

CONWAY BRANCH RAILROAD CORRIDOR

14Nov03

ASSIGNMENT OF AGREEMENTS: Ossipee
Boston & Maine Corporation – Assignment

Registry:

County	Book	Pages	Date	See Note #'s
				#6

Note #6: Assignment of leases, licenses, or occupancy agreements to the State; not recorded in Registry

**ASSIGNMENT OF LEASES, LICENSES, OR
OCCUPANCY AGREEMENTS FROM THE
BOSTON AND MAINE CORPORATION**

OSSIPEE

NOT RECORDED IN COUNTY REGISTRY

ASSIGNMENT

For consideration paid by the **STATE OF NEW HAMPSHIRE, DEPARTMENT OF TRANSPORTATION**, a body corporate and politic whose mailing address is John Morton Building, 1 Hazen Drive, Concord, Merrimack County, New Hampshire ("Assignee"), the **BOSTON AND MAINE CORPORATION**, a Delaware Corporation whose address is Iron Horse Park, North Billerica, Massachusetts ("Assignor") hereby sells, conveys and assigns unto the Assignee all of the Assignor's right, title and interest, if any, in all leases, licenses or occupancy agreements of any description, affecting the premises to be conveyed and as more particularly described on Exhibit "A" attached hereto, affecting this portion of the "Conway Branch" of the Boston and Maine Corporation, so-called, and being more particularly described as "Exhibit B" attached hereto.

IN WITNESS WHEREOF, the said **BOSTON AND MAINE CORPORATION** has caused this Assignment to be executed in its behalf by David A. Fink, the Chief Executive Officer of **BOSTON AND MAINE CORPORATION**, on this 21st day of February, 2001.

BOSTON AND MAINE CORPORATION



Witness

By 
David A. Fink, Chief Executive Officer

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss:

February 21, 2001

Then personally appeared the above-named David A. Fink, Chief Executive Officer of the **BOSTON AND MAINE CORPORATION** and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said **BOSTON AND MAINE CORPORATION**, as aforesaid, before me,



Notary Public Elizabeth Kelleher LaFera
My Commission Expires: 10/29/2005

EXHIBIT "A" LEGAL DESCRIPTION

**BOSTON AND MAINE CORPORATION
TO
STATE OF NEW HAMPSHIRE - DEPARTMENT OF TRANSPORTATION
11,050 SQ. FT. Ossipee, New Hampshire**

A certain lot or parcel of land situated in Ossipee, Carroll County, New Hampshire and described as follows:

Beginning at a point located 15.00' southwesterly from centerline of location station 2874+84.83

thence continuing in a southwesterly direction eighty-four (84.00) +/- feet to a point,

thence on a curve to the right in a northwesterly direction one hundred and thirty feet (130.00) +/- to a point,

thence in a northeasterly direction eighty-four (84.00) +/- feet to a point,

thence on a curve to the left in a southeasterly direction one hundred and thirty (130.00) +/- feet to the point of beginning.

Parcel to be conveyed containing approximately 11,050 square feet, more or less.

EXHIBIT "B"

LESSOR: Boston and Maine Corporation

LESSEE: Lloyd J. Kerr
c/o Charles Brennan
28 Sarah Circle
Tamworth, New Hampshire 03886

CONTRACT: N090110
EFFECTIVE DATE: 10/15/87
ANNUAL AMOUNT: \$1,723.09
PREMISES: 11,050 Square Feet of Land - Freight House

**NEW HAMPSHIRE NORTHCOAST CORP
PRIVATE OWNERSHIP**

RECEIVED

1906 APR 29 PM 4:58

Handwritten signature
CARROLL COUNTY
REGISTRY OF DEEDS

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that BOSTON AND MAINE CORPORATION, a corporation duly organized and existing under the laws of the State of Delaware, with offices at Iron Horse Park, North Billerica, Massachusetts 01862, for consideration paid, grants to NEW HAMPSHIRE NORTHCOAST CORP., a corporation duly organized and existing under the laws of the State of New Hampshire, with offices at 214 North Main Street, P. O. Box 1415, Concord, New Hampshire 03301, with QUITCLAIM COVENANTS:

All right, title and interest of the Grantor in and to that certain part of the Branch Line right-of-way known as the "Ossipee Branch" (formerly the Conway Branch, so-called) situated in Rochester and Milton, County of Strafford, and Wakefield and Ossipee, County of Carroll, State of New Hampshire, and West Lebanon, County of York, State of Maine, which Branch Line is more particularly described as follows:

Beginning at Mile Post B 80.3 located approximately at Grantor's Engineering Station 702+71 in Rochester, County of Strafford and State of New Hampshire, as shown on Grantor's Valuation Maps, Section 4.1, Sheet 14, dated June 30, 1914, maintained by the office of Railroad Administration, New Hampshire Department of Public Works and Highways; thence extending generally northerly for a distance of 30.6 miles to Mile Post B 111, located at Grantor's Engineering Station 2321+92 in Ossipee, County of Carroll and State of New Hampshire as shown on said Valuation Maps, Section 4.1, Sheet 45, the said Branch Line being shown on said Maps, Section 4.1, Sheets 14 - 45, inclusive;

Together with and including all track, signals, bridges, crossings, both public and private, culverts, buildings and other improvements of the Grantor situated thereon or affixed thereto, and all rights and easements appurtenant thereto.

There is excepted from this conveyance those certain peripheral parcels of land shown crosshatched on the aforesaid Valuation Maps Section 4.1, Sheets 37 and 45, and consisting of the following:

006745

Total Tax - 4597.02

STATE OF NEW HAMPSHIRE
TAX ON TRANSFER
OF REAL PROPERTY
COMMISSION
APR 26 1906
900.00
6 4 7 0 3 6

BK 1091 PG 336

The aforesaid premises are conveyed subject to encumbrances of record, local zoning laws and all applicable federal, state, county and local land use laws, regulations and directives, and such taxes for the current year as are not due and payable on the date hereof and liens for municipal betterments, assessed after April 29, 1986, and easements, restrictions, agreements and other matters of record, if any, insofar as are in force, effect and/or applicable.

Further, said premises are conveyed without any right-of-way, by necessity or otherwise, over remaining property of the Grantor, except for trackage rights and other agreements executed simultaneously herewith.

TO HAVE AND TO HOLD the above-described premises with all the privileges and appurtenances thereto belonging to the said New Hampshire Northcoast Corp., its successors and assigns, to its own use and behoof forever.

IN WITNESS WHEREOF the Boston and Maine Corporation has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by D. A. Fink, its Chairman, President and CEO hereunto duly authorized.

BOSTON AND MAINE CORPORATION

BY D. A. Fink

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss North Billerica, Mass.

On this 29th day of April, 1986, before me appeared D. A. Fink, to me personally known, who being by me duly sworn, did say that he is Chairman and Chief Executive Officer, and that the seal affixed to this instrument is the corporate seal of said corporation and that this instrument was signed and sealed on behalf of said Boston and Maine Corporation by authority of its Board of Directors and D. A. Fink acknowledged this instrument to be the free act and deed of Boston and Maine Corporation.

Martha A. O'Neil
Notary Public

My Commission Expires

August 22, 1991

STATE OF NEW HAMPSHIRE
TAX ON TRANSFER
OF REAL PROPERTY
COMMISSION
N.S.A. 78:6
APR 26 1986
900.00
047062

STATE OF NEW HAMPSHIRE
TAX ON TRANSFER
OF REAL PROPERTY
COMMISSION
N.S.A. 78:6
APR 26 1986
987.02
047063

PK 1091 PG 338