



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



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Beale

CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

Bureau of Rail & Transit
June 25, 2014

Her Excellency, Governor Margaret Wood Hassan
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to RSA 4:40 and 228:67, authorize the Department of Transportation to sell a 0.12 +/- acre parcel of State owned land located on the Mountain Division Railroad corridor in the Town of Bartlett to the Cabin Fever Properties, LLC for \$13,500 and a one-time administrative fee of \$1,100, effective upon Governor and Executive Council approval.

It has been determined by the Division of Finance that this parcel was originally purchased with 80% Federal Funds and 20% General Funds.

04-096-096-960015-0000-UUU-402156	<u>FY 2015</u>
Administrative Fee	\$1,100
04-096-096-960010-2991-403532	<u>FY 2015</u>
Railroad Property Sale	\$2,700
(20% of \$13,500)	
04-096-096-963515-3054-401771	<u>FY 2015</u>
Consolidated Federal Aid	\$10,800
(80% of \$13,500)	

EXPLANATION

The Department of Transportation, through the Bureau of Rail and Transit, received a request from Cabin Fever Properties LLC to purchase a 0.12-acre (5,232.5 square feet) parcel. Cabin Fever Properties owns a triangular parcel of land on US Route 302 in the Town of Bartlett. This parcel abuts the railroad property just east of a crossing of the highway and the railroad. The Maine Central Railroad, the previous owner of the Mountain Division Railroad Corridor, had tolerated minor encroachments into the railroad corridor constructed by predecessors in ownership of the Cabin Fever Properties. By selling this 0.12 acre parcel the encroachments will no longer be located on the Department owned Mountain Division Railroad Corridor property. The encroachments include a set of stairs to the second floor of a building owned by Cabin Fever Properties, LLC and a septic tank also owned by the LLC. The stairway is a safety feature of the building and this land sale will allow it to remain. The Bureau of Rail and

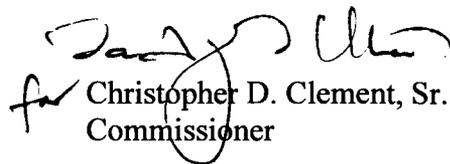
Transit has reviewed the location of the septic tank with Cabin Fever Property, LLC and are in agreement that it cannot be reasonably relocated due to the proximity of US Route 302.

The Department has reviewed this request and consulted with the current Railroad Operator operating on the Mountain Division Railroad Corridor and determined that selling this property will not interfere with its current or future use as a railroad corridor as the Department will still maintain a minimum 75-foot wide corridor at this location.

RSA 228:67 allows the Department to sell portions of a railroad corridor no longer needed by the State.

The Long Range Capital Planning and Utilization Committee approved the sale on April 21, 2014. Proceeds from the sale will be apportioned per the percentages of State (20%) and Federal Highway Transportation Enhancement Funds (80%) used to acquire the Mountain Division Railroad Corridor. In addition the Department will assess an additional Administrative Fee of \$1,100.00.

Sincerely,


for Christopher D. Clement, Sr.
Commissioner

Attachments



LRCP 14-009

JEFFRY A. PATTISON
Legislative Budget Assistant
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MICHAEL W. KANE, MPA
Deputy Legislative Budget Assistant
(603) 271-3181

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

RICHARD J. MAHONEY, CPA
Director, Audit Division
(603) 271-2785

RECEIVED

April 21, 2014

APR 23 2014

RAIL & TRANSIT

Michelle Winters, Administrator
Department of Transportation
Division of Aeronautics, Rail and Transit
John O. Morton Building
Concord, New Hampshire 03301

Dear Ms. Winters,

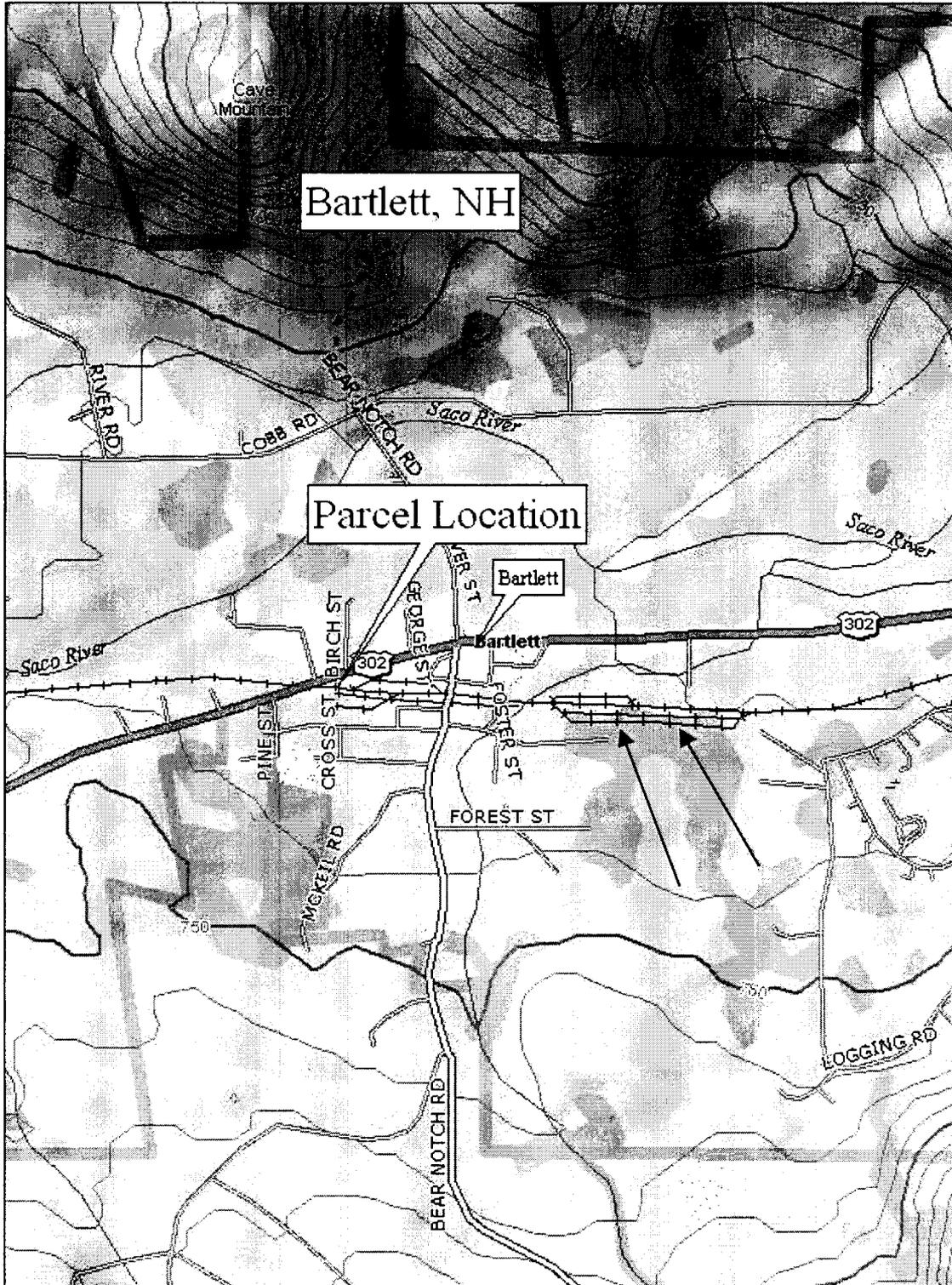
The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:40 and RSA 228:67, on April 21, 2014, approved the request from the Department of Transportation, Bureau of Rail and Transit, to sell approximately .12 acres (5,232.5 square feet) on the State-owned Mountain Division Railroad corridor in the Town of Bartlett to Cabin Fever Property LLC for a total of \$13,500, and assess an \$1,100 Administrative Fee, which includes a required \$500 deposit already submitted by Cabin Fever Property LLC, subject to the conditions as specified in the request dated March 18, 2014.

Sincerely,

Jeffrey A. Pattison
Legislative Budget Assistant

JAP/pe
Attachment

Cc: Louis Barker, Bureau of Rail and Transit ✓



Bartlett, NH

Parcel Location

Bartlett

Bartlett

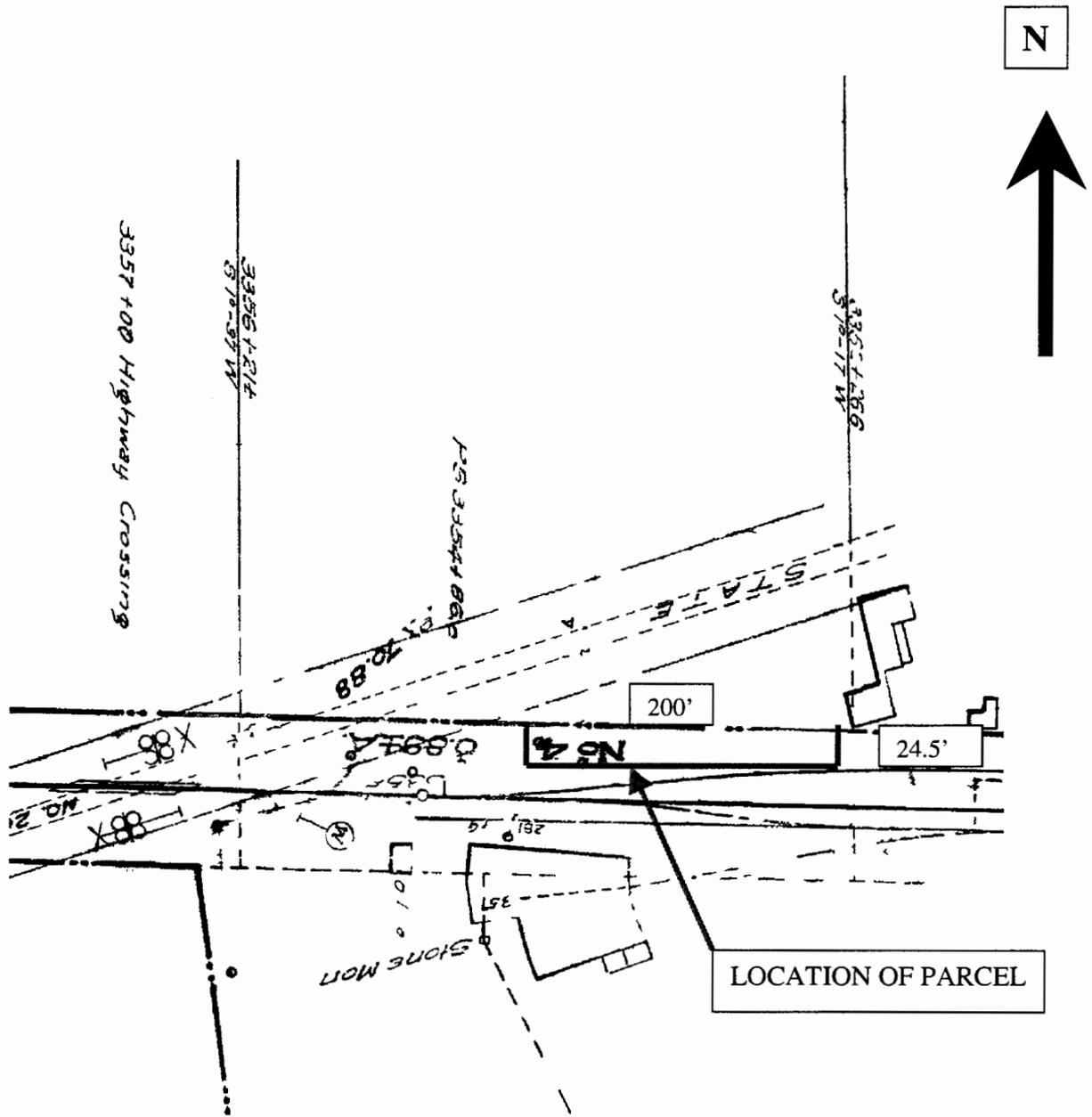
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Bartlett, NH
 Mountain Division Railroad Corridor
 Valuation Station 3352+50 to 3354+50 +/-
 Section V17/21