



# TOWN OF NEW BOSTON

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August 26, 2013

Atty. Leslie C. Nixon  
Nixon, Vogelman, Barry, Slawsky & Simoneau  
Professional Association  
77 Central Street  
Manchester, NH 03101

Dear Leslie:

Re: Legal documentation for encroaching of resident's property for drainage repair work

Attached is a letter the our Road Agent, Dick Perusse has developed in order to receive authority to allow the Highway Department to divert runoff water into culverts on private property.

Our question is whether the signed letter of 'authorization' will be sufficient enough for legal protection for the Town. Would you advise as soon as possible as to your recommendation and format if needed.

Thanking you for your attention to this request and looking forward to hearing from you soon, I am

Very truly yours,

Peter R. Flynn  
Town Administrator

Town of New Boston, NH

NIXON, VOGELMAN,  
BARRY, SLAWSKY & SIMONEAU

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*"For the Trials in Your Life"*

August 27, 2013

VIA FACSIMILE (603) 487-2975)

Peter R. Flynn, Town Administrator  
Town of New Boston  
7 Meetinghouse Hill Road  
PO Box 250  
New Boston, NH 03070-0250

Re: Culvert maintenance easements

Dear Peter,

As we discussed, the proposed agreements you sent me to be signed by property owners for permission for the town to go on their property for maintenance purposes would not be legally binding on any future owners, and therefore these should be the subject of an Easement Deed to be filed in the Hillsborough County Registry of Deeds. I looked back into my files and found that I did some similar easements for the town related to road maintenance issues in the past. I am enclosing copies for your information. I could draft something that would apply to culvert maintenance and water runoff diversion, but I would need the property descriptions which, if the town has or can obtain copies of the deeds to the current property owners, I would be able to get from those.

I look forward to hearing from you with that information. Best regards.

Very Truly Yours,



Leslie C. Nixon

LCn/nd  
Enclosure