

Memorandum of Understanding

On March 18, 2019 at 4:30 p.m., Vincent and Michelle Roscillo and Phil and Susan Lambert, hereinafter called the "Family", met with the Colebrook Selectboard and Town Manager, hereinafter called the "Town" and Mike Ouellette and Craig Washburn, hereinafter called the "Club".

The purpose of this meeting was to discuss a proposal by the Family to permit the club certain rights-of-way over Family land for the purpose of creating a permanent ATV trail that would result in the permanent closure of South Hill Road, in the Town of Colebrook, NH as an ATV trail.

The following points were discussed and all present were in general agreement with the outline of the plan, as follows:

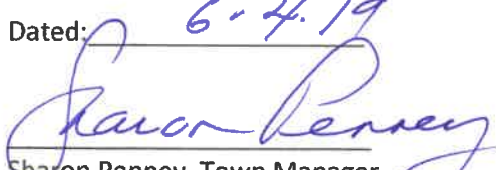
- A map was provided showing a proposed route that connected the ATV trail from the Town Forest to Bennett Hill Road in East Colebrook. See attached.
- The parcel of land referred to as the "Lakin Farm" contains approximately 9,853 lineal feet of permanent fence. Said fence to be constructed of page wire or fence of similar durability will be installed in this area.
- ~~• The Family has proposed speaking with Wayne and Liz Richards about a land swap to facilitate a trail adjustment that would mitigate the impact of the new trail on their property. This item is pending.~~
- The Family will close on June 4, 2019 on a tract of land, hereinafter called the "Harrigan Trust", in order for the proposed route to work. ~~It is understood that the Family would approach John Harrigan with an offer. An offer was made on 3/18/19 and Family is awaiting response from the Harrigan Trust.~~
- The Town will endeavor ~~consult with the Town Attorney about what steps need to be taken to~~ ensure that South Hill Road, in the Town of Colebrook, NH would be closed as an ATV trail in perpetuity. An exception for road use to be made only for individuals who receive written authorization from the Town to access the trailhead. **During the temporary road closure, the trail easement will also be temporary.**
- The Club indicated and agreed that full funding was available to complete the trail as shown in the 2019 season for use in the 2020 season. The opening of the new trail would coincide with the closing of South Hill Road.
- The Club indicated that the expected cost to construct the trail is approximately \$15,000-\$17,000 per mile. The Club indicated the preferred method of contracting for this work is on an hourly basis. The Club acknowledged that there would be additional expense incurred above and beyond the normal trail cost for the installation of said fence on the Lakin Farm.
- The Family requested and the Club agreed that the Family would be contracted to construct the trail across all Family land, with the Club and the Family being able to exercise an option to have the Family continue construction of trail to Bennett Hill, if beneficial to both parties.

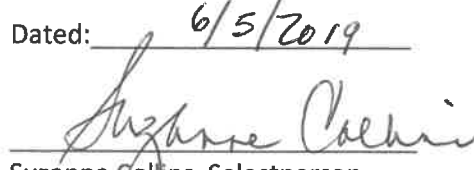
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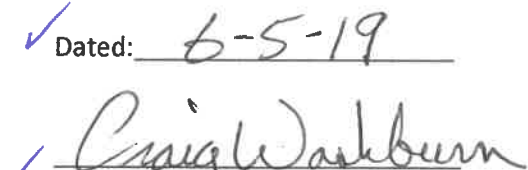
- It was discussed and agreed by all parties that the trail through Family land would follow as closely as possible the property lines as shown on the attached map, understanding that certain physical characteristics of the land may cause the trail to deviate. The Family and the Club would work cooperatively in determining the final route. Once the trail has been constructed, a survey of the trail would be conducted in order to delineate the right-of-way, as/if required by law.
- The Family has an understanding, from previous discussions with the Club, that the required right-of-way would be approximately 30 feet in width. The Family understands and acknowledges that certain physical characteristics of the land may require modifications to the width of the right-of-way.
- The western boundary of the Lakin Farm is one area where the proposed route is not directly adjacent to a property line. On this line, the trail would create a new property line that would need to be surveyed by a licensed surveyor.
- The Club would be responsible for surveying and legal fees associated with this transaction.
- The Family indicated that given the fact that the Family is paying +/- \$425,000.00 to acquire the Harrigan Trust and ~~deeding~~ granting rights-of-way over approximately 10 acres of land to become trail that any other fees associated with the transaction would be paid by the Club or the Town.
- At the time of this meeting, discussions were had about the Mullen lot and Parkhurst lot being closed and blocking the Club's access to South Hill. The Family indicated that if the Club cannot gain access to the Town Forest to connect to the new trail that there would be no need to create this new trail.
- The Club indicated that they are working on alternate routes to access the Town Forest and would keep the Family and the Town apprised of progress and proposed alternate routes.
- The Family expressed concern about the Club potentially accessing abutters on the eastern boundary of the Family land (SEE MAP) to ultimately create a trail that connects to Noyes Road. The Club agreed to maintain a 300' buffer between any future trail and the eastern boundary of the Family land.
- The Family indicated that the creation of the trail on certain parcels dissects some land. Lot line adjustments would need to be made in certain areas.
- The Family indicated that the existing snowmobile trail across the Lakin Farm would be re-routed onto the new ATV trail around the Lakin Farm, as the fencing on the Lakin Farm would render the existing trail unusable. The right-of-way through the Lakin Farm is being given to the ATV Club and/or Town. The snowmobile club's access will continue to be granted on an annual basis, as it has always been.
- NOTE: After further consideration of the impact of the proposed trail on the Lakin Farm, the Family would like to modify the route as indicated on the attached revised map. This modification will shorten the new trail by approximately 500'.
- The Family asked the Club if during the 2019 season they would be providing chloride to the Town to mitigate dust on South Hill. The Club replied that they would.

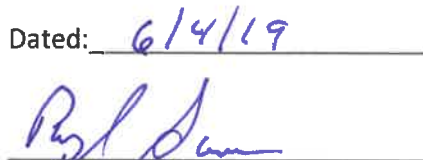
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- Time is of the essence. ~~The Club needs to apply for funding before the end of March. Once all parties are in agreement with the articles of this memorandum, and the Harrigan Trust has accepted the Family offer, the Family will sign permission slips with the club to enable the Club to apply for funding.~~
- ~~The Harrigan Trust has been advised of the need for a timely response to our offer.~~
- Memorandum to be signed once all parties are in agreement and prior to the start of trail construction on June 1, 2019.

Dated: 6-4-19

Sharon Penney, Town Manager
Town of Colebrook

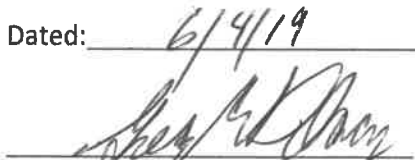
Dated: 6/5/2019

Suzanne Collins, Selectperson

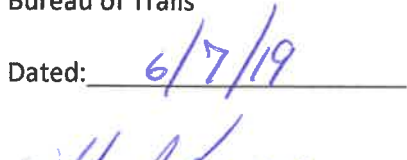
✓ Dated: 6-5-19

✓ Craig Washburn, President
Metallak ATV Club

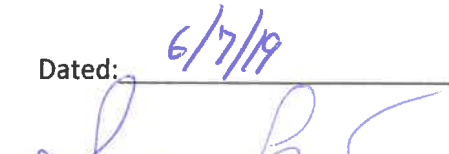
Dated: 6/4/19

Ray Gorman, Selectperson

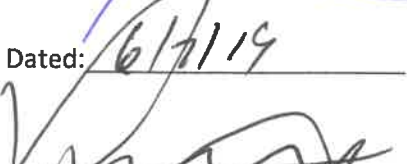
Dated: _____

Chris Gamache
Bureau of Trails

Dated: 6/4/19

Greg Placy, Selectperson

Dated: 6/7/19

Phil Lambert, Jr.

Dated: 6/7/19

Susan Lambert

Dated: 6/7/19

Vincent Roscillo, Jr.

Dated: 6/7/19

Michelle Roscillo

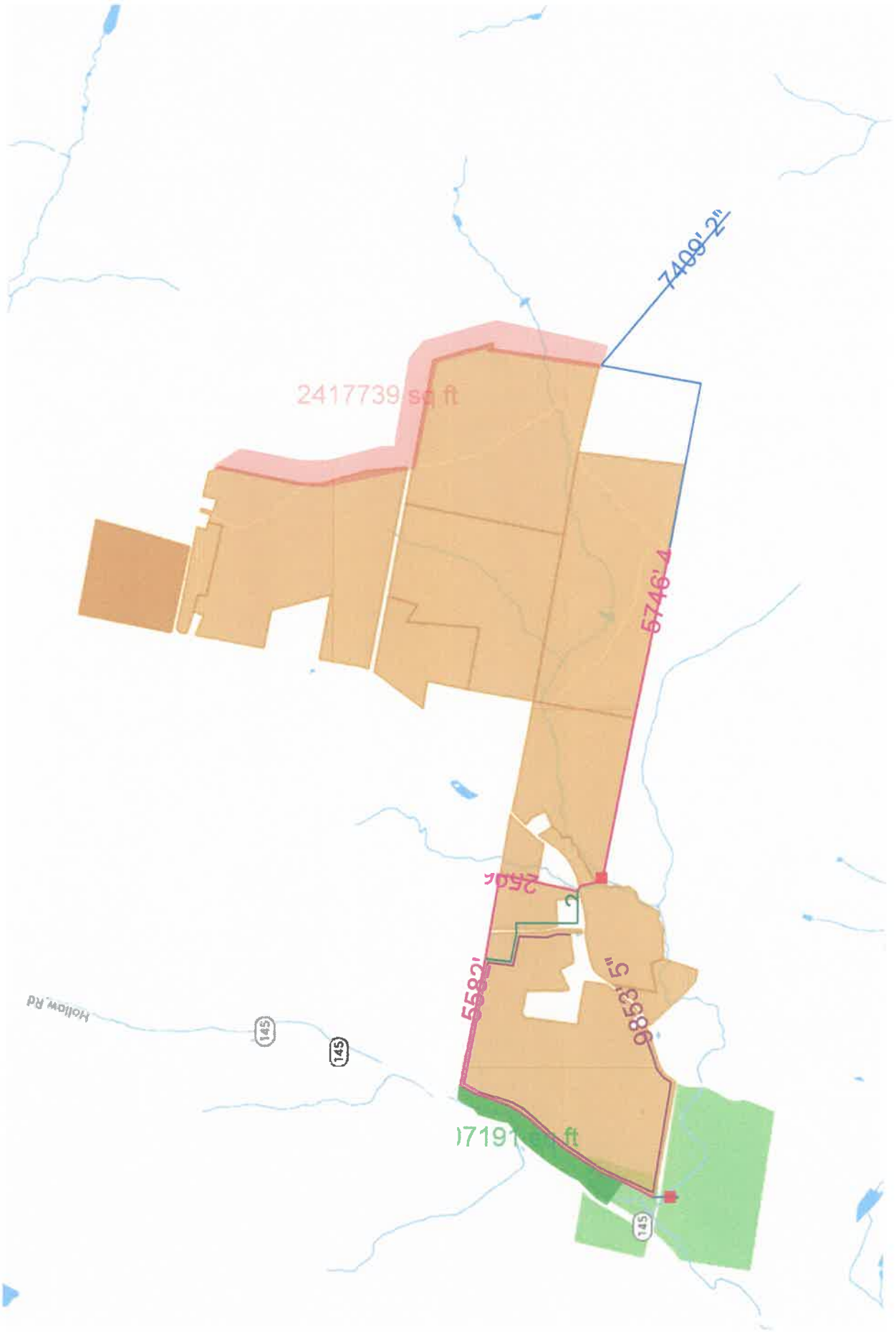
South Hill ATV Trail Map Final Version.pdf Markup List

Subject	Color	Page	Comment	Length	Area	Volume	Surface Area	User	Date
30' Right of Way (3 items)				13925.94					
30' Right of Way	Fuschia	Page 1	5582' 11"	5582.98				Vince	3/19/2019 9:58 AM
30' Right of Way	Fuschia	Page 1	5746' 4"	5746.34				Vince	3/19/2019 10:19 AM
30' Right of Way	Fuschia	Page 1	2596' 7"	2596.62				Vince	3/19/2019 10:19 AM
30' Trail (2 items)				7783.41					
30' Trail	Light Blue	Page 1	7409' 2"	7409.24				Vince	3/19/2019 10:14 AM
30' Trail	Light Blue	Page 1	374' 2"	374.17				Vince	3/19/2019 10:41 AM
300' Buffer Zone (1 item)				15504.32	2417738.97				
300' Buffer Zone	Red	Page 1	2417739 sq ft	15504.32	2417738.97			Vince	3/19/2019 10:03 AM
Alternate 30' Right of Way (1 item)				2473.2					
Alternate 30' Right of Way	Sea Green	Page 1	2473' 2"	2473.2				Vince	3/19/2019 10:20 AM
Bridge (2 items)									
Bridge	Red	Page 1						Vince	3/19/2019 10:43 AM
Bridge	Red	Page 1						Vince	3/19/2019 10:43 AM
Donate to NH Parks (1 item)				6527.57	807191.01				
Donate to NH Parks	Bright Green	Page 1	807191 sq ft	6527.57	807191.01			Vince	3/19/2019 10:50 AM
Wire Fence (1 item)				9853.48					
Wire Fence	Plum	Page 1	9853' 5"	9853.48				Vince	3/19/2019 10:25 AM

Estimated cost to construct trail:

- 1. 30' Right of way +/- 13,925 LF @ \$3.05/LF \$42,471.25
- 2. 30' Trail +/- 7,784 LF @ \$3.05/LF \$23,741.20
- 3. 2 Bridges @ \$6,500.00 each \$13,000.00
- 4. Wire Fence +/- 9853 LF @ \$1.20/LF \$11,823.60
- Total Estimated Cost of Trail \$91,036.05**

All distances are scaled and not surveyed actual distances may vary slightly.
 The portion of the estimate that is on family land is \$60,794.85, the balance of the trail cost on other land is \$30,241.20. The Family would consider being paid for trail construction over two seasons and completing the work in one.



2417739 sq. ft

7400' 2"

5746' 4"

2500'

5582'

9853' 5"

1719' 0"

Hollow Rd

145

145

145

