

CONCORD TO LINCOLN RAILROAD CORRIDOR

18Mar04

BILL OF SALE: railroad tracks, materials, etc.

Boston & Maine Corporation

Registry:

County	Book	Pages	Date	See Note #'s
Merrimack	2128	1754-1757	Nov. 24, 1998	

Description:

From VS / Map – Station	To VS / Map – Station	Town /City
V34/1 – 787+80+/-	V34/11 – 1335+07+/-	Concord

**BILL OF SALE FROM THE
BOSTON & MAINE CORPORATION**

**CONCORD
RAIL, TIES AND TRACK MATERIALS**

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, THAT THE BOSTON AND MAINE CORPORATION, a Delaware corporation having its principal place of business in Iron Horse Park, North Billerica, Middlesex County, Massachusetts, (the "Grantor") in consideration of Ten Thousand no/00 (\$10,000.00) Dollars and other valuable consideration paid by the State of New Hampshire, Department of Transportation, John Morton Building, 1 Hazen Drive, Concord, Merrimack County, New Hampshire (the "Grantee") the receipt whereof is hereby acknowledged, does hereby grant, sell, transfer and deliver unto the said State of New Hampshire, the following:

All of Grantor's right, title and interest in and to said railroad track and other railroad track materials (including, but not limited to ties, connections, switches and ballast) and/or related equipment of any description located upon the premises in Concord, County of Merrimack, State of New Hampshire, said premises being described more particularly on Schedule A attached hereto and made a part hereto.

The track and other track materials which are subject of this Bill of Sale are conveyed in AS IS condition as of the date of the instrument. Buyer acknowledges that buyer has taken all steps that Buyer deems necessary to inspect the property.

TO HAVE AND TO HOLD the said property to the State of New Hampshire, its successors and assigns, to its own use and behalf forever. **THE BOSTON AND MAINE CORPORATION** hereby covenants with the buyers that it is the lawful owner of the said goods and chattels; that they are free from all encumbrances that it has been the right to sell said personal property, and that it will warrant and defend the same against the lawful claims and demands of all persons.

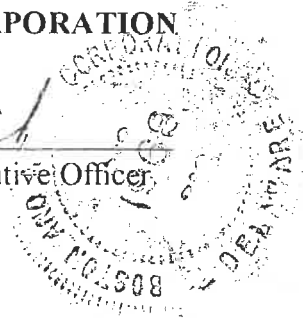
IN WITNESS WHEREOF, the said **BOSTON AND MAINE CORPORATION** has caused this instrument to be sealed with its corporate seal and signed in its corporate name by David A. Fink, its Chief Executive Officer thereunto duly authorized, this 19th day of November, 1998.

Witness:



BOSTON AND MAINE CORPORATION

By 
David A. Fink, Chief Executive Officer



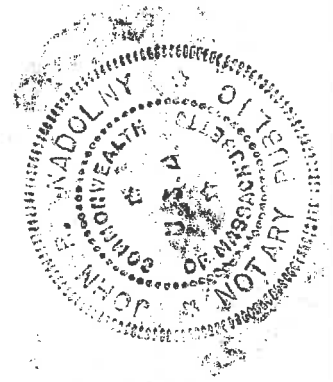
COMMONWEALTH OF MASSACHUSETTS

Middlesex,ss.

November 19, 1998

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


Notary Public
My Commission Expires: 7/6/2001



SCHEDULE A

PARCEL #1

Beginning at a point in the existing Easterly Right-of-Way Line of the Northern Railroad corridor said point being nearly opposite of the beginning tracks of the White Mountain Branch Railroad, so called, said point also being identified as Point #1, as shown on a plan prepared for the State of New Hampshire by Paul M. Darbyshire, licensed land surveyor, dated Nov. 11, 1998 and to be recorded in the Merrimack County Registry of Deeds, entitled "Land in Concord, N.H. B&M Corp to State of New Hampshire", thence N 39° 39' 39" W a distance of one hundred four and five hundredths (104.05) feet to Point #2; thence N 25° 55' 01" W a distance of eight-two and eighty-seven hundredths (82.87) feet to Point #3; thence N 19° 41' 12" W a distance of two hundred five and forty-six hundredths (205.46) feet to Point #4; thence N 15° 35' 03" W a distance of two hundred forty-three and nineteen hundredths (243.19) feet to Point #5; thence N 67° 10' 50" E a distance of twenty-eight and thirty-eight hundredths (28.38) feet to Point #6; thence N 02° 37' 10" E a distance of one hundred ninety and eight tenths (190.80) feet to Point #7; thence Northerly and curving to the left on an arc of a circle having a radius of seven hundred one and seventy eight hundredths (701.78) feet with a total length equaling one hundred twelve and two hundreds (112.02) feet to Point #8; thence N 06° 20' 20" W a distance of forty-nine and seventeen hundredths (49.17) feet to Point #9, said point also being in a granite bound found mark with a "Holden" disk; thence N 06° 18' 54" W a distance of four hundred nine and fifty-nine hundredths (409.59) feet to Point #10, said point also being in a buried iron pipe found; thence Northerly and curving to the right on an arc of a circle having a radius of two thousand eight hundred seventy-nine and ninety-three hundredths (2,879.93) feet with a total length equaling four hundred forty-two and eleven hundredths (442.11) feet to Point #11, said point also being in the Southerly Limited Access Right-of-Way Line of the South Bound on ramp leading from I-393 to I-93; thence Easterly along said Right-of-Way Line on an arc of a circle having a radius of eight hundred eighty-six and seventy-five hundredths (886.75) feet with a total length equaling forty-eight and thirty-eight hundredths (48.38) feet to Point #12; thence Southerly and curving to the left on an arc of a circle having a radius of two thousand eight hundred thirty-one and ninety-three hundredths (2,831.93) feet with a total length equaling six hundred eighty-six and seventy-two hundredths (686.72) feet to Point #13, said point also being in a granite bound mark with a "Holden" disk; thence S 11° 26' 50" W a distance of seventy-three and twenty-seven hundredths (73.27) feet to Point #14, said point also being in a granite bound found with a "Holden" disk; thence S 06° 21' 48" E a distance of two hundred thirty-one and eighty-four hundredths (231.84) feet to Point #15; thence Southerly and curving to the right on an arc of a circle having a radius of seven hundred thirty-one and seventy-eight hundredths (731.78) feet with a total length equaling twenty-eight and eighty-three hundredths (28.83) feet to Point #16; thence S 02° 35' 45" W a distance of one hundred eighty (180.00) feet to Point #17; thence Southerly and curving to the left on an arc of a circle having a radius of seven hundred one and seventy-eight hundredths (701.78) feet with a total length equaling one hundred eighty-two and eight-six hundredths (182.86) feet to Point #18; thence S 12° 20' 01" E a distance of one hundred fifty-three and two hundredths (153.02) feet to Point #19; thence S 19° 29' 30" E a distance of forty-five and ninety-six hundredths (45.96) feet to Point #20; thence Southerly and curving to

the left on an arc of a circle having a radius of seven hundred one and seventy-eight hundredths (701.78) feet with a total length equaling eighty-seven and sixty-seven hundredths (87.67) feet to Point #21; thence S 26° 38' 58" E a distance of one hundred fifty-two and fifty-five hundredths (152.55) feet to point of beginning. Containing seventy-five thousand two hundred sixty-eight (75,268) square feet, more or less, or one and seven twenty-eight thousandths (1.728) acres, more or less.

Excepting and reserving to the grantor an access easement measuring twenty-five (25) feet, more or less in width from the center line of track of the Northern Railroad within the limits of the above described tract as shown on said plan for track maintenance.

PARCEL #2

The remainder corridor section of the White Mountain Branch extending Northerly from the above described parcel to Station 56+75 at Mile Post 1.16 Yard Limits at land of the grantee, being identified as Parcel #'s 13, 14 and a portion of 16, as shown on Valuation Map 21/35, on file in the records of the New Hampshire Department of Transportation. Containing one hundred forty-eight thousand three (148,300) square feet, more or less, or three and four tenths (3.40) acres, more or less.

MERRIMACK COUNTY RECORDS

Kathi L. Quay, Register