

First Merrimack Associates Ltd.

v.

Town of Merrimack

Docket No. 23495-07PT

DECISION

On May 7, 2009, the board issued an order placing the Taxpayer in default for not complying with earlier orders to file the “Report of Settlement Meeting and Order”. Having failed to respond to the May 7, 2009 order, the appeal is hereby dismissed.

A motion for reconsideration of this decision must be filed within thirty (30) days of the clerk’s date below, not the date this decision is received. RSA 541:3; Tax 201.37. The reconsideration motion must state with specificity all of the reasons supporting the request. RSA 541:4; Tax 201.37(b). A reconsideration motion is granted only if the moving party establishes the Board’s order was erroneous in fact or law. Filing a reconsideration motion is a prerequisite for appealing to the supreme court, and the grounds for appeal will be limited to those stated in the reconsideration motion. RSA 541:6.

SO ORDERED.

BOARD OF TAX AND LAND APPEALS

Paul B. Franklin, Chairman

Michele E. LeBrun, Member

Douglas S. Ricard, Member

CERTIFICATION

I hereby certify a copy of the foregoing Decision has this date been mailed this date, postage prepaid, to: Lauren J. Elliott, Joseph C. Sansone Co., 363 Great Road - Suite 210, Bedford, MA, 01730; Chairman, Board of Selectmen, Town of Merrimack, 6 Baboosic Lake Road, Merrimack, NH, 03054; and Brett S. Purvis & Associates, Inc., 3 High Street, 2A, PO Box 767, Sanbornville, NH, 03872, Contracted Assessing Firm.

Date: 5/27/09

Melanie Ekstrom, Deputy Clerk