



*Victoria F. Sheehan*  
Commissioner

**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



*William Cass, P.E.*  
Assistant Commissioner

His Excellency, Governor Christopher T. Sununu  
and the Honorable Council  
State House  
Concord, New Hampshire 03301

Bureau of Right-of-Way  
July 6, 2020

**REQUESTED ACTION**

Pursuant to RSA 4:39-c and 228:31, authorize the New Hampshire Department of Transportation (Department) to sell 1.8 +/- acres of State owned land on the westerly side of Interstate 89 in the Town of Warner. The sale would be directly to the Town of Warner (the "Grantee") for \$3,600.00 which includes a \$1,100.00 Administrative Fee, effective upon Governor and Executive Council Approval.

The Department's Bureau of Finance and Contracts has determined the parcel was originally purchased with 90% Federal Funds and 10% Highway Funds.

Funding is to be credited as follows:

04-096-096-960015-0000-UUU-402156 Administrative Fee	<u>FY 2021</u> \$1,100.00
04-096-096-960015-0000-UUU-409279 Sale of Parcel (10% of \$2,500.00)	<u>FY 2021</u> \$250.00
04-096-096-963515-3054-401771 Consolidated Federal Aid (90% of \$2,500.00)	<u>FY 2021</u> \$2,250.00

**EXPLANATION**

The Department received a request from the Grantee to acquire the 1.8 +/- acre of land on the westerly side of Interstate 89 in the Town of Warner. The intent of the Grantee is to use this land to construct a rail trail to connect into their existing trail system along NH Route 103. This area will also provide trail users a way to view wildlife on an adjacent 9 +/- acre parcel, currently being purchased from the State by the Town of Warner.

Pursuant to RSA 4:39-c, this sale has been reviewed by the Department and determined to be surplus to our operational needs and interests. The sale will include the following conditions:

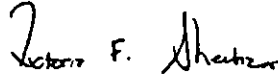
1. No access will be allowed to Interstate 89 from this parcel.

2. The Grantees, at their expense, will have a right of way adjustment plan prepared by a land surveyor licensed in the State of New Hampshire describing the land being sold. Approved plans require submission to the Department and recorded at the Merrimack County Registry of Deeds. The Department will use this plan to prepare the deed for the sale of this land.
3. The Grantee, at its expense, will construct a Bekaert Hinge Joint Field Fence, as well as install concrete bounds at boundary corners, installation by a New Hampshire-licensed land surveyor, and both projects in accordance with State specifications.
4. Prior to any excavation on the site, the Town of Warner shall complete a Phase 1A investigation to identify any areas of obvious disturbance and archaeological sensitivity.
5. Prior to any construction of a recreational trail or development of the site, the Town of Warner will coordinate with the New Hampshire Fish & Game Department, Nongame and Endangered Wildlife Program.

At the June 22, 2020 Long Range Capital Planning and Utilization Committee meeting, this request for sale to the Town of Warner was approved, the sale price being \$3,600.00, which includes an Administrative Fee of \$1,100.00.

The Department is respectfully requesting authorization for the sale of land on the westerly side of Interstate 89 as noted above.

Respectfully,



Victoria F. Sheehan  
Commissioner

VFS/SJN  
Attachments



LRCP 20-043

MICHAEL W. KANE, MPA  
Legislative Budget Assistant  
(603) 271-3161

CHRISTOPHER M. SHEA, MPA  
Deputy Legislative Budget Assistant  
(603) 271-3161

State of New Hampshire  
OFFICE OF LEGISLATIVE BUDGET ASSISTANT  
State House, Room 102  
Concord, New Hampshire 03301

STEPHEN C. SMITH, CPA  
Director, Audit Division  
(603) 271-2785

June 22, 2020

Stephen G. LaBonte, Administrator  
Department of Transportation  
Bureau of Right-of-Way  
John O. Morton Building  
Concord, New Hampshire 03301

Dear Mr. LaBonte,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on June 22, 2020, approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell 1.8 +/- acres of State owned land, located on the westerly side of Interstate 89 in the Town of Warner, to the Town of Warner for \$3,600, which includes a \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 22, 2020.

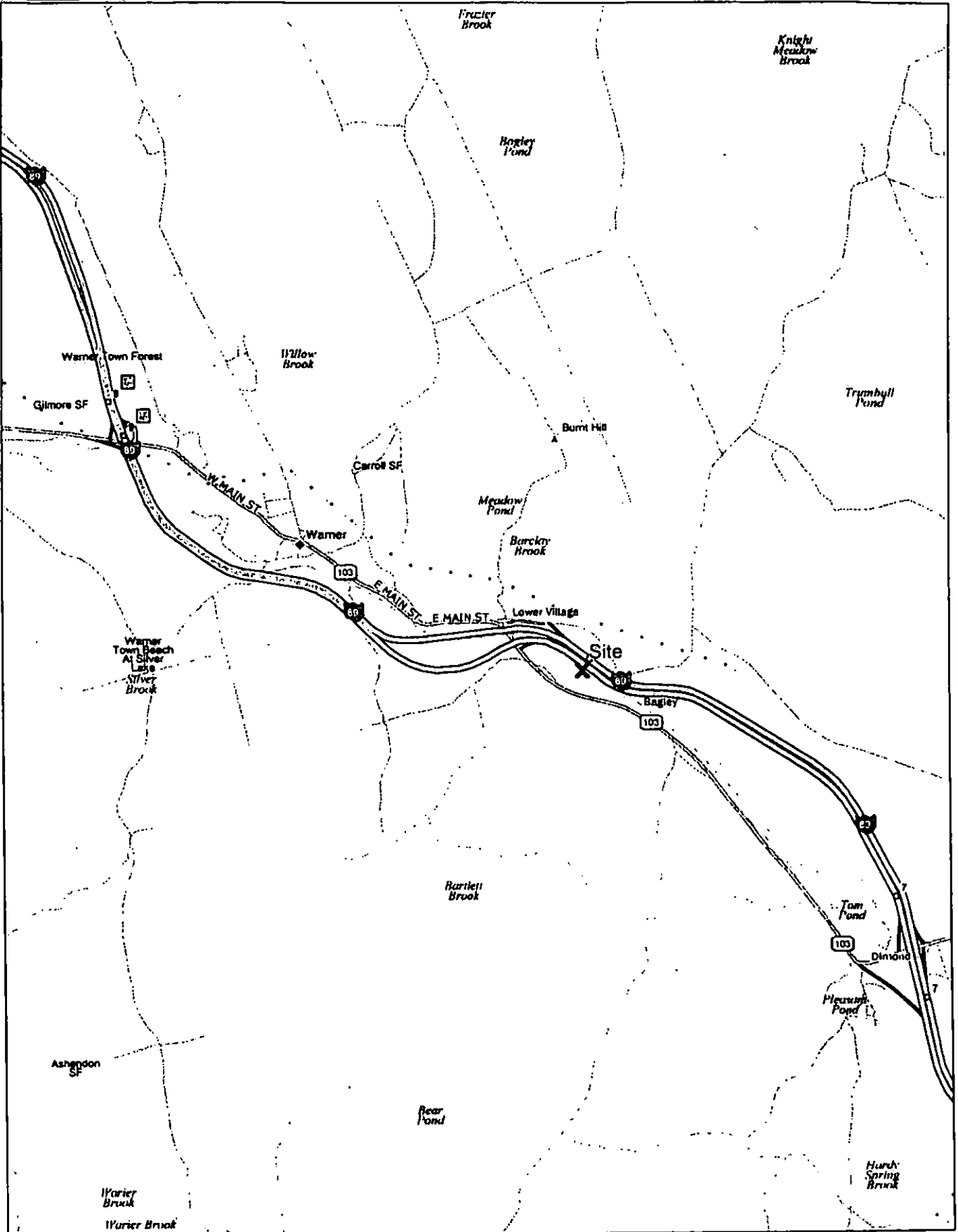
Sincerely,

*/s/ Michael W. Kane*

Michael W. Kane  
Legislative Budget Assistant

MWK/pc  
Attachment

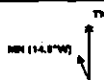
Cc: Adam Smith, Assistant Administrator  
Bureau of Right-of-Way



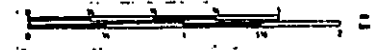
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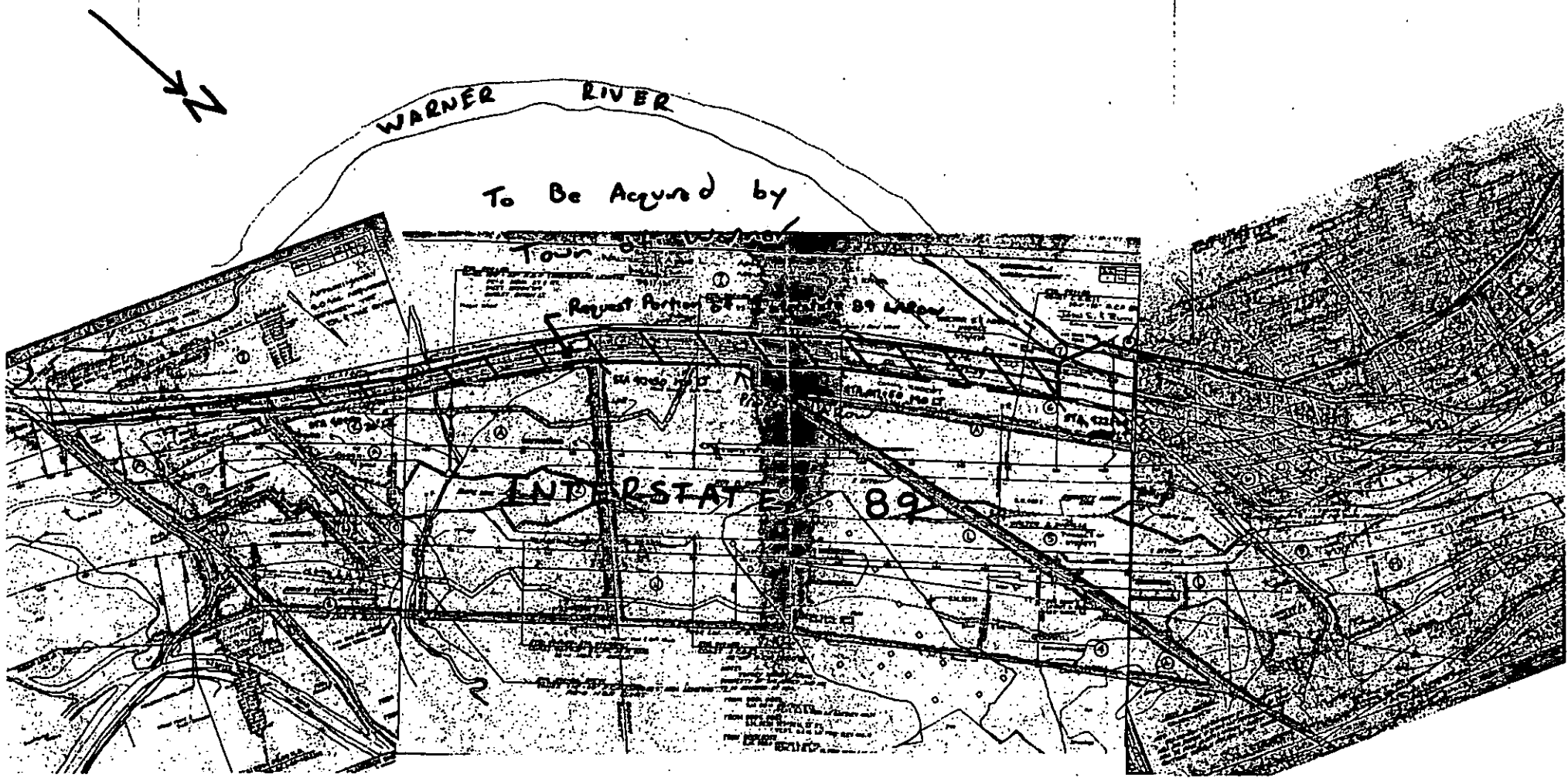


Scale 1 : 46,875



1" = 3,906.3 ft

Data Zoom 12-1



WARNER RIVER

To Be Acquired by

Town of Warner

Request Further Study of I-89 Alignment

INTERSTATE 89