



Victoria F. Sheehan  
Commissioner

THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.  
Assistant Commissioner

19  
Beaulac

Bureau of Rail and Transit  
January 11, 2017

His Excellency, Governor Christopher T. Sununu  
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 7,330 square foot parcel of State-owned land located on the Northern Railroad Corridor in the Town of Danbury to Douglas Colby for one thousand and eight hundred (\$1,800) dollars and the 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 17</u>
Administrative Fee	\$1,100
04-096-096-960010-2991-403532	<u>FY 17</u>
Railroad Property Sale	\$ 360
(20% of \$1,800)	
04-096-096-963515-3054-401771	<u>FY 17</u>
Consolidated Federal Aid	\$1,440
(80% of \$1,800)	

**EXPLANATION**

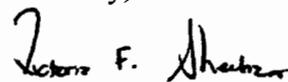
The Department of Transportation received an inquiry from a real estate agency regarding title to property that was being utilized by Dick's General Store in Danbury, NH. The parcel had been separated from the Northern Railroad by the construction of US Route 4 and until the request it was presumed that the subject parcel had been included in the right-of-way taking or sold by the previous owner of the railroad corridor to an abutter. However, both survey information supplied by the real estate agency and a review of the Department of Transportation Bureau of Rail & Transit files corroborated the parcel identified was railroad property owned by the State. The real estate agency subsequently requested that the abutter, the owner of Dick's General Store, be permitted to purchase the

7,330 square foot State-owned parcel that is subject to encroachments of the General Store including a 20'x30' barn style outbuilding, two small sections of the primary structure, a portion of a 12,000 gallon underground fuel storage tank and a gravel parking area. As the use of the parcel is integral to the General Store and is ancillary to the State's needs, the Department was amenable to the disposition. RSA 228:67 allows the Department to sell portions of a railroad corridor no longer needed by the State to political subdivisions of the State for public uses and if none want such properties, the Commissioner may sell them in accordance with RSA 4:40. The Town of Danbury expressed no interest, therefore the Department proposes to sell the parcel to Mr. Colby who has signed a Purchase and Sale Agreement for, and currently leases, Dick's General Store. The use of this parcel has not impacted the abandoned railroad corridor's current trail use and would not be necessary for future restoration of railroad service. A provision is included in the proposed sale relative to the current or former owner of the store holding the State harmless if contamination resulting from the General Store's fuel storage facility is discovered and requires mitigation.

The Long Range Capital Planning and Utilization Committee approved the sale on November 30, 2016.

Authorization is requested to sell the parcel of land as described to an abutter as outlined above.

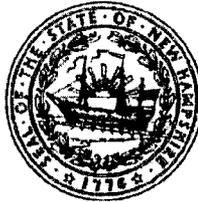
Sincerely,



Victoria F. Sheehan  
Commissioner

attachments

COLBY



RECEIVED

LRCP 16-038 2 2016

MICHAEL W. KANE, MPA  
Legislative Budget Assistant  
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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

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

December 1, 2016

Shelley Winters, Administrator  
Department of Transportation  
Bureau of Rail and Transit  
John O. Morton Building  
Concord, New Hampshire 03301

Dear Ms. Winters,

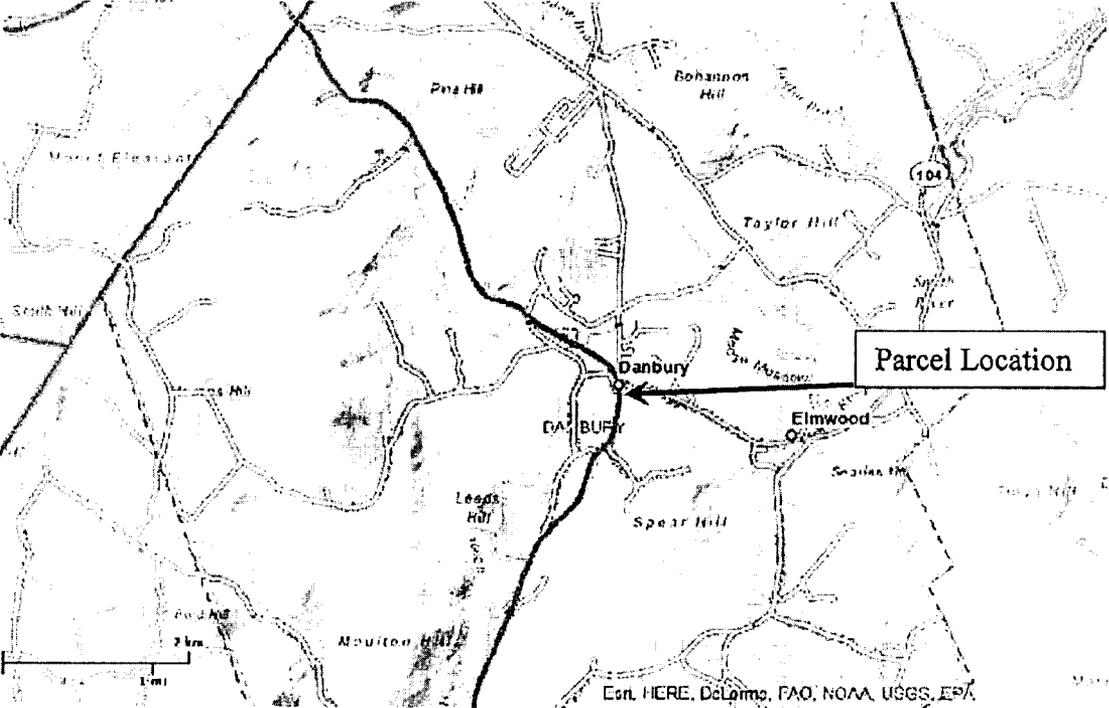
The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:40 and RSA 228:67, on November 30, 2016, approved the request of the Department of Transportation, Bureau of Rail and Transit, to sell an approximately .17 acre (7,330 square feet) parcel of the State-owned Northern Railroad corridor in the Town of Danbury to the current or future owner of Dick's General Store for a total of \$1,800, and assess an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated November 18, 2016.

Sincerely,

Michael W. Kane  
Legislative Budget Assistant

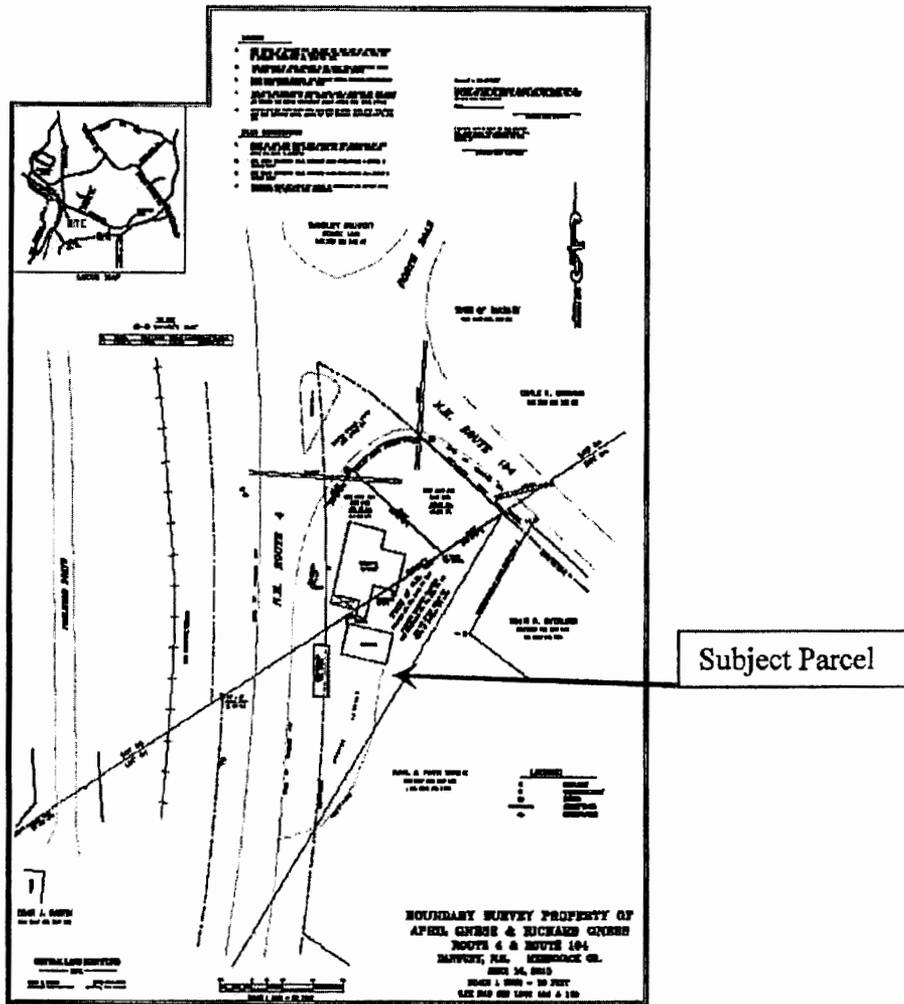
MWK/pe  
Attachment

Location Map – Site of proposed sale.  
Dick's General Store, Town of Danbury

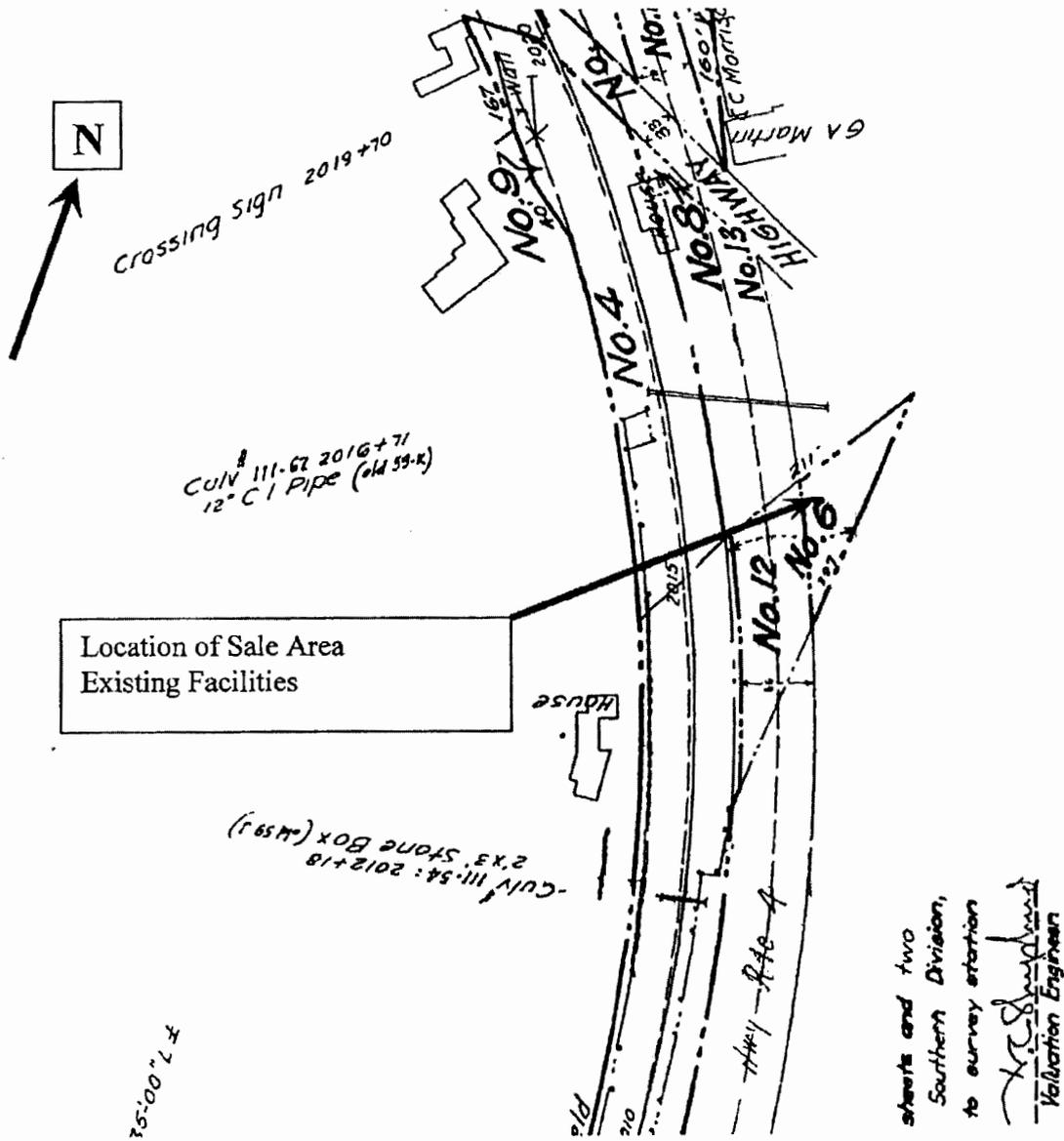


Intersection US Route 4 and NH Route 104

Survey of Abutting Property (Dick's General Store)  
 Including State-owned parcel separated from railroad corridor by US Route 4.



Valuation Station 2015+00 +/-  
 Section V32.1/39  
 Surplus Property Request – Dick's General Store  
 Danbury  
 Douglas Colby



sheet and two  
 Southern Division,  
 to survey station  
 XCS [unclear]  
 Valuation Engineer