approximately 4,160 feet 8" HDPE DR11 DIPS Pipe** and other equipment and appurtenances all as describe in, and in accordance with the plan submitted by the CUSTOMER as approved by PENNICHUCK along **Harvest Road** and as attached as Exhibit A (the "Project"). The CUSTOMER agrees to supply PENNICHUCK with a copy of said plan on diskette in AutoCad format. In accordance with the Tariff, the size and type of the materials used in the Project shall be purchased by the CUSTOMER and approved by PENNICHUCK prior to commencing construction.

2a. Sale of Water. PENNICHUCK agrees to sell water to the Project under the terms and rates applicable to PENNICHUCK'S customers in DERRY, NH subject to the terms and conditions of its tariff as approved from time to time by the New Hampshire Public Utilities Commission ("Tariff").

3. Project within Highway or Street. Any portion of the Project which is installed within a proposed public highway or street and within the City/Town of DERRY, NH shall, upon acceptance by PENNICHUCK, be the property of PENNICHUCK to operate and maintain.

4. Project on Private Property. If any portion of the Project is to be constructed or installed on private property, **whether or not such private property may subsequently be accepted as a public highway**, PENNICHUCK shall require an easement from the property owner, free and clear of all encumbrances and in form satisfactory to PENNICHUCK conveying rights to operate, maintain, repair and replace the Project and rights of access thereto. **Pennichuck must be in receipt of the required easements prior to allowing service from the water main extension installed under this agreement.**

5. Engineering, Inspection and As-Built Fee. In accordance with the Tariff, the CUSTOMER shall deposit **\$12,690.00** for engineering, inspection and As-Building of the Project. The deposit shall be made prior to the scheduled start of construction. The deposit shall be adjusted to the final engineering and inspection costs associated with the water main installation.

6. Compliance With Specifications and Standards. The Project will comply with the plan set forth in Exhibit A and the specifications and standards set forth in the Company's "Pennichuck Water Works, Inc., Technical Specifications for Main, Hydrant and Service Installations (Nashua, Merrimack & Derry N.H.)," and with the specifications and standards of PUC 606.01-02. PENNICHUCK shall be the final judge as to whether or not the Project complies and is acceptable.

7. Maintenance Bond. The CUSTOMER shall, with the completion of each phase of construction, post with PENNICHUCK a Maintenance Bond in the amount of \$5,000 to cover defects in materials and workmanship for a period of one (1) year after their installation.

8. Supply Development Charge. The CUSTOMER shall pay a supply development charge of **\$1,253.00** per service connection at the time the final application is made for the water meter.

9. PENNICHUCK Investment in Project. PENNICHUCK agrees to invest in the Project, by crediting or refunding to the CUSTOMER, as follows:

a. For each customer served by the Project within five (5) years from the time that service is commenced to the CUSTOMER by PENNICHUCK'S acceptance of the water main extension, PENNICHUCK will invest an amount equal to the estimated annual revenue from each such customer.

b. If, within five (5) years from the time that service is commenced to the CUSTOMER by PENNICHUCK'S acceptance of the water main extension, the main pipe extension and hydrant(s) in the Project are accepted as a part of the municipal fire system, PENNICHUCK will invest a one time amount equal to the estimated annual fire protection revenue associated with the main extension.

10. Indemnification by CUSTOMER. CUSTOMER agrees that all persons furnished by CUSTOMER who perform services in connection with the Project shall be considered CUSTOMER'S employees or agents and that the CUSTOMER shall be responsible for payment of all unemployment, social security and other payroll taxes including contributions from them when required by law.

The CUSTOMER hereby agrees to protect, defend, indemnify and hold PENNICHUCK and its employees, agents, officers and directors free and harmless from any and all claims of any kind including, but not limited to, judgments, penalties, interest, court costs, legal fees and any expenses incurred by PENNICHUCK arising in favor of any party, involving claims, liens, debts, personal injuries, death or damages to property (including property of PENNICHUCK) occurring or in any way incident to, in connection with or arising directly or indirectly out of, this Agreement or the Project, unless such claim, lien, debt, personal injuries, death or damages are caused by the negligence of PENNICHUCK

The CUSTOMER agrees to investigate, handle, respond to, provide defense for and defend, any such claims, demands, or suits at CUSTOMER'S expense. The CUSTOMER also agrees to bear all other costs and expenses related thereto, even if the claim or claims alleged are groundless, false or fraudulent.

11. Insurance Requirements. The CUSTOMER agrees to maintain in full force and effect:

- A. Comprehensive General Liability insurance written on occurrence form, including completed operations coverage, personal injury liability coverage, broad form property damage liability coverage and contractual liability coverage with respect to the Project and the agreements contained herein. The minimum limits of liability carried on such insurance for personal injury and property damage liability shall be \$5,000,000 each occurrence, and, where applicable, in the aggregate annual coverage of \$5,000,000.



- B. Automobile Liability insurance for owned, non-owned and hired vehicles. The minimum limit of liability carried on such insurance shall be \$1,000,000 each accident, combined single limit for bodily injury and property damage.
- C. Worker's Compensation insurance providing statutory coverage and including employer's liability insurance with limits of liability of at least \$500,000 for each accidental injury and, with respect to bodily injury by disease, \$500,000 each employee and \$500,000 per policy year.
- D. X, C, U, Hazards covering collapse of buildings, blasting and damage to underground property.

Insurance similar to that required of CUSTOMER shall be provided by or on behalf of all subcontractors to cover their operations performed under this agreement. CUSTOMER shall be held responsible for any modifications in these insurance requirements as they apply to subcontractors. CUSTOMER agrees to furnish certificates of the above mentioned insurance to PENNICHUCK within fourteen (14) days from the date of this Agreement and, with respect to the renewals of the current insurance policies, at least thirty (30) days in advance of each renewal date. Such certificates shall state that in the event of cancellation or material change, written notice shall be given to Pennichuck Water Works, Inc., 25 Manchester St, Merrimack, New Hampshire 03054 at least thirty (30) days in advance of such cancellation or change.

- E. The CUSTOMER agrees that the CUSTOMER shall not claim that any insurance policies owned by PENNICHUCK provide excess coverage to CUSTOMER.

IN WITNESS WHEREOF, the parties hereto have set their hands on this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

PENNICHUCK WATER WORKS, INC.

\_\_\_\_\_  
Witness

By: \_\_\_\_\_  
Pennichuck Water Works, Inc.

its \_\_\_\_\_

  
\_\_\_\_\_  
Witness

By:   
\_\_\_\_\_

Keystone Builders LLC  
Company Name

its Manager, Member

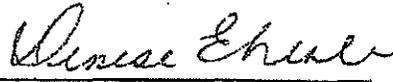
# TOWN OF DERRY

## Certificate

The Derry Town Council, after duly noticed public hearing, held on Tuesday, October 5, 2010, approved by a vote 6-1-0, Pennichuck Water Works, a private water company regulated by the Public Utilities Commission, own and operates several water systems within the Town of Derry and, whereas the developer of Harvest Estates, a new 30 lot subdivision approved by the Derry Planning Board in 2006 located off Hampstead Road in East Derry, intends to construct a community water system to service the residents of this development and whereas the water system is proposed to be connected to the Drew Woods Water System, a community water system located adjacent to the Harvest Estates development which is part of the Pennichuck Water Works Service Franchise and whereas Pennichuck Water Works has requested to extend its service franchise to include Harvest Estates. The Derry Town Council moves to support and approve the Drew Woods franchise expansion to Harvest Drive as requested by Pennichuck Water Works pursuant to their letter of September 16, 2010.



Bradley N. Benson  
Derry Town Council



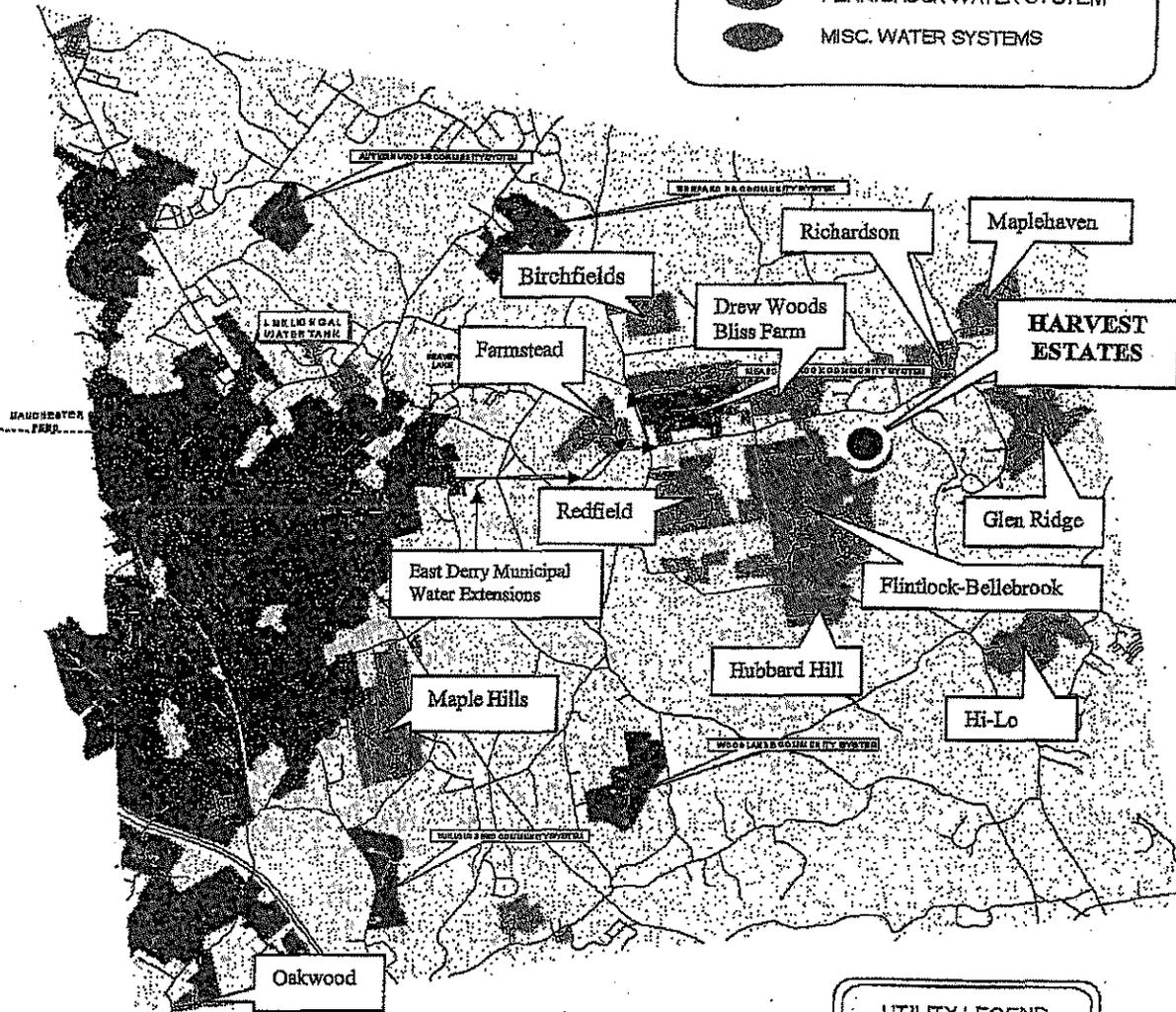
Denise E. Neale  
Town Clerk

Received and Recorded October 13, 2010



### SERVICE AREA LEGEND

-  DERRY WATER SYSTEM
-  PENNICHUCK WATER SYSTEM
-  MISC. WATER SYSTEMS



### UTILITY LEGEND

-  HYDRANTS
-  EXISTING WATER MAINS

## TOWN OF DERRY WATER DEPARTMENT SERVICE AREA MAP



# Town of Derry

*"In Derry, we acknowledge that our History Creates Opportunity."*

**Gary Stenhouse**  
Town Administrator

email: [garystenhouse@ci.derry.nh.us](mailto:garystenhouse@ci.derry.nh.us)

Mr. John J. Boisvert, P.E.  
Chief Engineer  
Pennichuck Water Works  
25 Manchester Street  
PO Box 1947  
Merrimack, NH 03054-1947

Re: PWW Water System Franchise Expansion: Harvest Drive Derry, NH

Dear Mr. Boisvert,

At the October 5, 2010 meeting of the Derry Town Council a public hearing was held regarding Pennichuck Water Works' (PWW) 9/16/2010 letter requesting that the Town of Derry support a petition by PWW to the NH Public Utilities Commission to expand their East Derry Drew Woods water system franchise to include the new 30 lot residential subdivision known as Harvest Estates located off Hampstead Road in Derry.

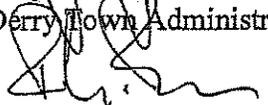
Following that public hearing, the Town Council approved a motion to support PWW's franchise expansion in East Derry to include Harvest Drive. Attached is a copy of the approved resolution.

If you have any questions or concerns please contact Thomas Carrier, Deputy DPW Director at 603-432-6144.

Sincerely,



Gary Stenhouse  
Derry Town Administrator



Bradley N. Benson  
Chairperson Derry Town Council

*JB-  
I need a copy  
of the resolution.  
THX  
DL*

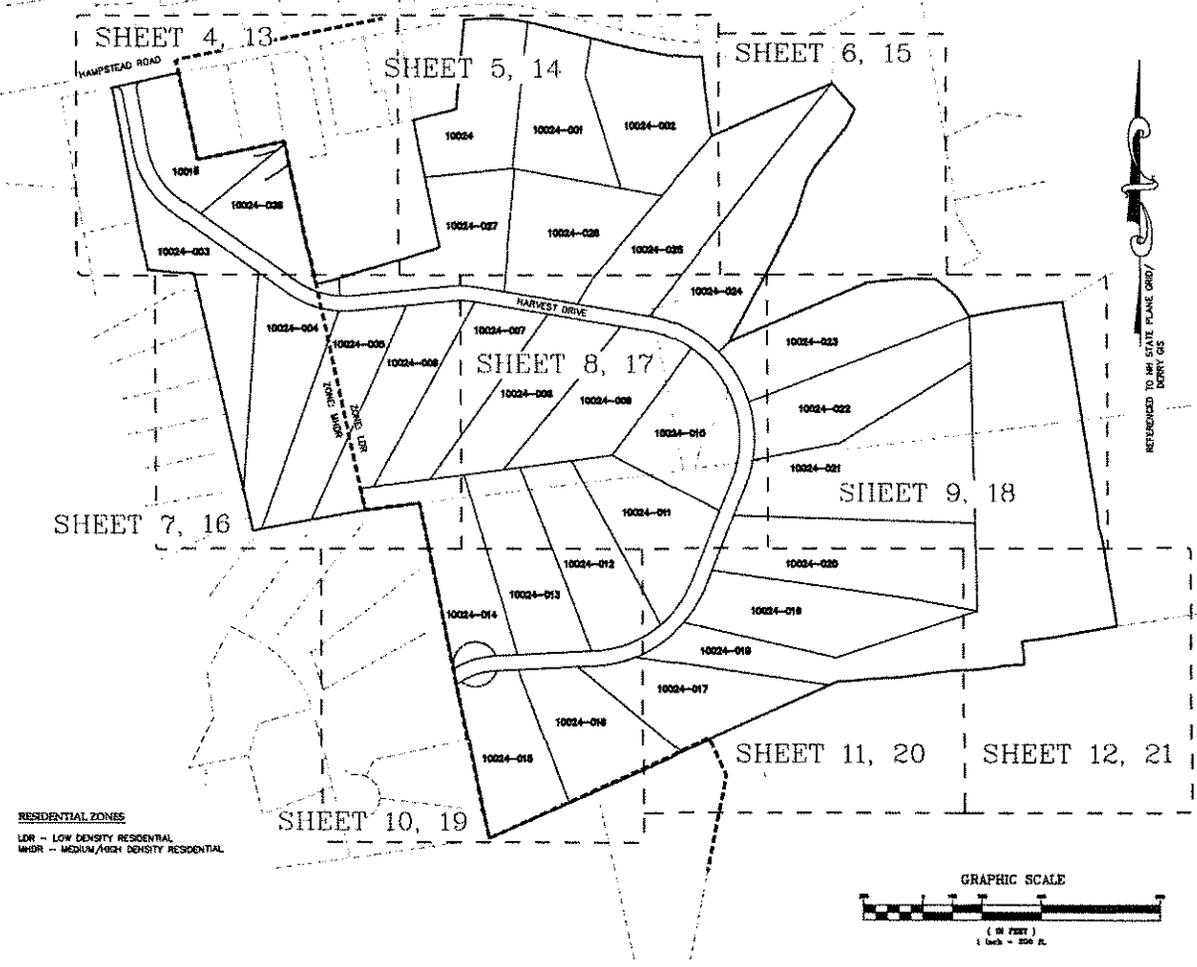
cc: Donald Ware, PWW; Michael Fowler, P.E. DPW Director; Timothy Peloquin, Promised Land Survey; Robert MacCormack, Developer

14 Manning Street . Derry, New Hampshire 03038 . Tel 603.845-5403 Fax 603.432.6131

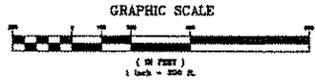
Website: [www.derry-nh.org](http://www.derry-nh.org)



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**RESIDENTIAL ZONES**  
 LDR - LOW DENSITY RESIDENTIAL  
 MHR - MEDIUM/HIGH DENSITY RESIDENTIAL



REFERENCED TO NH STATE PLANE GRID DONT 05

**LAND OWNER OF RECORD:**

LOT 10015 PAGE STRUCTURES, LLC 247 ROCKINGHAM ROAD DERRY, NH 03038 BOOK 4250 PAGE 0435	LOT 10024 MR. RONALD F. MEAD 247 ROCKINGHAM ROAD DERRY, NH 03038 BOOK 3802 PAGE 1824	LOT 10025 PAGE STRUCTURES, LLC 247 ROCKINGHAM ROAD DERRY, NH 03038 BOOK 4124 PAGE 1414
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**LAND SURVEYOR'S CERTIFICATION**  
 I, TIMOTHY A. PELLODMAN, LL.S. HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS PREPARED BY ME AND/OR OTHERS UNDER MY DIRECT SUPERVISION AND THAT THE FIELD WORK PERFORMED IN THE PREPARATION OF THIS PLAT HAS A LINEAR ERROR OF CLOSURE NO GREATER THAN ONE FOOT IN TEN THOUSAND FEET.

TIMOTHY A. PELLODMAN, LL.S. 10-13-2006  
DATE

IN ASSOCIATION WITH:

4 Wind Brookway  
Derry, NH 03038  
PH: (603) 437-5777  
FAX: (603) 437-6977

**SUBLIME**  
 CIVIL CONSULTANTS, INC.

Civil Engineering • Land Surveying • Geotechnical Engineering  
 Construction Administration • Project Design • Laying Out

**LAND OWNER OF RECORD**

*Revised* 10-12-06  
DATE

MR. RONALD F. MEAD

APPROVED BY THE TOWN OF DERRY PLANNING BOARD: 10/30/06  
DATE

CERTIFIED BY: *Virginia Albrecht*  
 TOWN CLERK

*Donald B. Baker*  
 SECRETARY

**SHEET LAYOUT PLAN**  
 MAP/LOT 10015, 10024, 10025  
 225 HAMPSTEAD ROAD  
 DERRY, NEW HAMPSHIRE  
 DECEMBER 13, 2004

SCALE: 1"=200' SHEET 2 OF 39

**Promised Land Survey, LLC**  
 25 Nashua Road, Suite B1  
 Londonderry, NH 03053  
 Tel: (603) 432-2112 • Fax: (603) 432-8800  
 www.PromisedLandSurvey.com  
 Land Surveying • Wetlands • Planning • Fencing • Layout

**REVISIONS**

NO.	DATE	DESCRIPTION	BY
3	05-28-06	ADDRESS PLANNING AND RMA COMMENTS	SJH
2	03-30-06	ADDRESS PLANNING AND RMA COMMENTS	SJH
1	05-18-05	PER TRC COMMENTS	JZ

D-34278 sheet 2 of 12

**NOTES**

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**PLANS OF REFERENCE**

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**WAYERS GRANTED**

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**WETLAND NOTES**

WETLANDS ARE AREAS OF SWAMPY OR SATURATED SOILS THAT SUPPORT VEGETATION OF SPECIFIC PLANT AND ANIMAL COMMUNITIES. THESE AREAS ARE OF GREAT IMPORTANCE TO THE ECOSYSTEM AND SHOULD BE PROTECTED FROM UNLAWFUL DISTURBANCE.

**SOIL NOTES**

SOIL NOTES: THE SOILS IN THIS AREA ARE OF VARIOUS TYPES AND SHOULD BE TESTED TO DETERMINE THEIR SUITABILITY FOR CONSTRUCTION. THE SOILS ARE OF VARYING DEGREES OF STABILITY AND SHOULD BE PROTECTED FROM UNLAWFUL DISTURBANCE.

**SOIL NOTES**

SOIL NOTES: THE SOILS IN THIS AREA ARE OF VARIOUS TYPES AND SHOULD BE TESTED TO DETERMINE THEIR SUITABILITY FOR CONSTRUCTION. THE SOILS ARE OF VARYING DEGREES OF STABILITY AND SHOULD BE PROTECTED FROM UNLAWFUL DISTURBANCE.

**EASEMENT LINE TABLE**

LINE	DESCRIPTION	START POINT	END POINT	BEARING	DISTANCE
1	...	...	...	...	...
2	...	...	...	...	...
3	...	...	...	...	...
4	...	...	...	...	...
5	...	...	...	...	...
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9	...	...	...	...	...
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11	...	...	...	...	...
12	...	...	...	...	...
13	...	...	...	...	...
14	...	...	...	...	...
15	...	...	...	...	...
16	...	...	...	...	...
17	...	...	...	...	...
18	...	...	...	...	...
19	...	...	...	...	...
20	...	...	...	...	...
21	...	...	...	...	...
22	...	...	...	...	...
23	...	...	...	...	...
24	...	...	...	...	...
25	...	...	...	...	...
26	...	...	...	...	...
27	...	...	...	...	...
28	...	...	...	...	...
29	...	...	...	...	...
30	...	...	...	...	...
31	...	...	...	...	...
32	...	...	...	...	...
33	...	...	...	...	...
34	...	...	...	...	...
35	...	...	...	...	...
36	...	...	...	...	...
37	...	...	...	...	...
38	...	...	...	...	...
39	...	...	...	...	...
40	...	...	...	...	...
41	...	...	...	...	...
42	...	...	...	...	...
43	...	...	...	...	...
44	...	...	...	...	...
45	...	...	...	...	...
46	...	...	...	...	...
47	...	...	...	...	...
48	...	...	...	...	...
49	...	...	...	...	...
50	...	...	...	...	...
51	...	...	...	...	...
52	...	...	...	...	...
53	...	...	...	...	...
54	...	...	...	...	...
55	...	...	...	...	...
56	...	...	...	...	...
57	...	...	...	...	...
58	...	...	...	...	...
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61	...	...	...	...	...
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63	...	...	...	...	...
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66	...	...	...	...	...
67	...	...	...	...	...
68	...	...	...	...	...
69	...	...	...	...	...
70	...	...	...	...	...
71	...	...	...	...	...
72	...	...	...	...	...
73	...	...	...	...	...
74	...	...	...	...	...
75	...	...	...	...	...
76	...	...	...	...	...
77	...	...	...	...	...
78	...	...	...	...	...
79	...	...	...	...	...
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81	...	...	...	...	...
82	...	...	...	...	...
83	...	...	...	...	...
84	...	...	...	...	...
85	...	...	...	...	...
86	...	...	...	...	...
87	...	...	...	...	...
88	...	...	...	...	...
89	...	...	...	...	...
90	...	...	...	...	...
91	...	...	...	...	...
92	...	...	...	...	...
93	...	...	...	...	...
94	...	...	...	...	...
95	...	...	...	...	...
96	...	...	...	...	...
97	...	...	...	...	...
98	...	...	...	...	...
99	...	...	...	...	...
100	...	...	...	...	...



D-34278 Sheet 36 of 13

**LAND OWNER OF RECORD:**  
 LOT 10015  
 PAGE STRUCTURES, LLC  
 225 HAMSTEAD ROAD  
 DERRY, NH 03025  
 BOOK 4009 PAGE 0483

**LOT 10024**  
 LOT 10025  
 PAGE STRUCTURES, LLC  
 225 HAMSTEAD ROAD  
 DERRY, NH 03025  
 BOOK 4124 PAGE 1414

**LAND SURVEYOR'S CERTIFICATION:**  
 I, DANIEL A. FALCONER, LICENSED SURVEYOR, HAVE SURVEYED THE ABOVE DESCRIBED LAND AND HAVE FOUND THAT THE SAME IS ACCURATELY DESCRIBED BY THE ABOVE MAP AND THAT THE SAME IS IN ACCORDANCE WITH THE RECORDS OF THE PUBLIC LANDS.

DANIEL A. FALCONER, L.S.  
 DATE: \_\_\_\_\_

**IN ASSOCIATION WITH:**  
 SUBLIME  
 SUBSURFACE CONSULTANTS, INC.  
 14000 WOODBURY ROAD  
 WOODBURY, NH 03099  
 TEL: (603) 451-9777  
 FAX: (603) 451-9777

**LAND OWNER OF RECORD:**  
 DANIEL A. FALCONER, L.S.  
 DATE: \_\_\_\_\_

**APPROVED BY THE TOWN OF DERRY PLANNING BOARD:**  
 10/26/16  
 DATE

**NOTES & PLANS OF REFERENCE:**  
 MAP / LOT 10015, 10024, 10025  
 225 HAMSTEAD ROAD  
 DERRY, NEW HAMPSHIRE  
 DECEMBER 13, 2004

SCALE: N/A

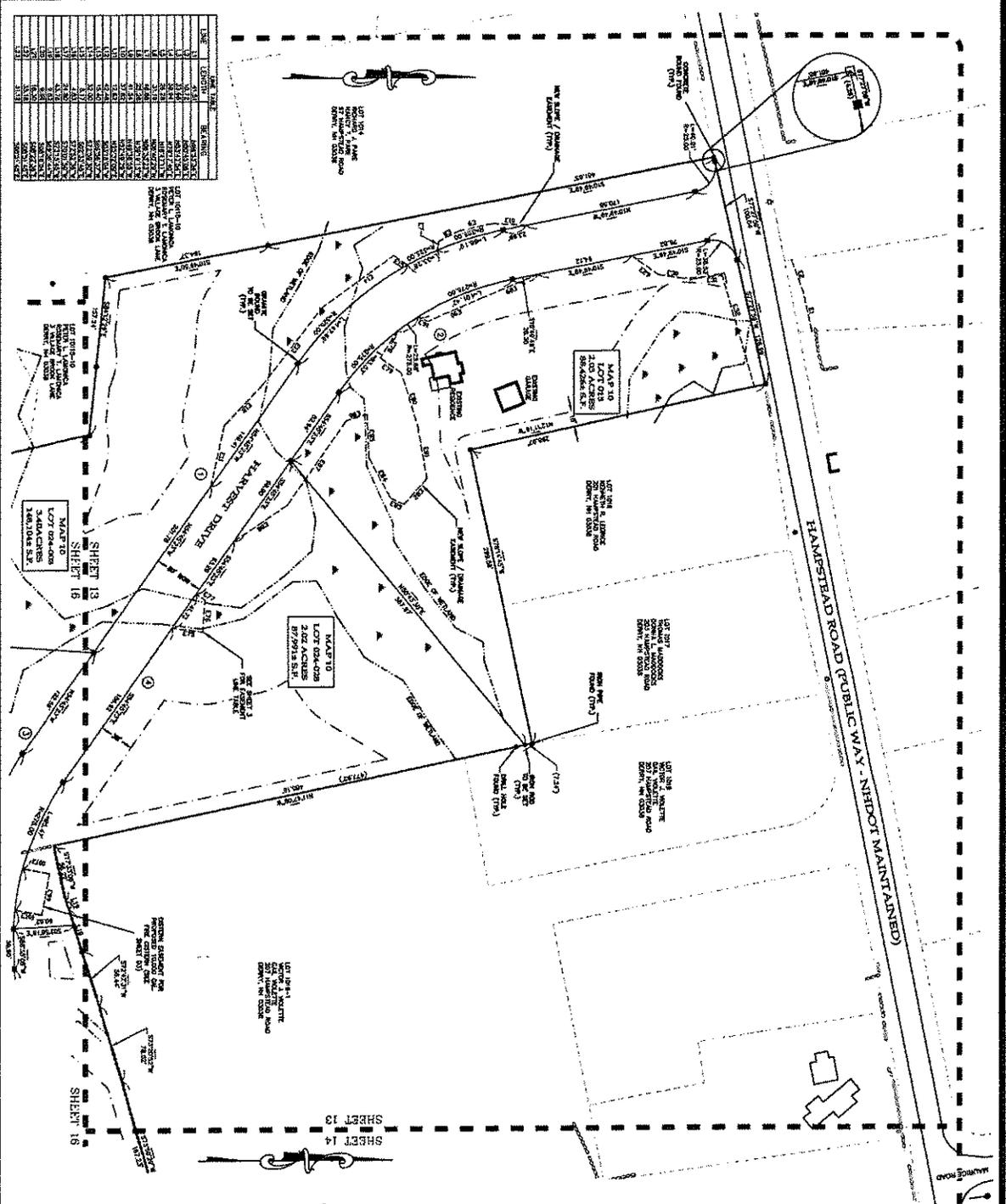
EBBERT 3 OF 39

**Promised Land Survey, LLC**  
 25 Nashua Road, Suite B1  
 Londonderry, NH 03053  
 Tel: (603) 432-2112 • Fax: (603) 432-8800  
 www.promisedlandsurvey.com

Land Surveying • Wetlands • Planning • Permitting • Eminent Domain

**REVISIONS**

NO.	DATE	DESCRIPTION	BY
1	01-28-06	...	...
2	01-28-06	...	...
3	01-28-06	...	...
4	01-28-06	...	...
5	01-28-06	...	...
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7	01-28-06	...	...
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9	01-28-06	...	...
10	01-28-06	...	...



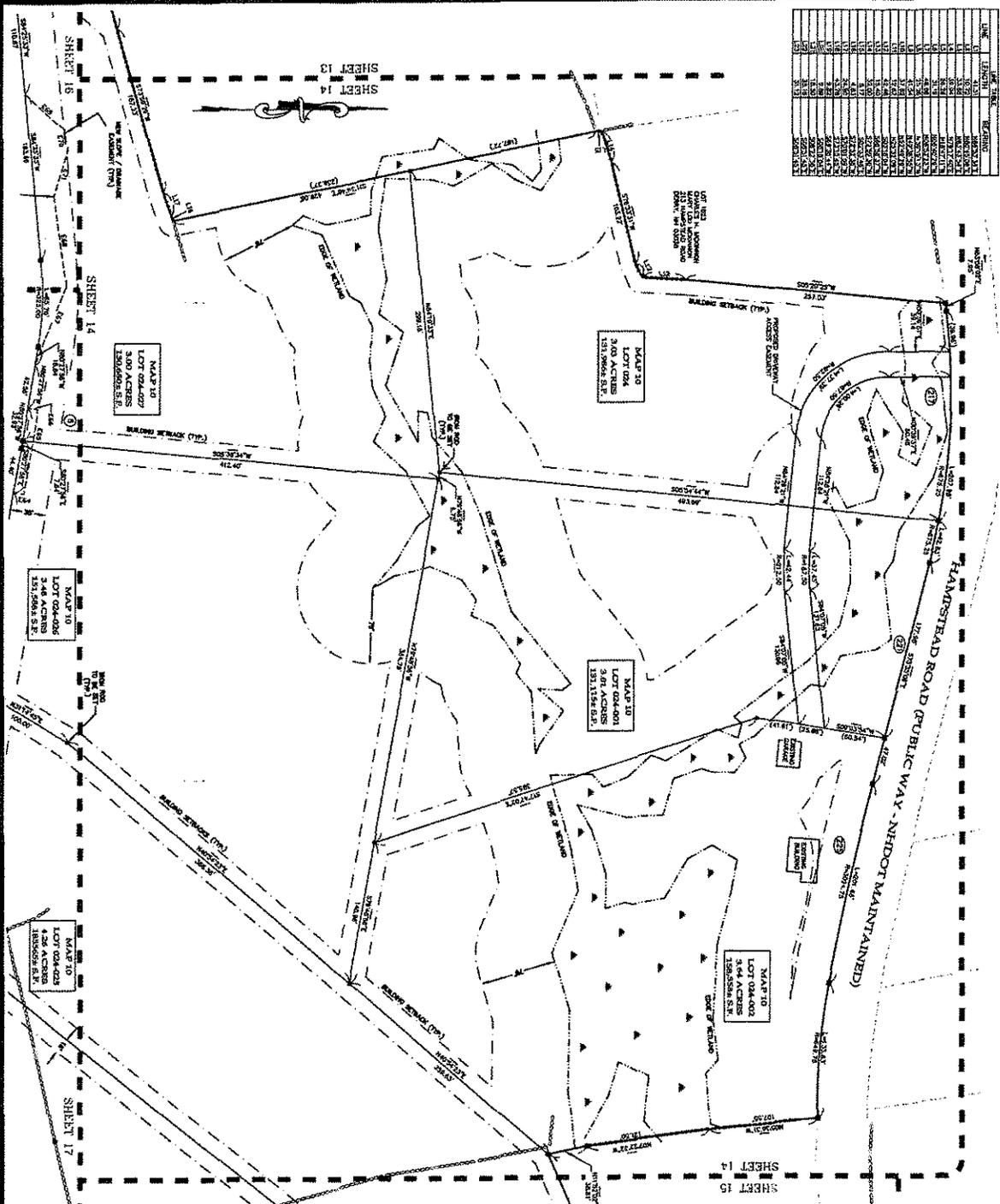
D-34278 Sheet 461a

DATE: 8-18-15

<p><b>LAND SURVEYOR'S CERTIFICATION</b></p> <p>I, THOMAS A. FLEISHER, U.S. GEMINERY, HAVE THIS SURVEYOR PLAN THE FIELD WORK HEREON IN THE PREPARATION OF THIS PLAN AND A LARGER BOOK OF RECORD TO BE MADE FROM ONE FOOT TO TEN THOUSAND FEET.</p> <p>THOMAS A. FLEISHER, L.S.</p>		<p><b>LAND OWNER OF RECORD:</b></p> <p>LOT 1428                  5165 SHIMMERS, LLC                  247 ROCKINGHAM ROAD                  DERRY, NH 03038                  BOOK: 489 PAGE: 0435</p>												
<p><b>LAND ASSOCIATION WITH:</b></p> <p>4 West Building                  Derry, NH 03038                  PH: (603) 437-3377                  FAX: (603) 437-3477                  WWW: WWW.SUBLINE.COM</p> <p><b>SUBLINE</b>                  SUBDIVISION SERVICES, INC.</p>		<p><b>LAND OWNER OF RECORD:</b></p> <p>LOT 1429                  5165 SHIMMERS, LLC                  247 ROCKINGHAM ROAD                  DERRY, NH 03038                  BOOK: 489 PAGE: 0435</p>												
<p><b>APPROVED BY THE TOWN OF DERRY PLANNING BOARD:</b></p> <p>DATE: 10/30/06</p> <p>SECRETARY: <i>Christina Black</i></p>		<p><b>REVISIONS:</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> </tr> <tr> <td>1</td> <td>05-15-05</td> <td>ADJUST PLANNING AND TAX COMMENTS FOR THE COMMENTS</td> </tr> <tr> <td>2</td> <td>05-26-05</td> <td>ADJUST PLANNING AND TAX COMMENTS</td> </tr> <tr> <td>3</td> <td>05-26-05</td> <td>ADJUST PLANNING AND TAX COMMENTS</td> </tr> </table>	NO.	DATE	REVISION	1	05-15-05	ADJUST PLANNING AND TAX COMMENTS FOR THE COMMENTS	2	05-26-05	ADJUST PLANNING AND TAX COMMENTS	3	05-26-05	ADJUST PLANNING AND TAX COMMENTS
NO.	DATE	REVISION												
1	05-15-05	ADJUST PLANNING AND TAX COMMENTS FOR THE COMMENTS												
2	05-26-05	ADJUST PLANNING AND TAX COMMENTS												
3	05-26-05	ADJUST PLANNING AND TAX COMMENTS												
<p><b>Promised Land Survey, LLC</b></p> <p>25 Nashua Road, Suite 211                  Londonderry, NH 03053                  TEL: (603) 433-2112 • FAX: (603) 433-8800                  WWW: WWW.PROMISEDLANDSURVEY.COM</p>		<p><b>SCALE:</b> 1"=50'</p> <p><b>SUBDIVISION PLAT</b></p> <p>MAP/LOT 10015, 10024, 10025                  225 HAMSTEAD ROAD                  DERRY, NEW HAMPSHIRE                  DECEMBER 13, 2004</p> <p><b>SHEET 13 OF 39</b></p>												

PLS PROJECT # 0421

LINE	DESCRIPTION	REMARKS
1	100' WIDE	
2	100' WIDE	
3	100' WIDE	
4	100' WIDE	
5	100' WIDE	
6	100' WIDE	
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100	100' WIDE	



D-34278 Sheet 5612

BARRON - 4 2110 15

**LAND OWNER OF RECORD:**  
 LOT 10228  
 101 10228 CHERRY, LLC  
 247 ROCHESTER ROAD  
 DERRY, NH 03038  
 BOOK 5882 PAGE 0425

**LAND SURVEYOR'S CERTIFICATION:**  
 I, THOMAS A. FLETCHER, U.S. SURVEYOR, CERTIFY THAT THIS SUBDIVISION PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT THE FIELD WORK REFERRED TO IN THE PREPARATION OF THIS PLAN WAS A CAREFUL AND ACCURATE SURVEY OF THE LAND DESCRIBED HEREIN AND THAT THE AREA SHOWN ON THIS PLAN IS THE TRUE AND CORRECT LOCATION OF THE BOUNDARIES OF THE LAND DESCRIBED HEREIN.

THOMAS A. FLETCHER, U.S.  
 DATE: 10-12-2006

**LAND ASSOCIATION WITH:**  
 SUBLIME CIVIL ENGINEERS & SURVEYORS, INC.  
 1000 W. 10th Street  
 Derry, NH 03038  
 TEL: (603) 424-9377  
 FAX: (603) 424-9377

**LAND OWNER OF RECORD:**  
 DATE: 10-12-2006

**APPROVED BY THE TOWN OF DERRY:**  
 APPROVED BY: *William J. Hall*  
 DATE: 10/30/06

**REVISIONS:**

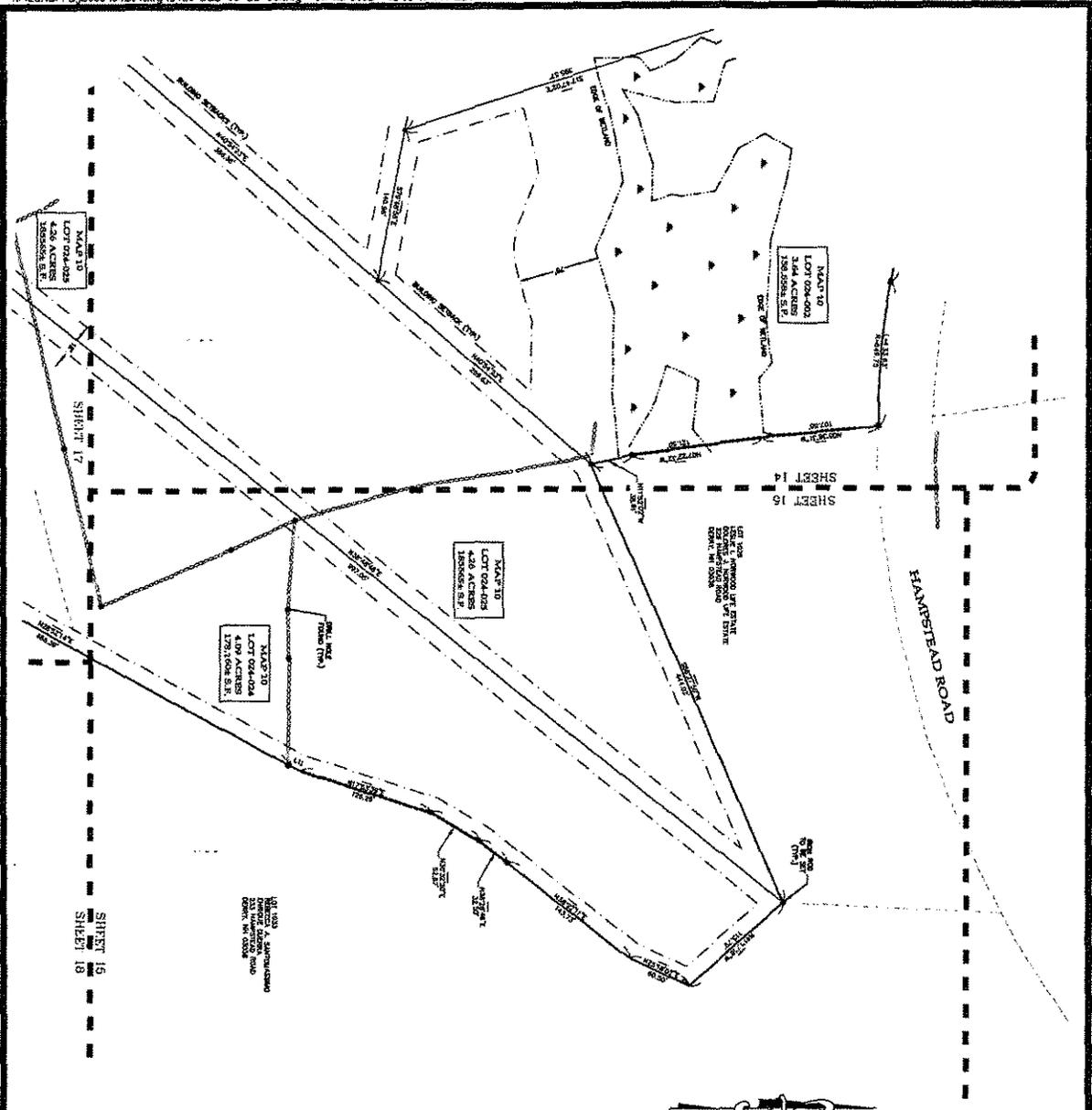
NO.	DATE	DESCRIPTION	BY
1	05-18-05	PREPARE COMMENTS	SM
2	03-30-06	ADDRESS PLANNING AND RMA COMMENTS	SM
3	05-26-06	ADDRESS PLANNING AND RMA COMMENTS	SM

**Promised Land Survey, LLC**  
 25 Newcomb Road, Suite 201  
 Londonderry, NH 03053  
 TEL: (603) 432-2112 • FAX: (603) 432-2800  
 www.promisedlandsurvey.com

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SCALE: 1"=50' SHEET 14 OF 39

PLS PROJECT # 0421



D-34278 Sheet 6 of 12

206 (2) - 4 (1) 20-15

LINE	LENGTH	BEARING
1	1.04	S 89° 00' 00" W
2	1.04	S 89° 00' 00" W
3	4.36	S 89° 00' 00" W
4	4.09	S 89° 00' 00" W
5	1.04	S 89° 00' 00" W
6	1.04	S 89° 00' 00" W
7	4.36	S 89° 00' 00" W
8	4.09	S 89° 00' 00" W
9	1.04	S 89° 00' 00" W
10	1.04	S 89° 00' 00" W
11	4.36	S 89° 00' 00" W
12	4.09	S 89° 00' 00" W
13	1.04	S 89° 00' 00" W
14	1.04	S 89° 00' 00" W
15	4.36	S 89° 00' 00" W
16	4.09	S 89° 00' 00" W
17	1.04	S 89° 00' 00" W
18	1.04	S 89° 00' 00" W
19	4.36	S 89° 00' 00" W
20	4.09	S 89° 00' 00" W
21	1.04	S 89° 00' 00" W
22	1.04	S 89° 00' 00" W
23	4.36	S 89° 00' 00" W
24	4.09	S 89° 00' 00" W
25	1.04	S 89° 00' 00" W
26	1.04	S 89° 00' 00" W
27	4.36	S 89° 00' 00" W
28	4.09	S 89° 00' 00" W
29	1.04	S 89° 00' 00" W
30	1.04	S 89° 00' 00" W
31	4.36	S 89° 00' 00" W
32	4.09	S 89° 00' 00" W
33	1.04	S 89° 00' 00" W
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87	4.36	S 89° 00' 00" W
88	4.09	S 89° 00' 00" W
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95	4.36	S 89° 00' 00" W
96	4.09	S 89° 00' 00" W
97	1.04	S 89° 00' 00" W
98	1.04	S 89° 00' 00" W
99	4.36	S 89° 00' 00" W
100	4.09	S 89° 00' 00" W

NO.	DATE	REVISIONS
1	10-12-06	ADDRESS PLANNING AND TMA COMMENTS
2	10-12-06	ADDRESS PLANNING AND TMA COMMENTS
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84	10-12-06	ADDRESS PLANNING AND TMA COMMENTS
85	10-12-06	ADDRESS PLANNING AND TMA COMMENTS
86	10-12-06	ADDRESS PLANNING AND TMA COMMENTS
87	10-12-06	ADDRESS PLANNING AND TMA COMMENTS
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89	10-12-06	ADDRESS PLANNING AND TMA COMMENTS
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100	10-12-06	ADDRESS PLANNING AND TMA COMMENTS

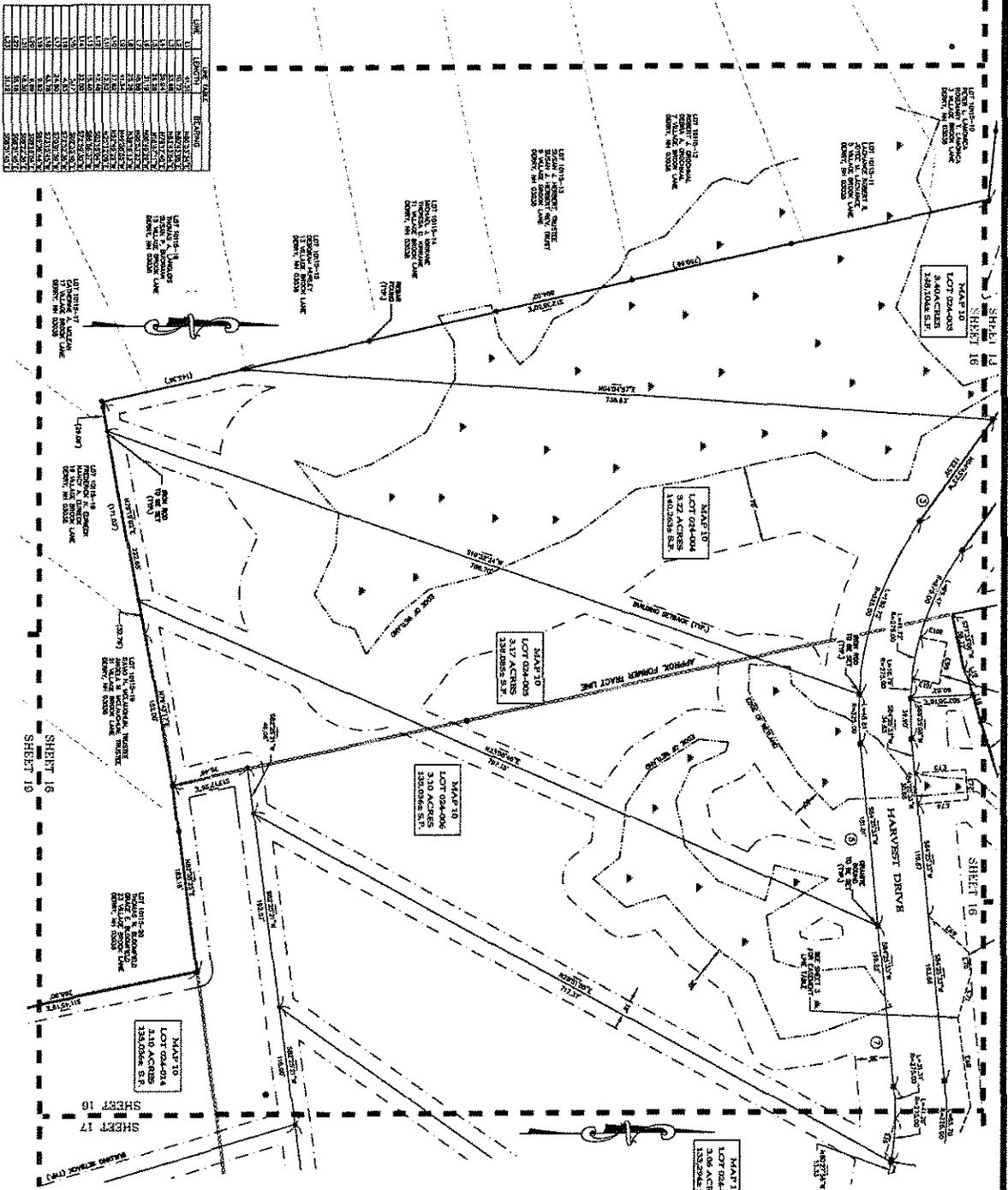
**Subdivision Plat**  
 MAP/LOT 10015, 10024, 10025  
 225 HAMSTEAD ROAD  
 DERRY, NEW HAMPSHIRE  
 DECEMBER 13, 2004  
 SCALE: 1"=50'  
 SHEET 13 OF 39

APPROVED BY THE TOWN OF  
 DERRY PLANNING BOARD  
 DATED: 10/30/06  
 DATE

**SUBLIME**  
 SURVEYING & CONSULTING, INC.  
 5 York Building  
 Derry, NH 03038  
 Tel: (603) 427-2777  
 Fax: (603) 427-4477  
 www.surveysublime.com

**LAND OWNER OF RECORD:**  
 P&E STRUCTURES, LLC  
 416 ROLLAND F. WARD  
 247 ROCKINGHAM ROAD  
 DERRY, NH 03038  
 BOX # 499  
 DERRY, NH 03038

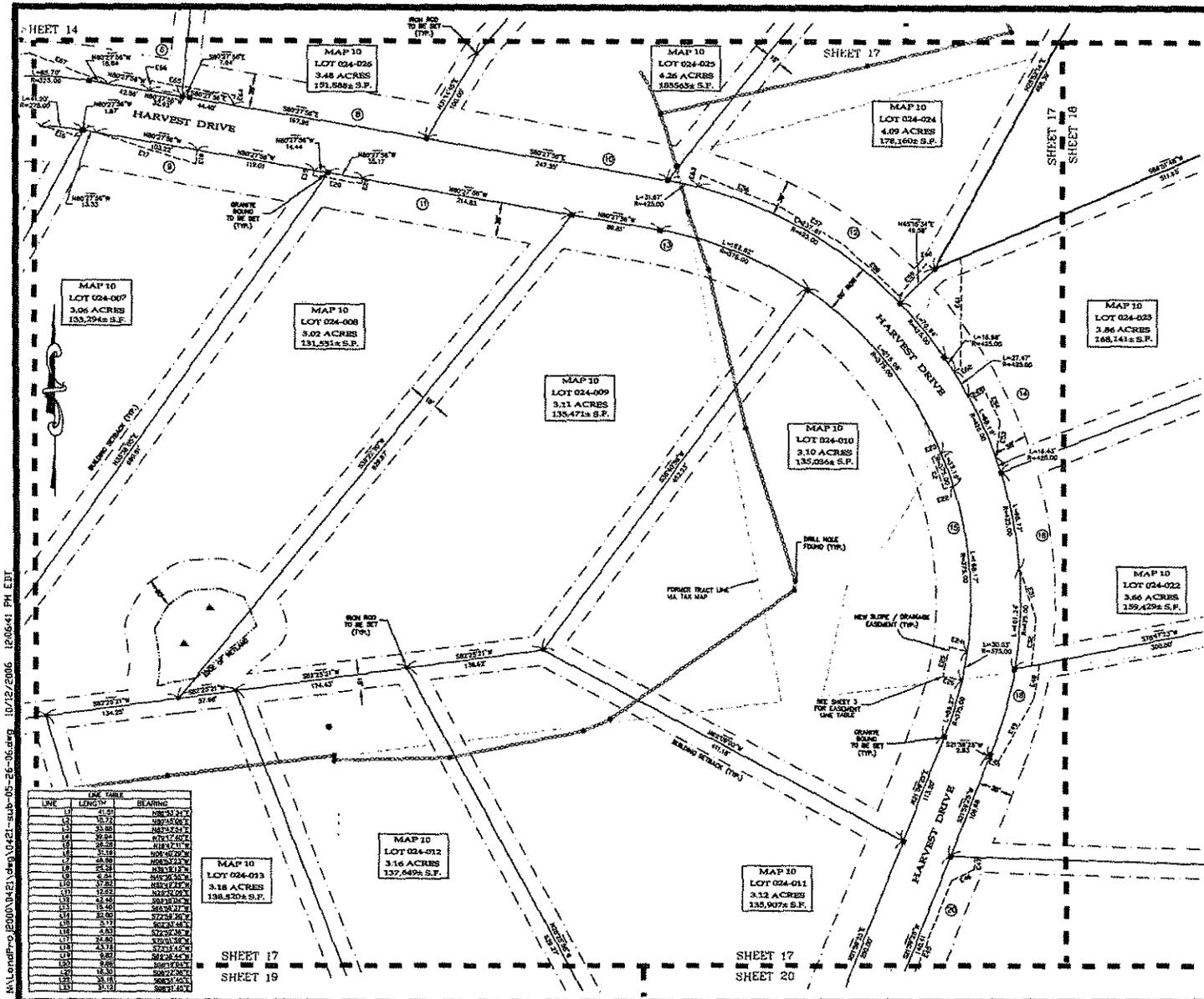
**LAND SURVEYOR'S CERTIFICATION:**  
 I, THOMAS A. FROSTBERG, U.S. HERETOFORE REGISTERED LAND SURVEYOR, CERTIFY THAT THIS SUBDIVISION PLAT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A MEMBER OF THE PROFESSION OF LAND SURVEYING IN THE STATE OF NEW HAMPSHIRE. I AM NOT PROVIDING THIS SERVICE AS AN EMPLOYEE OF THE STATE OF NEW HAMPSHIRE. I AM NOT PROVIDING THIS SERVICE AS AN EMPLOYEE OF THE STATE OF NEW HAMPSHIRE. I AM NOT PROVIDING THIS SERVICE AS AN EMPLOYEE OF THE STATE OF NEW HAMPSHIRE.



D-34278 sheet 7613

DESIGN - 3 04/05-15

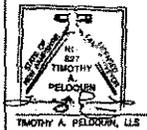
<p><b>LAND OWNER OF RECORD:</b> LOT 10025                  PACE STRUCTURES, LLC                  225 HANFSTEAD ROAD                  BERRY, NH 03035                  BOOK 4050 PAGE 0435</p>		<p><b>LOT 10025</b>                  PACE STRUCTURES, LLC                  225 HANFSTEAD ROAD                  BERRY, NH 03035                  BOOK 4124 PAGE 1414</p>																	
<p><b>LAND SURVEYOR'S CERTIFICATION</b>                  I, THOMAS A. FLEMMING, U.S. SURVEYOR, CERTIFY THAT THE SUBDIVISION PLAN WAS PREPARED BY ME AND/OR OTHERS UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF NEW HAMPSHIRE. THE SCALE OF THIS PLAN IS AS SHOWN ON THE PLAN AND IS THE TRUE SCALE.</p>		<p><b>LAND ASSOCIATION WITNES:</b>                  I, THOMAS A. FLEMMING, U.S. SURVEYOR, CERTIFY THAT THE SUBDIVISION PLAN WAS PREPARED BY ME AND/OR OTHERS UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF NEW HAMPSHIRE. THE SCALE OF THIS PLAN IS AS SHOWN ON THE PLAN AND IS THE TRUE SCALE.</p>																	
<p><b>LAND OWNER OF RECORD:</b>                  MR. RONALD F. WARD                  DATE: 06-12-05</p>		<p><b>APPROVED BY THE TOWN OF DERRY PLANNING BOARD:</b>                  DATE: 10/30/06</p>																	
<p><b>SUBDIVISION PLAN:</b>                  MAP 10/LOT 10015, 10024, 10025                  225 HANFSTEAD ROAD                  BERRY, NEW HAMPSHIRE                  DECEMBER 13, 2004</p>		<p><b>PROFESSOR:</b>                  [Signature]</p>																	
<p><b>REVISIONS:</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> </tr> <tr> <td>1</td> <td>05-28-04</td> <td>ADJUSTS PLANNING AND ZONING COMMENTS</td> <td>SM</td> </tr> <tr> <td>2</td> <td>07-30-05</td> <td>ADJUSTS PLANNING AND ZONING COMMENTS</td> <td>SM</td> </tr> <tr> <td>3</td> <td>09-16-06</td> <td>PER PER COMMENTS</td> <td>SM</td> </tr> </table>		NO.	DATE	DESCRIPTION	BY	1	05-28-04	ADJUSTS PLANNING AND ZONING COMMENTS	SM	2	07-30-05	ADJUSTS PLANNING AND ZONING COMMENTS	SM	3	09-16-06	PER PER COMMENTS	SM	<p><b>PROFESSOR:</b>                  [Signature]</p>	
NO.	DATE	DESCRIPTION	BY																
1	05-28-04	ADJUSTS PLANNING AND ZONING COMMENTS	SM																
2	07-30-05	ADJUSTS PLANNING AND ZONING COMMENTS	SM																
3	09-16-06	PER PER COMMENTS	SM																
<p><b>Drawn by:</b> [Signature]</p>																			
<p><b>Scale:</b> 1" = 40'</p>																			
<p><b>Project:</b> PLS PROJCT # 0421</p>																			



LAND OWNER OF RECORD:

LOT 10015 PACE STRUCTURES, LLC 247 ROCKINGHAM ROAD DERRY, NH 03038 BOOK 4050 PAGE 0435	LOT 10024 MR. RONALD F. MEAD 247 ROCKINGHAM ROAD DERRY, NH 03038 BOOK 3802 PAGE 1824	LOT 10025 PACE STRUCTURES, LLC 247 ROCKINGHAM ROAD DERRY, NH 03038 BOOK 4124 PAGE 1414
--	--	--

LAND SURVEYOR'S CERTIFICATION  
I, TIMOTHY A. PELOUSH, U.S. HEREBY CERTIFY THAT THIS SUBDIVISION PLAT WAS PREPARED BY ME, AND/OR OTHERS UNDER MY DIRECT SUPERVISION AND THAT THE FIELD WORK PERFORMED IN THE PREPARATION OF THIS PLAT HAS A LINEAR ERROR OF CLOSURE NO GREATER THAN ONE FOOT IN TEN THOUSAND FEET.



TIMOTHY A. PELOUSH, U.S.  
DATE: 10-13-06

IN ASSOCIATION WITH:

6 West Broadway  
Derry, NH 03038  
Tel: (603) 437-3772  
Fax: (603) 437-9777

**SUBLIME**  
ENGINEERS & ARCHITECTS, INC.

City Engineering • Land Surveying • Environmental Planning  
Construction Administration • Traffic Design • Lighting Design

LAND OWNER OF RECORD

*Ronald Mead*  
MR. RONALD F. MEAD  
DATE: 10-13-06

APPROVED BY THE TOWN OF DERRY PLANNING BOARD: 10/30/06  
DATE

CERTIFIED BY:  
*Virginia Wood*  
GRANTHAM  
*Daniel B. Johnson*  
SECRETARY

SUBDIVISION PLAT  
MAP/LOT 10015, 10024, 10025  
225 HAMPSTEAD ROAD  
DERRY, NEW HAMPSHIRE  
DECEMBER 13, 2004

SCALE: 1"=50'  
SHEET 17 OF 39

**Promised Land Survey, LLC**

25 Nashua Road, Suite B1  
Londonderry, NH 03053  
Tel: (603) 432-2112 • Fax: (603) 432-8800  
www.PromisedLandSurvey.com

Land Surveying • Wetlands • Planning • Permitting • Layout

REVISIONS

3	03-20-06	ADDRESS PLANNING AND RMA COMMENTS	SJM
2	03-30-06	ADDRESS PLANNING AND RMA COMMENTS	SJM
1	05-18-05	PER TRC COMMENTS	JLG
NO.	DATE	DESCRIPTION	BY

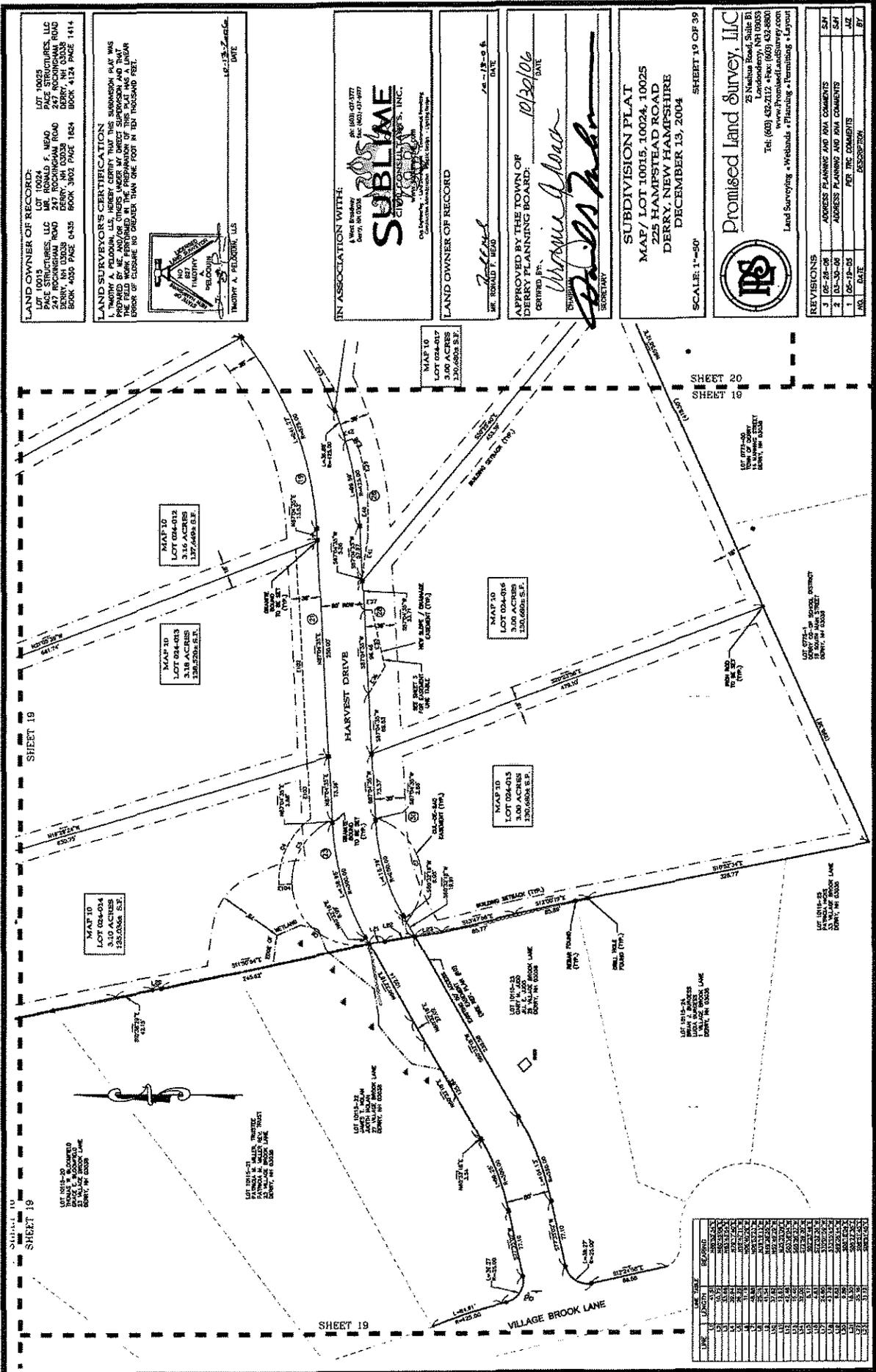
N:\LandProc\EDU\UK1\edg\0421-sub-05-26-06.dwg 12/12/2006 12:06:41 PM EJT

LINE	LENGTH	BEARING
01	01.91	282°53'21.7"
02	03.74	289°43'07.1"
03	33.80	182°52'21.2"
04	32.82	183°11'11.7"
05	32.82	183°11'11.7"
06	35.18	60°46'20.2"
07	46.69	60°00'27.2"
08	28.24	183°11'11.7"
09	1.61	183°11'11.7"
10	37.81	43°42'12.0"
11	12.82	322°22'29.1"
12	14.40	289°43'07.1"
13	15.40	289°43'07.1"
14	20.00	272°28'41.3"
15	2.71	60°46'20.2"
16	2.83	322°22'29.1"
17	2.83	322°22'29.1"
18	43.74	322°22'29.1"
19	9.95	348°54'24.3"
20	9.95	348°54'24.3"
21	10.30	309°22'26.2"
22	10.30	309°22'26.2"
23	5.13	309°22'26.2"

D-34278 Sheet 8 of 12



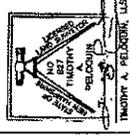
2008187-3 5/16/08



LAND OWNER OF RECORD:  
 LOT 1808  
 FACE STRUCTURES, LLC  
 247 ROCKINGHAM ROAD  
 DERRY, NH 03038  
 BOOK 3003 PAGE 1834  
 DEED 4124 PAGE 1414

LAND SURVEYOR'S CERTIFICATION  
 I, THOMAS A. PELOUSE, U.S. RESIDENT SURVEYOR, IN ACCORDANCE WITH RSA 281:100, HAVE CONDUCTED A SURVEY OF THE ABOVE DESCRIBED LAND AND HAVE FOUND THAT THE FIELD WORK PERFORMED IN THE PREPARATION OF THIS PLAT HAS A LIKELY ERROR OF CLOSURE NO GREATER THAN ONE FOOT IN TEN THOUSAND FEET.

THOMAS A. PELOUSE, U.S.  
 DATE: 5/13/2008



IN ASSOCIATION WITH:  
**SUBLIME**  
 SUBCONSULTANTS, INC.  
 1000 Broadway  
 Derry, NH 03038  
 Tel: (603) 437-3777  
 Fax: (603) 437-8977

LAND OWNER OF RECORD  
 WE STRAND 1, LLC  
 75-18-0-8  
 DATE: 10/24/06

APPROVED BY THE TOWN OF  
 DERRY PLANNING BOARD  
 GIVEN BY: *Thomas A. Pelouse*  
 SECRETARY: *Thomas A. Pelouse*

SUBDIVISION PLAT  
 MAP/ LOT 10015, 10024, 10025  
 225 HAMPTSTEAD ROAD  
 DERRY, NEW HAMPSHIRE  
 DECEMBER 13, 2004  
 SHEET 19 OF 39

**Promised Land Survey, LLC**  
 25 Nesham Road, Suite B1  
 Londonderry, NH 03053  
 Tel: (603) 432-2112 • Fax: (603) 432-8801  
 www.PromisedLandSurvey.com  
 Land Surveying • Wetlands • Planning • Eminent Domain

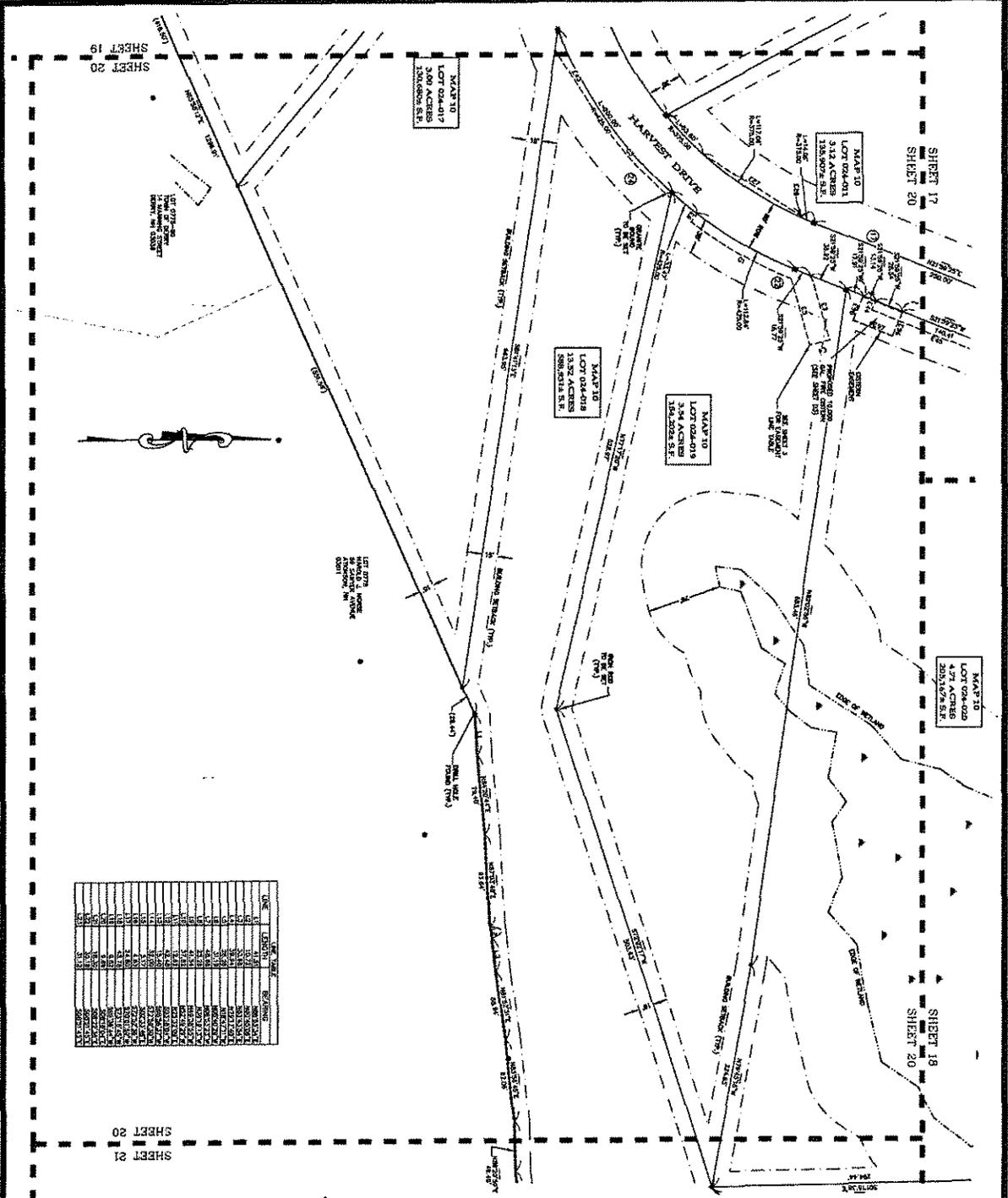
NO.	DATE	PER THE COMMENTS	BY
3	05-24-08	ADDRESS PLANNING AND PDM COMMENTS	SM
2	03-30-06	ADDRESS PLANNING AND PDM COMMENTS	SM
1	05-19-05	PER THE COMMENTS	SM

D-34278 Sheet 10 of 12

PLS PROJECT # 0421

10/12/2005 10:12:05 AM

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D-34278 Sheet 11 of 13

LINE	DESCRIPTION	AREA	PERCENTAGE
1	LOT 004-017	3.00	100.00%
2	LOT 004-018	13.52	100.00%
3	LOT 004-019	1.04	100.00%
4	LOT 004-020	1.04	100.00%
5	LOT 004-021	1.04	100.00%
6	LOT 004-022	1.04	100.00%
7	LOT 004-023	1.04	100.00%
8	LOT 004-024	1.04	100.00%
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10	LOT 004-026	1.04	100.00%
11	LOT 004-027	1.04	100.00%
12	LOT 004-028	1.04	100.00%
13	LOT 004-029	1.04	100.00%
14	LOT 004-030	1.04	100.00%
15	LOT 004-031	1.04	100.00%
16	LOT 004-032	1.04	100.00%
17	LOT 004-033	1.04	100.00%
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19	LOT 004-035	1.04	100.00%
20	LOT 004-036	1.04	100.00%
21	LOT 004-037	1.04	100.00%
22	LOT 004-038	1.04	100.00%
23	LOT 004-039	1.04	100.00%
24	LOT 004-040	1.04	100.00%
25	LOT 004-041	1.04	100.00%
26	LOT 004-042	1.04	100.00%
27	LOT 004-043	1.04	100.00%
28	LOT 004-044	1.04	100.00%
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30	LOT 004-046	1.04	100.00%
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51	LOT 004-067	1.04	100.00%
52	LOT 004-068	1.04	100.00%
53	LOT 004-069	1.04	100.00%
54	LOT 004-070	1.04	100.00%
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81	LOT 004-097	1.04	100.00%
82	LOT 004-098	1.04	100.00%
83	LOT 004-099	1.04	100.00%
84	LOT 004-100	1.04	100.00%

**LAND OWNER OF RECORD:**  
 PDC STRONGHOLD, LLC  
 247 ROCKINGHAM ROAD  
 BERRY, NH 03025  
 BRW 505 504 1834  
 BRW 435 154 1414

**LAND SURVEYOR'S CERTIFICATION:**  
 I, THOMAS A. REID, A PROFESSIONAL LAND SURVEYOR, CERTIFY THAT THIS SUBDIVISION PLAT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A MEMBER OF THE PROFESSIONAL SOCIETY OF LAND SURVEYORS OF NEW HAMPSHIRE. I HAVE BEEN LICENSED IN THE PRACTICE OF THE PROFESSION OF LAND SURVEYING IN THE STATE OF NEW HAMPSHIRE SINCE 1984.

THOMAS A. REID, L.S.  
 DATE: 10-13-2004

**IN ASSOCIATION WITH:**  
 4 West Broadway  
 Berry, NH 03025  
**SUBLIME**  
 CIVIL ENGINEERS & SURVEYORS, INC.  
 545 Broadway, Suite 200  
 Berry, NH 03025  
 TEL: (603) 432-2112 FAX: (603) 432-8890

**LAND OWNER OF RECORD:**  
 PDC STRONGHOLD, LLC  
 247 ROCKINGHAM ROAD  
 BERRY, NH 03025  
 BRW 505 504 1834  
 BRW 435 154 1414

**APPROVED BY THE TOWN OF BERRY PLANNING BOARD:**  
 10/30/04  
 DECEMBER 13, 2004

**SUBDIVISION PLAT:**  
 MAP/LOT 10015, 10024, 10025  
 225 HAMPSHIRE ROAD  
 BERRY, NEW HAMPSHIRE  
 DECEMBER 13, 2004  
 SHEET 20 OF 39

**SCALE:** 1"=50'

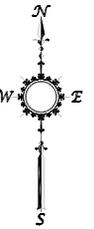
**REVISIONS:**

NO.	DATE	REVISION	BY
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98	02-28-07	FOR THE COMMENTS	SA
99	02-28-07	FOR THE COMMENTS	SA
100	02-28-07	FOR THE COMMENTS	SA

**Promised Land Survey, LLC**  
 25 Nashua Road, Suite 211  
 Londonderry, NH 03053  
 TEL: (603) 432-2112 • FAX: (603) 432-8890  
 www.promisedlandsurvey.com  
 Land Surveying • Wetlands • Planning • Permitting • Eminent Domain



# TOWN OF DERRY



APPROX SCALE (feet)  
0 1000 2000

LEGEND	
	GATE OR RELEASE VALVE HYDRANT
	12" WATER MAIN
	8" WATER MAIN
	6" WATER MAIN
	4" WATER MAIN
	3" WATER MAIN
	2" WATER MAIN

## NOTES

1. LOCATIONS OF WATER FACILITIES SHOWN ARE APPROXIMATE.
2. ACTUAL LOCATIONS OF FACILITIES SHOULD BE INVESTIGATED AND SURVEYED ON-SITE BEFORE INITIATING ANY UNDERGROUND CONSTRUCTION BY CONTACTING DIG SAFE AT 1-888-344-7233.
3. PLAN SHOULD ONLY BE USED TO PROVIDE WATER MAIN POSITION ON STREET AND AVAILABILITY OF WATER.
4. SOME FITTINGS, VALVES, AND HYDRANTS MAY NOT BE LOCATED AS SHOWN.
5. BASE MAP DATA PROVIDED BY THE TOWN OF DERRY, NH.
6. THESE DIGITAL DATA REPRESENT THE BEST EFFORTS OF PW AND ITS AGENCIES TO RECORD INFORMATION FROM THE SOURCES CITED IN THE ASSOCIATED DOCUMENTATION. PW MAINTAINS AN ONGOING PROGRAM TO RECORD AND CORRECT ERRORS IN THESE DATA THAT ARE BROUGHT TO ITS ATTENTION. PW MAKES NO CLAIMS AS TO THE RELIABILITY OF THE DATA OR THE VALIDITY OF ANY FUTURE USE OF THESE DATA.
7. PLAN REFLECTS CONDITIONS GENERALLY PRESENTED AS OF 2010.
8. LAST REVISED: 0\_302010



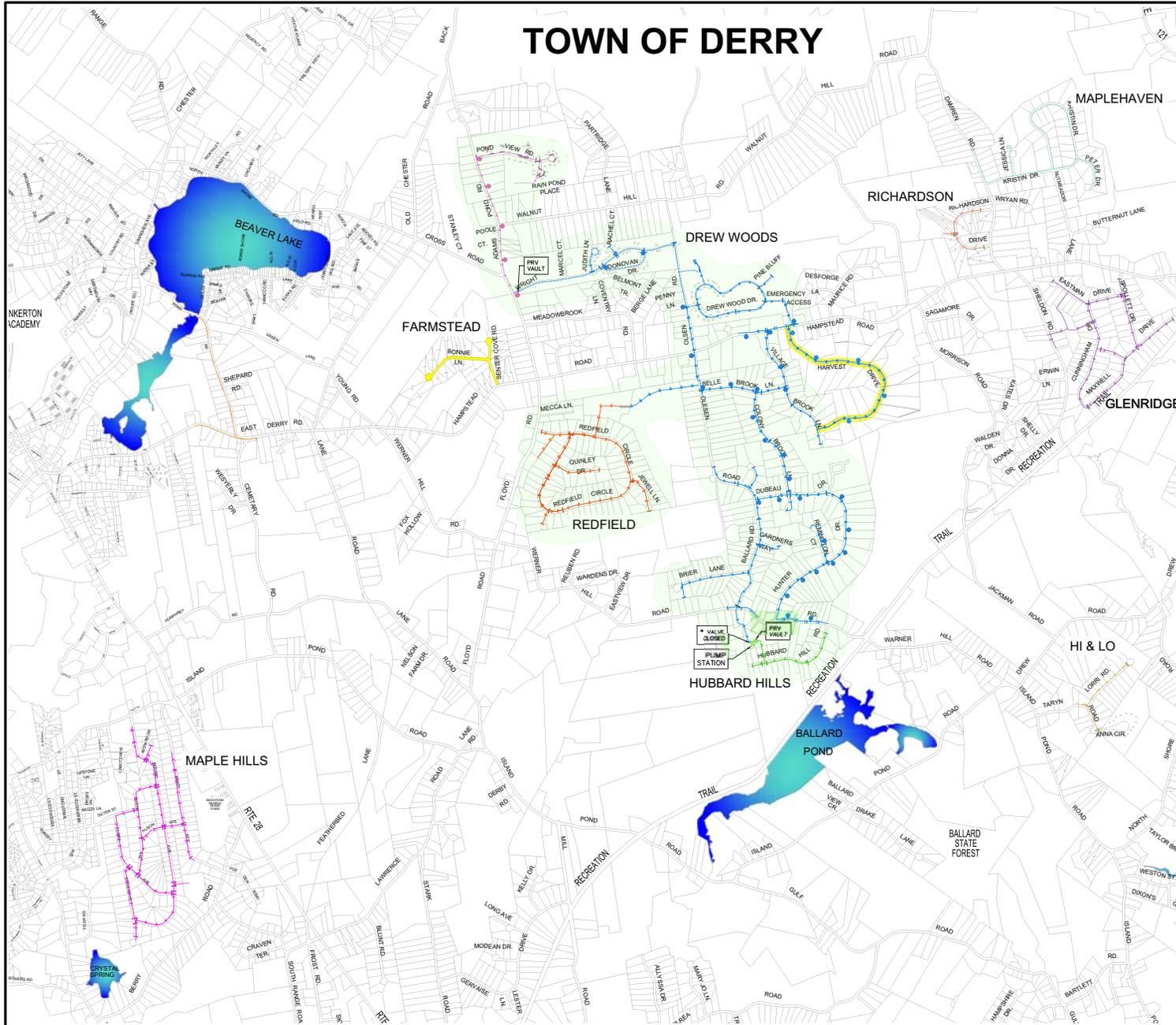
CONTACT DIG SAFE 72 HOURS PRIOR TO CONSTRUCTION

\* THIS VALVE BETWEEN HILL AND NEW WATERS LEFT VALVE ENS LEFT. VALVE T MAIN L SE INLESS ENIN. A V E SY EN-NEE IN.

EXISTING DREW WOODS FRANCHISE AREA

PROPOSED EXPANSION OF DREW WOODS FRANCHISE- HARVEST VILLAGE

\*--SEE ATTACHED PLAN FROM APPROVED SUBDIVISION PLAN

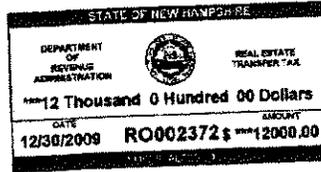


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ROCKINGHAM COUNTY  
REGISTRY OF DEEDS



**FORECLOSURE DEED**

Butler Bank, with an address of Gateway Center, 10 George Street, Lowell, Massachusetts 01852, holder of a three certain mortgages granted by Derry's Harvest Estates, LLC all dated September 22, 2006, as recorded at Rockingham County Registry of Deeds at Book 4710, Pages 2451, 2466, and 2481 (collectively, the "Mortgage Deeds"), under the statutory power of sale conferred by the Mortgage Deeds and every other power, for Eight Hundred Thousand Dollars and No/100 (\$800,000.00) paid, grants to Hampstead Rd + Harvest Dr, LLC, with a mailing address of P.O. Box 535, Billerica, MA 01821, the premises conveyed by the Mortgage Deeds, more particularly described as follows:

**TRACT I**

Tract I now known as and numbered 199 Hampstead Road:

A certain parcel or tract of land, with the buildings thereon, situated in East Derry, County of Rockingham, and State of New Hampshire, being more particularly described as follows:

Beginning at a point on the southerly side of Hampstead Road, so-called, which point is the intersection of the northwestern corner of the within described premises and the northeastern corner of land now or formerly of Pare as shown on Plan of Property of Gene Tenney as revised by Roland P. Therrien, August 18, 1972 and recorded in the Rockingham County Registry of Deeds as Plan #D-

3219; thence S 04° 30' W a distance of Six Hundred Seventy-Four and Five One-Hundredths (674.05) feet to an iron pin; thence S 68° 15' E a distance of One Hundred Fifty-Seven and No One-Hundredths (157.00) feet more or less to an iron pin; thence S 03° 45' E a distance of Eight Hundred Ninety-Six and No One-Hundredths (896.00) feet more or less to an iron pin set in a stone wall; thence S 82° 00' E along said stone wall a distance of Two Hundred Eighty-Seven and No One-Hundredths (287.00) feet, more or less, to a corner in said stone wall; thence N 03° 45' E a distance of Twelve Hundred Twenty-Six and No One-Hundredths (1226.00) feet, more or less, to a point which is the southeasternmost corner of property now or formerly of Maddocks; thence N 80° 15' W a distance of Three Hundred and No One-Hundredths (300.00) feet along land of said Maddocks and land of St. Germain to an iron pin; thence N 08° 30' W a distance of Three Hundred and No One-Hundredths (300.00) feet to an iron pin in the southerly line of said Hampstead Road; thence N 08° 15' W a distance of Two Hundred Thirty-One and Thirty One-Hundredths (231.30) feet more or less, along the southerly line of said Hampstead Road to the point of beginning. Being parcel two as shown on said plan and containing 12.58 acres more or less.

HOMESTEAD RIGHTS DO NOT APPLY.

**TRACT II**

Tract II now known as Tax Map 10, Lot 25 off Hampstead Road:

A certain tract or parcel of land, with the buildings thereon, situated in Derry, County of Rockingham, State of New Hampshire, bounded and described as follows, to wit:

Beginning at a stake and stones at the northeast corner of the parcel hereby conveyed, on the southerly side of the highway leading from Derry to Hampstead; thence running westerly along said highway to a stake and stones at land of J. Pelletier; thence running southerly by said Pelletier land to a stake and stones near a maple tree at the wall which is on the north side of the driveway extending across the premises hereby conveyed; thence running about westerly and following the wall to land of Kimball; thence following the line of the wall by said Kimball land to land now or formerly of Armstrong; thence running southerly and following the wall by said Armstrong land and by other land of this grantor to a stake and stones at land of Dubeau; thence running easterly by said Dubeau land to a stake and stones at land of Morrison; thence running northerly, westerly and northerly and by varying courses, following the wall, by land of Morrison and others to the bound begun at.

Reserving and excepting from this conveyance herein the following described property that was conveyed to Randolph C. Hamblett and Virginia P.

Hamblett on April 21, 1953 by Alfred J. LeBlanc recorded in the Rockingham County Registry of Deeds, Volume 1279, Page 396.

A certain parcel of land with the building thereon, situated in Derry aforesaid and bounded and described as follows, to wit:

Beginning at a stake at the northwesterly corner of the within described premises, at the highway known as the Hampstead Road, at land of Kimball; thence running southerly by said Kimball land to a stake at a maple tree at the end of the wall, thence running southwesterly by the road known as the Wilson Road to a stake near a large pine tree near the bend in the road; thence running easterly and across a road to a stake; thence running southeasterly by said Road to the corner of the wall at land of Morrison; thence continuing easterly and northeasterly, following the wall, by land of Wentworth and land of Alfred J. LeBlanc, et ux, to the aforesaid Hampstead Road; thence running northwesterly by said Hampstead Road to the bound begun at. Together with and subject to any rights of way that may be appurtenant thereto.

This conveyance is made subject to a right of way over the granted premises by Benjamin F. Adams which is recorded in Volume 1035, Page 54 of the Rockingham County records.

HOMESTEAD RIGHTS DO NOT APPLY.

**TRACT III**

*\* LOCATED IN THE TOWN OF DERRY, N.H.*

A certain tract or parcel of land with the buildings thereon, if any, and shown as Tax Lot 10-24 on a plan entitled "Plot Plan of Charles Tenney Land Hampstead Rd., Derry, N.H." dated June 3, 1975 prepared by B.V. Pearson Assoc. Derry, N.H. recorded in the Rockingham County Registry of Deeds as D-5320, to which plan reference may be had for a more particular description of said property.

Said lot containing 35 acres more or less according to said Plan.

HOMESTEAD RIGHTS DO NOT APPLY.

For Grantor's source of title see Deeds recorded in the Rockingham County Registry of Deeds at Book 4465, Page 2000 and Book 4465, Page 2003

**EXCEPTING AND RESERVING** therefrom, a parcel of land conveyed to Thomas Leclair by Warranty Deed dated June 22, 2007 and recorded with the

Rockingham County Registry of Deeds at Book 4816, Page 924 and bounded and described as follows:

Lot No. 10 015 and any improvements thereon as shown on a plan entitled "Sub-division Plans Hampstead Road Subdivision Hampstead Road Derry, New Hampshire" prepared for Ronald F. Mead by Timothy A. Peloquin, Surveyor in association with Promised Land Survey, LLC and recorded with the Rockingham County Registry of Deeds as Plan No. D-34278; more particularly described as follows:

Beginning at the northeast corner of the within described lot on the southerly line of Hampstead Road as shown on said plan.

Thence S 77° 27' 59" W a distance of 126.99 feet along Hampstead Road as shown on said plan;

Thence along the curve of a circle with a radius of 25.00 a distance of 38.53 feet along Harvest Drive as shown on said plan;

Thence S 10° 49' 49" E a distance of 76.82 feet along Harvest Drive as shown on said plan;

Thence S 10° 49' 49" E a distance of 94.12 feet along Harvest Drive as shown on said plan;

Thence S 10° 49' 49" E a distance of 26.30 feet along Harvest Drive as shown on said plan;

Thence along the curve of a circle with a radius of 275.00 a distance of 101.42 feet along Harvest Drive as shown on said plan;

Thence along the curve of a circle with a radius of 275.00 a distance of 25.88 feet along Harvest Drive as shown on said plan;

Thence along the curve of a circle with a radius of 275.00 a distance of 83.53 feet along Harvest Drive as shown on said plan;

Thence S 54° 45' 23" E a distance of 82.94 feet along Harvest Drive as shown on said plan;

Thence N 50° 43' 30" E a distance of 367.87 feet along Lot 024-028 as shown on said plan;

Thence N 11° 47' 09" W a distance of 7.24 feet along Lot 1019 as shown on said plan;

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Thence S 78° 14' 45" W a distance of 299.58 feet along Lot 1017 and Lot 1016 as shown on said plan;

Thence N 12° 11' 16" W a distance of 298.97 feet to the point of beginning.

Containing 88,426 square feet of land, more or less, according to said Plan.

Grantor released its rights to said parcel by Corrective Partial Release dated October 29, 2009 and recorded at the Rockingham County Registry of Deeds at Book 5064, Page 2627.

**SUBJECT** to all Rights, Easements and Restrictions as set forth on plan recorded with the Rockingham County Registry of Deeds as D-34278.

**SUBJECT** to Rights as conveyed to Public Service Company of New Hampshire and Verizon New England, Inc. by Easement Deed dated December 2, 2006 and recorded at the Rockingham County Registry of Deeds at Book 4741, Page 1548.

**SUBJECT** to a Slope, Drainage and Maintenance Easement as conveyed to the State of New Hampshire Department of Transportation dated September 10, 2007 and recorded at the Rockingham County Registry of Deeds at Book 4841, Page 2926.

**SUBJECT** to Easement Rights as granted to Heritage Operating LP d/b/a Energy North Propane dated June 3, 2008 and recorded at Book 4944, page 1675.

As set forth in the published *Legal Notice of Foreclosure Sale*, a copy of which is included with the Affidavit appended hereto, this conveyance is subject to all unpaid taxes and other municipal assessments and liens therefor, and all other liens, easements, rights and encumbrances of any and every nature which have or may be entitled to precedence over the Mortgage Deed.

Executed this 22nd day of December 2009.

BUTLER BANK

By Joyce A. Cote, V.P.  
Name (Print) Joyce A. Cote  
Its Vice President  
Duly Authorized

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF MIDDLESEX

On this 22nd day of December, 2009, before me, the undersigned notary public, personally appeared the above-named, Joyce A. Cote of Butler Bank, its duly authorized Vice President, who proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License, to be the person who executed the foregoing instrument which was acknowledged before me on behalf of said Bank.

  
 Notary Public  
 My commission expires:  
 Notary Seal or Stamp


**CAROL A. MOORE**  
 Notary Public  
 Commonwealth of Massachusetts  
 My Commission Expires  
 February 27, 2015

**AFFIDAVIT**

I, Joyce A. Cote, in my capacity as duly-authorized Vice President of Butler Bank (the "Bank"), grantor in the foregoing foreclosure deed, being duly sworn, hereby state as follows:

The principal and interest secured by the mortgage referred to in the foregoing deed having not been paid when due, and after acceleration and demand by the Bank, the Bank caused to be published on October 26, 2009, November 2, 2009 and November 9, 2009 in the *Union Leader*, a newspaper published in the City of Manchester, County of Hillsborough, State of New Hampshire, having a general circulation within the county in which the foreclosed property is situated, the following notice:

*The remainder of this page is intentionally left blank.*

I further on oath say that the Bank, through its counsel, caused to be sent a copy of (a) the said notice on October 22, 2009 to the mortgagor and others listed below, by certified mail, return receipt requested, at their last known address, as follows:

Derry's Harvest Estates, LLC  
247 Rockingham Road  
Derry, NH 03038

Ronald F. Mead  
Member  
Derry's Harvest Estates, LLC  
247 Rockingham Road  
Derry, NH 03038

Town of Derry  
14 Manning Street  
Derry, NH 03038

I further on oath say that no service of a petition to enjoin the sale was served on the Bank or its counsel.

I further on oath say that to the Bank's knowledge, no person in interest was at the time of the foreclosure sale or within three months prior thereto in the military service as defined by the Soldiers' and Sailors' Civil Relief Act of 1940 and the Servicemembers Civil Relief Act of 2004.

I further on oath say that pursuant to said notices, the Bank caused the mortgaged premises to be sold at public auction on November 17, 2009 for the sum of Eight Hundred Thousand Dollars and No/Cents (\$800,000.00) bid by Robert MacCormack or designee, said amount being

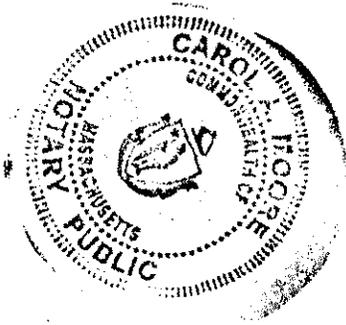
the highest bid made at the auction.

BUTLER BANK

By Joyce A. Cote, V.P.  
Name (Print) Joyce A. Cote  
Its Vice President  
Duly Authorized

COMMONWEALTH OF MASSACHUSETTS  
COUNTY OF MIDDLESEX

On this 22nd day of December, 2009, before me, the undersigned notary public, personally appeared the above-named, Joyce A. Cote of Butler Bank, its duly authorized Vice President, who proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License, to be the person who took the oath that the statements in the foregoing affidavit are true.



Carol A. Moore  
Notary Public  
My commission expires: CAROL A. MOORE  
Notary Seal or Stamp: Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
February 27, 2015

**Exhibit DLW-6**

Drew Woods Interconnection  
System Upgrade Fee Calculation  
6/23/2011

**Cost of Drew Woods/Derry Interconnection - \$ 1,058,648**

**Existing Customer Base:**

Drew Woods -	394
Hubbard Hill -	31
Redfields -	98
Hi-Lo Estates -	56
<b>Total -</b>	<b>579</b>

**Potential Growth in Customer Base<sup>1</sup>:**

Existing Undeveloped, Approved Lots -	31
Harvest Estates Lots -	30
Potential Lots -	205

**Total Potential Lots benefitting from Drew  
Woods/Derry Interconnection - 266**

**Total Lots benefitting from Interconnection - 845**

**System Upgrade Fee - \$ 1,253 per connection**

1. Potential growth in customer base was developed by Promised Land Survey. Promised Land developed a build out analysis based on zoning, undeveloped lots, wetlands and conservation lands within the potential service area of the Drew Woods Community Water System. They estimated a low/likely/high lot count which was 112/205/299 potential lots.