



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



Victoria F. Sheehan
Commissioner

William Cass, P.E.
Assistant Commissioner

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

Bureau of Rail and Transit
March 18, 2019

REQUESTED ACTION

Pursuant to RSA 4:40 and 228:67 authorize the Department of Transportation to sell a 3,230 square foot parcel of State-owned land located on the Northern Railroad corridor in the Town of Enfield to James Kelleher for \$30,000.00 and the one-time administrative fee of \$1,100.00, 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. Sale income and the one-time administrative fee will be credited as follows:

Table with 2 columns: Description and Amount. Rows include Administrative Fee (\$1,100.00), Railroad Property Sale (\$6,000.00), and Consolidated Federal Aid (\$24,000.00).

EXPLANATION

The Department of Transportation received a request from James Kelleher, the owner of a small former railroad warehouse, to acquire a 3,230 square foot parcel of the State-owned railroad corridor on which this structure is currently located. Accordingly, the Department proposes to sell said parcel to Mr. Kelleher. The sale of this parcel will not impact the abandoned railroad corridor's current trail use or future rail restoration as there is a provision included in the proposed deed relative to the State retaining the right of first refusal if Mr. Kelleher were to sell the parcel.

The State's predecessor in title to the Northern Railroad Line sold the small warehouse located on this parcel to a third party, but did not sell the parcel. Concurrently, the Railroad Owner leased the parcel to the same third party and entered into a sidetrack agreement for rail access. The sidetrack was removed prior to the State's acquisition and the lease was assigned to the State. As part of the negotiations with Mr. Kelleher the lease was terminated and a Temporary Use Agreement entered into between Mr.

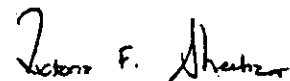
Kelleher and the State that allows for current utilization of the parcel to continue during the Surplus Property Process.

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 use and if none want such properties, the Commissioner may sell them in accordance with RSA 4:40. The Town of Enfield expressed no interest in the subject parcel therefore the Department proposes to sell this parcel to the Mr. James Kelleher.

The Long Range Capital Planning and Utilization Committee approved the sale on November 29, 2018. The purchase value of \$30,000.00 was determined by a fair market value appraisal done by the Department.

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

Sincerely,



Victoria F. Sheehan
Commissioner

Attachments



LRCP 18-038

MICHAEL W. KANE, MPA
Legislative Budget Assistant
(603) 271-3181

CHRISTOPHER M. SHEA, MPA
Deputy Legislative Budget Assistant
(603) 271-8181

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

November 30, 2018

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 29, 2018, approved the request of the Department of Transportation, Bureau of Rail and Transit, to sell an approximately 3,230 square foot parcel on the State-owned Northern Railroad Corridor in the Town of Enfield to James Kelleher for a total of \$30,000 and a one-time Administrative Fee of \$1,100, of which the Department is in receipt of \$500, subject to the conditions as specified in the request dated August 27, 2018.

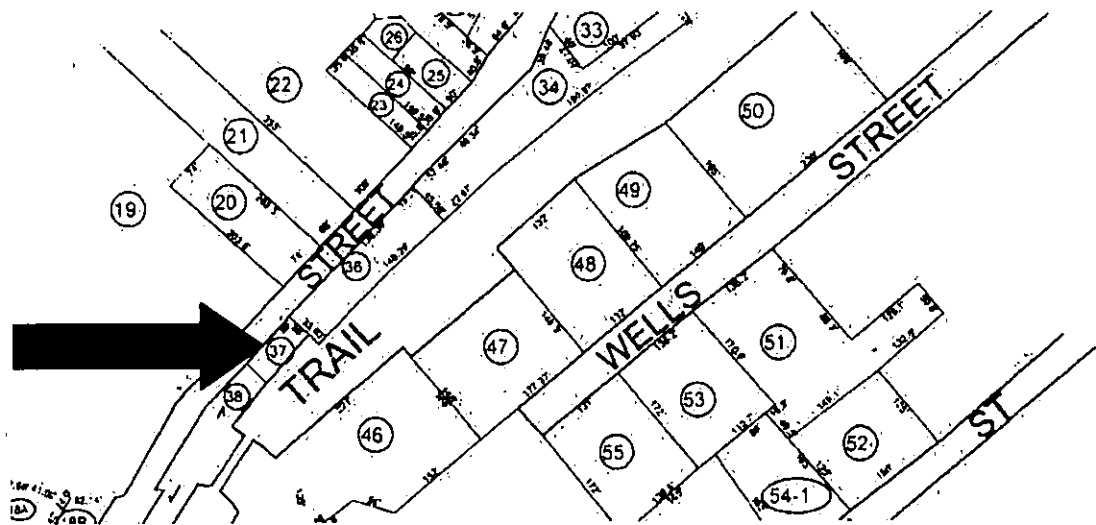
Sincerely,

Michael W. Kane
Legislative Budget Assistant

MWK/pe
Attachment

Cc: Louis Barker, Rail and Transit, Dept. of Transportation ✓

**4) Town of Enfield, Map 31, Lot 37
Location of Parcel**



Trail – State-owned Northern Railroad Corridor