

Annette Roylos

By Michael Roylos as Executor of Estate

25 Sims Avenue Portsmouth, NH 03801

1/14/2025

Portsmouth Planning Department City Hall -1 Junkins Avenue Portsmouth, NH 03801

RE: Request for Involuntary Merger Reversal - 25 Sims Avenue, Portsmouth, NH 03801

Dear Planning Board Members:

I am writing pursuant to NH RSA 674:39-aa to request the restoration of our previously and involuntarily merged lots to their premerger status as Executor of the property located at 25 Sims Avenue in Portsmouth, New Hampshire, identified as Tax Map 233, Lot 71.

These lots were involuntarily merged by municipal action without the consent of the previous owner. Based on our research and property records, this involuntary merger occurred after the 12/01/81 Property Assessment Record which is attached. The property originally comprised 3 separate lots as evidenced by the attached documentation.

In accordance with RSA 674:39-aa, we are submitting the following documentation to support this request:

1. Current deed showing our ownership
2. Chain of title documentation
3. Historical tax records showing the involuntary merger timeline
4. Original subdivision plans/surveys
5. Current plot plan showing existing conditions
6. Tax cards showing lot history

We affirm that:

- These lots were involuntarily merged prior to September 18, 2010
- No owner of the lots took any action to voluntarily merge these lots
- The merger was conducted by the municipality for tax/assessment purposes without owner consent

We understand that upon approval, we will need to record the restoration at the Rockingham County Registry of Deeds. Please contact us if any additional information is needed to process this request.

Thank you for your attention to this matter.

Sincerely,

Michael Roylos

Phone: 207-432-4492 Email: Mike@qrpucks.com

Attachments:

1. Certificate of Appointment for Michael Roylos
2. Death Certificate for Annette Roylos
3. Tax Map 233
4. 25 Sims Ave Current Tax Valuation
5. Historical Property Residential Record Cards 1973-2017 Showing merged properties
6. Historical Property Assessment Records of Lots 42,43,44
7. Historical Property Assessment Records of Lot 71 Showing 2 lots- 1981
8. Copy of 1918 Daniels Park Map showing lots 44,43,42
9. Copy of Deed conveying lots 42 & 43 on 5/17/1962
10. Copy of Deed conveying lot 44 on 5/15/1965

From: [Kimberli Kienia](#)
To: [Kimberli Kienia](#)
Subject: FW: 25 Sims Ave
Date: Wednesday, March 12, 2025 11:02:06 AM

-----Original Message-----

From: QR Pucks.com <mike@qrpucks.com>
Sent: Tuesday, March 11, 2025 5:48 PM
To: Peter M. Stith <pmstith@portsmouthnh.gov>
Cc: Rosann Maurice - Lentz <rlentz@portsmouthnh.gov>
Subject: Re: 25 Sims Ave

You don't often get email from mike@qrpucks.com. Learn why this is important
<<https://aka.ms/LearnAboutSenderIdentification>>

Hi Peter, Thanks again for your help with this. I trust this will clarify the request.

Annette Roylos 2/11/2025
By Michael Roylos as Executor of Estate

25 Sims Avenue Portsmouth, NH 03801

Portsmouth Planning Department City Hall -1 Junkins Avenue Portsmouth, NH 03801

RE: Updated Request for Involuntary Merger Reversal - 25 Sims Avenue, Portsmouth, NH 03801

Dear Planning Board Members:

I am updating my previous request pursuant to NH RSA 674:39-aa and clarifying the restoration of the property located at 25 Sims Avenue in Portsmouth, New Hampshire, identified as Tax Map 233, Lot 71 as discussed.

I am seeking to unmerge lot 44 only. Lots 42 and 43 were deemed merged when the dwelling was built straddling the lot line but lot 44 was purchased two years later and merged involuntarily.

Based on our research and property records, this involuntary merger occurred after the 12/01/81 Property Assessment Record which is attached .In accordance with RSA 674:39-aa, I have previously submitted the following documentation to support this request:

1. Current deed showing ownership
2. Chain of title documentation
3. Historical tax records showing the involuntary merger timeline
4. Original subdivision plans/surveys
5. Current plot plan showing existing conditions
6. Tax cards showing lot history
7. We affirm that:

- * These lots were involuntarily merged prior to September 18, 2010
- * No owner of the lots took any action to voluntarily merge these lots
- * The merger was conducted by the municipality for tax/assessment purposes without owner consent
- * I understand that upon approval, I will need to record the restoration at the Rockingham County Registry of Deeds. Please contact me if any additional information is needed to process this request.

Thank you for your attention to this matter.

Sincerely,

Michael Roylos

Phone: 207-432-4492 Email: Mike@qrpucks.com <<mailto:Mike@qrpucks.com>>

<<https://mailtrack.io/trace/mail/538a76e1376ea46fa63923f896d75d4d2fd50dd2.png?u=8924516>>

On Tue, Mar 11, 2025 at 11:26 AM QR Pucks.com <mike@qrpucks.com <<mailto:mike@qrpucks.com>>> wrote:

Hi Peter,

I will have a supplement to your email address by Wednesday morning.
Thanks very much for your help and swift guidance on this.
It's greatly appreciated.

Mike

On Tue, Mar 11, 2025, 11:13 AM Peter M. Stith <pmstith@portsmouthnh.gov <<mailto:pmstith@portsmouthnh.gov>>> wrote:

Mike,

Attached is your cover letter. If you can provide a supplemental letter clarifying your intent, I can include it in the Planning Board packet.

Thank you,

Peter Stith, AICP
Planning Manager
Planning & Sustainability Department
City of Portsmouth
1 Junkins Avenue
Portsmouth, NH 03801
603.610.4188
www.portsmouthnh.gov <<https://mailtrack.io/1/59546d2432991072810c8d152158dd583827b2a7?url=http%3A%2F%2Fwww.portsmouthnh.gov&u=8924516&signature=f6681601cca00158>>

-----Original Message-----

From: QR Pucks.com <mike@qrpucks.com <<mailto:mike@qrpucks.com>>>
Sent: Tuesday, March 11, 2025 11:04 AM
To: Peter M. Stith <pmstith@portsmouthnh.gov <<mailto:pmstith@portsmouthnh.gov>>>
Cc: Rosann Maurice - Lentz <rlentz@portsmouthnh.gov <<mailto:rlentz@portsmouthnh.gov>>>
Subject: 25 Sims Ave

You don't often get email from mike@qrpucks.com <<mailto:mike@qrpucks.com>> . Learn why this is important <<https://aka.ms/LearnAboutSenderIdentification>>>

Hi Peter,

[Rosann suggested I get in touch with you so I can move this forward.Do you need another letter asking for the unmerging of just Lot 44?](#)

[For some reason, I can't find my original letter for this property.](#)

[Could you forward it to me or a link where I can find it?](#)

[Thanks very much,](#)

[Mike](#)

[Notice: Email Address Change](#)

[Our email domain has changed. Please use @portsmouthnh.gov](#)
<<https://mailtrack.io/1/275a1184e169e68c5dc3884d8529312e0ee30aa4?url=http%3A%2F%2Fportsmouthnh.gov&u=8924516&signature=9c48558d00f4ab28>> instead of
@cityofportsmouth.com <<https://mailtrack.io/1/a529e8c7331cba780e9c5e7d91b835c35839e8cf?url=http%3A%2F%2Fcityofportsmouth.com&u=8924516&signature=90ef0c985aed46e2>> for future
communications. Thank you for your attention!

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT

10th Circuit - Probate Division - Brentwood
PO Box 789
Kingston NH 03848-0789

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<https://www.courts.nh.gov>

CERTIFICATE OF APPOINTMENT
(Letter of Appointment)

Case Name: Estate of Annette Roylos

Case Number: 318-2024-ET-00773

On June 27, 2024, the following person(s) was/were appointed to administer the estate of Annette Roylos. The named executor(s) accepted this responsibility.

Executor(s)

Michael R Roylos

18 Loraine Street
Portland ME 04103

Home: 2074324492

This document, when signed under seal, certifies that this appointment did occur as stated and remains in effect as dated below.

June 27, 2024

/s/ Kathleen E. Tripp
Clerk of Court
State of New Hampshire
Rockingham County



This electronic certification stamp meets the statutory requirement for certified or attested documents pursuant to Supplemental Rules of the Circuit Court of New Hampshire for Electronic Filing.

CERTIFICATION OF VITAL RECORD

State of New Hampshire

FILE # 2024004037

CERTIFICATE OF DEATH

FULL NAME OF DECEASED
DATE OF DEATH
TIME OF DEATH
DATE OF BIRTH
BIRTHPLACE
MOTHER'S/PARENT'S NAME
FATHER'S/PARENT'S NAME
PLACE OF DEATH
DOMESTIC STATUS
SPOUSE'S/PARTNER'S NAME PRIOR TO FIRST MARRIAGE/CIVIL UNION
SOCIAL SECURITY NUMBER
RESIDENCE
PLACE OF DISPOSITION
DATE OF DISPOSITION
MANNER OF DEATH
MARGINAL NOTES

ANNETTE ROYLOS
APPROX APRIL 04, 2024
UNKNOWN
JANUARY 27, 1925
PORTSMOUTH, NEW HAMPSHIRE
JENNY ROYLOS (STRATHIS)
CHRISTOS ROYLOS
PORTSMOUTH, NEW HAMPSHIRE
NEVER MARRIED/CIVIL UNION

AGE 99 YRS

SEX FEMALE

PORTSMOUTH, NEW HAMPSHIRE
SAGAMORE CEMETERY, PORTSMOUTH, NEW HAMPSHIRE
APRIL 19, 2024
NATURAL

FILE DATE APRIL 14, 2024

2



4130688

I HEREBY CERTIFY THIS IS A TRUE COPY ISSUED FROM THE OFFICIAL RECORDS ON FILE AT THIS OFFICE AND SHALL BE RECEIVED AS EVIDENCE WITH THE SAME EFFECT AS THE ORIGINAL.

ATTEST:

Kevin J. Barnaby

STATE/LOCAL REGISTRAR:

Kristin M. Kenniston
Kristin M. Kenniston, State Registrar

DATE ISSUED: April 15, 2024

STATE/CITY/TOWN OF:

PORTSMOUTH

This copy not valid without official vital record watermark, holographic seals, and displaying seal and signature of Registrar. It shall be unlawful for anyone to reproduce this certificate other than local or State Registrar.

VS-SP1

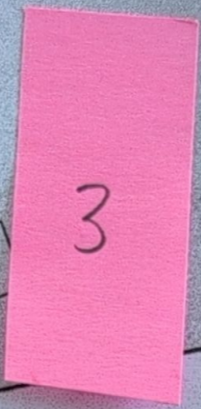


ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

Division 1918
David's Park

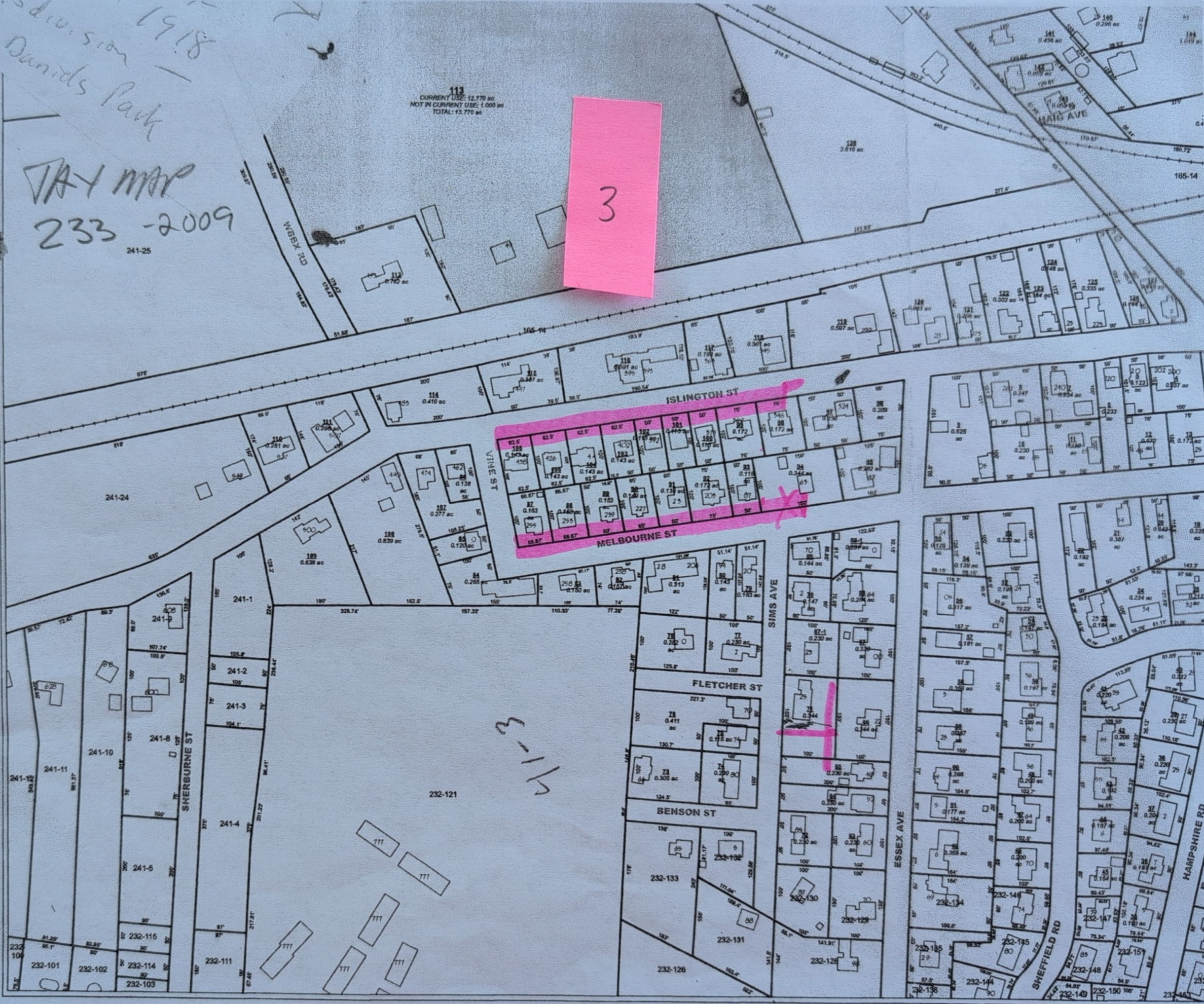
JAY MAP
233-2009

113
CURRENT USE: 12.770 ac
NOT IN CURRENT USE: 1.000 ac
TOTAL: 13.770 ac

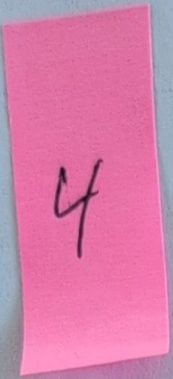


233-2009
214
2300
100
233

213



25 SIMS AVE



Location 25 SIMS AVE

Mblu 0233/ 0071/ 0000/ /

Acct# 30437

Owner ROYLOS SOPHIE C

PBN

Assessment \$652,900

Appraisal \$652,900

PID 30437

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2024	\$279,800	\$373,100	\$652,900

Assessment			
Valuation Year	Improvements	Land	Total
2024	\$279,800	\$373,100	\$652,900

Owner of Record

Owner ROYLOS SOPHIE C
Co-Owner ROYLOS ANNETTE
Address 18 LORAIN ST
PORTLAND, ME 04103

Sale Price \$0
Certificate
Book & Page 1589/0296
Sale Date 06/30/1961

Ownership History

Ownership History				
Owner	Sale Price	Certificate	Book & Page	Sale Date
ROYLOS SOPHIE C	\$0		1589/0296	06/30/1961

Building Information

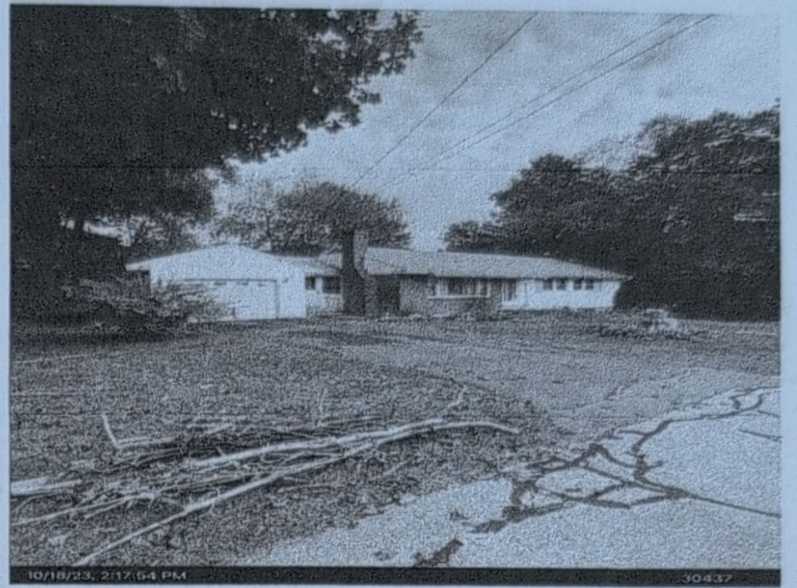
Building 1 : Section 1

Year Built: 1962
Living Area: 1,336
Replacement Cost: \$388,635
Building Percent Good: 72

Replacement Cost

Less Depreciation: \$279,800

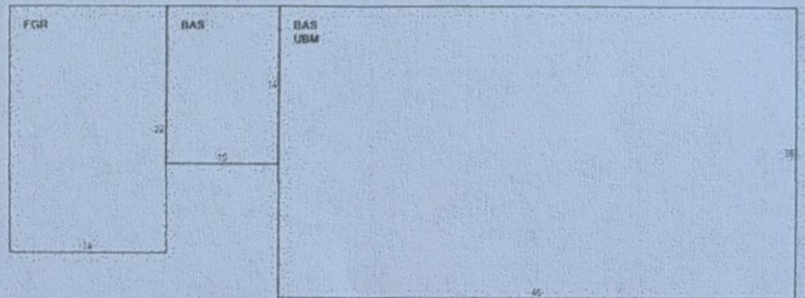
Building Photo



(https://images.vgsi.com/photos2/PortsmouthNHPhotos/\0042\30437_304)

Building Attributes	
Field	Description
Style:	Ranch
Model	Residential
Grade:	C+
Stories:	1
Occupancy	1
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	Brick/Masonry
Roof Structure:	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	1
Total Xtra Fixtrs:	0
Total Rooms:	7
Bath Style:	Avg Quality
Kitchen Style:	Avg Quality
Kitchen Gr	
WB Fireplaces	1
Extra Openings	0
Metal Fireplaces	0
Extra Openings 2	0
Bsmt Garage	

Building Layout



(ParcelSketch.ashx?pid=30437&bid=30437)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,336	1,336
FGR	Garage, Attached	308	0
UBM	Basement, Unfinished	1,196	0
		2,840	1,336

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1010
 Description SINGLE FAM MDL-01
 Zone SRB
 Neighborhood 123
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0.34
 Frontage
 Depth
 Assessed Value \$373,100
 Appraised Value \$373,100

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$177,900	\$232,200	\$410,100
2022	\$177,900	\$232,200	\$410,100
2021	\$177,900	\$232,200	\$410,100

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$177,900	\$232,200	\$410,100
2022	\$177,900	\$232,200	\$410,100
2021	\$177,900	\$232,200	\$410,100

To have and to hold the said granted premises, with all the privileges and appurtenances,

thereunto belonging, to Sophie C. Roylos and Annette Roylos..... the said grantees,

as joint tenants, with right of survivorship, the survivor of them, and his or her heirs and assigns, to their own use and behoof forever.

for ourselves

And we the said grantors/and for our heirs, executors and administrators, do hereby covenant, grant and agree, to and with the said grantees, the survivor of them, and his or her heirs and assigns, that until the delivery hereof we are the lawful owners of the said premises, we are seized and possessed thereof in our own right in fee simple; and have full power and lawful authority to grant and convey the same in manner aforesaid; that the said premises are free and clear from all and every incumbrance whatsoever;

and that we and our heirs, executors and administrators, shall and will warrant and defend the same to the said grantees, the survivor of them, and his or her heirs and assigns, against the lawful claims and demands of any person or persons whomsoever.

Handwritten initials or signature.

And ~~we~~ We, Frederick J. and Glenna A. Brown, being husband and wife ~~of the said~~

for the consideration aforesaid, do hereby release to the said grantees, ~~my~~ all our respective CURTESY and ~~rights of~~ **dower** in the before mentioned premises.

And we do each of us hereby release all rights of **homestead** secured to us, or either of us under and by virtue of any law of the State of New Hampshire and all other rights and interest therein.

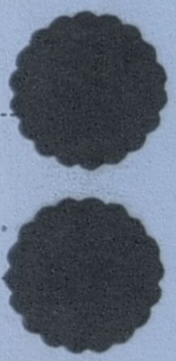
In witness whereof We have hereunto set our hands and seals, this sixteenth day of October in the year of our Lord 19 62.

Signed, sealed and delivered in presence of

Charles J. [Signature]

Frederick J. Brown

Glenna A. Brown



The State of

New Hampshire

Rockingham, NH

October 16th

A.D. 19 62

Personally appeared the above named Frederick J. Brown and Glenna A. Brown and acknowledged the foregoing to be their voluntary act and deed — Before me:

Charles J. [Signature]
Notary Public — Justice of the Peace

Rec'd & recorded Oct. 17, 10:40 A.M., 1962.

PROPERTY ASSESSMENT RECORD, — CITY OF PORTSMOUTH, N. H.

✓

PLAN	LOT	RECORD OF OWNERSHIP	DATE OF TRANSFER	SALE PRICE IF KNOWN	ASSESSMENT RECORD
58	44				1951 LAND
ADDRESS					1951 BLDGS.
DESCRIPTION					1951 TOTAL EXEMPT
L SIMS AVE 50					1955 LAND
5,000 100					1955 BLDGS.
					1955 TOTAL 150
					1958 LAND
					1958 BLDGS.
					1958 TOTAL 200
					1959 LAND 250
					1959 BLDGS.
					1959 TOTAL 250
		Sophie C. & Annette Roylos	1766/84	5/15/65	1.10-S
		Raymond L. & Virginia Miller	1459/195	2/20/58	1.10-S
		Henry J. Robbins	1369/425	9/23/55	151.00
		City of Portsmouth	917/405	6/4/36	

6

RURAL PROPERTY

PROPERTY FACTORS				LAND VALUE COMPUTATIONS AND SUMMARY				OWNERS PREVIOUS TO 1951		
TOPOGRAPHY	LEVEL	ROLLING	LEDGE	CLASSIFICATION	NO OF ACRES	RATE	TOTAL	NAME	DATES	ASSESSMENTS
SOIL TYPE	LOAM	SAND	CLAY	TILLABLE						
LAND CLASS	GOOD	FAIR	POOR	PASTURE						
DRAINAGE	GOOD	FAIR	POOR	WOODED						
WATER SUPPLY	GOOD	FAIR	POOR	WASTE LAND						
FENCES	GOOD	FAIR	NONE	TOTAL ACREAGE						
ELECTRICITY	YES	NO		TOTAL VALUE LAND						
TELEPHONE	YES	NO		TOTAL VALUE BUILDINGS						
ROAD	PAVED	IMPR.	DIRT	TOTAL VALUE LAND & BUILDINGS						
REMARKS								Arthur F. Rand	1908	

URBAN PROPERTY

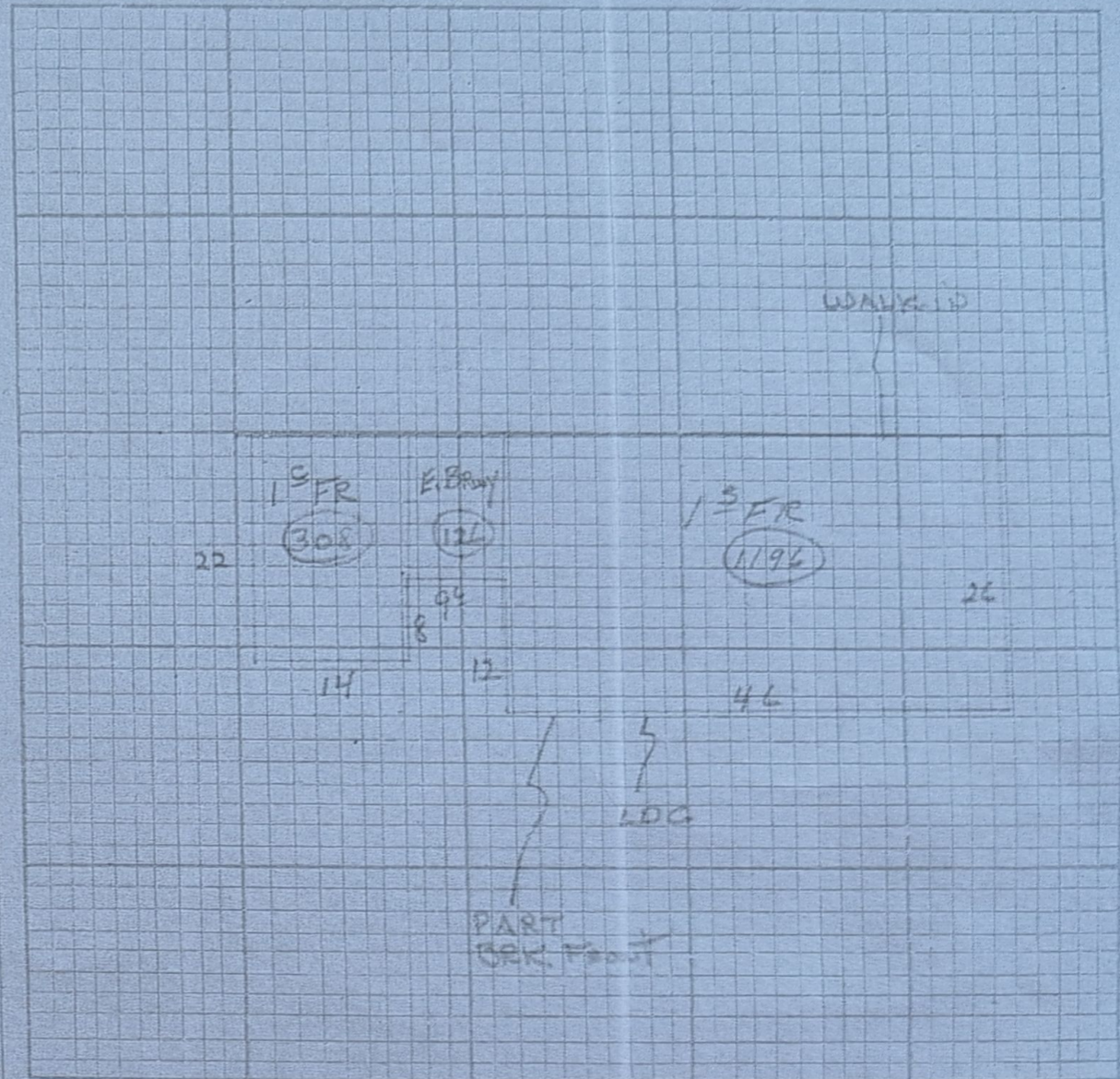
PROPERTY FACTORS			LAND VALUE COMPUTATIONS AND SUMMARY					
TOPOGRAPHY	IMPROVEMENTS		FRONTAGE	DEPTH	UNIT PRICE	DEPTH FACTOR	FRONT FT. PRICE	TOTAL
LEVEL	WATER							
HIGH	SEWER							
LOW	GAS							
ROLLING	ELECTRICITY							
SWAMPY	ALL UTILITIES							
	GARBAGE DISPOSAL							
STREET	TREND OF DISTRICT							
PAVED	IMPROVING							
SEMI-IMPROVED	STATIC							
DIRT	DECLINING							
SIDEWALK								
								250

RECORD OF BUILDINGS

CONSTRUCTION			
OCCUPANCY		FLOORS	
SINGLE FAMILY	<input checked="" type="checkbox"/>	B	1 2 3
TWO FAMILY		CEMENT	<input checked="" type="checkbox"/>
APARTMENT		EARTH	
STORE		PINE	<input checked="" type="checkbox"/>
THEATRE		HARDWOOD	<input checked="" type="checkbox"/>
HOTEL		Tile Brk	<input checked="" type="checkbox"/>
OFFICES			
WAREHOUSE		ATTIC FL. & STRS	
COMM. GARAGE			
GAS STATION			
INTERIOR FINISH			
		B	1 2 3
FOUNDATION		PINE	<input checked="" type="checkbox"/>
CONCRETE	<input checked="" type="checkbox"/>	HARDWOOD	
CONCRETE BLOCK		PLASTER	
BRICK OR STONE		UNFINISHED	<input checked="" type="checkbox"/>
PIERS		METAL CLG.	
CELLAR AREA FULL	<input checked="" type="checkbox"/>	RECREAT. ROOM	
NO CELLAR		FINISHED ATTIC	
		FIREPLACE <input checked="" type="checkbox"/>	
EXTERIOR WALLS			
CLAPBOARDS		HEATING	
WIDE SIDING		PIPELESS FURNACE	
DROP SIDING		HOT AIR FURNACE	
NO SHEATHING		FORCED AIR FURN.	
WOOD SHINGLES	<input checked="" type="checkbox"/>	STEAM	
ASBES. SHINGLES		HOT WAT. OR VAPOR <input checked="" type="checkbox"/>	
STUCCO ON FRAME		NO HEATING	
STUCCO ON TILE			
BRICK VENEER	<input checked="" type="checkbox"/>	GAS BURNER	
BRICK ON TILE		OIL BURNER <input checked="" type="checkbox"/>	
SOLID BRICK		STOKER	
STONE VENEER		PLUMBING	
CONC. OR CIND. BL.		BATHROOM <input checked="" type="checkbox"/>	
TERRA COTTA		TOILET ROOM	
VITROLITE		WATER CLOSET	
PLATE GLASS		KITCHEN SINK	
INSULATION	<input checked="" type="checkbox"/>	STD. WAT. HEAT	
WEATHERSTRIP		AUTO. WAT. HEAT	
		ELECT. WAT. SYST.	
		LAUNDRY TUBS	
		NO PLUMBING	
ROOFING			
ASPH. SHINGLES	<input checked="" type="checkbox"/>	TILING	
WOOD SHINGLES		BATH FL. & WCOT. <input checked="" type="checkbox"/>	
ASBES. SHINGLES		TOILET FL. & WCOT.	
SLATE		LIGHTING	
TILE		ELECTRIC	
METAL		NO LIGHTING	
COMPOSITION		NO. OF ROOMS	
ROLL ROOFING		BSMT. 2ND. 3RD.	
INSULATION	<input checked="" type="checkbox"/>	1ST. 6 3RD.	

NOTES—SPECIAL EQUIPMENT

COMPUTATIONS			
UNIT	S.F.	@	1951
1ST	5 F	@	
2ND	5 F	@	
	5 F	@	
ADDITIONS			
BASEMENT			
WALLS			
ROOF			
FLOORS			
ATTIC			
FINISH			
FIREPLACE			
HEATING			
PLUMBING			
TILING			
TOTAL			
FACTOR			
REPL. VAL.			



SUMMARY OF BUILDINGS

OCCUPANCY	TYPE	GRADE	AGE	DATE REMOD.	COND.	REPL. VAL.	PHYS. DEPR.	PHYS. VALUE	FUNCT. DEPR.	SOUND VALUE
	1.5 FR. Row 11 & Attached Gar. & Blury		63							6500
DATE LISTED	MEAS.	AREA	PRICED	19	TOTAL VALUE BUILDINGS					
				19	TOTAL VALUE BUILDINGS					

GRADE DENOTES QUALITY OF CONSTRUCTION:— A—EXCELLENT; B—GOOD; C—AVERAGE; D—CHEAP; E—VERY CHEAP

PROPERTY OWNER: ROYLOS/SOPHIE C, ROYLOS/ANNETTE, 25 SIMS AVE, PORTSMOUTH NH 03801

PROPERTY LOCATION: 25 SIMS AVE, CITY OF PORTSMOUTH N.H., JOHN B. PETTY CAE, ASSESSOR

SIDE: E

LOCATION CODE: / / / /

PLAN LOT: 058 043, R33 071

TYPE: RESD, PROJECT: 31001, CONTROL NO: 1907058004300, CARD: 1 OF 1

REMARKS-1
ALSO INCLUDES LOTS 42 & 44

RECORD OF TRANSFER	DATE	BOOK	PAGE	AMOUNT	MORTGAGE
1 WOODS/BERNARD F	70661	1589	296		
2					
3					
4					
5					
6					
7					

LAND FACTORS			LAND IMPROVEMENTS			SUMMARY	
TOPOGRAPHY-1 LEVEL	LOCATION DRAINAGE	GOOD				19 72	APPRAISED
IMPROVEMTS-1 C WATER	ZONING	GOOD				LAND	5480
-2 SEWER	NEIGHBORHOOD	02				BLDGS	22706
-3 ELEC	SOIL-1	STATIC				TOTAL	28186
	-2	SANDY					
STREET/RD-1 IMPROVE		LOAM	VALUE	EQ	ASSESSMENT	19	ASSESSED
						LAND	5500
						BLDGS	22700
						TOTAL	28200

ACREAGE COMPUTATION									
TYPE	ACRES	PRICE	TOTAL	DEPR	VALUE	EQ	ASSESSMENT		
1 H-LOT 54 A	.290	10000	5400		5400	100	5400	19	LAND
2 REAR 2	.040	2000	80		80	100	100	BLDGS	
3								TOTAL	
4								19	LAND
5								BLDGS	
6								TOTAL	
		.330	ACREAGE TOTAL		5480	100	5500	19	LAND
								BLDGS	
								TOTAL	

LOT COMPUTATION														
FRONT	REAR	FRONTAGE	DEPTH	STREET PRICE	DEPTH %	ADJ FR PR	TOTAL	DEPRECIATION	CORNER	VALUE	EQ	ASSESSMENT		
1													19	LAND
2													BLDGS	
3													TOTAL	
4													19	LAND
														BLDGS
														TOTAL

										LOT TOTAL				19	LAND
										LAND TOTAL	5480	100	5500	BLDGS	
														TOTAL	

DANIELS PARK

Portsmouth, N.H.

Belmont Realty Co.
Providence, R.I.

June 1918.

C.A. Thayer Engr.

Scale 60' = 1".

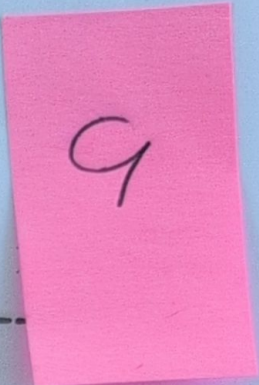
8

Plan # 0241



Know all men by these presents

that We, Frederick J. Brown and Glenna A. Brown both of Greenland, County of Rockingham, and State of New Hampshire,



for and in consideration of the sum of -----One Dollar-----

to ^{us} in hand, before the delivery hereof, well and truly paid by Sophie C. Roylos and Annette Roylos both of Portsmouth, County of Rockingham, and State of New Hampshire,

the receipt whereof ~~we~~ do hereby acknowledge, have given, granted, bargained, sold, and by these presents do give, grant, bargain, sell, alien, enfeoff, convey and confirm unto the said Sophie C. Roylos and Annette Roylos

as joint tenants, with right of survivorship, the survivor of them, and his or her heirs and assigns forever.

Being lots numbered 42 and 43, with the buildings thereon, on a plan of Daniels' Park made by C. A. Thayer, C. E., dated June, 1918 and recorded in Rockingham County Registry of Deeds, Book of Plans No. 1, Page 166, in which reference may be made for a more particular description.

Being the same premises which we acquired by Warranty Deed of Sophie C. Roylos and Annette Roylos, dated May 17, 1962, recorded in Rockingham County Registry of Deeds, Book 1627, Page 74.



Know all men by these presents

THAT, We, Raymond L. Miller and Virginia D. Miller both

of Portsmouth, Rockingham County, State of New Hampshire, for consideration paid, grant to Sophie C. Roylos and Annette Roylos both

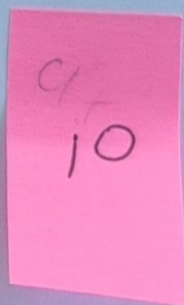
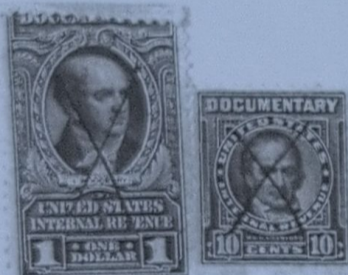
of Portsmouth, Rockingham County, State of New Hampshire, as joint tenants, with rights of survivorship/ and not as tenants in common, with WARRANTY COVENANTS,

A certain tract of land, situate on the northeasterly side of Simes Avenue in Portsmouth, County of Rockingham, and State of New Hampshire, more particularly bounded and described as follows:

Beginning at a point on the southwesterly side of Simes Avenue at the westerly corner of land now or formerly of Warren O. Teague, etal; thence in a general northwesterly direction by Simes Avenue, fifty (50) feet to land now or formerly of Bernard F. Woods; thence in a general northeasterly direction by land of Woods, one hundred (100) feet to a point at land now or formerly of Michael Zymaris, etal; thence turning and running in a general southeasterly direction by land of Michael Zymaris, fifty (50) feet, more or less, to a point at land now or formerly of said Teague; thence turning and running in a general southwesterly direction by land of said Teague, one hundred (100) feet, more or less, to the point of beginning.

Said tract of land is otherwise identified as Lot #14 on Plan 58 of the Portsmouth City Assessor's Plans.

Being the same premises which we acquired by Warranty Deed of Henry J. Robbins, dated February 17, 1958, recorded in Rockingham County Registry of Deeds, Book 1459, Page 195.



We, Raymond L. and Virginia D. Miller, being husband and wife, ~~wife~~ ~~and said Grantor~~ ~~her share~~ our respective dower and homestead and other interest therein.

WITNESS our hands and seals this 15 day of May, 19 65

Witness: *Carole J. Bryan (Notary)*

Raymond L. Miller
Virginia D. Miller



The State of New Hampshire

Rockingham, ss.

May 15 19 65

Then personally appeared the above named Raymond L. Miller and Virginia D. Miller and acknowledged the foregoing instrument to be their voluntary act and deed, before me

REC'D & RECORDED MAY 17 1965 9:38 AM


Carole J. Bryan
Notary Public - Justice of the Peace.



CITY OF PORTSMOUTH

Assessors Office

Municipal Complex
1 Junkins Avenue
Portsmouth, New Hampshire 03801
Tel: (603) 610-7249 – Fax: (603) 427-1579

To: Rick Chellman, Chair Planning Board
Cc: Karen S. Conard, City Manager
From: Rosann Lentz, City Assessor 
Date: March 10, 2025
RE: City Council Referral- Request of Restoration of Involuntarily Merged Lots to pre-merger status at 25 Sims Ave

At its meeting on March 3, 2025, the City Council considered a request from Michael Roylos, Executor of the Estate of Annette Roylos, requesting the restoration of involuntarily merged lots located at 25 Sims Avenue to their pre-merger status pursuant to NH RSA 674:39-aa. These lots are represented as historical lot numbers 42, 43, and 44 on Tax Map 58. The Council voted to refer to the Planning Board and Assessor for a report back.

Description

Current assessment records identify 25 Sims Avenue as having .34 acres with a three-bedroom single family dwelling built around 1962 located on the parcel. Older assessment records dating back to the 50's identified the parcels as Tax Map 58 Lots 42, 43, and 44; these remained separately assessed until 1971. A map for reference purposes only identifies the three lots (see Attachment 1)

History

Deeds: Deeds were researched back to 1962 and 1965. Book 1646 page 245 dated October 17, 1962, identifies two lots; 42 and 43. Book 1766 page 84 dated May 15, 1966 identifies lot 44.

Property Assessment Records:

In 1972 the assessor merged all three lots and to date, these three lots have been assessed as one individual parcel now known as Tax Map 233 Lot 71 (see Attachment 2).

Historical Building Inspection and Planning Files: Typically, this office does research on historical permits and planning files for building permits, plot plans, surveys etc., showing the placement of dwellings and any conditions needing to be met for permitting and zoning approvals over the years. No historical research could be completed as no files exist for 25 Sims Avenue.

Map Geo 2020 Ariel

When viewing the ariel photo on the City Website through Map Geo, it is clear the dwelling is situated on the property line of lots 42 and 43. Lot 44 appears to have no structures (see Attachment 3).

Court Decisions

Upon review of various New Hampshire court decisions concerning the denial of restorations of lots, the courts have held that the conveyance of multiple lots in a single deed does not, standing alone, support a voluntary merger *Roberts v. Town of Windham*, 165 N.H. 186,192 (2013).

Additionally, court decisions also looked at the use of the property in its entirety by reviewing a lots physical characteristics and the overt actions that occurred over time to the placement of buildings, driveways, outbuildings etc. These decisions, citing totality of changes, can reasonably support that lots by predecessors or current owners were voluntarily merged when facts show the primary and accessory buildings, access, etc. work as a unit. *Robillard v. Town of Hudson*, 120 N.H. 477,416 (1980); *Town of Newbury v. Landrigan*, 165 N.H.236,241 (201); and *Roberts v. Town of Windham*, 165 N.H. 186 (2013).

Summary

No written request for a voluntary merger was found and upon review of lots 42 and 43 from the Map Geo 2024 ariel (Attachment 2), it is a reasonable conclusion these lots were merged overtly when looking at the use of the property and the building straddling the lot line.

Lot 44 was purchased sometime after the construction of the dwelling and no apparent overt actions have been taken to suggest the three lots support the use of the property in its entirety.

Based upon the request of Mr. Roylos that all three lots be unmerged to their pre-merger status, it is recommended this request be denied.

Attachments:

Attachment 1



Property Information

Property ID 0233-0071-0000
Location 25 SIMS AVE
Owner ROYLOS SOPHIE C



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

City of Portsmouth, NH makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.


Geometry updated 09/26/2024

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Attachment 2



Property Information	
Property ID	0233-0071-0000
Location	25 SIMS AVE
Owner	ROYLOS SOPHIE C



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

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Geometry updated 09/26/2024

Print map scale is approximate. Critical layout or measurement activities should not be done using this resource.

Attachment 3



Property Information
Property ID 0233-0071-0000
Location 25 SIMS AVE
Owner ROYLOS SOPHIE C



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

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Geometry updated 09/26/2024

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CITY OF PORTSMOUTH

Assessors Office

Municipal Complex
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Tel: (603) 610-7249 – Fax: (603) 427-1579

To: Rick Chellman, Chair Planning Board
Cc: Karen S. Conard, City Manager
From: Rosann Lentz, City Assessor
Date: March 12, 2025
RE: City Council Referral- Request of Restoration of Involuntarily Merged Lots to pre-merger status at 25 Sims Ave – **Amendment**

On March 12, 2025, Michael Roylos as Executor for the Estate of Annette Roylos, amended his request to unmerge lot 44 only.

Lots 42 & 43

Due to the placement of the single-family dwelling straddling Lots 42 and 43, the use of these lots would not qualify them to be restored to their pre-merger status.

Lot 44

Lot 44 was purchased two years after the construction of the dwelling. Case law looks at the use of the property and any overt actions that occurred over time to the placement of buildings, driveways, outbuildings, etc. Lot 44 appears to have had no overt taken actions over time causing this lot to be part of the use property in its entirety.

Recommendation

In reviewing RSA 674:39-aa and case law, it is recommended the request be approved to restore Lot 44 to its pre-merger status.