

# Real Estate Appraisal Report

**150 GREENLEAF AVENUE REALTY TRUST**  
150 Greenleaf Avenue  
City of Portsmouth  
Rockingham County, New Hampshire

**Prepared for:**

Mr. Charles P. Bauer, Esquire  
Gallagher, Callahan & Gartrell  
214 North Main Street  
Concord, New Hampshire

**Date of Valuation:**

August 12, 2016



SUBJECT PROPERTY IMMEDIATE AREA



SUBJECT PROPERTY



REAR OF SUBJECT SITE



NORTHWESTERLY BOUNDARY

August 12, 2016

Charles P. Bauer, Esquire  
Gallagher, Callahan & Gartrell  
214 North Main Street  
Concord, New Hampshire 03301

Re: Appraisal: 150 Greenleaf Avenue Realty Trust  
150 Greenleaf Avenue  
City of Portsmouth, Rockingham County  
New Hampshire

Dear Mr. Bauer:

At your request, the above referenced property has been appraised to estimate the market value of the fee simple interest of the property as of August 12, 2016, the date of my last exterior inspection. The function of this report is to estimate the market value of the fee simple interest on a before and after basis for eminent domain purposes.

The analysis and conclusion within the attached appraisal report are based upon field research, interviews with market participants, and publicly available data collected. The accompanying report has been prepared in accordance with the Uniform Standards of Professional Appraisal Practice. Included is a summary description and analysis of the real estate, all pertinent data, valuation methodology, supporting relevant exhibits, and addenda to the report.

It is my opinion that the market value of the fee simple interest of the subject property "before the taking" of August 12, 2016, was:

\*\*\* **ELEVEN MILLION FOUR HUNDRED FIFTY (\$11,450,000) DOLLARS** \*\*\*

Furthermore, it is my opinion that the market value of the fee simple interest of the subject property "after the taking" of August 12, 2016, was:

\*\*\* **ELEVEN MILLION FOUR HUNDRED FIFTY (\$11,450,000) DOLLARS** \*\*\*

Therefore, the estimate of damages calculates to:

\*\*\* **ZERO (\$0) DOLLARS** \*\*\*

It should be clearly understood, the acceptance of this assignment was not conditioned upon my reporting a specific (dictated) value; nor was the acceptance of the assignment conditioned on my concluding a requested minimum value or maximum value. The following is a report of the data and analysis upon which the above conclusions are based.

Respectfully submitted,  
**B.C. UNDERWOOD LLC**



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Brian C. Underwood, CRE

## **Identification of the Real Estate**

The subject property is located at 150 Greenleaf Avenue in Portsmouth, New Hampshire. The property is further identified in the tax assessor's records as Map 243, Lot 67. The subject property is currently owned by the 150 Greenleaf Avenue Realty Trust of Portsmouth, New Hampshire.

### Sales History

There have been no transfers of the subject property within the past five years. The subject property last transferred on December 30, 2003 for \$3,250,000.

## **Purpose and Function**

The purpose of the appraisal is to estimate the market value of the fee simple interest of the subject property on a before and after basis as of the date of valuation for eminent domain purposes. The function of the appraisal is to estimate the damages resulting from a partial taking of the property.

## **Intended Use**

The intended use of the appraisal report is for eminent domain purposes by the City of Portsmouth.

## **Real Property Interest**

The market value of the fee simple interest was estimated.

## **Effective Date of the Appraisal**

The exterior of the subject property was last inspected on August 12, 2016. The effective date of the appraisal is August 12, 2016. General assumptions and limiting conditions applicable to this appraisal are attached to this report.

## **Definition of Market Value**

" . . .the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently, knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;
2. both parties are well informed or well advised, and acting in what they consider their own best interest
3. a reasonable time is allowed for exposure in the open market
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and

## 150 GREENLEAF AVENUE REALTY TRUST, continued

5. the price represents the normal consideration for the property, sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."<sup>1</sup>

### Definition of Fee Simple Interest

"Absolute ownership unencumbered by any other interest or estate subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."<sup>2</sup>

### Scope of the Assignment

1. An inspection of the subject property several times, the latest being on August 11, 2016. At the request of the client, only the exterior of the subject property has been inspected. The client provided an appraisal report prepared by Collier International Valuation & Advisory Services dated September 20, 2013. This appraisal report, along with the tax assessment card and other public documents have been relied upon for the interior description of the subject property contained herein. There are other value components including going concern value, furniture, fixtures, and equipment that are not included in this assignment.
2. A detailed analysis prepared by Rick Taintor, Planning Director for the City of Portsmouth has been relied upon in order to evaluate the potential for additional development, both under existing conditions and after the proposed taking.
3. Research and collection of market data related to market conditions and market activity.
4. Some degree of due diligence to determine the existence of apparent adverse conditions.
5. Development of a highest and best use analysis for both the before and after taking scenarios for the subject property.
6. Development of a sales comparison approach to estimate the market value of subject property.
7. Arriving at a value conclusion and writing this appraisal report.

### Uniform Standards of Professional Appraisal Practice Compliance (USPAP)

On January 1, 2014, USPAP was updated to no longer include "summary appraisal" as a type of appraisal. Instead, the terms "appraisal" and "restricted appraisal" are now utilized as the two options for report formats. In the case of this appraisal report, an "appraisal" has been completed of the subject property for eminent domain purposes. The scope of the assignment has been outlined above consistent with the intended users and the purpose of the appraisal report.

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<sup>1</sup>Rules and Regulations, *Federal Register*, Volume 55, Number 165, Page 34969.

<sup>2</sup>Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 3rd edition, (Chicago: Appraisal Institute), 1993, page 140.

## 150 GREENLEAF AVENUE REALTY TRUST, continued

### Assignment Overview

The purpose of this appraisal is to estimate the market value before and after the proposed taking. The subject property is a Toyota dealership. The proposed taking of 200,333 ft<sup>2</sup> or 4.60 acres of land is located predominantly at the rear of the parcel and a small sliver along the northerly boundary.

According to the City Planning Director: *The back one-third of the parcel consists largely of a wetlands and stream. A city sewer line crosses the parcel in a raised berm through the wetland area, parallel to and approximately 100 feet from the rear lot line. The sewer main also runs along the northwest lot line about 160 feet before crossing onto abutting property.*

A copy of the acquisition plan can be found in the addenda of this report.

### Extraordinary Assumptions

This appraisal report relies on the facts and conclusions provided by the City of Portsmouth's Planning Director Rick Taintor. Mr. Taintor was asked to provide a detailed analysis of the zoning and land use regulations for the subject property with regard to the before and after scenarios related to the eminent domain proceeding found in this appraisal report. A copy of his letter along with related exhibits can be found in the addenda of this report.

If the facts and conclusions found in Mr. Taintor's letter and exhibits are found to be inaccurate or false, the opinions and conclusions contained herein may be subject to revision.

At the instruction of the client, the interior of the subject property was not inspected. The description for the interior of the subject property was taken from information found in an appraisal report prepared by Colliers International Valuation & Advisory Services dated September 20, 2013. If the descriptions and assumed conditions contained therein are found to be inaccurate or false, the opinions and conclusions contained herein may be subject to revision.

### Location and Market Analysis Summary

The subject property is located in Portsmouth, New Hampshire. A brief overview of the area is presented as well as a short neighborhood description and summary of market conditions.

#### Overview

New Hampshire is experiencing a period of recovery and growth in the overall economy including the real estate market segment. The June 2016 unemployment rate for the state was 2.7% and 2.9% for Rockingham County compared to 3.4% and 3.5% respectively one year earlier indicating that labor and employment conditions showed signs of continued improvement into 2016. Mortgage interest rates are near decade lows around 4.0% for residential property and range from 5.5% to 7.0% for commercial properties. Interest rates for both residential and commercial properties are competitive; however, few banks are actively lending due higher underwriting standards for borrowers.

## 150 GREENLEAF AVENUE REALTY TRUST, continued

The subject property is located in the Seacoast Region of New Hampshire which relies heavily upon the Portsmouth Naval Shipyard and private industry for employment. Portsmouth is the commercial center of the region and has also developed into a tourist destination. The region's close proximity to Interstate 95 just 50 miles north of Boston and 50 miles south of Portland Maine provides an excellent geographical location between two other major commercial centers along the eastern seaboard.

### Market Analysis

The City of Portsmouth residential and commercial real estate markets are strong. Average marketing times in Portsmouth are decreased from 71 days for residential property and 210 days for commercial real estate.

Commercial development and activity has been good along the U.S. Route 1 corridor just south of the subject property. In addition to the downtown core that historically has had low vacancy rates and strong rents, the U.S. Route 1 corridor is the primary commercial corridor in the city with the exception of Woodbury Avenue that leads into Newington and the Fox Run Mall.

### Automobile Dealership Real Estate Market

The automobile dealership industry went through significant dealership consolidation and closures dictated by the manufacturers in 2008-09. According to Greystone Valuation Services, in their 2015 Automobile Dealership Research Report: *The market as a whole is on firm footing as a result of increasing auto sales, fewer dealerships, the depletion of inventory of vacant and/or lender owned dealership properties that had flooded the market.* In addition, new construction of automobile dealerships still lag pre-recession levels. The dealership consolidation was evident in the Portsmouth market as several dealerships over the past 8 years have closed and/or consolidated. The newest construction was the Chevrolet dealership located on the Portsmouth traffic circle.

### Neighborhood Description

The subject property is located along the U.S. Route 1 Bypass in Portsmouth, New Hampshire. The bypass provides four lane access from the Portsmouth traffic circle to the northerly end of the U.S. Route 1 commercial corridor. The property is located at the corner of Greenleaf Avenue next to Port City Chrysler Dodge automobile dealership. Across the street and on the northerly side of the subject property are mostly single family residential properties. The buildings and the immediate neighborhood are well maintained. The U.S. Route 1 Bypass is best described as a mixed use, neighborhood. The New Hampshire Department of Transportation reports that approximately 11,000 vehicles per day travel on the bypass just south of Greenleaf Avenue.

### Exposure Period and Marketing Time

The value estimate contained in this report is premised upon a 12 month exposure time prior to the hypothetical sale on the effective date of the appraisal. Additionally, if properly priced and marketed, the property would be expected to sell within a 12 month marketing period.

**150 GREENLEAF AVENUE REALTY TRUST, continued**

**Description of Real Estate**

At the request of the client, the description of the interior of the improvements has been taken from an appraisal report prepared by Collier International Valuation & Advisory Services dated September 20, 2013. The Collier appraisal report, along with the tax assessment card and other public documents have been relied upon for the overall description of the subject property. An exterior inspection of the subject property was performed.

**Land Area:** According to a plan by MSC Civil Engineers & Land Surveyors, Inc. of Portsmouth, New Hampshire, the subject property contains a total of 13.78 acres or 600,413 ft<sup>2</sup>. It should be noted that the tax assessment card reflects 13.0 acres. For the purposes of this appraisal, the land area of 13.78 acres has been relied upon.

**Area of Taking:** Based on an acquisition plan provided by the City of Portsmouth, the total area of taking calculates to 200,333 ft<sup>2</sup> or 4.60 acres. A copy of the acquisition plan can be found in the addenda of this report.

**Land Area Remaining After the Taking:** The land area after the taking calculates to 400,080 ft<sup>2</sup> (600,413 ft<sup>2</sup> - 200,333 ft<sup>2</sup>) or 9.18 acres.

**Location:** The subject property is located at 150 Greenleaf Avenue in the City of Portsmouth, Rockingham County, New Hampshire.

**Shape and Frontage:** The site is irregular in shape. The shape of the site does not diminish its utility. The subject site has 450.04 feet of frontage along Greenleaf Avenue and 803.6 feet of frontage along the U.S. Route 1 Bypass. The road frontage will not change after the taking.

**Access:** Access to the property is via a two lane, asphalt paved city road (Greenleaf Avenue) in close proximity to the traffic light at the intersection of the U.S. Route 1 Bypass. The access will not change after the taking.

**Topography and Soil Conditions:** The site is generally level with adequate soil conditions to support commercial development. According to the City Planning Director, of the total 13.78 acre site, approximately 4 areas are characterized by extensive wetlands as shown on the City of Portsmouth's wetland map and as delineated more precisely by Gove Environmental Services in 2005. The majority of wetlands described above will be taken.

**Utilities:** All public utilities are available including water and sewer. After the taking, there is no impact on the utilities connected to the subject property.

**Easements and Encroachments:** According to the City Planning Director: There is a city sewer line that crosses the parcel in a raised berm through the wetland area, parallel to and approximately 100 feet from the rear lot line. The sewer main also runs along the northwest lot line about 160 feet before crossing onto the abutting property.

## 150 GREENLEAF AVENUE REALTY TRUST, continued

**Detrimental Conditions:** It has been assumed that there is no environmental contamination on the subject property.

**Zoning and Conformity:** According to the City Planning Director: The subject property is located in the Gateway zoning district and is a preexisting non-conforming use.

The setbacks from residential zoning districts would not be affected after the taking. The proposed acquisition would result in new setback lines 50 feet from the new rear lot line and 30 feet from the new side lot lines. On the northwest side, the new side yard would still be less than the existing 200 foot setback from the residential zoning district and therefore, would not impact the development potential of the parcel after the taking. On the southwest side, the new rear yard would extend into a proposed stormwater management area designed to accommodate a parking lot expansion (approved by the Planning Board in 2008 but not yet constructed) but would not impact existing use areas in any significant way.

In the Gateway district, total coverage by buildings is limited to 30% of the total area. According to a site plan submitted to the Planning Board in 2010, the existing building footprint is 7% of the area of the parcel. After the taking, the lot area is reduced from 13.78 acres to 9.18 acres (33.3% reduction), thus increasing the building coverage to approximately 10.5% of lot area, which is still well within the 30% maximum coverage allowed by the zoning ordinance.

The existing open space percentage does not appear on plans submitted to the city. However, the owner's 2011 Alternation of Terrain Permit application to the New Hampshire Department of Environmental Services states that impervious surfaces on the property total 4.75 acres or 34.4% of the total parcel area of 13.78 acres. Accordingly, open space would constitute 9.03 acres of 65.6% of the existing parcel area. The area of the proposed acquisition is 4.6 acres. Thus, the remaining parcel after acquisition would be 9.18 acres or 45.0% of the total, more than twice the minimum space required by the zoning ordinance.

Hence, if the city acquires a portion of the site as proposed, the existing use would continue to comply with zoning standards pertaining to the maximum allowed building coverage and minimum required open space. It also appears that the existing site development would be outside the new rear yard created by the acquisition and that the stormwater management area that has been approved but not constructed would qualify as open space for the purpose of the rear yard standard. The proposed acquisition would have no effect with respect to minimum required setback of the automobile dealership from residential districts, which is a preexisting non-conforming use of the property.

The existing use of the subject parcel as an automobile dealership does not conform to the required setback from residential districts as set for in the city's zoning ordinance. This nonconformity results from zoning changes enacted by the city and from permits granted by the city, and thus represents a preexisting nonconforming use which may continue but which may not be expanded in other

## 150 GREENLEAF AVENUE REALTY TRUST, continued

areas of the parcel. As a result, the existing use is developed to the parcel's maximum potential under the zoning ordinance. Any proposed expansion of the dealership use would require special relief from applicable zoning standards relating to wetlands protection, required yards (setbacks from property lines), and required setbacks from residential districts.

The proposed acquisition of 4.6 acres at the rear and along the northwest property line of the subject parcel would not make the property any less conforming to zoning standards relating to building coverage, open space, yards, or setbacks. It is therefore the City Planning Director's conclusion that the proposed acquisition would not reduce the development potential of the parcel for automobile sales, rental, or leasing uses.

In summary, based on the City Planning Director's opinion, the subject property is fully developed before the taking and after the taking. No loss of additional development occurs because of the taking. This conclusion is based on the City Planning Director's opinion and analysis of the land use planning requirements and current conditions.

**Flood Zone:** The subject property is located in Zone X as shown on FEMA Community Panel 33015C0270E, effective date: May 17, 2005.

**Market and Appeal:** The market and appeal for the subject property is good based on its overall size and location both before and after the taking.

**Functional Utility:** The site is adequate for commercial use based on its lot size, location, public utilities, topography, and zoning both before and after the taking.

### Summary of Improvement Characteristics

The subject property has been described below relying on the Colliers Internal Valuation & Advisory Services appraisal report dated September 20, 2013. An exterior inspection was also completed.

**Building:** The subject property is improved with a one and partial two story masonry and steel frame automobile dealership building containing a total gross building area of 48,513 ft<sup>2</sup>. The building was originally constructed circa 1965 and was fully renovated and upgraded to Toyota dealership standards circa 2011. The reported cost of the renovation was \$6.55 million or \$135 per ft<sup>2</sup>. The effective age of the property has been estimated at 6 years with an estimated remaining economic life of 40 years. The building is considered to be in excellent condition.

The dealership building has three sections typical of an automobile dealership: showroom, offices, and parts/repair garage. There is an elevator for the second floor office area. The building is sprinklered.

**Exterior Finish:** The exterior of the building is masonry. The front is a glass curtain wall that includes the Toyota logo. Window are insulated glass. The roof is rubber membrane over 4 inches of insulation.

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**Interior Finish:** The walls in the showroom and office areas are painted sheetrock. The walls in the garage area are painted masonry block. Ceilings in the office and showroom areas are suspended acoustical tile with recessed lighting fixtures. Restrooms are modern and customized in the showroom area with granite and ceramic tile. Flooring in the showroom is polished concrete. Office have wall to wall carpeting. The customer lounge has ceramic tile and granite floors.

**HVAC:** The building is heated by two forced hot air boilers fueled by waste oil. The drive through service garage area has gas heating. The entire building has central air conditioning.

**Site Improvements:** There is a substantial amount of the site that is asphalt paved for parking that primarily serves as vehicle display and storage.

**Personal Property:** None included.

**Assessment and Taxes:** The subject property is assessed by the City of Portsmouth as follows:

Improvements . . . . .	\$2,746,200
Land . . . . .	<u>\$2,060,300</u>
Total Assessment . . . . .	\$4,806,500

Based on the 2015 tax rate of \$16.79 per \$1,000, the annual tax liability calculates to \$80,701.14. The 2015 equalization ratio was 93.0%; therefore, the equalized assessed value calculates to \$5,168,280 or \$106.53 per ft<sup>2</sup>.

**Highest and Best Use**

Basic to the determination of a property's value is its highest and best use. This is defined as:

The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value.<sup>3</sup>

The highest and best use must be:

- *Physically Possible:* The use must be physically possible on the site or in the improvements planned or existing.
- *Legally Permissible:* The use must be permitted under zoning and other municipal, county, state, and federal regulations.
- *Financially Feasible:* The use must be capable of producing a positive return.

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<sup>3</sup>Appraisal Institute, *The Appraisal of Real Estate*, 10th edition, Appraisal Institute: Chicago, 1992, page 45.

**150 GREENLEAF AVENUE REALTY TRUST, continued**

- *Maximally Productive:* The use must represent the most maximally productive use for the subject property.

The highest and best use of a site as vacant may be different than the highest and best use if it is improved. This is most likely to occur for older properties, where market conditions and neighborhood changes have been significant since the period when originally developed. Because the use of the land can be limited by the presence of improvements, the highest and best use of the subject property is determined in two ways:

- as though vacant and available to be put to its highest and best use
- as improved with the existing office and apartment/garage buildings

The highest and best use of the subject property will be that use which is physically possible, legally permissible, financially feasible, and maximally productive. An analysis of these criteria follows.

**Highest and Best Use as though Vacant**

Physically Possible

The physical characteristics of the site are the first limitation on possible use of the sites. The location and size of the site is the most important influences of its value. Generally, the larger the site the greater its potential to acquire economies of scale and development options.

Before the taking, the subject site contains 13.78 acres. Of the total, approximately 4 acres have been delineated as wetlands by Gove Environmental Services. The nearly level, at grade topography of the site enhances its possible use.

After the taking, the subject site will contain 9.18 acres. Of the total area taken of 4.60 acres, approximately 4 acres are delineated as wetlands. The nearly level, at grade topography of the site enhances its possible use.

Legally Permissible

Uses that are legally permissible at the subject sites are largely controlled by the zoning district. The zoning of the subject property is "Gateway". Permitted uses in the Gateway zoning district include: townhouses, schools, historic preservation building, museum, performance facility, municipally operated park, religious or non-profit recreation use, cinema, indoor recreation, heath club, professional and business office, banks, media studio, publishing facility, medical offices, group day care, personal services, consumer services, trade / craft services, laundry / dry cleaning, funeral home, convenience store, retail stores, shopping center, fish market, nightclub or bar, restaurant, inn, conference hotel, sales/renting/leasing of passenger cars and light trucks, boat landings, wholesale sales, food processing, wireless telecommunications facilities, manufactured housing, outdoor display areas used for seasonal sales, indoor storage and outdoor storage.

Before the taking, according to the City Planning Director, the subject property is considered a pre-existing, non-conforming use. The legally permissible uses of the site enhance the marketability and appeal of the property both before and after the taking.

**150 GREENLEAF AVENUE REALTY TRUST, continued**

Financially Feasible

Given the strong commercial real estate market in Portsmouth, it has been assumed that the subject property's existing use is financially feasible. The site as vacant both before and after the taking is financially feasible for commercial development.

Maximally Productive

The commercial uses that would be typically permitted by the zoning ordinance are both legally permissible, physically possible, and financially feasible both before and after the taking. Therefore, the site would be developed with a legally permissible use.

**Highest and Best Use as Improved**

The subject property is improved with a modern automobile dealership building containing 48,513 ft<sup>2</sup> of gross building area and currently operates as a Toyota franchise. Both before the taking and after the taking, the existing building provides substantial improvement to the site. The taking of 4.6 acres of which approximately 4 acres are delineated as wetlands does not impact the highest and best use of the property as improved. Furthermore, according to the City Planning Director, the existing use is developed to the parcel's maximum potential under the zoning ordinance. Furthermore, the proposed acquisition would not make the property any less conforming to zoning standards relating to building coverage, open space, yards, or setbacks.

No alternative, legal use can economically justify the removal of the existing structure. Therefore, the subject property, as improved, is the highest and best use of the property both before and after the taking.

**Highest and Best Use Summary**

The current use of the subject property as an automobile dealership building is considered legally permissible (pre-existing, non-conforming), physically possible, financially feasible, and maximally productive both before and after the taking. The highest and best use as though vacant and the highest and best use as improved are the same. Therefore, the current highest and best use of the subject property is as its continued use as an automobile dealership building both before and after the taking since the taking does not have any impact on the future development potential of the subject property because it has reached its maximum development potential before the taking.

**Valuation Analysis**

Three approaches to value are generally included in an appraisal. These methods include the cost approach, sales comparison approach, and income capitalization approach. After making an investigation of the region, neighborhood, and subject property, each of these three approaches has been developed (unless methodology or lack of data prevents it) to arrive at three separate indications of market value. These three approaches arrive at a value indication through dissimilar methods and by use of different types of data. Ideally, all three approaches measure market conditions.

## **150 GREENLEAF AVENUE REALTY TRUST, continued**

The cost approach has not been developed due to a lack of recent comparable commercial land sales. In addition, According to the Greystone Valuation Services Automobile Dealership Research Report, new construction still lags pre-recession level. This is primarily due to the consolidation of the industry along with the ability to purchase existing improved properties at prices below the cost to build a new facility.

The sales comparison approach assumes that under normal conditions a given number of parties, acting intelligently and voluntarily, tend to set a pattern from which value can be estimated. Application of this approach relies on a comparison of the subject with a sufficient number of recent transactions of comparable properties in the market, based on a common unit, such as price per square foot of building area or market extracted overall capitalization rates. The sales comparison approach produces a good indication of value when sales of similar properties are available. The sales comparison approach was developed as primary method.

The income capitalization approach deals with present worth of the future potential benefits of a property. The selection of a capitalization technique is important. The initial estimate involves the net operating income which a fully informed person is justified in assuming the property will produce during its remaining useful life. The income capitalization approach is based on the assumption that a definite relationship exists between the amount of income a property can generate and its value. This estimated net operating income is then capitalized into a value estimate, based upon the level of risk as compared with investments of similar type and class. The income capitalization approach has not been developed for the subject property because this property type is normally owner occupied and not investor owned; thus arm's length lease data is non-existent for this property type in the market area.

Normally, the three approaches each indicate a different value. After all the factors in each approach have been carefully weighed for appropriateness, accuracy, and quantity of evidence, a final value estimate is indicated. Most weight is given to the approach that produces the most reliable solution to the appraisal problem. With these factors in mind, the sales comparison approach to value will be developed and a final value estimate will be determined for the subject property.

### **Sales Comparison Approach**

The sales comparison approach is a process of comparing market data, that is, the prices paid for similar properties, prices asked by owners, offers made by prospective purchasers willing to buy, and rents and leases.

In applying the sales comparison approach, various appraisal principles are applied ensuring that all relevant issues have been included in the analysis. The principles of primary importance are supply and demand, balance, substitution, and externalities. Additionally, a fundamental premise of the sales comparison approach is the concept that from analysis of sales of reasonably similar properties, an appraiser has a factual basis upon which to estimate the value of his subject. Proper application of the sales comparison approach requires that:

- Only market transactions be weighed, and the data of each transaction be confirmed to the greatest extent possible.
- The degree of comparability of each sale to the subject be considered.

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- The value conclusion be consistent with the analysis of the sales data.

A definition of market value is "the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus."<sup>4</sup> For a conveyance to qualify as a market transaction, four factors must be present.

1. The conveyance must be "arm's length" that is, it must be either between two non-related parties or between related parties who have negotiated a price at a level that, if the buyer were the seller, the price he is paying is also the price he would accept for the property; and conversely, if the seller were the buyer the price he is accepting is also the price he would pay for the property. To this extent, a conveyance resulting from a buy-sell agreement, right of first refusal agreement, or lease/purchase optional agreement could be arm's length even though the buyer and seller are not entirely non-related.
2. Neither the buyer nor the seller would have been under compulsion to act.
3. The property should be on the open market to the class of purchasers best able to utilize the property.
4. The price must be expressed in the equivalent of cash, adjusted for any special financing, concessions, or terms.

The degree of comparability that exists between a sale and the subject is often a function of the volume of sales activity in a market. For any class of real estate, if sales are infrequent, the market area must be expanded in scope of time and/or geography to whatever extent necessary to accumulate sufficient data on which to base judgement.

To judge the degree of comparability between a sale and the subject, several guidelines can be applied.

- The sale should be in the same market as the subject. To the extent that a market is a meeting place for buyers and sellers of real estate of a given type, the boundaries of the market are set by the participants in merchandising and absorbing competitive properties. The boundaries of a market area are consequently economic in character and not purely physical or geographic.
- Physical characteristics of the sale and subject should be as similar as possible in terms of size and amenities customarily found within the applicable class of real estate.
- Real estate price trends over time must be taken into consideration.

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<sup>4</sup>Rules and Regulations, *Federal Register*, Volume 55, Number 165, Page 34969.

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- The functional adequacy of the sale property and the subject should be competitive in terms of the ability of each to support similar functions.

Sales of similar properties in the northeastern United States were researched and compared to the subject property and its characteristics. Facts pertaining to the comparable sales are verified with principals and/or brokers involved in the transaction. For features that are dissimilar between the sales and the subject, adjustments are made leading to an indication of the price at which the property being appraised could be expected to sell.

In making adjustments, all relevant factors were considered. The following nine basic elements should always be considered in this approach:

- Property rights conveyed
- Financing terms
- Conditions of sale
- Market conditions
- Location
- Physical characteristics
- Economic characteristics
- Use
- Non-realty components of value

In applying the sales comparison approach, various appraisal principles have been applied ensuring that all relevant issues have been included in the analysis. These principles of primary importance are supply and demand, balance, substitution, and externalities.

In researching sale data for the subject property, automobile dealership sales were researched throughout New England since an adequate number of comparable sales were not available state-wide. In addition, sale data has become more scarce since many automobile dealership properties have been consolidated and the buildings have been repurposed into other uses. One example is the former Saturn and then Cadillac dealership in Newington in a prime location across from the Fox Run Mall a Spaulding Turnpike interchange that is now a church.

Four recent comparable sales were identified. The following is a summary of the four comparable automobile dealership sales.

**AUTOMOBILE DEALERSHIP BUILDING SALE #1**



**Location:** 65 Hazard Avenue, Enfield, Connecticut

**Sale Information**

- Grantor:** Daniel M. Kossick
- Grantee:** JCS Real Estate, LLC
- Sale Price:** \$2,200,000
- Date of Sale:** June 2014
- Financing:** Cash
- Conditions of Sale:** Arm's Length
- Comments:** The property was purchased by the existing tenant who had leased the property since the early 2000s. The building was in compliance with Ford's imaging program and did not require re-imaging costs at the time of purchase.

**Property Description**

- Land Area:** 5.13 acres
- Improvements:** A 13,334 ft<sup>2</sup> masonry block, glass and aluminum building build circa 1970 and in average condition. The building was not sprinklered and the service areas lacked air conditioning.
- Traffic Count:** 23,400 vehicles per day.

**Value Indicator**

**Price per Square Foot:** \$164.99

**AUTOMOBILE DEALERSHIP BUILDING SALE #2**



**Location:** 501-503 Broadway, Haverhill, Massachusetts

**Sale Information**

- Grantor:** Freedom Five, LLC
- Grantee:** Haverhill Realty LLC
- Sale Price:** \$9,000,000
- Date of Sale:** February 2015
- Financing:** Cash
- Conditions of Sale:** Arm's Length
- Comments:** The purchase price was based on an appraisal. After the purchase a large scale renovation was required by Ford at a reported cost of \$2 million. There was no air conditioning in the service areas at the time of sale. The building was not sprinklered at the time of sale.

**Property Description**

- Land Area:** 8.88 acres
- Improvements:** A 46,581 ft<sup>2</sup> masonry block, glass and EIFS. The sections of the building were constructed circa 1969 to 2003 and in average condition.
- Traffic Count:** 11,048 vehicles per day (also located next to I-495 exit ramp)

**Value Indicator**

**Price per Square Foot:** \$193.21

**AUTOMOBILE DEALERSHIP BUILDING SALE #3**



**Location:** 9 Long Pond Road, Plymouth, Massachusetts

**Sale Information**

**Grantor:** AutoFair Realty II, LLC  
**Grantee:** Zank Group, LLC  
**Sale Price:** \$5,000,000  
**Date of Sale:** July 2015  
**Financing:** Cash  
**Conditions of Sale:** Arm's Length  
**Comments:** The transaction originally allocated \$10 million to the real estate; however due to tax implications, was revised to \$5 million. A 2013 appraisal indicated \$9.85 million for the real estate. Original project cost was \$10 million, but Honda dealership was losing money.

**Property Description**

**Land Area:** 5.743 acres  
**Improvements:** A 32,668 ft<sup>2</sup> tilt-up concrete and glass building constructed circa 2011 and in very good condition. There is no air conditioning in the service area.  
**Traffic Count:** 22,300 vehicles per day

**Value Indicator**

**Price per Square Foot:** \$153.05

**AUTOMOBILE DEALERSHIP BUILDING SALE #4**



**Location:** 77 Plaistow Road, Plaistow, New Hampshire

**Sale Information**

**Grantor:** Auto Fair Realty II, LLC  
**Grantee:** Singer A M Realty Trust  
**Sale Price:** \$1,500,000  
**Date of Sale:** November 2015  
**Financing:** Cash  
**Conditions of Sale:** Arm's Length  
**Comments:** The buyer wanted the Subaru franchise but not in this location. As a requirement, they had to purchase the real estate. The dealership planned to move the franchise to Haverhill and will sell the Plaistow site.

**Property Description**

**Land Area:** 2.07 acres  
**Improvements:** A 8,702 ft<sup>2</sup> masonry, glass and aluminum built circa 1990 and in good condition.  
**Traffic Count:** 22,000 vehicles per day

**Value Indicator**

**Price per Square Foot:** \$172.37

**150 GREENLEAF AVENUE REALTY TRUST, continued**

Sales Comparison Approach Reconciliation

The following is a summary of the comparable automobile dealership building sales:

	<b>Building Size</b>	<b>Acreage</b>	<b>Traffic Count</b>	<b>Price per ft<sup>2</sup></b>
Sale #1	13,334 ft <sup>2</sup>	5.13	23,400	\$164.99
Sale #2	46,581 ft <sup>2</sup>	8.88	11,048	\$193.21
Sale #3	32,668 ft <sup>2</sup>	5.74	22,300	\$153.05
Sale #4	8,702 ft <sup>2</sup>	2.07	22,000	\$172.37
SUBJECT (before)	48,513 ft <sup>2</sup>	13.78	11,000	
SUBJECT (after)	48,513 ft <sup>2</sup>	9.18	11,000	

No adjustments were required for property rights conveyed, financing terms, or conditions of sale. All transactions were arm’s length fee simple transactions with no special financing terms that would influence the sale price.

Market conditions over the past three years have been stable more or less in the great New England marketplace where the comparable are located. Three of the four sales all occurred in 2015. Sale #1 sold in June 2014; however there is no significant market evidence to make an adjustment for the date of sale.

The subject property’s traffic count along the U.S. Route 1 Bypass is approximately 11,000 vehicles per day according to the New Hampshire Department of Transportation. Three of the four comparable sales had traffic counts double the subject property. Sale #2 had a traffic count similar but indicated the highest value on a per square foot basis.

The subject property contains 48,513 ft<sup>2</sup> of gross building area. It is larger than all of the comparables except for Sale #2 that is similar in size. Based on a review of the unadjusted sale data, the economies of the scale do not appear to apply to the data set given the largest building with the lowest traffic count of the four sales has the highest value on a per square foot basis.

Before the taking, the subject property contains 13.78 acres of land of which approximately 9.78 acres are usable due to extensive wetlands. After the taking, the subject property contains 9.18 acres of land. Sale #2 is most similar to the subject property in terms of size both before and after the taking. The remaining three sales all have smaller lot sizes (and buildings).

Given the similar physical characteristics of Sale #2 both in building size, acreage, and traffic counts, this sale is considered most comparable. However, at the time of sale, this property did not conform with Ford’s imaging requirements. A reported \$2 million renovation was completed subsequent to the sale to comply with Ford’s requirements. This renovation cost is in essence, an adjustment to the sale price in order to make it comparable to the subject property since the subject property underwent a similar renovation to bring it up to Toyota’s standards. The adjusted sale price of Sale #2 calculates to \$11,000,000 or \$236.15 per ft<sup>2</sup>.

**150 GREENLEAF AVENUE REALTY TRUST, continued**

The remaining sales all would require adjustments of nearly 50% to arrive at a value indicated by Sale #2 that is considered most comparable to the subject property.

Although the comparable sale data is limited, the sales provide insight into market participants in the market segment. However, in summary, Sale #2 is clearly most comparable when compared to the subject property either in the before or after taking scenario. The adjusted price calculates to \$236 per ft<sup>2</sup>. Therefore, with these influences in mind, the market value of the fee simple interest of the subject property as of August 12, 2016 before the taking calculates to \$11,449,069 (48,513 ft<sup>2</sup> x \$236 per ft<sup>2</sup>) rounded to:

**\*\*\* ELEVEN MILLION FOUR HUNDRED FIFTY (\$11,450,000) DOLLARS \*\*\***

As discussed in the zoning section of the appraisal report, according to the City Planning Director, the subject property is a pre-existing, non-conforming use that has been developed to the parcel's maximum potential under the zoning ordinance. The taking of 4.6 acres of land at the rear of the property and along the northwestern boundary of which approximately 4 acres are unusable due to extensive wetlands and any remaining usable land of the 4.6 acres falls within existing setbacks. Therefore, with these influences in mind, the market value of the fee simple interest of the subject property as of August 12, 2016 after the taking is:

**\*\*\* ELEVEN MILLION FOUR HUNDRED FIFTY (\$11,450,000) DOLLARS \*\*\***

Therefore, the estimated damages from the taking of 4.6 acres or 200,333 ft<sup>2</sup> of land as found on the proposed acquisition plan provided by the City of Portsmouth found in the addenda of this appraisal report, as of August 12, 2016 calculates to:

**\*\*\* ZERO (\$0) DOLLARS \*\*\***

**150 GREENLEAF AVENUE REALTY TRUST, continued**

**Pro-Rata Allocation of the Part Taken**

At the request of the client, a pro-rata allocation of the part taken, similar to the procedure typically undertaken by the New Hampshire Department of Transportation Bureau of Right of Way has been developed.

According to the New Hampshire Department of Transportation Right of Way Policy, if the appraised value of the subject property is the same before and after the proposed acquisition, then the damages are zero. However it is NHDOT ROW policy to make a nominal offer based on a pro-rata or "part taken" appraisal to the property owner in instances where the before and after indicates no appreciable damages. The policy for estimating the pro-rata will be to value the subject 4.60 acres being acquired taking into consideration the utility of the land being acquired and multiply the price per unit by the area of the part taken (200,333 ft<sup>2</sup> or 4.60 acres).

As mentioned previously in the appraisal report, there is limited recent comparable commercial sale data to estimate the underlying value of the site. Furthermore, the acquisition land being taken is predominantly wetlands (approximately 4 acres of the 4.6 acres total).

In determining the best method to estimate the market value of 4.6 acres of backland with no road frontage of which approximately 4 acres is wetland, consideration was given to conservation land transactions that may have similar characteristics. However, in the research for similar conservation land transactions, it was determined that the Gateway (i.e. commercial) zoning of the property along with its small size when compared to mostly larger conservation land sales, would unfairly penalize the property's pro-rata value since these sales typically sell for a few thousand dollars per acre or less. In summary, conservation land sales were considered not comparable despite the fact that approximately 4 acres of the 4.6 acres total are wetlands.

The limited commercial land sale data in Portsmouth was researched and analyzed. Nine sales were identified of which four were considered somewhat comparable (assuming no wetlands). Five of the nine sales are more than three years old, thus rendering the data set less reliable.

The following is a summary of the sale data relied upon to estimate the pro-rata value of the part taken.

Address	Description	Acreage	Sale Date	Sale Price	Price per Acre	Utility Adj.	Adj. \$/acre
750 Lafayette Road, Portsmouth	Goodwill	4.08	7/23/12	\$2,100,000	\$514,706	80%	\$102,941
Lafayette Road, Portsmouth	US Army Reserve	6.33	8/23/11	\$2,730,000	\$431,280	80%	\$86,255
1900 Lafayette Road, Portsmouth	Surgical Center	4.1	3/25/15	\$1,250,000	\$304,878	80%	\$60,975
445 US Route 1 Bypass, Portsmouth	Eversource	13.37	7/25/14	\$1,451,577	\$108,570	50%	\$54,284
							<u>average</u>
SUBJECT PROPERTY	Taking Area	4.60	8/12/16	\$345,000	\$75,000		\$76,114

The proposed acquisition area is 4.60 acres. An -80% utility adjustment was applied to the first three sales since they all have usable land unlike the subject property's 4 acres of wetlands. The

## **150 GREENLEAF AVENUE REALTY TRUST, continued**

last sale was an acquisition by Eversource for the construction of a transformer station that is already subject to a utility easement. A -50% adjustment was made to this sale for its overall utility since it is already encumbered by a utility easement with overhead transmission wires and structures.

It should be noted that it could be argued that the overall adjustments are not high enough given that 4 acres of the 4.60 acres are wetlands and not developable. The average price per acre of the four sales calculates to \$76,114 rounded to: \$75,000 per acre. Therefore, the pro-rata value of the part taken calculates to \$345,000 (4.60 acres x \$75,000 per acre):

**\*\*\* THREE HUNDRED FORTY-FIVE THOUSAND (\$345,000) DOLLARS \*\*\***

## CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The facts and data reported and used in the valuation process are true and correct;
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, and conclusions;
3. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved;
4. I have performed no services, as an appraiser or in any other capacity regarding the property that is the subject of this report within the three year period immediately preceding the acceptance of this assignment;
5. The value estimates found within were not based upon a requested minimum valuation, a specific valuation, or the approval of a loan;
6. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusions in, or the use of, this report;
7. My analyses, opinions and conclusions were developed, and this report has been prepared, in accordance with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice and the Uniform Standards of Professional Appraisal Practice (USPAP) as adopted by the Appraisal Standards Board of the Appraisal Foundation;
8. Brian C. Underwood, CRE personally inspected the exterior of the property that is the subject of this report;
9. No one provided significant professional assistance to the person signing this report.



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Brian C. Underwood, CRE

## STATEMENT OF GENERAL AND LIMITING CONDITIONS

This report has been prepared under the following assumptions and limiting conditions:

1. Information furnished by others is assumed to be true, factually correct, and reliable. No effort has been made to verify such information and no responsibility for its accuracy is assumed by the appraiser. Should there be any material error in the assumptions in this report, the results of this report are subject to review and revision.
2. All mortgages, liens, and encumbrances have been disregarded unless specified within this report. The subject property is analyzed as though under responsible ownership and competent management. It is assumed in this analysis that there were no hidden or unapparent conditions of the property, subsoil, or structures which would render it more or less valuable. No responsibility is assumed for such conditions or for engineering which may be required to discover them. No responsibility is assumed for legal matters existing or pending, nor is opinion rendered as to title, which is assumed to be good.
3. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless non-compliance is noted.
4. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a non-conformity has been stated, defined and considered in the analysis. Please refer to the extraordinary assumptions found in the appraisal report.
5. It is assumed that all required licenses, consents or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
6. Possession of this report, or a copy thereof, does not carry with it the right of publication.
7. The appraiser assumed that there is no hazardous waste contaminating the subsoils. The appraiser is not qualified to detect such substances on the property or to evaluate the effect of such substances on the value of the property.
8. Unless prior arrangements have been made, the appraiser, by reason of this report, is not required to give further consultation or testimony, or to be in attendance in court with reference to the property that is the subject of this report.
9. This report relies on the facts and opinions provided by the City of Portsmouth Planning Director. No other due diligence was performed beyond the information provided regarding the subject property's zoning and land use compliance and/or potential for expansion or additional development.
10. The conclusions apply only to the property specifically identified and described herein.
11. The appraiser has made no legal survey nor have they commissioned one to be prepared. Therefore, reference to a sketch, plat, diagram or previous survey appearing in the report is only for the purpose of assisting the reader to visualize the property.

## ADDENDA

## QUALIFICATIONS OF THE FIRM



B.C. Underwood LLC has completed a wide range of valuation, counseling, and mediation assignments throughout the eastern United States. The firm specializes in complex real estate. The following is a representative list of these assignments, the geographical areas covered, and clients served.

### TYPES OF ASSIGNMENTS

Airport Land & Buildings	Market & Feasibility Studies
Apartment Buildings & Complexes	Mediation
Appraisal Review	Mill Buildings
Athletic Clubs	Mineral Rights
Automobile Dealerships	Mobile Home Parks
Bank Buildings	Multi-Family
Bed & Breakfasts	Office Buildings & Parks
Business Valuation	Parking Lots
Campgrounds	Planned Residential Developments
Commercial Land & Buildings	Private Schools
Condominium Buildings	Quarries
Conservation Easements	Railroad Tourist Attractions
Convenience Store Chains	Restaurants
Diminution in Value Projects	Retail Petroleum Properties
Easements & Rights of Way	Self-Storage Facilities
Eminent Domain	Service Garages
Environmentally Contaminated Property	Spring Water Plants
Fast Food Restaurants	Shopping Malls
Forest Land	Single Family Homes
Group Homes	Strip Centers
Going Concerns	Taverns & Inns
Golf Courses	Tax Abatement
Horse Farms	Time Share Projects
Industrial Land & Buildings	USPAP & Appraisal Methodology
Impact on Property Value Studies	Utility Corridors
Lumber Yards	Waterfront Property
Marinas	

### GEOGRAPHICAL AREAS (counties)

**Connecticut:** New Haven

**Maine:** Androscoggin, Cumberland, York

**Massachusetts:** Barnstable, Bristol, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, Worcester

**Georgia:** Fulton

**New Hampshire:** Belknap, Carroll, Cheshire, Coös, Grafton, Hillsborough, Merrimack, Rockingham, Strafford, Sullivan

**New York:** Kings

**Pennsylvania:** Cumberland, Juniata

**Rhode Island:** Providence

**Vermont:** Rutland, Windham, Windsor

## REPRESENTATIVE LIST OF CLIENTS

AMRESKO Commercial Finance  
Arent Fox Kintner Plotkin & Kahn, PLLC  
Bald Peak Land Company  
Bank of America  
Bank of America Private Clients Group  
Bank of New Hampshire  
Bangor Savings Bank  
Beech River Mill, Inc.  
Brewster Academy  
Chase Manhattan Bank  
Citizens Bank  
Cleveland, Waters & Bass, P.A.  
Cooper, Cargill, Chant Attorneys at Law  
Danville, Town of  
Dartmouth College  
Dartmouth Hitchcock Medical Center  
Devine, Millimet & Branch, P.A.  
Eversource  
Farm Credit East  
Federal Deposit Insurance Corporation  
Fletcher, Tilton & Whipple, P.C.  
Franklin, City of  
Gallagher, Callahan, & Gartrell, P.C.  
Godbout & Associates  
Gov. Wentworth Regional School District  
Green Mountain Furniture, Inc.  
Grinnell & Bureau Attorneys at Law  
Hinckley, Allen & Snyder LLP  
Holland & Knight  
Huggins Hospital  
J.P. Noonan, Inc.  
Johnson & Dix Fuel Corporation  
Key Bank  
Lakes Region Conservation Trust

Lakeview Management, Inc.  
Mallet Company  
Marriott, J. Willard Jr.; Chairman, Marriott International  
Martin, Lord, & Osman, P.A.  
Latici, P.A.  
McLane Middleton  
Mobil Oil Corporation  
Monziona Law Offices  
Mount Washington Observatory  
Mutual Oil Company  
New Hampshire Motor Speedway  
North Conway Country Club  
Northern Pass Transmission LLC  
Northway Bank  
Orr & Reno  
Pace Academy  
Perkins Thompson Attorneys & Counselors  
Phillips Exeter Academy  
Pike Industries, Inc.  
Portsmouth, City of  
PriceWaterhouseCoopers  
Ricci Lumber  
Seward & Kissel LLP  
Sheehan, Phinney, Bass & Green, P.A.  
Sulloway & Hollis, PLLC  
Sullivan & Gregg Attorneys at Law  
TD Bank  
Taylor Community  
Town of Wolfboro  
U.S. Trust Company  
Vermont Academy  
Walker & Varney Attorneys at Law  
Wescott, Dyer, Fitzgerald & Nichols, P.A.

## **BRIAN C. UNDERWOOD, CRE QUALIFICATIONS**

### **PROFESSIONAL DESIGNATIONS**

Awarded the CRE designation, Counselor of Real Estate; The Counselors of Real Estate

### **PROFESSIONAL PUBLIC APPOINTMENTS**

New Hampshire Real Estate Appraiser Board, Chairman (2008-2012)

### **PROFESSIONAL EXPERIENCE**

*B.C. Underwood LLC*, Rye Beach, New Hampshire: Principal of an east coast real estate and business valuation firm specializing in complex property types, litigation support, and mediation.

*Atlantic Valuation Consultants, Inc.*, Meredith, New Hampshire: President of an east coast real estate and business valuation firm specializing in market / feasibility studies, and litigation support.

*I. J. Barkan, Inc.*, Boston, Massachusetts: Appraiser for a regional commercial and industrial real estate appraisal company.

*Schubert Appraisals, Inc.*, North Conway, New Hampshire: Appraiser for a regional, commercial and industrial real estate appraisal company.

*Conwood Group*, New Cumberland, Pennsylvania: Managing General Partner of a real estate investment company that owned and operated coin laundries.

### **LICENSEE**

Certified General Real Estate Appraiser, State of New Hampshire  
License Number: NHCG-394 (expires November 30, 2017)

### **PROFESSIONAL EDUCATION**

#### **Harvard Business School**

- *Valuation*; Cambridge, Massachusetts; May 1999

#### **American Society of Appraisers Seminars**

- *The Expert Witness*; Manchester, New Hampshire; May 1996

#### **Appraisal Foundation**

- *Appraisal Investigator Training Level I*; Alexandria, Virginia; August 2009
- *Appraisal Investigator Training Level II*; Scottsdale, Arizona; November 2010

#### **Appraisal Institute Courses**

- 400: *National Uniform Standards of Professional Appraisal Practice (USPAP) Update Course*; Portland, Maine; March 2014

- 410: *Standards of Professional Practice, Part A (Uniform Standards of Professional Appraisal Practice)*; Portland, Maine; September 1997
- 420: *Standards of Professional Practice, Part B*; Hershey, Pennsylvania; May 1993
- 110: *Appraisal Principals*; Hershey, Pennsylvania; March 1993
- 120: *Appraisal Procedures*; Hershey, Pennsylvania; March 1993
- 310: *Basic Income Capitalization*; Tallahassee, Florida; August 1993
- 320: *General Applications*; Boston, Massachusetts; September 1995
- 510: *Advanced Income Capitalization*; Tallahassee, Florida; August 1993
- 540: *Report Writing & Valuation Analysis*; Tallahassee, Florida; August 1995

### **Appraisal Institute Seminars**

- *Data Verification Methods*; November 2015
- *Thinking Outside the Form*; November 2015
- *Subdivision Valuation*; Manchester, New Hampshire; September 2005
- *Automated Valuation Models*; Baltimore, Maryland; October 1997
- *Mock Trial*; Boston, Massachusetts; September 1995
- *Appraisal Practices for Litigation*; Boston, Massachusetts; September 1995
- *GIS Seminar*; Boston, Massachusetts; April 1995
- *Due Diligence, Contaminated Properties, & the Real Estate Appraiser*; Boston, Massachusetts; January 1995
- *Environmental Risk and the Real Estate Appraisal Process*; Rockport, Maine; October 1994

### **The Counselors of Real Estate Seminars**

- *Global Economic Forces: The Deficit, the Dollar and Interest Rates*; Chicago, Illinois; April 2005
- *Real Estate Capital Markets*; Chicago, Illinois; April 2005
- *Big Thinkers on The Big Picture: Commercial Real Estate Markets*; Chicago, Illinois; April 2005
- *Hedging: Protecting Your Assets in a Rising Interest Rate Environment*; Chicago, Illinois; April 2005
- *Market Watch: A Real World View on Market Prospects*; San Francisco, California; October 2007
- *Institutional Investment: When Residential Real Estate Brings the Highest Yields*; San Francisco, California; October 2007
- *Banks, Banking Rules, Fed Policy, and Real Estate*; San Francisco, California; October 2013
- *Outlook for the Economic Real Estate Market*; San Francisco, California; October 2013
- *Real Estate Analytics, Investments and Beyond*; San Francisco, California; October 2013
- *Reaching for Yield - The High Risk of Investments*; San Francisco, California; October 2013
- *Money Never Sleeps*; San Francisco, California; October 2013
- *Sustainability: Energy and Land Use*; San Francisco, California; October 2013
- *A Vision for Boston*; Boston Massachusetts; October 2014
- *Real Estate Outlook*; Boston, Massachusetts; October 2014
- *Emerging Trends in Real Estate*; Boston, Massachusetts; October 2014

### **Massachusetts Board of Real Estate Appraisers Seminars**

- *Teamwork in Eminent Domain*; Boston, Massachusetts; September 1997

### **New Hampshire Association of Industrial Agents Seminars**

- *Redeveloping Contaminated Sites*; Center Harbor, New Hampshire; October 1994

### **New Hampshire Attorney General's Office**

- *Wynn Arnold Administrative Law Workshop*; Concord, New Hampshire; December 2009

### **New Hampshire Bar Association Seminars**

- *Managing, Buying, & Selling Contaminated Properties*; Concord, New Hampshire; March 1994

### **New Hampshire Superior Court, Office of Mediation & Arbitration**

- *NH Superior Court Rule 170 Civil Mediation Training*; Concord, New Hampshire; June 2010

### **University of New Hampshire**

- *Uniform Standards of Professional Appraisal Practice*; Portsmouth, New Hampshire; December 2001

### **ARTICLES PUBLISHED**

*How to Lower Real Estate Taxes, Coin Launderer & Cleaner*; February 1996

*Tax Abatements for Environmentally Contaminated Real Estate*, New England Service Station & Automotive Repair Association; January 1995

### **SEMINARS PRESENTED**

*New Hampshire Tax Abatement Process*, [presented together with Jack B. Middleton, Esquire & Jennifer L. Parent, Esquire; McLane, Graf, Raulerson & Middleton]; Rochester, New Hampshire; February 2014

*New Hampshire Tax Abatement Process*, [presented together with Jack B. Middleton, Esquire & Jennifer L. Parent, Esquire; McLane, Graf, Raulerson & Middleton]; Concord, New Hampshire; January 2013

*Real Estate Appraisal Issues*, New Hampshire Chapter, Appraisal Institute; Concord, New Hampshire; January 2010 & November 2011

*Appraising Environmentally Contaminated Real Estate*, New Hampshire Bar Association; Concord, New Hampshire; March 1999

*Real Estate Tax Abatement & Eminent Domain*, [presented together with Jack B. Middleton, Esquire & Arthur G. Greene, Esquire; McLane, Graf, Raulerson & Middleton]; North Conway, New Hampshire; February 1999

*Real Estate Tax Abatement Process*, [presented together with Jack B. Middleton, Esquire; McLane, Graf, Raulerson & Middleton]; Hanover, Portsmouth, and Manchester, New Hampshire; December 1996

*Real Estate Tax Abatement Process*, [presented together with Jack B. Middleton, Esquire; McLane, Graf, Raulerson & Middleton]; Manchester, New Hampshire; November 1995

*Tax Abatement for Environmentally Contaminated Real Estate*, Independent Oil Marketers Association of New England; Westborough, Massachusetts; October 1995

*Tax Abatement Issues for Campground Owners*, New Hampshire Campground Owners' Association; Laconia, New Hampshire; October 1995

### **LITIGATION EXPERIENCE (admitted as expert witness)**

- New Hampshire Superior Court
- New Hampshire Board of Tax and Land Appeals
- New Hampshire Circuit Court, Family Division
- New York Family Court
- Massachusetts Appellate Tax Board
- United States Bankruptcy Court
- Vermont Family Court

### **EXPERT WITNESS HISTORY**

*Testimony at Trial or Deposition*

Gilman Family Trust v. Town of New London  
Merrimack County Superior Court, New Hampshire

In Re: Carlucci  
U.S. Bankruptcy Court, District of New Hampshire

Campbell v. Campbell  
New York Family Court, New York

Cutter Family Partnership v. Town of Rollinsford  
Rockingham County Superior Court, New Hampshire

Southern Spectrum LLC v. Town of Wolfeboro  
Carroll County Superior Court, New Hampshire

Bridge v. Town of Sunapee  
Sullivan County Superior Court, New Hampshire

Kraeger v. Town of Sunapee  
Sullivan County Superior Court, New Hampshire

Ruedig v. Town of Sunapee  
Sullivan County Superior Court, New Hampshire

Wolters v. Wolters  
10<sup>th</sup> Circuit Court, Family Division, New Hampshire

Public Service of New Hampshire v. Town of Richmond  
New Hampshire Board of Tax & Land Appeals

## PROFESSIONAL & PUBLIC AFFILIATIONS

- New Hampshire Real Estate Appraiser Board by appointment of Governor Lynch
  - Chairman (2008-2012)
- The Counselors of Real Estate: Member
  - *Real Estate Issues* Editorial Board (2005-2007)
  - CRE Consulting Corps Steering Committee (2005 -2007)
- Mount Washington Observatory; Treasurer
  - Past Vice President
- Town of Wolfeboro Zoning Board of Adjustment
  - Chairman (1995-2008)
- First Congregational Church, Wolfeboro, New Hampshire
  - Moderator (2008-2010)

## CONTACT INFORMATION

Brian C. Underwood, CRE  
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Rye Beach, New Hampshire 03871

603.387.1340  
bcu@bcunderwood.com  
www.bcunderwood.com

CURRENT OWNER		TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT			
150 GREENLEAF AVENUE REALTY TRUST BOYLE JAMES G TRUSTEE 150 GREENLEAF AVE		1 Level	0 All Public	1 Paved	2 Suburban	Description	Code	Appraised Value	Assessed Value
PORTSMOUTH, NH 03801 Additional Owners:					13	COMMERC.	3300	2,614,500	2,614,500
						COM LAND	3300	2,060,300	2,060,300
						COMMERC.	3300	131,700	131,700
SUPPLEMENTAL DATA									
		Other ID: 0243-0067-0000	CONDO CV						
		OLDACTNUM 18150	INLAW Y/N						
		PHOTO	LOT SPLIT						
		WARD	2015 Reval V JM						
		PREC.							
		1/2 HSE							
		GIS ID: 35601	ASSOC PID#						
							Total	4,806,500	4,806,500

2229  
PORTSMOUTH, NH  
**VISION**

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	q/u	v/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)								
150 GREENLEAF AVENUE REALTY TRUST		4215/0227	12/30/2003		I	3,250,000	0	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
								2014	3300	2,070,500	2013	3300	2,035,400	2012	3300	2,035,400
								2014	3300	1,905,700	2013	3300	1,905,700	2012	3300	1,905,700
								2014	3300	119,300	2013	3300	97,900	2012	3300	97,900
							Total:	4,095,500	Total:	4,039,000	Total:	4,039,000	Total:	4,039,000		

EXEMPTIONS				OTHER ASSESSMENTS			
Year	Type	Description	Amount	Code	Description	Number	Amount
Total:							

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD				
NBHD/ SUB	NBHD Name	Street Index Name	Tracing	Batch
302/A				

**APPRAISED VALUE SUMMARY**

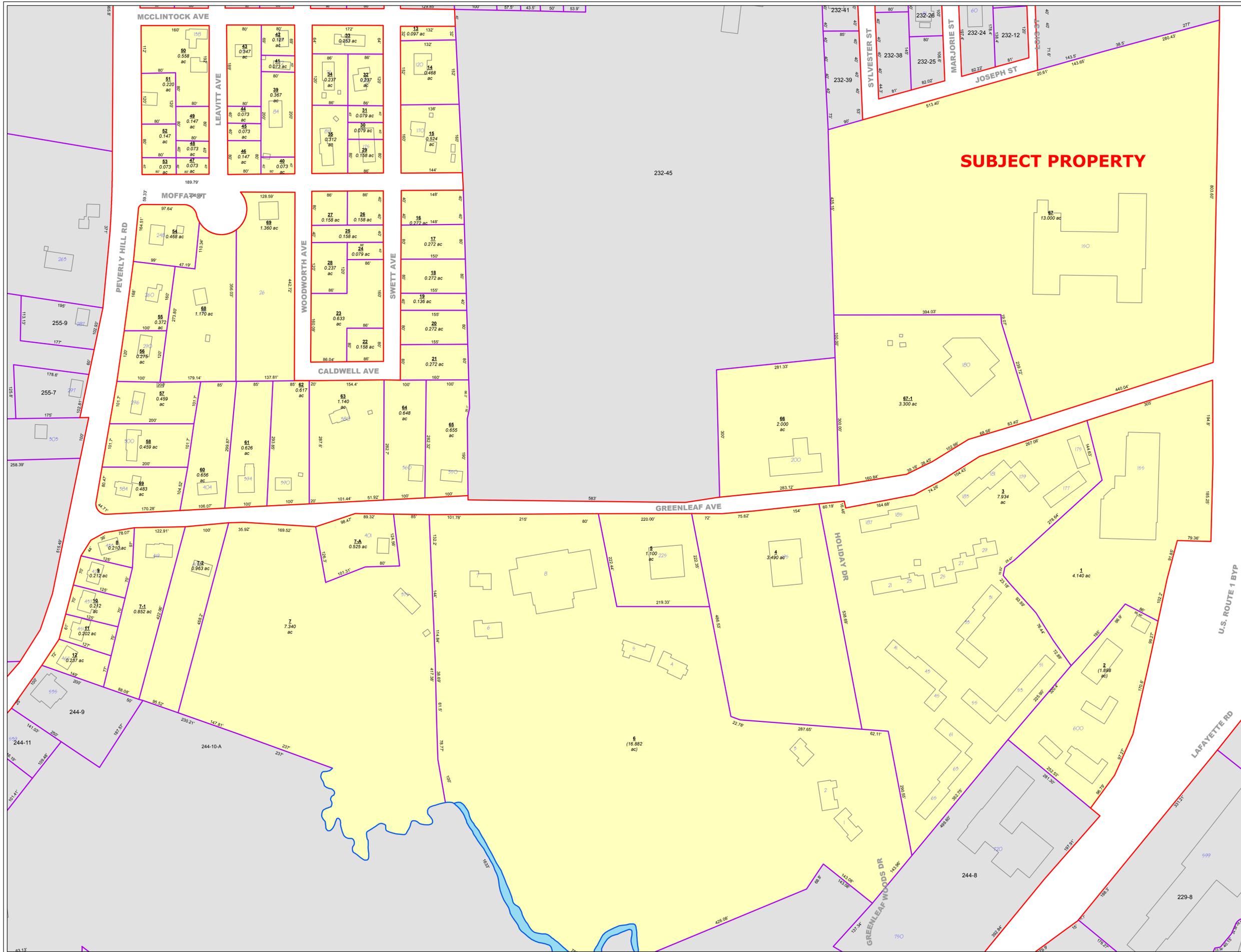
Appraised Bldg. Value (Card)	2,614,500
Appraised XF (B) Value (Bldg)	0
Appraised OB (L) Value (Bldg)	131,700
Appraised Land Value (Bldg)	2,060,300
Special Land Value	0
Total Appraised Parcel Value	4,806,500
Valuation Method:	C
Adjustment:	0
<b>Net Total Appraised Parcel Value</b>	<b>4,806,500</b>

NOTES	
TOYOTA OF PORTSMOUTH 209 PARKING SPACES WARM AIR DUC SHOWROOM/OFFICES DRIVE THRU SERVICE BAYS & FRONT FORMER 2 STORY SECTION CANNOT BE USED FOR AUTO RELATED USES AS NO PB APPROVAL	HAS BEEN GIVEN - ASSUME CARE DEALER USE HBU = AUTO DEALER; FUNC = 2 STRY SECTION NEW SLABS, WINDOWS ALUM SIDING ON SHOWRO 01/10 - UPDATED FENCE AP1= FN1 @ 625 NO AC SERVICE AREA

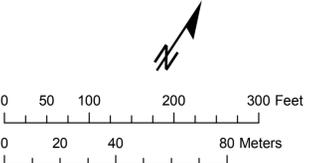
BUILDING PERMIT RECORD										VISIT/ CHANGE HISTORY					
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments	Date	Type	IS	ID	Cd.	Purpose/Result	
09-868	12/08/2009			10,000		100	02/10/2010	FINAL PHASE OF PRO	03/15/2015			ST	ER	Exterior Review	
08-333	12/08/2009			145,000	08/31/2011	100		CONSTRUCT EXPAND	12/10/2013			JM	11	Listed	
08-554	07/31/2008			24,000		100	08/31/2009	INST FR SUPP SY	06/30/2010			ST	HC	HEARING CHANGE	
08-113	03/26/2008			785,000		100	08/31/2009	INT RENO PHASE	03/19/2010	01		JW	50	Building Permit	
08-113A	02/27/2008			80,000		100	08/31/2009	INT DEMO PHASE	02/16/2010			ST	ER	Exterior Review	
07-084	02/28/2007			10,000		100	08/31/2009	INST FIRE ALM S							
06-1045	01/04/2007			35,000		100		INT RENOS/WIN/B							

LAND LINE VALUATION SECTION																		
B #	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	I. Factor	S.A.	C. Factor	ST. Idx	Adj.	Notes- Adj	Special Pricing	S Adj Fact	Adj. Unit Price	Land Value
1	3300	AUTO V S&S	GW	C			261,360	SF	22.96	1.0000	1	0.80	0.40	-20% Size		1.00	7.35	1,920,300
1	3300	AUTO V S&S					304,920	SF	22.96	1.0000	1	0.05	0.40	EXCESS TOPO		1.00	0.46	140,000

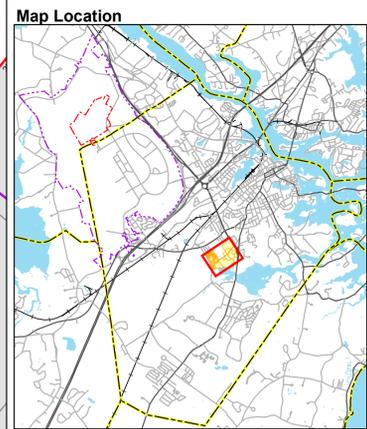
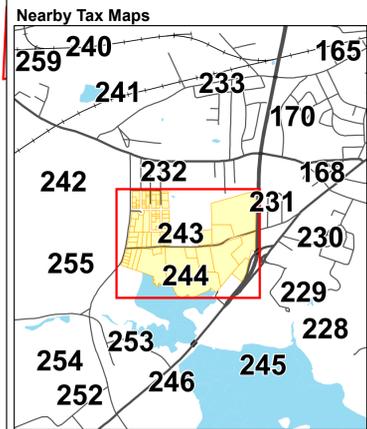




- Partial Legend**  
 See the cover sheet for the complete legend.
- 7-5A** Lot or lot-unit number
  - 2.56 ac Parcel area in acres (ac) or square feet (sf)
  - 25 Address number
  - 233-137 Parcel number from a neighboring map
  - 68 Parcel line dimension
  - Street name
- Parcel/Parcel boundary
  - Parcel/ROW boundary
  - Water boundary
  - Structure (1994 data)
  - Parcel covered by this map
  - Parcel from a neighboring map (see other map for current status)



*This map is for assessment purposes only. It is not intended for legal description or conveyance. Parcels are mapped as of April 1. Building footprints are 2006 data and may not represent current structures. Streets appearing on this map may be paper (unbuilt) streets. Lot numbers take precedence over address numbers. Address numbers shown on this map may not represent posted or legal addresses.*



Portsmouth, New Hampshire  
 2013  
**Tax Map 243**



# CITY OF PORTSMOUTH

Community Development Department  
(603) 610-7232

Planning Department  
(603) 610-7216

July 28, 2016

Brian C. Underwood, CRE  
B.C. Underwood LLC  
P.O. Box 88  
Rye Beach, NH 03871

RE: 150 Greenleaf Avenue

Dear Mr. Underwood:

At your request, I have reviewed the subject property at 150 Greenleaf Avenue to evaluate its potential for additional development, both under existing conditions and assuming acquisition by the City of a portion of the parcel at the rear of the site. My conclusion is that the property is already fully developed in its current use as an automobile dealership and, therefore, the proposed acquisition by the City would not reduce the development potential of the overall property.

## Site Description

The subject parcel contains approximately 13.8 acres, with approximately 804 feet of frontage on the U.S. Route 1 Bypass and 450 feet of frontage on Greenleaf Avenue. The parcel is L-shaped, with a maximum depth of more than 900 feet from the Route 1 Bypass and about 800 feet from Greenleaf Avenue. The front two-thirds of the site is developed as an automobile dealership with associated vehicle parking, display and storage areas.

The back one-third of the parcel consists largely of wetlands and a stream. A City sewer line crosses the parcel in a raised berm through the wetland area, parallel to and approximately 100 feet from the rear lot line. The sewer main also runs along the northwest lot line about 160 feet before crossing onto the abutting property.

## Environmental Constraints

The rear portion of the parcel is characterized by extensive wetlands as shown on the City's wetland map and as delineated more precisely by Gove Environmental Services in 2005. (See **Exhibits 1A & 1B.**) The outer limits of this wetland area within the site comprise approximately four acres, or around 30 percent of the total parcel area.<sup>1</sup>

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<sup>1</sup> Although the wetland delineation is more than five years old, this is the best information currently available.

A stream runs along the northwest side of the subject parcel, carrying drainage from the Hillside Drive neighborhood and the Lafayette Professional Park area as well as from the Route 1 Bypass. This drainage flows through the wetland and leaves the subject parcel at its southerly corner, eventually making its way to Sagamore Creek. A small linear wetland area along the property line is associated with this stream.

Under the City's Zoning Ordinance, a conditional use permit is required for most development within a 100-foot buffer around a jurisdictional wetland. In addition, the first 25 feet of this buffer is designated as a no-cut "vegetated buffer strip," and the next 25 feet is designated as a "limited cut area" (Zoning Ordinance, Sec. 10.1018.21). Development is not allowed in the wetland itself or within 25 feet of the wetland boundary.

The sewer line that crosses through the wetland is within a raised berm and thus not a wetland. However, because this berm and other disconnected upland areas in the back of the parcel are surrounded by wetlands, they are largely within the 25-foot vegetated buffer strip and are thus not developable. As a result, the entire area of the site between the rear lot line and a line forward of and 25 feet from the northeasterly wetland boundary is undevelopable as of right under the City's zoning regulations.

#### Zoning Setbacks

Aside from environmental limitations relating to the wetlands on the property, the existing automobile dealership is completely built out under the City's land use regulations. The key regulatory limitation with respect to expansion of the dealership use is the 200-foot minimum required separation between an automobile sales/rental/leasing use and any Residential or Mixed Residential zoning district (Zoning Ordinance, Sec. 10.592.20). In fact, the existing areas for motor vehicle parking, storage and display are already less than 200 feet from residential districts on the northeast (Route 1 Bypass) and southeast (Greenleaf Avenue) sides of the lot. (See **Exhibit 1B**.) These vehicle parking, storage and display areas represent a preexisting nonconforming use of the property, which may continue but which may not be extended into any part of the remainder of the lot (Zoning Ordinance, Sec. 10.334).<sup>2</sup>

In addition to the requirement that automobile sales/renting/leasing uses be set back from residential districts, the parcel is also subject to the Zoning Ordinance requirements for yards, i.e., setbacks from property lines. In the Gateway district, the minimum required yards are 30 feet from front and side lot lines, and 50 feet from rear lot lines. These yard requirements have no effect on the current use of the subject parcel because the site is more constrained by the wetlands and the required setbacks from residential zoning districts. (See **Exhibits 1A & 1B**.)

#### Prior Development Proposal

In 2009 the owner submitted an application to the Planning Board to construct an additional automobile dealership on the property, including the expansion of vehicle parking, display and

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<sup>2</sup> A small intrusion into the 200-foot setback for vehicle parking and display on the northwest side of the parcel was permitted by decisions of the Zoning Board of Adjustment and Planning Board; however, further intrusion into the 200-foot setback beyond the limits of those decisions is not permitted under the City's zoning regulations.

storage areas to the side and rear of the parcel. These proposed vehicle areas would be within 30 to 50 feet of side and rear lot lines abutting residentially-zoned land (i.e., significantly less than the required 200-foot setback) and therefore would not be permitted by Section 10.592.20 of the Zoning Ordinance. In addition, the proposed vehicle display and storage would be on areas that are delineated wetlands and their associated vegetated buffer strips and therefore would not be permitted by right under Article 10 of the Ordinance. At the request of the owner, the Planning Board has suspended its review of this proposed site plan pending the outcome of litigation.

### Proposed Acquisition

It is currently proposed that the City acquire approximately 4.6 acres of the existing parcel, representing one-third of the total parcel area. (See **Exhibits 2A & 2B.**) The proposed acquisition would serve three public purposes: (1) continued maintenance and operation of the sewer main (which has existed on the parcel for 50 years), (2) stormwater management, and (3) wetland protection.

The area proposed to be acquired encompasses the connected wetlands at the rear of the site, as well as the linear wetland associated with the stream along the northwest side of the parcel. (See **Exhibits 3A & 3B.**) Based on the 2005 Gove wetland delineation, it is estimated that the combination of wetlands and vegetated buffer areas within the parcel to be acquired totals 4.18 acres, leaving just 0.41 acre of isolated upland along the sewer berm.

The proposed acquisition would affect the zoning standards applicable to the site as follows:

- Setbacks from residential zoning districts would not be affected.
- Required side and rear yards (setbacks from lot lines): The proposed acquisition would result in new setback lines 50 feet from the new rear lot line and 30 feet from the new side lot lines. (See **Exhibit 4A.**) On the northwest side, the new side yard would still be less than the existing 200-foot setback from the residential zoning district and therefore would not impact the development potential of the parcel. On the southwest side, the new rear yard would extend into a proposed stormwater management area designed to accommodate a parking lot expansion (approved by the Planning Board in 2008 but not yet constructed) but would not impact existing use areas in any significant way. (See **Exhibit 4B.**)
- Building coverage: In the Gateway district, total coverage by buildings is limited to 30% of the total lot area. According to a site plan submitted to the Planning Board in 2010, the existing building footprint is 7% of the area of the parcel. The proposed acquisition would reduce the lot area from 13.8 acres to 9.2 acres (33.3% reduction), thus increasing the building coverage to approximately 10.5% of lot area, which is still well within the 30% maximum coverage allowed by the Zoning Ordinance.
- Open space requirements: The Zoning Ordinance requires that at least 20% of the area of a lot in the Gateway district be “open space,” defined as follows:

Land area vertically open to the sky, free of all structures, parking area/lots, drive-ways and other uses which preclude attractive landscaping in such area. Open

space shall be predominantly pervious, may be landscaped with lawn, trees, shrubs or other planting, and may include walks and terraces. For the purposes of this definition, water areas are considered to constitute open space.

The existing open space percentage does not appear on plans submitted to the City. However, the owner's 2011 Alteration of Terrain Permit application to the New Hampshire Department of Environmental Services states that impervious surfaces on the property total 4.75 acres or 34.4% of the total parcel area of 13.78 acres. Accordingly, open space would constitute 9.03 acres or 65.6% of the existing parcel area. The area of the proposed acquisition is 4.59± acres. Thus, the remaining parcel after acquisition would be 9.19 acres of which open space would constitute 4.44 acres, or 45.0% of the total, more than twice the minimum open space required by the Zoning Ordinance.

Hence, if the City acquires a portion of the site as proposed, the existing use would continue to comply with zoning standards pertaining to maximum allowed building coverage and minimum required open space. It also appears that the existing site development would be outside the new rear yard created by the acquisition, and that the stormwater management area that has been approved but not constructed would qualify as open space for the purpose of the rear yard standard. The proposed acquisition would have no effect with respect to the minimum required setback of the automobile dealership from residential districts, which is a preexisting nonconforming use of the property.

#### Conclusion

The existing use of the subject parcel as an automobile dealership does not conform to the required setback from residential districts as set forth in the City's Zoning Ordinance. This nonconformity results from zoning changes enacted by the City and from permits granted by the City, and thus represents a preexisting nonconforming use which may continue but which may not be expanded into other areas of the parcel. As a result, the existing use is developed to the parcel's maximum potential under the Zoning Ordinance. Any proposed expansion of the dealership use would not be permitted by right under applicable zoning standards relating to wetlands protection, required yards (setbacks from property lines), and required setbacks from residential districts.

The proposed acquisition of 4.6± acres at the rear and along the northwest property line of the subject parcel would not make the property any less conforming to zoning standards relating to building coverage, open space, yards, or setbacks. It is therefore my conclusion that the proposed acquisition would not reduce the development potential of the parcel for automobile sales, rental or leasing uses.

Sincerely,

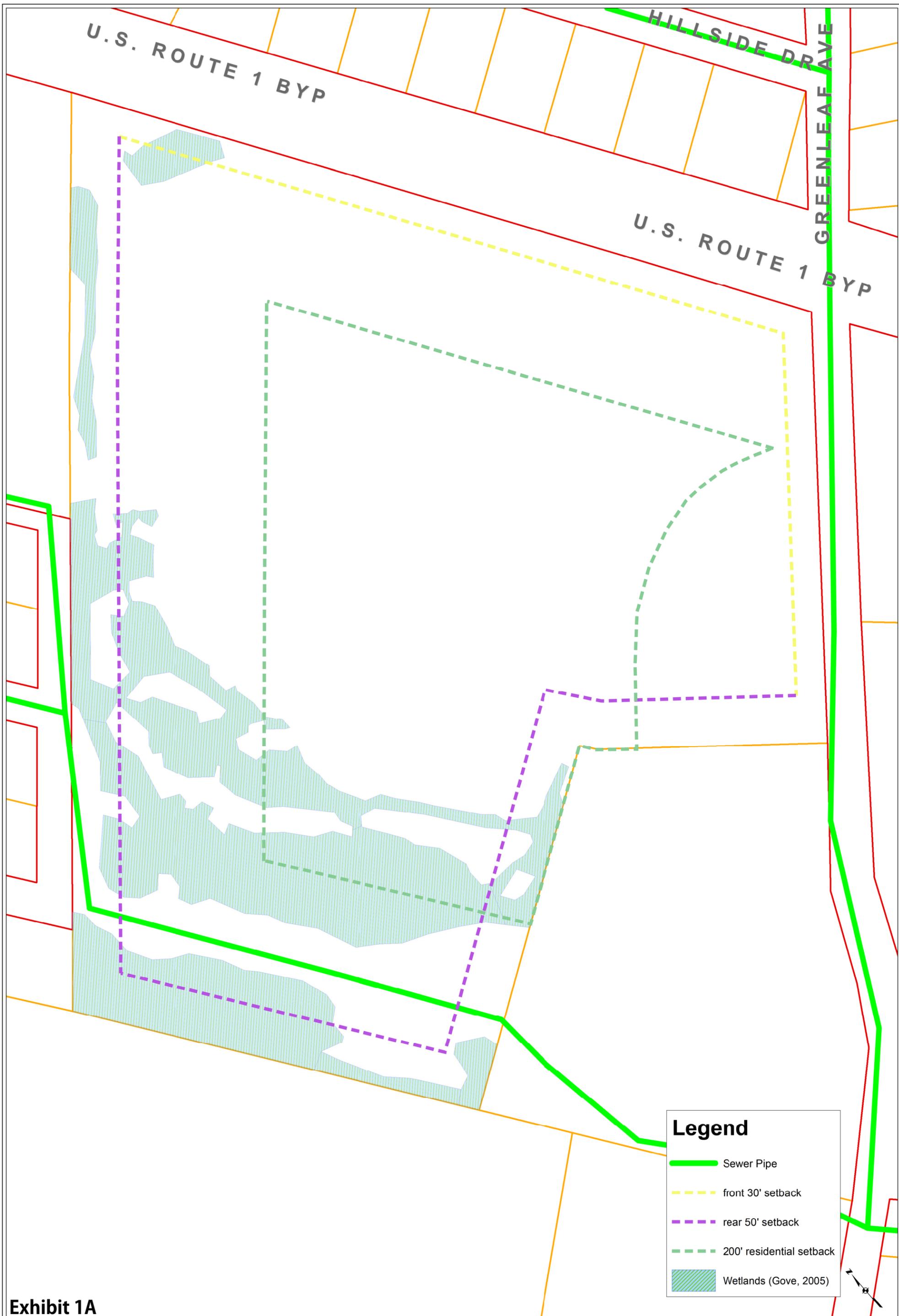


Rick Taintor  
Planning Director

copy: Suzanne M. Woodland, Deputy City Attorney

Exhibits:

- 1A. Subject parcel with wetlands and existing zoning setbacks
- 1B. Subject parcel with wetlands, existing zoning setbacks, and 2015 orthophoto
- 2A. Proposed acquisition
- 2B. Proposed acquisition with 2015 orthophoto
- 3A. Proposed acquisition with wetlands
- 3B. Proposed acquisition with wetlands and 2015 orthophoto
- 4A. Proposed acquisition with wetlands and existing and proposed zoning setbacks
- 4B. Proposed acquisition with wetlands, existing and proposed zoning setbacks, and 2015 orthophoto



**Exhibit 1A**  
**150 Greenleaf Avenue – Acquisition Plan**

Map prepared by Portsmouth Department of Public Works

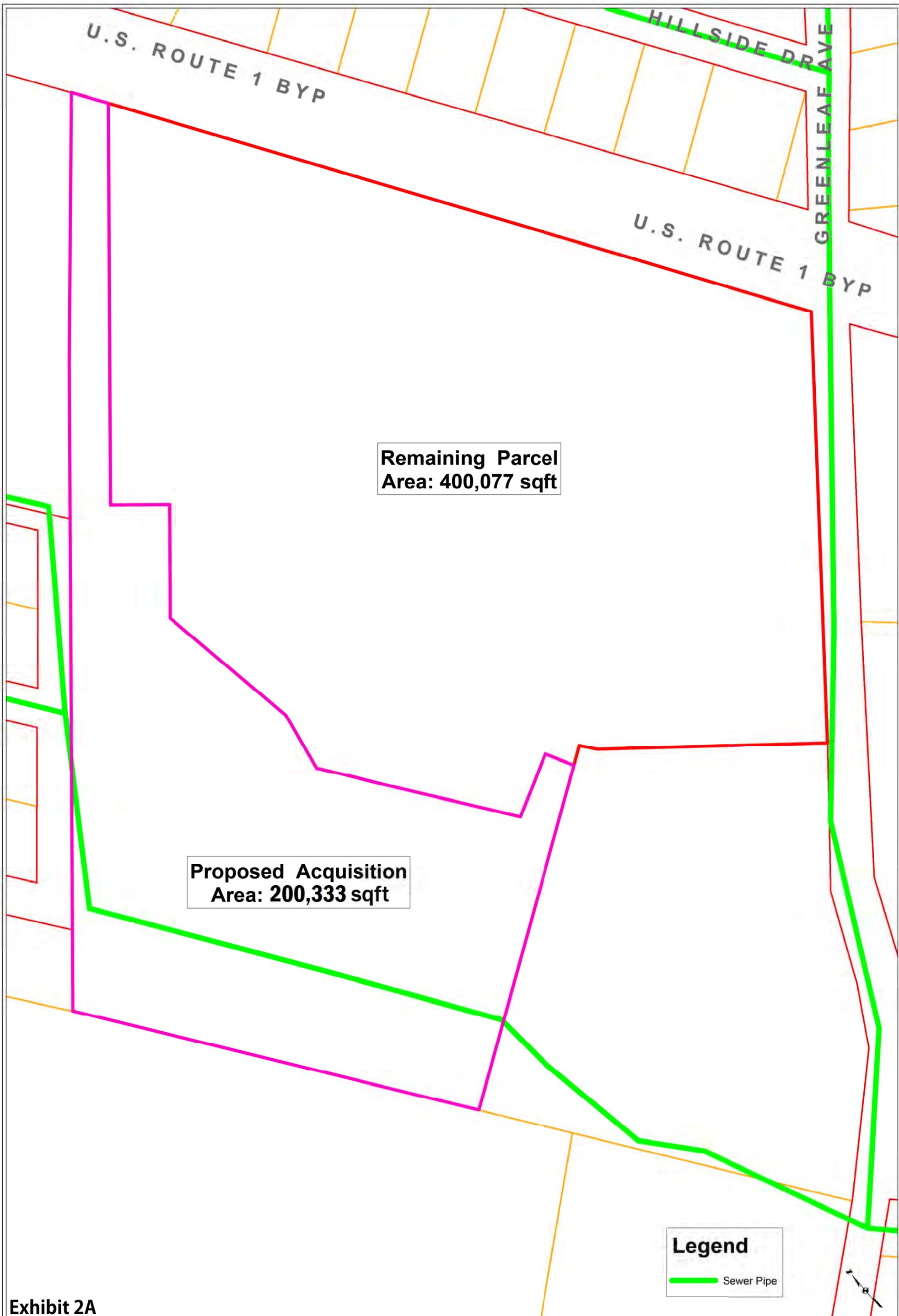


**Exhibit 1B**

**150 Greenleaf Avenue – Acquisition Plan**

Map prepared by Portsmouth Department of Public Works

0 20 40 80 Feet



**Remaining Parcel  
Area: 400,077 sqft**

**Proposed Acquisition  
Area: 200,333 sqft**

**Legend**

 Sewer Pipe

**Exhibit 2A**

**150 Greenleaf Avenue – Acquisition Plan**

0 20 40 80 Feet



U.S. ROUTE 1 BYP

HILLSIDE DR

GREENLEAF AVE

U.S. ROUTE 1 BYP

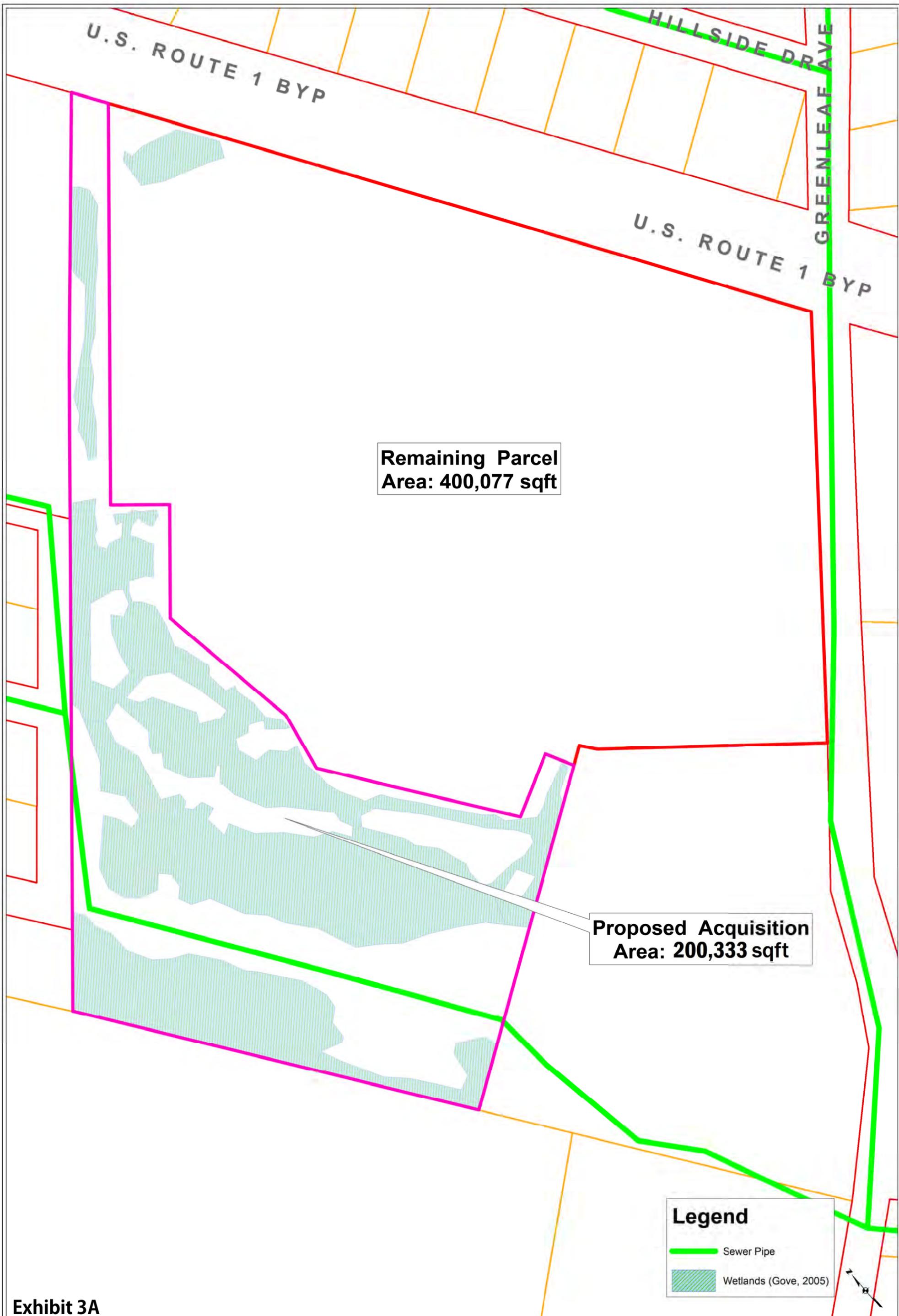
Remaining Parcel Area: 400,077 sqft

Proposed Acquisition Area: 200,333 sqft

**Legend**  
Sewer Pipe

**Exhibit 2B**  
**150 Greenleaf Avenue – Acquisition Plan**

0 20 40 80 Feet



**Remaining Parcel  
Area: 400,077 sqft**

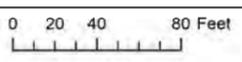
**Proposed Acquisition  
Area: 200,333 sqft**

**Legend**

- Sewer Pipe
- Wetlands (Gove, 2005)

**Exhibit 3A**

**150 Greenleaf Avenue – Acquisition Plan**





**Remaining Parcel  
Area: 400,077 sqft**

**Proposed Acquisition  
Area: 200,333 sqft**

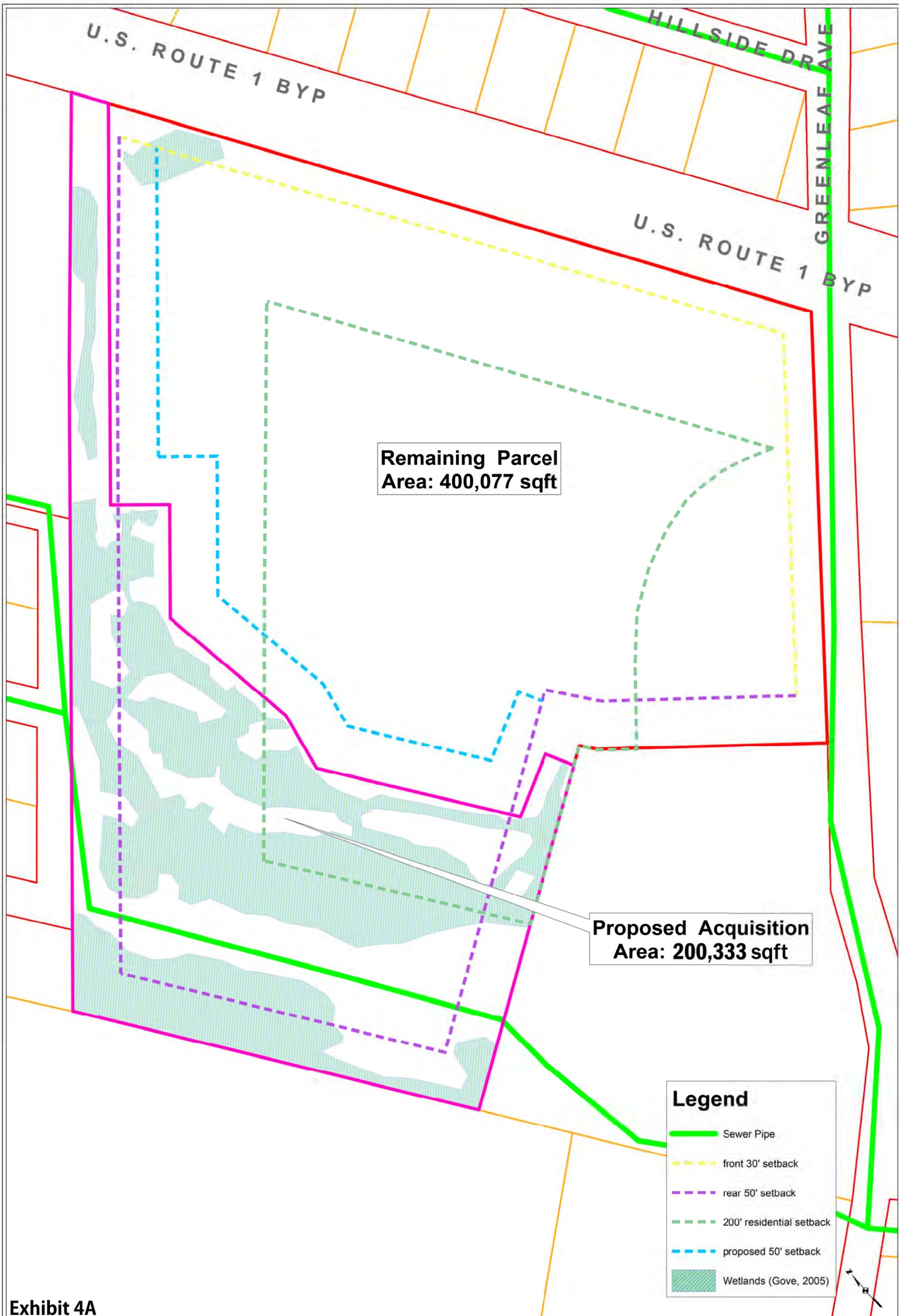
**Legend**

-  Sewer Pipe
-  Wetlands (Gove, 2005)

**Exhibit 3B**

**150 Greenleaf Avenue – Acquisition Plan**

0 20 40 80 Feet



**Remaining Parcel  
Area: 400,077 sqft**

**Proposed Acquisition  
Area: 200,333 sqft**

**Legend**

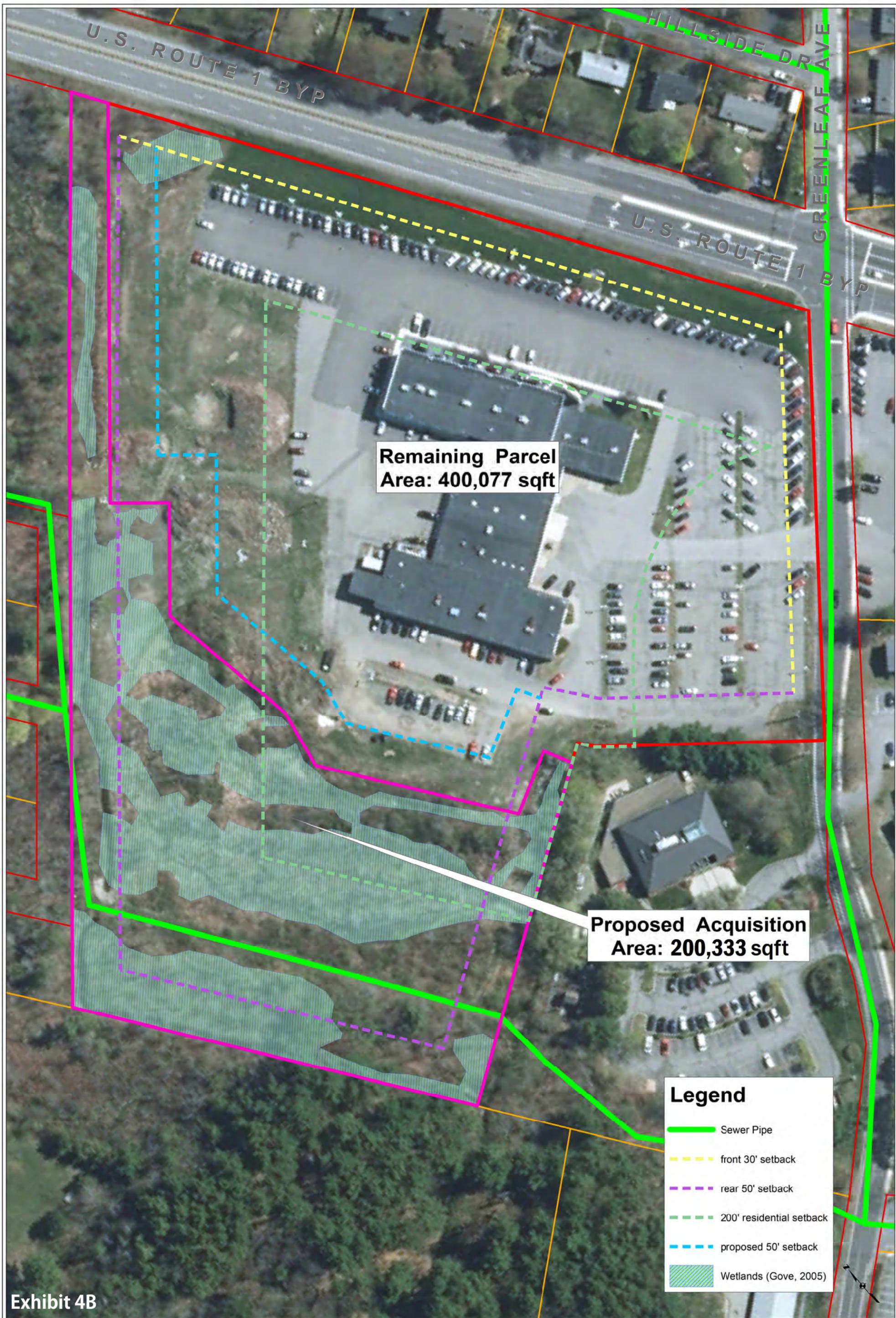
- Sewer Pipe
- - - front 30' setback
- - - rear 50' setback
- - - 200' residential setback
- - - proposed 50' setback
- Wetlands (Gove, 2005)

**Exhibit 4A**

**150 Greenleaf Avenue – Acquisition Plan**

Map prepared by Portsmouth Department of Public Works Updated 8-11-2016

0 20 40 80 Feet



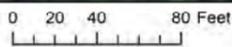
**Remaining Parcel  
Area: 400,077 sqft**

**Proposed Acquisition  
Area: 200,333 sqft**

- Legend**
- Sewer Pipe
  - - - front 30' setback
  - - - rear 50' setback
  - - - 200' residential setback
  - - - proposed 50' setback
  - ▨ Wetlands (Gove, 2005)

**Exhibit 4B**

**150 Greenleaf Avenue – Acquisition Plan**





# CITY OF PORTSMOUTH

Community Development Department  
(603) 610-7232

Planning Department  
(603) 610-7216

August 11, 2016

Brian C. Underwood, CRE  
B.C. Underwood LLC  
P.O. Box 88  
Rye Beach, NH 03871

RE: 150 Greenleaf Avenue

Dear Mr. Underwood:

A typographical error has been discovered on several of the exhibits that were attached to my letter of July 28, 2016, regarding the above property. Exhibits 2A through 4B showed a "Proposed Acquisition Area" of 200,033 sq. ft., but the area calculated by the City's GIS mapping is actually 200,333 sq. ft. The difference of 300 sq. ft. represents 0.15% (0.0015) of the actual calculated area.

This error on the exhibits did not affect the analysis in my letter (which referenced areas in acres rather than in square feet), and is immaterial to my conclusions. Nevertheless, in order to minimize confusion, I have attached corrected copies of the six affected Exhibits, which should be substituted for the corresponding exhibits attached to my July 28 letter.

Sincerely,

Rick Taintor  
Planning Director

copy: Suzanne M. Woodland, Deputy City Attorney

Exhibits (updated 8-11-2016):

- 2A. Proposed acquisition
- 2B. Proposed acquisition with 2015 orthophoto
- 3A. Proposed acquisition with wetlands
- 3B. Proposed acquisition with wetlands and 2015 orthophoto
- 4A. Proposed acquisition with wetlands and existing and proposed zoning setbacks
- 4B. Proposed acquisition with wetlands, existing and proposed zoning setbacks, and 2015 orthophoto