

**ACQUISITION FROM THE
CAPITAL REGIONAL DEVELOPMENT COUNCIL**

**CONCORD
MERRIMACK COUNTY REGISTRY**

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that **CAPITAL REGIONAL DEVELOPMENT COUNCIL**, a New Hampshire voluntary corporation with its principal place of business at 91 North State Street, P.O. Box 664, City of Concord, New Hampshire ("Grantor") for consideration paid, grants to the **STATE OF NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION**, with its principal place of business in the John O. Morton Building at 1 Hazen Drive, Concord, New Hampshire 03301 ("Grantee"), WITH WARRANTY COVENANTS, two (2) certain tracts of land located in the City of Concord, Merrimack County, New Hampshire, more particularly bounded and described as follows:

PARCEL ONE:

In consideration of the Grantee's transfer to the City of Concord, New Hampshire of even or near even date and to be recorded herewith, Grantor hereby conveys so much of the following described "Proposed 30' Wide Railroad Right-of-Way Realignment" as lies within Grantor's land in Concord, Merrimack County, New Hampshire conveyed to it by the source deed from the City of Concord identified below and identified as Map 56A, Block 1, Lot 1 on a certain plan entitled "Capital Region Civic and Trade Center, Concord, NH, Boundary Plat" prepared by Provan & Lorber, Inc. and recorded in the Merrimack County Registry of Deeds as Plan No. 13384:

A tract of land shown as the "Proposed 30' Wide Railroad Right-of-Way Realignment" on a certain plan entitled "Consolidation & Subdivision Plan, Commercial Street" prepared by Burd Engineering for Capital Regional Development Council and recorded in the Merrimack County Registry of Deeds as Plan No. 14674 (the "Plan"), more particularly bounded and described as follows:

Beginning at a point at the intersection of the easterly right of way line of the existing railroad with the westerly right of way line of the proposed railroad, said point being located from a N.H. Highway bound the following two courses; N 47° 41' 41" E, 17.20 feet; S 12° 48' 36" W, 33.81 feet and running; thence

1. Along the westerly right of way line of the proposed railroad on a curve curving to the right in a northeasterly direction having a radius of 833.51 feet an arc distance of 76.69 feet to a point of spiral curve; thence
2. Along a spiral curve curving to the right a distance of 141.28 feet to a point of tangency (having a tie course of N 42° 33' 34" E a distance of 141.25 feet); thence
3. N 44° 12' 00" E a distance of 103.27 feet to a point of spiral curve; thence
4. Along a spiral curve curving to the left in a northeasterly direction a length of 138.72 feet to a point of curve (having a tie course of N 42° 19' 57" E a distance of 138.67 feet); thence

5. Along a curve curving to the left in a northeasterly direction and having a radius of 803.51 feet an arc length of 521.31 feet to a point of spiral curve; thence
6. Along a spiral curve curving to the left in a northerly direction a distance of 138.73 feet to a point of curve (having a tie course of N 01° 23' 22" W a distance of 138.68 feet); thence
7. Along a curve curving at the left having at radius of 5549.59 feet an arc length of 188.66 feet to a point of spiral curve; thence
8. Along a spiral curve curving at the left of distance of 138.53 feet to a point of curve (having a tie course of N 07° 08' 23" W a distance of 138.47 feet); thence
9. Along a curve curving to the left having a radius of 803.51 feet an arc distance of 242.63 feet to a spiral curve; thence
10. Along a spiral curve curving to the left a distance of 138.72 feet to a point of tangency (having a tie course of N 31° 13' 48" W a distance of 138.68 feet); thence
11. N 32° 51' 20" W a distance of 199.06 feet to a point of spiral curve; thence
12. Along a spiral curve curving to the right in a northwesterly direction a distance of 141.29 feet to a point of curve (having a tie course of N 31° 12' 54" W a distance of 141.24 feet); thence
13. Along a curve curving to the right having a radius of 833.51 feet an arc distance of 73.14 feet to a point of spiral curve; thence
14. Along a spiral curve curving to the right a distance of 112.18 feet to a point on the southerly right of way line of Fan Road (having a tie course of N 20° 04' 36" W a distance of 112.15 feet); thence
15. Along the southerly sideline of Fan Road N 64° 05' 10" E a distance of 30.27 feet to a point on the easterly right of way line of the railroad; thence
16. Along a spiral curve curving to the left in a southerly direction a distance of 113.77 feet to a point of curve (having a tie course of S 19° 59' 58" E a distance of 113.74 feet); thence
17. Along a curve curving to the left having a radius of 803.51 feet an arc distance of 70.51 feet to a point of spiral curve; thence

18. Along a spiral curve curving to the left a distance of 138.73 feet to a point of tangency (having a tie course of S 31° 13' 48" E a distance of 138.68 feet); thence
19. S 32° 51' 20" E a distance of 199.06 feet to a point of spiral curve; thence
20. Along a spiral curve curving to the right a distance of 141.29 feet to a point of curve (having a tie course of S 31° 12' 54" E a distance of 141.24 feet); thence
21. Along a curve curving to the right having a radius of 833.51 feet an arc distance of 251.69 feet to a point of spiral curve; thence
22. Along a spiral curve curving to the right a distance of 141.47 feet to a point of curve (having a tie course of S 07° 09' 16" W a distance of 141.41 feet); thence
23. Along a curve curving to the right having a radius of 5579.59 feet an arc distance of 189.71 feet to a point of spiral curve; thence
24. Along a spiral curve curving to the right a distance of 141.29 feet to a point of curve (having a tie course of S 01° 22' 28" E a distance of 141.25 feet); thence
25. Along a curve curving to the right having a radius of 833.51 feet an arc distance of 540.78 feet to a point of spiral curve; thence
26. Along a spiral curve curving to the right a distance of 141.28 feet to a point of tangency (having a tie course of S 42° 19' 04" W a distance of 141.24 feet); thence
27. S 44° 12' 00" W a distance of 103.27 feet to a point of spiral curve; thence
28. Along a spiral curve curving to the left a distance of 138.73 feet to a point of curve (having a tie course of S 42° 34' 28" W a distance of 138.67 feet); thence
29. Along a curve curving to the left having a radius of 803.51 feet an arc distance of 164.54 feet to a point on the easterly right of way line of the existing railroad; thence
30. Along the easterly right of way line of the existing railroad N 12° 48' 36" E a distance of 96.99 feet to the first mentioned place and point of beginning.

Containing 1.662 acres more or less.

Parcel One is conveyed subject to certain encroachments related to the electric utility transmission line to be constructed adjacent to and paralleling the Proposed 30' Wide Railroad Right-of-Way Realignment as shown on the Plan. Said encroachments include:

- (a) The overhead crossing of the Proposed 30' Wide Railroad Right-of-Way Realignment by electric transmission wires:
- (i) At the boundary between Lot 4 and Lot 5 as shown on the Plan. See also portions of a certain plan prepared for Grantee by Burd Engineering entitled "Construction Plans State of New Hampshire Railroad Operated by New England Southern Railroad Concord to Lincoln Line, Railroad Realignment Between Route 393 and Fan Road" to be recorded herewith in the Merrimack County Registry of Deeds ("Realignment Plan"). The Realignment Plan reflects this utility crossing running approximately from Station 18 + 70 through Station 20 + 65.
 - (ii) Along the southeasterly boundary of Lot 2 as shown on the Plan. See also the Realignment Plan that reflects this utility crossing running approximately from Station 2 + 20 through Station 3 + 60.
- (b) Extension into Parcel One of guy wires and anchors for electric utility poles, if any there may be:
- (i) At Station 21 + 00, more or less, of the Proposed 30' Wide Railroad Right-of-Way Realignment as shown on the Realignment Plan, extending from Pole 63 as shown on said Plan northwesterly approximately one to five feet (1'-5') into Parcel One; and
 - (ii) At Station 26 + 30, more or less, of the Proposed 30' Wide Railroad Right-of-Way Realignment as shown on the Realignment Plan, extending from Pole 61 as shown on said Plan northwesterly approximately one to five feet (1'-5') into Parcel One.

With respect to the above described electric utility transmission line encroachments, there is also reserved the right of access by the utility to inspect, maintain and repair the poles, lines, wires and other structures shown on the Plan and Realignment Plan. The foregoing described encroachments shall be located so as not to disrupt rail service along the rail line to be constructed on Parcel One or interfere with access to the rail line for inspection and maintenance.

PARCEL TWO:

In consideration for transfer by the Grantee to the City of Concord of a triangular shaped parcel identified as Tract A on the Plan, Capital Regional Development Council conveys to the Grantee a certain crescent shaped parcel located between Parcel One

described above and the Interstate 93 and the Interstate 393 right of way, identified as Tract B on the Plan, more particularly bounded and described as follows:

Beginning at a point on the westerly right of way line of the exit 15W ramp of Interstate Route 93, said point being located from a NHDOT bound on a curve to the left in a northeasterly direction an arc length of 22.74 ft., said curve having a radius of 625.00 ft., and thence

On a curve to the left in a northeasterly direction having a radius of 833.51 ft. an arc length of 509.26 ft. to a point of spiral curve; thence

Along a spiral curve to the left a length of 141.29 ft. to a point on the westerly right of way line of Interstate Route 93, the tie course for the referenced spiral curve is N 01° 22' 28" W a distance of 141.25 ft.; thence

Along the westerly right of way line of I-93 on a curve to the right in a southwesterly direction having a radius of 5579.59 ft. an arc length of 303.13 ft. to a point; thence

Continuing along the westerly right of way line of I-93 in a southwesterly direction along a curve to the right having a radius of 625.00 ft. an arc length of 360.08 ft. to the first mentioned place and point of beginning. Containing 8,068 square feet, more or less.

Meaning and intending to describe and convey as Parcels One and Two a portion of the property described in the deed from the City of Concord to Capital Regional Development Council dated July 13, 1998 and recorded in the Merrimack County Registry of Deeds at Book 2108, Page 54.

Executed this 7th day of May, 1999.

CAPITAL REGIONAL DEVELOPMENT COUNCIL

By: William C Cannon
 Name: William C. Cannon
 Title: Vice President
 Duly Authorized

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK

Acknowledged before me this 7th day of May, 1999 by William C. Cannon,
Vice President of Capital Regional Development Council.

[Signature]
~~Notary Public/Justice of the Peace~~
My Commission Expires: 10/28/2003

afternoon

CLEVELAND, WATERS & BASS, P.A.
TWO CAPITAL PLAZA
P.O. BOX 1137
CONCORD, NH 03302-1137

REGISTER
Patrick J. Quay
FERRISACK COUNTY RECORDS
RECEIVED AND RECORDED

20.03
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