

**COOPERATIVE AGREEMENT**

**BETWEEN THE  
DEPARTMENT OF RESOURCES  
AND ECONOMIC DEVELOPMENT  
AND THE  
STATE OF NEW HAMPSHIRE**

**ORIGINAL SETTLEMENT AGREEMENT  
AND REVISED ATTACHMENT A**

**STATE OF NEW HAMPSHIRE  
INTER-DEPARTMENT COMMUNICATION**

**FROM:** Brian Lombard, PE  
Railroad Operations Engineer

**AT:** NHDOT  
Bureau of Rail & Transit

**SUBJECT:** Snowmobile use on State owned  
Railroad lines – Winter 2015-16

**DATE:** December 17, 2015

**TO:** Chris Gamache DRED

The following are the anticipated dates when the active railroad lines will be available for snowmobile use for the 2015-2016 winter. All of the items listed below need to be completed on each line, including changing the dates on the “red open dates” signs, before snowmobiles can use the lines. After all work has been completed and the opening dates pass, the lines can be opened to snowmobile use for the winter. Please read the dates and information carefully as they vary for each railroad line.

<b>Railroad Line</b>	<b>Anticipated Use Time</b>	<b>Action Required</b>
<b>Concord- Lincoln</b> Mile post 10 in Canterbury to Lincoln	<b>1/4/16 - 3/15/16</b>	<b>Install temp bridge protection measures Place dates on red “open” dates signs</b>

The NE Southern RR and the Plymouth & Lincoln RR will be using the railroad line until January 3, 2016 to move cars and haul freight. No snowmobiles can travel through the NE Southern Railroad yard in Canterbury. The snowmobiles must exit the railroad corridor and travel through the Industrial Park the same as they did last winter. We would like your assistance with Fish & Game to enforce the “trespassing” laws and keep the snowmobilers off before the opening date. Temporary bridge protection and repairs to the permanent protection can be completed on the bridges now after coordinating with the Plymouth & Lincoln Railroad, but the palletized bridge protection cannot be installed until after January 4, 2016. The red “open” date signs need to have the correct dates placed on them, and this work can be done at any time. The Winnepesaukee River Bridge in Laconia and the railroad bridge off of Depot Road in Thornton were retimbered this summer and will need belting protection since no new wood planking can be installed on them. Coordinate all work with the Plymouth & Lincoln RR (Ben Clark at 745-2135) and NE Southern Railroad (Peter Dearness 491-3660).

<b>Mountain Division</b> Albany Ave in Bartlett to Sawyer River bridge Base Road at Fabyan Station to Lennon Rd. in Carroll Maine border to Red Jacket Inn in North Conway	<b>1/4/16 - 3/15/16</b>	<b>Install temp bridge protection measures Place dates on red “open” dates signs</b>
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The trail end on the railroad corridor at the Red Jacket inn shall be marked with signage and construction fencing indicating the end of trail. A concrete barrier or solid metal fence shall be placed on the railroad tracks at the south end of the retaining wall approaching the Artist’s Falls Road bridge. “No Snowmobiling” signs shall be placed at the concrete barrier and on the tracks east of Depot Street in North Conway. Temporary protection on the bridges from

Bartlett to the Sawyers River Bridge must be installed before the lines can be opened, but CANNOT be installed on the bridges until after receiving approval from the Conway Scenic Railroad since they may have equipment to move over the line. Fencing and signage will need to be installed where the trails end and depart from the railroad corridor. The red "open" date signs need to have the correct dates placed on them, and this work can be done at any time. Coordinate all work with the Conway Scenic RR (Russ Seybold or Paul Hallett at 356-5251).

**Hillsboro Branch 12/21/15 to 3/15/16 Install temp bridge protection measures**  
Lyndeborough (Mile Post 20) to Bennington Trestle **Place dates on red "open" dates signs**

The bridge protection on this section of the line can be installed at any time after receiving permission from the Milford-Bennington Railroad. The condition of the Bennington Trestle should be inspected by an engineer hired by DRED to ensure the bridge structure is satisfactory for snowmobile and groomer use. Our Bureau does not inspect this bridge because it is out of service. The red "open" date signs need to have the correct dates placed on them, and this work can be done at any time. Coordinate all work on the railroad corridor with the Milford-Bennington Railroad (Peter Leishman at 673-7181).

Pikes Pit to Lyndeborough

The bridge protection on this section of the line can be installed after receiving permission from the Milford-Bennington Railroad. This section of the line from Pike's Pit to Mile Post 20 will be available when Pike's pit closes for the winter and the railroad stops running, projected to be the 21<sup>st</sup> of December. Coordinate all work on the railroad corridor with the Milford-Bennington Railroad (Peter Leishman at 673-7181).

**Groveton Branch CLOSED FOR WINTER OF 2016**  
Groveton to Whitefield

New Hampshire Central Railroad will be operating on the Groveton Branch all winter so the line will be closed to snowmobile use this year.

**North Stratford Line Not available for winter use – Active Line**  
North Stratford north to Columbia Sand & Gravel

**Berlin Branch 12/1/15 to end of season Install bridge protection measures**  
Whitefield to Littleton

This section of the railroad corridor is not currently in use and all of the bridges can be protected with temporary measures now. The line will be opened for snowmobile use as soon as the bridge protection measures are installed. Coordinate all work on the railroad corridor with the New Hampshire Central Railroad (Ed Jeffery 922-3400).

**Whitefield – Dalton Available for snowmobile use Install bridge protection measures**  
Whitefield west to Dalton

This section of the railroad corridor is not currently in use and all of the bridges can be protected with temporary measures now. The line will be opened for snowmobile use as soon as the bridge protection measures are installed. Coordinate all work on the railroad corridor with the New Hampshire Central Railroad (Ed Jeffery 922-3400).

## GENERAL COMMENTS

As in the past, the Bureau is providing opening and closing dates for each of the State owned active rail lines. Since the dates and use of each line varies, please read the memo thoroughly and transmit the information to all of the snowmobile groups and post on the Trail's Bureau's web site.

It is DRED's responsibility to ensure that all required railings, other safety measures and warning signage are in place along the sections of the lines to be used for snowmobile use, especially on railroad bridges. The Bureau of Rail and Transit and the active railroads do not provide any services related to the snowmobile use of the railroad lines in the winter. The ends of all approved trails on the active lines shall be clearly marked with "No Snowmobiling" and blocked to prevent snowmobiles from entering unauthorized portions of the railroad corridor.

DRED is responsible for reimbursing the railroad operators and the Bureau for all damages to the railroad infrastructure caused by snowmobile use and trail grooming. The railroad operators and the Bureau will provide a list of the winter damages and the repair cost to DRED in the spring and DRED shall make reimbursement payments to the railroads within 45 days.

There have been some changes to what is allowable for snowmobile bridge protection for snowmobile use over the last few year. The reason for making the changes are two-fold: first to allow the timbers and underlying steel structure to be inspected each year, and second to allow the bridge timbers to be open to sunlight and air movement to prevent wood rot and to extend the useful life of the timbers. The following is an explanation of what will be allowed for protection on the active line bridges in the years going forward.

**Bridges currently covered totally with wood planking** – At a minimum, the wood planking in the middle of the tracks must be removed by June 30, 2016 to allow for the annual bridge inspections to be performed. After the bridge inspections have been completed and after October 1<sup>st</sup>, temporary timber protection (rubber belting, wood pallet sections, etc.) can be reinstalled for the winter after receiving approval from the railroad operators. Whatever protection is installed, it will need to be removed by April 30<sup>th</sup> each year to allow for the inspections and allow for drying. It is possible that in the future, all of the planking will need to be removed to allow for a more thorough bridge inspection. None of the protection can be screwed into the wood timbers. Alternate methods must be utilized such as using additional wood framing.

**Bridges currently covered with wood planking outside the rails** – In the short term this planking can remain, but may have to be removed in the future to allow for a more thorough bridge inspection.

**Bridges currently covered with rubber belting** – All rubber belting must be removed from all railroad bridges, both active and out of service bridges, by April 30<sup>th</sup> each year to prevent accelerated rotting of the timbers which need sunlight and air movement to prolong their useful life. We have found that the rubber belting traps moisture on the timbers and this accelerates the rotting of the timbers.

**Bridges where the wood planking has been removed to retimber the bridge** – As noted in a previous section, the Winnepesaukee River Bridge in Laconia and the railroad bridge off of Depot Road in Thornton were retimbered this summer. Both of these bridges will now need either rubber belting or wood pallet sections to protect them since no new wood planking can be attached to the timbers. Whatever protection is installed, it will all need to be removed by April 30<sup>th</sup> each year to allow for the inspections and allow for drying. No bridge protection will be allowed to remain on these bridges after April 30<sup>th</sup> each year. Several more railroad bridges will be retimbered in 2016 and these bridges will require that new methods of temporary bridge timber protection be installed.

Another thing that has not been kept up is getting the correct dates on the red signs. Many haven't been marked in years. This should be checked and done every year so that trail users know when they are allowed to use the rail corridor for snowmobile use.

It will be DRED's responsibility to monitor and ensure that each snowmobile group does all of the required work outlined in this letter prior to opening the lines for snowmobile use and to ensure that all temporary bridge protection is removed by April 30<sup>th</sup> each year.

Please contact me at 271-3465 if you have any questions regarding this matter.

## Louis Barker

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**From:** Brian Lombard  
**Sent:** Wednesday, November 18, 2015 7:57 PM  
**To:** Shelley Winters; Louis Barker; Larry Keniston; Patrick Herlihy  
**Subject:** RE: agreement that allows snowmobiles to operate on an active RR like the Concord to Lincoln

All

I believe the cooperative agreement covers the lines where there is no track in place and rail service won't be coming back.

Those lines with the track still in place that don't currently have rail traffic (some of which are included in railroad's operating agreements), are not included in the cooperative agreement. Whitefield to Littleton and Columbia to Colebrook fall into this category.

The active lines are definitely not included in the Agreement. Snowmobile use in the winter is authorized on the active lines in writing to DRED each fall since the dates and lines that will be open to snowmobile use for the winter changes each year.

The Colebrook section of the track can't be included in the cooperative agreement since it is in NHCRR's operating agreement. It can be approved in the email on the winter use of the lines to DRED, however there are washouts on the line that I don't think they will get through. An active ATV trail beside the track should go through a Trails Agreement with the Town of Colebrook. Pat and I have already talked about this.

Brian

-----Original Message-----

**From:** Shelley Winters  
**Sent:** Wednesday, November 18, 2015 9:11 AM  
**To:** Louis Barker; Larry Keniston  
**Cc:** Brian Lombard  
**Subject:** RE: agreement that allows snowmobiles to operate on an active RR like the Concord to Lincoln

All,

Patrick & I asked Larry to work with you (primarily Lou) to ensure that all railroad lines that DRED manages under Cooperative Agreement are actually included in the Cooperative Agreement, which appears to have last been updated in 2001. In reviewing Attachment A of the Cooperative Agreement, which lists the railroad lines and mileage subject to the agreement, Larry and I noticed that the Concord-Lincoln line that is used for snowmobiles is not on there. That led to some of Larry's questions that we are trying to address.

The impetus to review, and update, the Cooperative Agreement is that Patrick has been in discussions with Chris Gamache and some members of a snowmobile club in Colebrook (Harry Brown) and has agreed to allow winter use of the line in Colebrook and we may eventually broach the subject of non-winter trail use up there as well.

So, in order to allow DRED to do what they do for the winter, we need this mileage to be included in *some* sort of agreement and thus I asked Larry to review and update everything else in the Cooperative Agreement; if we are going to ask Commissioner Sheehan and DRED's Commissioner to sign a new document, we should incorporate all known changes. We will ask Chris Gamache to review a draft as well.

Thanks,  
Shelley

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**From:** Louis Barker  
**Sent:** Wednesday, November 18, 2015 8:18 AM  
**To:** Larry Keniston  
**Cc:** Shelley Winters; Brian Lombard  
**Subject:** RE: agreement that allows snowmobiles to operate on an active RR like the Concord to Lincoln

Larry: There should be a conversation about the Cooperative Agreement with DRED. (Just if it is basically a housekeeping issue).  
It should be brought current. Lou B.

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**From:** Larry Keniston  
**Sent:** Tuesday, November 17, 2015 4:52 PM  
**To:** Louis Barker  
**Subject:** agreement that allows snowmobiles to operate on an active RR like the Concord to Lincoln

Lou,

Should the DRED cooperative agreement be amended to add the active RR in Colebrook where DRED asked to have snowmobile operation this winter? I was wondering why Concord to Lincoln RR isn't in the Cooperative Agreement with DRED? Is there a separate kind of agreement that is used for the Concord to Lincoln winter use and should also be used to allow winter snowmobile use of the active RR in Colebrook?

<< File: 19980409 DRED Cooperative Trails Agreement.pdf >>

If amending the Cooperative Agreement to include the RR in Colebrook turns out to be the appropriate path, Shelley wanted to review the entire agreement for necessary amendments. For example, could we include the added 6 miles of RR in Littleton and Bethlehem, spelling errors ("Swansey") and any transfers to DRED, if applicable.

Thank you, Larry Keniston, Intermodal Facilities Engineer, Rail and Transit Bureau, New Hampshire Department of Transportation, 7 Hazen Drive Concord, New Hampshire, 03302 (603) 271-1668 [www.bikeped.nh.gov](http://www.bikeped.nh.gov)  
<<http://www.bikeped.nh.gov>>

COOPERATIVE AGREEMENT

Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by and between the New Hampshire Department of Transportation, hereinafter DOT, and the New Hampshire Department of Natural and Cultural Resources, hereinafter DNCR.

Whereas, with the approval of the Governor and Executive Council, DOT in the name of the State of New Hampshire has acquired certain railroad corridor as described in attachment A.

Whereas, DNCR, Division of Parks and Recreation, Bureau of Trails desired to use the corridors for multiuse trail as part of the statewide trail system provided for in RSA 216-F;

Now therefore, DOT, Bureau of Rail and Transit and DNCR, Division of Parks and Recreation, Bureau of Trails enter into the following cooperative agreement regarding the use and maintenance of certain railroad corridors as described in attachment A.

DOT, Bureau of Rail and Transit hereby agrees as follows:

1. To grant to DNCR, Division of Parks and Recreation, Bureau of Trails the authority to use and maintain the corridors as described in attachment A, for recreational purposes in conjunction with the Statewide Trails system provided for in RSA 216-F, except as provided in Section 5.
2. That DNCR, Division of Parks and Recreation, Bureau of Trails may grant "Special Use Permits" to provide parties, and/or municipalities for purposes of trail construction and/or maintenance or for other uses consistent with the intent and purpose of this agreement and as authorized by New Hampshire Statutes. Agreements may be for periods of up to two (2) years, however, said permits may be terminated on one hundred eighty (180) days written notice if all or any part of this property is needed for transportation of goods or services of any kind or for any other purpose deemed necessary by the Commissioner, DOT.
3. To reserve the right to terminate or modify this agreement on one hundred eighty (180) days written notice if all or any part of these corridors are needed for transportation of good or services of any kind or for any other purpose deemed necessary by the Commissioner, DOT.
4. To consult with the Bureau of Trails prior to entering into agreements, easements, or special use permits with third parties that would affect the use of the corridor as a recreational trail.
5. To pay mutually agreed portion of actual expenses, invoices to be submitted by DNCR, to maintain the properties and facilities which shall include but not limited to drainage, culverts, walls, crossings, bridges and structures. He Department of Transportation shall not be liable for expenses in excess of the revenues generated for the Special Railroad Fund from those corridors listed in Attachment A.
6. To reserve it itself the decision whether, when and how repairs will be made on major maintenance expenditures such as but not limited to bridge collapse, culvert washout, and slope failure.

DNCR, Division of Parks and Recreation, Bureau of Trails hereby agrees as follows:

7. To recognize and respect the articles and reservations as found in the Boston and Maine Corporation Deeds to the State of New Hampshire, DOT.
8. To accept the corridors described in attachment A and utilize the same for recreational purposes in conjunction with the State Trail System provided for in RSA 216-F.

9. To cooperate in the management of the corridors including protecting the state's ownership rights and maintenance of all overhead, surface, and /or underground facilities, drainage, culverts, walls, crossings, bridges and structures, provided that DOT bureau of Environment shall review plans for substantial construction or alteration in the corridor, including demolition of structures, whether by DNCR or its contractors or permit holders.
10. To relinquish certain corridors on one hundred eighty (180) days written notice if needed by DOT, Bureau of Rail and Transit for transportation of goods or services.
11. To pay a mutually agreed portion of actual expenses to maintain the property and its facilities which shall include but not limited to drainage, culverts, walls, crossings, bridges and structures.
12. To prepare and submit, one year in advance, to the Bureau of Rail and Transit, a yearly plan of maintenance including activities and anticipated costs.
13. To prohibit the installation of use of any facility, unauthorized by DOT, such as, but not limited to pipes, wires, vehicular crossings, and structures which may unreasonable limit the ability to restore rail service should it be required in the future.

Attachment A may be revised upon agreement of the Commissioner, DNCR and the Commissioner, DOT

\_\_\_\_\_  
 Chief Date  
 Bureau of Trails

\_\_\_\_\_  
 Administrator Date  
 Bureau of Rail and Transit

\_\_\_\_\_  
 Director Date  
 Division of Parks and Recreation

\_\_\_\_\_  
 Commissioner Date  
 Department of Natural and  
 Cultural Resources

\_\_\_\_\_  
 Commissioner Date  
 Department of Transportation

## ATTACHMENT A

- CANDIDATE*
1. Approximately 21 miles of the so called "Ashuelot Branch" beginning at approximate centerline engineering station ("CLE") 3+20 in the Town of Hinsdale and continuing through the towns or cities of Winchester, Swanzey and Keene to the terminus at CLE 1134+65, all within Cheshire County, New Hampshire. Said property is shown on a series of 22 primary sheets entitled, "Right-of-Way and Track Map, Connecticut River R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

*CANDIDATE*

  2. Approximately 42 miles of the so called "Cheshire Branch" beginning at approximate centerline engineering station ("CLE") 569+58.5 in the Town of Fitzwilliam and continuing through the towns or cities of Troy, Marlborough, Swanzey, Keene, Surry, Westmoreland and Walpole to the terminus at CLE 2784+05, all within Cheshire County, New Hampshire. Said property is shown on a series of 42 primary sheets entitled, "Right-of-Way and Track Map, Fitchburg River R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

*PENDING AFI/RFP*

  3. Approximately 21 miles of the so called "Conway Branch" beginning at approximate centerline engineering station ("CLE") 2321+92 in the Town of Ossipee to CLE 3448+56 at the Albany-Conway town line, Carroll County, New Hampshire. Said property is shown on a series of 22 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine River R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

*CANDIDATE*

  4. Approximately 8.9 miles of the so called "Fort Hill Branch" from at approximate centerline engineering station ("CLE") 2651+48 to CLE 3120+79.4, all within the Town of Hinsdale, Cheshire County, New Hampshire. Said property is shown on a series of 10 primary sheets entitled, "Right-of-Way and Track Map, Connecticut River R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
  5. Corridor Transfer 2009 Approximately 4.4 miles of the so called "Fremont Branch" beginning at approximate centerline engineering station ("CLE") 3672+88 in the Town of Fremont and continuing through to the terminus at CLE 3907+93, in the town of Epping, Rockingham County, New Hampshire. Said property is shown on a series of 5 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
  6. Corridor Transfer 2009 Approximately 7.75 miles of the so called "Hillsboro Branch" beginning at approximate centerline engineering station ("CLE") 1197+06 in the Town of Bennington and continuing through the towns or cities of Antrim, Deering and Hillsboro to the terminus at CLE 787+77.4 all within Hillsborough County, New Hampshire. Said property is shown on a series of 8 primary sheets entitled, "Right-of-Way and Track Map, Peterborough and Hillsborough R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

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  7. Approximately<sup>[BL1]</sup> 8.24 miles of the so called "Manchester and Lawrence Branch" beginning at approximate centerline engineering station ("CLE") 1774+48 in the Town of Salem and continuing through the Town of Windham to CLE 2060+78 at the Windham Derry/Town line then beginning again at CLE 2300+62 to the terminus at CLE 2474+82 all within the Town of Londonderry, Rockingham County, New Hampshire. Said property is shown on a series of 12 primary sheets entitled, "Right-of-Way and Track Map, Manchester and Lawrence R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

- CANDIDATE (ADD Boscawon after purchase)
8. Approximately 59.3 miles of the so called "Northern Railroad" beginning at approximate centerline engineering station ("CLE") 383+59.4 in the Town of Boscawon and continuing through the town or cities of Franklin, Andover, Wilmont and Danbury to CLE 2190+15.5 all within Merrimack County and continuing from CLE 2190+15.5 through the town or cities of Grafton, Orange, Canaan, Enfield and Lebanon to the terminus at CLE 315+69, all within Grafton County, New Hampshire. Said property is shown on a series of 60 primary sheets entitled, "Right-of-Way and Track Map, Northern R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
  9. Approximately<sup>[BL2]</sup> 25.3 miles of the so called "Portsmouth Branch" beginning at approximate centerline engineering station ("CLE") 522+57 in the Town of Newfields and continuing through the towns of Epping, Raymond, Candia and Auburn all within Rockingham County and terminating at CLE 1967+15.5 in the City of Manchester, Hillsborough County, New Hampshire. Said property is shown on a series of 16 primary sheets entitled, "Right-of-Way and Track Map, Concord and Portsmouth R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
  10. Corridor Transfer 2009 Approximately 11 miles of the so called "Wolfeboro Railroad" beginning at approximate centerline engineering station ("CLE") 9+50 in the Town of Wakefield and continuing through the Towns of Brookfield and Wolfeboro to the terminus at CLE 611+84.2 all within Carroll County, New Hampshire. Said property is shown on a series of 13 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
  11. Corridor Transfer 2009 Approximately<sup>[BL3]</sup> 8.7 miles of the so called "North Stratford to Beecher Falls Line" beginning at approximate centerline engineering station ("CLE") 2457+43.4 in the Town of Colebrook and continuing through the Town of West Stewartstown all within Coos County, New Hampshire and terminating at CLE 2918+50 in the Town of Canaan, Vermont. Said property is shown on a series of 10 primary sheets entitled, "Right-of-Way and Track Map, Upper Coos Railroad, NH & VT, operated by the Maine Central Railroad Company", dated June 30, 1916, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
  12. Jefferson-Gorham section Corridor Transfer 2009 Approximately 37.0 miles of the so called "Berlin Branch" in two sections: the first beginning at approximate centerline engineering station ("CLE") 00+0 in the town of Haverhill and continuing through the towns of Bath, Landaff and Lisbon and terminating at CLE 995+66 in the town of Littleton, all within Grafton County, New Hampshire. Said property is shown on a series of 19 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine Railroad," Valuation Section 22 dated June, 1928. The second section beginning at approximate centerline engineering station ("CLE") 325+03 in the town of Jefferson and continuing through the towns of Randolph and Gorham and terminating at CLE 1291+20 in the town of Gorham, Coos County, New Hampshire. Said property is shown on a series of 20 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine RR Co.," Valuation Section 24.2 and dated June, 1928, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
  13. Corridor Transfer 2009 Approximately 6.0 miles of the so called "Farmington Branch" beginning at approximate centerline engineering station ("CLE") 525+00 in the City of Rochester to CLE 884+51 in the Town of Farmington, Stafford County, New Hampshire. Said property is shown on a series of eight primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine RR Co., Valuation Section 4.2, dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

14. Corridor Transfer 2009 Approximately 7.2 miles of the so called Mondawick Branch beginning at approximate centerline engineering station ("CLE") 2014+62 at the Massachusetts state line to CLE 2395+67 in the Town of Jeffrey, Cheshire County, New Hampshire. Said property is shown on a series of eight primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine RR Co., Valuation Section 39.3 NH, dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
15. Corridor Transfer 2009 Approximately 2.2 miles of the so called "Greenville Branch" or "Milford and Greenville Branch" from centerline engineering station ("CLE") 1094+32 at the Mason-Wilton town line, Hillsborough County, New Hampshire, to CLE 1208+16 in Greenville, Hillsborough County, New Hampshire. Said property is shown on a Federal Valuation Section 36.4, Maps 22, 23, 24, and 25 and on a map entitled, "Boston and Maine Corporation, Mason, Greenville, Wilton, NH Land Sale Plan" and dated March 10, 1999 and on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.
16. Approximately 1.8 miles of the so called "Upper Coos Railroad" or "Beecher Falls Branch" from centerline engineering station ("CLE") 33+00 in Whitefield, Coos County, New Hampshire, to CLE 130+05 in Jefferson, Coos County, New Hampshire. Said property is shown on a Federal Valuation Section 19, Maps 1, 2, and 3 and includes Parcel 3 on Map 3. Said maps are dated June 30, 1915 and are on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

*HOLD - ACCESS TO WOODCHIP PLANT*

*Berlin Branch Station  
WOODSVILLE → LITTLETON  
LITTLETON/BETHLEHEM (WIND RD)*

*Not included in MOP*

*Hampton Branch*

*Concord Lincoln future*

*Groveton Br*



9 APR 98  
0004TC

COOPERATIVE AGREEMENT

Agreement this 9<sup>th</sup> day of April, 1998 by and between the New Hampshire Department of Transportation, hereinafter DOT, and the New Hampshire Department of Resources and Economic Development, hereinafter DRED.

Whereas, with the approval of the Governor and Executive Council, DOT in the name of the State of New Hampshire has acquired certain railroad corridors as described in attachment A.

Whereas, DRED, Division of Parks and Recreation, Bureau of Trails desires to use the corridors for multi-use trails as part of the statewide trails system provided for in RSA 216-F;

Now therefore, DOT, Bureau of Rail and Transit and DRED, Division of Parks and Recreation, Bureau of Trails enter into the following cooperative agreement regarding the use and maintenance of certain railroad corridors as described in attachment A.

DOT, Bureau of Rail and Transit hereby agrees as follows:

1. To grant to DRED, Division of Parks and Recreation, Bureau of Trails, the authority to use and maintain the corridors as described in attachment A, for recreational purposes in conjunction with the Statewide Trails System provided for in RSA 216-F, except as provided in Section 5.
2. That DRED, Division of Parks and Recreation, Bureau of Trails may grant "Special Use Permits" to private parties, and/or municipalities for purposes of trail construction and/or maintenance or for other uses consistent with the intent and purpose of this agreement and as authorized by New Hampshire Statutes. Agreements may be for periods of up to two (2) years, however, said permits may be terminated on one hundred eighty (180) days written notice if all or any part of this property is needed for transportation of goods or services of any kind or for any other purpose deemed necessary by the Commissioner, DOT.
3. To reserve the right to terminate or modify this agreement on one hundred eighty (180) days written notice if all or any part of these corridors are needed for transportation of goods or services of any kind or for any other purpose deemed necessary by the Commissioner, DOT.
4. To consult with the Bureau of Trails prior to entering into agreements, easements, or special use permits with third parties that would affect the use of the corridor as a recreational trail.
5. To pay a mutually agreed portion of actual expenses, invoices to be submitted by DRED, to maintain the properties and facilities which shall include but not limited to drainage, culverts, walls, crossings, bridges and structures. The Department of Transportation shall not be liable for expenses in excess of the revenues generated for the Special Railroad Fund from those corridors listed in Attachment A.
6. To reserve to itself the decision whether, when and how repairs will be made on major maintenance expenditures such as but not limited to bridge collapse, culvert washout, and slope failure.

DRED, Division of Parks and Recreation, Bureau of Trails hereby agrees as follows:

7. To recognize and respect the articles and reservations as found in the Boston and Maine Corporation Deeds to the State of New Hampshire, DOT.



8. To accept the corridors described in attachment A and utilize the same for recreational purposes in conjunction with the State Trail System provided for in RSA 216-F.

9. To cooperate in the management of the corridors including protecting the state's ownership rights and maintenance of all overhead, surface, and/or underground facilities, drainage, culverts, walls, crossings, bridges and structures, provided that DOT Bureau of Environment shall review plans for substantial construction or alteration in the corridor, including demolition of structures, whether by DRED or its contractors or permit holders.

10. To relinquish certain corridors on one hundred eighty (180) days written notice if needed by DOT, Bureau of Rail and Transit for transportation of goods or services.

11. To pay a mutually agreed portion of actual expenses to maintain the property and its facilities which shall include but not limited to drainage, culverts, walls, crossings, bridges and structures.

12. To prepare and submit, one year in advance, to the Bureau of Rail and Transit, a yearly plan of maintenance including activities and anticipated costs.

13. To prohibit the installation or use of any facility, unauthorized by DOT, such as, but not limited to pipes, wires, vehicular crossings, and structures which may unreasonably limit the ability to restore rail service should it be required in the future.

Attachment A may be revised upon agreement of the Commissioner, DRED and the Commissioner,

DOT.

Paul May 3/4/98  
Chief Date  
Bureau of Trails

Christy May 4-7-98  
Administrator Date  
Bureau of Rail and Transit

[Signature] 3/13/98  
Director Date  
Division of Parks and Recreation

R.M. R. Thom 3-20-98  
Commissioner Date  
Department of Resources and  
Economic Development

Paul Hession 4-9-98  
Commissioner Date  
Department of Transportation



29 Nov 01  
UPDATE

## ATTACHMENT A

Approximately 21 miles of the so called "Ashuelot Branch" beginning at approximate centerline engineering station ("CLE") 3+20 in the Town of Hinsdale and continuing through the towns or cities of Winchester, Swansy and Keene to the terminus at CLE 1134+65, all within Cheshire County, New Hampshire. Said property is shown on a series of 22 primary sheets entitled, "Right-of-Way and Track Map, Connecticut River R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 42 miles of the so called "Cheshire Branch" beginning at approximate centerline engineering station ("CLE") 569+58.5 in the Town of Fitzwilliam and continuing through the towns or cities of Troy, Marlborough, Swansy, Keene, Surry, Westmoreland and Walpole to the terminus at CLE 2784+05, all within Cheshire County, New Hampshire. Said property is shown on a series of 42 primary sheets entitled, "Right-of-Way and Track Map, Fitchburg R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 21 miles of the so called "Conway Branch" beginning at approximate centerline engineering station ("CLE") 2321+92 in the Town of Ossipee to CLE 3448+56 at the Albany-Conway town line, Carroll County, New Hampshire. Said property is shown on a series of 22 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 8.9 miles of the so called "Fort Hill Branch" from at approximate centerline engineering station ("CLE") 2651+48 to CLE 3120+79.4 all within the Town of Hinsdale, Cheshire County, New Hampshire. Said property is shown on a series of 10 primary sheets entitled, "Right-of-Way and Track Map, Connecticut River R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 4.4 miles of the so called "Fremont Branch" beginning at approximate centerline engineering station ("CLE") 3672+88 in the Town of Fremont and continuing to the terminus at CLE 3907+93 in the Town of Epping, Rockingham County, New Hampshire. Said property is shown on a series of 5 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

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Approximately 8.24 miles of the so called "Manchester and Lawrence Branch" beginning at approximate centerline engineering station ("CLE") 1774+48 in the Town of Salem and continuing through the Town of Windham to CLE 2060+78 at the Windham Derry/Town line then beginning again at CLE 2300+62 to the terminus at CLE 2474+82 all within the Town of Londonderry, Rockingham County, New Hampshire. Said property is shown on a series of 12 primary sheets entitled, "Right-of-Way and Track Map, Manchester and Lawrence R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 59.3 miles of the so called "Northern Railroad" beginning at approximate centerline engineering station ("CLE") 383+59.4 in the Town of Boscawen and continuing through the towns or cities of Franklin, Andover, Wilmont, and Danbury to CLE 2190+15.5, all within Merrimack County and continuing from CLE 2190+15.5 through the towns or cities of Grafton, Orange, Canaan, Enfield and Lebanon to the terminus at CLE 315+69, all within Grafton County, New Hampshire. Said property is shown on a series of 60 primary sheets entitled, "Right-of-Way and Track Map, Northern R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 25.3 miles of the so called "Portsmouth Branch" beginning at approximate centerline engineering station ("CLE") 522+57 in the Town of Newfields and continuing through the towns of Epping, Raymond, Candia, and Auburn all within Rockingham County and terminating at CLE 1967+15.5 in the City of Manchester, Hillsborough County, New Hampshire. Said property is shown on a series of 16 primary sheets entitled, "Right-of-Way and Track Map, Concord and Portsmouth R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 11 miles of the so called "Wolfeboro Railroad" beginning at approximate centerline engineering station ("CLE") 9+50 in the Town of Wakefield and continuing through the Towns of Brookfield and Wolfeboro to the terminus at CLE 611+84.2 all within Carroll County, New Hampshire. Said property is shown on a series of 13 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 8.7 miles of the so called "North Stratford to Beecher Falls Line" beginning at approximate centerline engineering station ("CLE") 2457+43.4 in the Town of Colebrook and continuing through the Town of West Stewartstown all within Coos County, New Hampshire and terminating at CLE 2918+50 in the Town of Canaan, Vermont. Said property is shown on a series of 10 primary sheets entitled, "Right-of-Way and Track Map, Upper Coos Railroad, NH & VT, operated by the Maine Central Railroad Company", dated June 30, 1916, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 37.0 miles of the so called "Berlin Branch" in two sections; the first beginning at approximate centerline engineering station ("CLE") 00+0 in the town of Haverhill and continuing through the towns of Bath, Landaff, and Lisbon and terminating at CLE 995+66 in the town of Littleton, all within Grafton County, New Hampshire. Said property is shown on a series of 19 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine Railroad," Valuation Section 22 dated June, 1928. The second section beginning at approximate centerline engineering station ("CLE") 325+03 in the town of Jefferson and continuing through the towns of Randolph and Gorham and terminating at CLE 1291+20 in



the town of Gorham, Coos County, New Hampshire. Said property is shown on a series of 20 primary sheets entitled entitled "Right of Way and Track Map, Boston and Maine RR Co., Valuation Section 24.2 and dated June 1928, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, PO Box 483, Concord, NH 03302-0483.

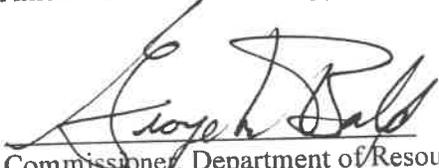
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Amended Attachment A approved:

  
Commissioner, Department of Resources  
and Economic Development

Date:

11/29/01

  
Commissioner, Department of Transportation

Date:

12/24/01



## ATTACHMENT A

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Approximately 8.4 miles of the so called "Conway Branch" beginning at approximate centerline engineering station ("CLE") 2970+00 to CLE 3412+57 all within the Town of Madison, Carroll County, New Hampshire. Said property is shown on a series of 9 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

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20-JUNE-08  
UPDATE

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Amended Attachment A approved:

  
Commissioner, Department of Resources  
and Economic Development

Date: 6-20-00

  
Commissioner, Department of Transportation

Date: 6-29-00





THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION

June 10, 1999

RECEIVED

JUN 14 1999

D.R.E.D.

*6-17-99*

LEON S. KENISON  
COMMISSIONER

George Bald, Commissioner  
Dept. of Resources and Economic Development  
172 Pembroke Road  
Concord, NH 03301

Dear Commissioner *George* Bald,

On January 23, 1996, our departments entered into an agreement permitting the use of abandoned railroad corridors for recreational purposes under the management of the Bureau of Trails.

From time to time, Attachment A to this agreement has been amended to incorporate newly acquired railroad corridors. The provisions of the agreement permit such amendments by written consent of the commissioners of our two departments.

Enclosed is an amendment incorporating a segment of the abandoned Monadnock Branch from the state line in Rindge to Main Street in Jaffrey, recently acquired by our Department from the Boston and Maine Corporation. By this letter I am indicating our Department's approval of the revised attachment, and requesting that if you are in agreement you sign this letter below and return a copy to me. Would you also initial the last page of the attachment?

Please let me know if you have any questions or need any further information.

Sincerely,

Leon S. Kenison  
Commissioner

(Signed)  
George Bald, Commissioner

Enc.  
LSK/CM



the town of Gorham, Coos County, New Hampshire. Said property is shown on a series of 20 primary sheets entitled entitled "Right of Way and Track Map, Boston and Maine RR Co., Valuation Section 24.2 and dated June 1928, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, PO Box 483, Concord, NH 03302-0483.

Approximately 6.0 miles of the so called "Farmington Branch" beginning at approximate centerline engineering station ("CLE") 525+00 in the City of Rochester to CLE 884+51 in the Town of Farmington, Strafford County, New Hampshire. Said property is shown on a series of eight primary sheets entitled "Right of Way and Track Map," Boston and Maine RR Co., Valuation Section 4.2, dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, PO Box 483, Concord, NH 03302-0483.

Approximately 7.2 miles of the so-called "Monadnock Branch" beginning at approximate centerline engineering station ("CLE") 2014+62 at the Massachusetts state line to CLE 2395+67 in the town of Jaffrey, Cheshire County, New Hampshire. Said property is shown on a series of eight primary sheets entitled "Right of Way and Track Map," Boston and Maine RR Co., Valuation Section 39.3 NH, dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, PO Box 483, Concord, NH 03302-0483.

Approximately 2.2 miles of the so-called "Greenville Branch" or "Milford and Greenville Branch" from centerline engineering station ("CLE") 1094+32 at the Mason-Wilton town line, Hillsborough County, New Hampshire, to CLE 1208+16 in Greenville, Hillsborough County, New Hampshire. Said property is shown on Federal Valuation Section 36.4, Maps 22, 23, 24, and 25 and on a map entitled "Boston and Maine Corporation, Mason, Greenville, Wilton, NH, Land Sale Plan" and dated March 10, 1999 and on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, PO Box 483, Concord, NH 03302-0483.

Approximately 1.8 miles of the so-called "Upper Coos Railroad" or "Beecher Falls Branch" from centerline engineering station ("CLE") 33+00 in Whitefield, Coos County, New Hampshire, to CLE 130+05 in Jefferson, Coos County, New Hampshire. Said property is shown on Federal Valuation Section 19, Maps 1, 2 and 3 and includes Parcel 3 on Map 3. Said maps are dated June 30, 1915 and are on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, PO Box 483, Concord, NH 03302-0483.

Amended Attachment A approved:

  
Commissioner, Department of Resources  
and Economic Development

Date: 6-20-00

  
Commissioner, Department of Transportation

Date: 6-29-00



## ATTACHMENT A

Approximately 21 miles of the so called "Ashuelot Branch" beginning at approximate centerline engineering station ("CLE") 3+20 in the Town of Hinsdale and continuing through the towns or cities of Winchester, Swansey and Keene to the terminus at CLE 1134+65, all within Cheshire County, New Hampshire. Said property is shown on a series of 22 primary sheets entitled, "Right-of-Way and Track Map, Connecticut River R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 42 miles of the so called "Cheshire Branch" beginning at approximate centerline engineering station ("CLE") 569+58.5 in the Town of Fitzwilliam and continuing through the towns or cities of Troy, Marlborough, Swansey, Keene, Surry, Westmoreland and Walpole to the terminus at CLE 2784+05, all within Cheshire County, New Hampshire. Said property is shown on a series of 42 primary sheets entitled, "Right-of-Way and Track Map, Fitchburg R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 8.4 miles of the so called "Conway Branch" beginning at approximate centerline engineering station ("CLE") 2970+00 to CLE 3412+57 all within the Town of Madison, Carroll County, New Hampshire. Said property is shown on a series of 9 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 8.9 miles of the so called "Fort Hill Branch" from at approximate centerline engineering station ("CLE") 2651+48 to CLE 3120+79.4 all within the Town of Hinsdale, Cheshire County, New Hampshire. Said property is shown on a series of 10 primary sheets entitled, "Right-of-Way and Track Map, Connecticut River R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 4.4 miles of the so called "Fremont Branch" beginning at approximate centerline engineering station ("CLE") 3672+88 in the Town of Fremont and continuing to the terminus at CLE 3907+93 in the Town of Epping, Rockingham County, New Hampshire. Said property is shown on a series of 5 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 7.75 miles of the so called "Hillsboro Branch" beginning at approximate centerline engineering station ("CLE") 1197+06 in the Town of Bennington and continuing through the towns or cities of Antrim, Deering and Hillsboro to the terminus at CLE 787+77.4 all within Hillsborough County, New Hampshire. Said property is shown on a series of 8 primary sheets entitled, "Right-of-Way and Track Map, Peterborough and Hillborough R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 8.24 miles of the so called "Manchester and Lawrence Branch" beginning at approximate centerline engineering station ("CLE") 1774+48 in the Town of Salem and continuing through the Town of



Windham to CLE 2060+78 at the Windham Derry/Town line then beginning again at CLE 2300+62 to the terminus at CLE 2474+82 all within the Town of Londonderry, Rockingham County, New Hampshire. Said property is shown on a series of 12 primary sheets entitled, "Right-of-Way and Track Map, Manchester and Lawrence R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 59.3 miles of the so called "Northern Railroad" beginning at approximate centerline engineering station ("CLE") 383+59.4 in the Town of Boscawen and continuing through the towns or cities of Franklin, Andover, Wilmont, and Danbury to CLE 2190+15.5, all within Merrimack County and continuing from CLE 2190+15.5 through the towns or cities of Grafton, Orange, Canaan, Enfield and Lebanon to the terminus at CLE 315+69, all within Grafton County, New Hampshire. Said property is shown on a series of 60 primary sheets entitled, "Right-of-Way and Track Map, Northern R.R. Co., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 25.3 miles of the so called "Portsmouth Branch" beginning at approximate centerline engineering station ("CLE") 522+57 in the Town of Newfields and continuing through the towns of Epping, Raymond, Candia, and Auburn all within Rockingham County and terminating at CLE 1967+15.5 in the City of Manchester, Hillsborough County, New Hampshire. Said property is shown on a series of 16 primary sheets entitled, "Right-of-Way and Track Map, Concord and Portsmouth R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 11 miles of the so called "Wolfeboro Railroad" beginning at approximate centerline engineering station ("CLE") 9+50 in the Town of Wakefield and continuing through the Towns of Brookfield and Wolfeboro to the terminus at CLE 611+84.2 all within Carroll County, New Hampshire. Said property is shown on a series of 13 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine R.R., operated by the Boston and Maine R.R.", dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 8.7 miles of the so called "North Stratford to Beecher Falls Line" beginning at approximate centerline engineering station ("CLE") 2457+43.4 in the Town of Colebrook and continuing through the Town of West Stewartstown all within Coos County, New Hampshire and terminating at CLE 2918+50 in the Town of Canaan, Vermont. Said property is shown on a series of 10 primary sheets entitled, "Right-of-Way and Track Map, Upper Coos Railroad, NH & VT, operated by the Maine Central Railroad Company", dated June 30, 1916, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, P.O. Box 483, Concord, NH 03302-0483.

Approximately 37.0 miles of the so called "Berlin Branch" in two sections; the first beginning at approximate centerline engineering station ("CLE") 00+0 in the town of Haverhill and continuing through the towns of Bath, Landaff, and Lisbon and terminating at CLE 995+66 in the town of Littleton, all within Grafton County, New Hampshire. Said property is shown on a series of 19 primary sheets entitled, "Right-of-Way and Track Map, Boston and Maine Railroad," Valuation Section 22 dated June, 1928. The second section beginning at approximate centerline engineering station ("CLE") 325+03 in the town of Jefferson and continuing through the towns of Randolph and Gorham and terminating at CLE 1291+20 in the town of Gorham, Coos County, New Hampshire. Said property is shown on a series of 20 primary sheets entitled "Right of Way and Track Map, Boston and Maine RR Co., Valuation Section 24.2



and dated June 1928, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, PO Box 483, Concord, NH 03302-0483.

Approximately 6.0 miles of the so called "Farmington Branch" beginning at approximate centerline engineering station ("CLE") 525+00 in the City of Rochester to CLE 884+51 in the Town of Farmington, Strafford County, New Hampshire. Said property is shown on a series of eight primary sheets entitled "Right of Way and Track Map," Boston and Maine RR Co., Valuation Section 4.2, dated June 30, 1914, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, PO Box 483, Concord, NH 03302-0483.

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## COOPERATIVE AGREEMENT

Agreement this 23<sup>rd</sup> day of January, 19 96 by and between the New Hampshire Department of Transportation, herein after DOT, and the New Hampshire Department of Resources and Economic Development, herein after DRED.

Whereas, with the approval of the Governor and Executive Council DOT in the name of the State of New Hampshire has acquired certain railroad corridors as described in attachment A.

Whereas, DRED, Division of Parks and Recreation, Bureau of Trails desires to use the corridors for multi-use trails as part of the statewide trails system provided for in RSA 216-F;

Now therefore, DOT, Bureau of Railroads and Public Transportation and DRED, Division of Parks and Recreation, Bureau of Trails enter into the following cooperative agreement regarding the use and maintenance of certain railroad corridors as described in attachment A.

DOT, Bureau of Railroads and Public Transportation hereby agrees as follows:

1. To grant to DRED, Division of Parks and Recreation, Bureau of Trails, the authority to use and maintain the corridors as described in attachment A, for recreational purposes in conjunction with the Statewide Trails System provided for in RSA 216-F, except as provided in Section 5.
2. That DRED, Division of Parks and Recreation, Bureau of Trails may grant "Special Use Permits" to private parties, and/or municipalities for purposes of trail construction and/or maintenance or for other uses consistent with the intent and purpose of this agreement and as authorized by New Hampshire Statutes. Agreements may be for periods of up to two (2) years, however, said permits may be terminated on one hundred eight (180) days written notice if all or any part of this property is needed for transportation of goods or services of any kind or for any other purpose deemed necessary by the Commissioner, DOT.
3. To reserve the right to terminate or modify this agreement on one hundred eight (180) days written notice if all or any part of these corridors are needed for transportation of goods or services of any kind or for any other purpose deemed necessary by the Commissioner, DOT.
4. To consult with the Bureau of Trails prior to entering into agreements, easements, or special use permits with third parties that would affect the use of the corridor as a recreational trail.
5. To pay a mutually agreed portion of actual expenses, invoices to be submitted by DRED, to maintain the properties and facilities which shall include but not limited to drainage, culverts, walls, crossings, bridges and structures. The Department of Transportation shall not be liable for expenses in excess of the revenues generated for the Special Railroad Fund from those corridors listed in Attachment A.
6. To reserve to itself the decision, whether, when and how repairs will be made on

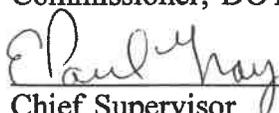


major maintenance expenditures such as but not limited to bridge collapse, culvert washout, and slope failure.

DRED, Division of Parks and Recreation, Bureau of Trails hereby agrees as follows:

1. To recognize and respect the articles and reservation as found in the Boston and Maine Corporation Deeds to the State of New Hampshire, DOT.
2. To accept the corridors described in attachment A and utilize the same for recreational purposes in conjunction with the State Trail System provided for in RSA 216-F.
3. To cooperate in the management of the corridors including protecting the states ownership rights and maintenance of all overhead, surface, and/or underground facilities, drainage, culverts, walls, crossings, bridges and structures.
4. To relinquish certain corridors on one hundred eighty (180) days written notice if needed by DOT, Bureau of Railroads and Public Transportation for transportation of goods or services.
5. To pay a mutually agreed portion of actual expenses to maintain the property and its facilities which shall include but not limited to drainage, culverts, walls, crossings, bridges and structures.
6. To prepare and submit, one year in advance, to the Bureau of Railroads and Public Transportation, a yearly plan of maintenance including activities and anticipated costs.
7. To prohibit the installation or use of any facility, unauthorized by DOT, such as, but not limited to pipes, wires, vehicular crossings, and structures which may unreasonably limit the ability to restore rail service should it be required in the future.

Attachment A may be revised upon agreement of the Commissioner, DRED and the Commissioner, DOT.

  
\_\_\_\_\_  
Chief Supervisor                      1/8/96  
Bureau of Trails                      Date

  
\_\_\_\_\_  
Administrator                      1-22-96  
Bureau of Railroads and                      Date  
Public Transforation

  
\_\_\_\_\_  
Acting Director                      1/8/96  
Division of Parks and                      Date  
Recreation

  
\_\_\_\_\_  
Commissioner                      1/14/96  
Department of Resources and                      Date  
Economic Development  
rev. 1/96

  
\_\_\_\_\_  
Commissioner                      1/23/96  
Department of Transportation                      Date



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