

April 25, 2020

Town of Durham, NH
C/O Planning Board
8 Newmarket Rd.
Durham, NH 03824

Dear Planning Board,

The intention of this letter, and the enclosed documents, is to clarify questions raised by neighbors regarding the possibility of an alternative access point to our land.

We purchased undeveloped land off Bagdad Road from Francis and Dorothy Manock on April 22, 2005. Our legal description matched that of Plan 49-99, which included a R.O.W. that served 2 existing houses, 91 and 95 Bagdad Road. Our deed *did not* include language that suggested the driveway could ever be a road and our attorney never expressed an opinion that it was a possibility.

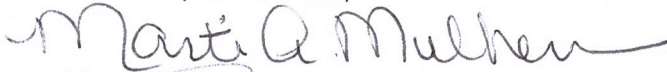
While going through the permitting process, we were told we could build just 1 house because the driveway was already used by 2 other houses. No one from the town ever suggested that a road could be built instead.

When we applied for a lot line adjustment between 91 and 95 Bagdad Road, we believed that we owned the driveway and the adjustment was approved as such.

While under contract to sell 93 Bagdad Road a routine title search revealed that the driveway had in fact been previously conveyed to the owners of 95 Bagdad Road (along with the mention of a future road.) In order to complete the sale, the buyer of 93 Bagdad Road requested that he be the sole owner of the driveway. Thankfully our neighbors Juan and Amanda Nieves (95 Bagdad Rd.) kindly agreed to deed us their interest in the driveway so we could convey it in its entirety. We sold 93 Bagdad Road in September 2018 to Dr. Greg Imbrie and any ownership we had in the driveway was conveyed to him at that time.

As you can hopefully see, the driveway was never an option as an access point to our buildable land.

Respectfully Submitted,



Michael and Marti Mulhern
91 Bagdad Rd.
Durham, NH 03824