



William Cass, P.E.
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

27



David Rodrigue, P.E.
Assistant Commissioner
Andre Briere, Colonel, USAF (RET)
Deputy Commissioner

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord, NH 03301

Bureau of Rail & Transit
March 3, 2025

REQUESTED ACTION

Authorize the Department of Transportation to transfer to the Department of Natural and Cultural Resources management of the following state-owned abandoned railroad corridor for management as a recreational trail, effective upon Governor and Council approval:

Conway Branch Railroad Line (Ossipee, Tamworth, Madison, Albany and Conway, ~21 miles)

EXPLANATION

The State of New Hampshire owns approximately 340 miles of abandoned railroad corridors that were purchased to preserve them for future rail transportation use and have been availed, in most cases, to allow for interim recreational use. Approximately 250 miles of these corridors are owned by the Department of Transportation (DOT) but managed for recreational use by the Department of Natural and Cultural Resources' (DNCR) Trails Bureau. In accordance with Chapter 137:1, Laws of 2024, the Conway Branch Planning Group ("Planning Group") was convened to formulate a plan for the best public use of portions of the state-owned, abandoned, Conway Branch Railroad Line. As a result, the DOT and DNCR agreed that the most imminent use of the 21-mile state-owned Conway Branch segments were recreational and, as such, management should be transferred from DOT to DNCR.

Control of this segment of the Conway Branch by DNCR will simplify recreational management and streamline the relationship between the State as owner and the municipalities, abutters, utilities and other entities with an interest in this corridor. The DOT will retain a right of first refusal on the disposal of any of these properties, a railroad easement if required under the terms of the original acquisition, and the right to maintain any drainage or other facilities serving adjacent highways. The Department may propose transfer of additional corridors in the future if it is determined that it is not likely to have a future transportation use for them and more imminent use would be recreational.

Attached is the draft Transfer of Management Responsibilities document that will be signed by DOT and DNCR, after Governor and Council approval, to effectuate the transfer.

Your approval is respectfully requested.

Sincerely,

William J. Cass, P.E.
Commissioner

Attachments

DRAFT

Return to:
Nicole Bryant
Administrator
Bureau of Rail & Transit
NH Department of Transportation
P.O. Box 483
7 Hazen Drive
Concord, New Hampshire 03302-0483

**IF RECORDED; THIS IS A TRANSFER
BETWEEN AGENCIES OF THE
STATE OF NEW HAMPSHIRE AND IS
THEREFORE EXEMPT FROM THE
NEW HAMPSHIRE REAL ESTATE
TRANSFER TAX PURSUANT TO RSA
78-B:2(I)**

**Transfer of Management Responsibility
of a Portion of Abandoned Railroad Corridor
From The New Hampshire Department of Transportation
To The New Hampshire Department of Resources and Development
Ossipee, Tamworth, Madison, Albany and Conway, NH**

THIS IS NOT A TRANSFER OF TITLE

The State of New Hampshire, Department of Transportation, whose address is PO Box 483, 7 Hazen Drive, Concord, New Hampshire 03302-0483, (DOT), transfers to the State of New Hampshire, Department of Natural and Cultural Resources (DNCR), of 172 Pembroke Road, P.O. Box 1856, Concord, 03302-1856, County of Merrimack, (DNCR), pursuant to Governor and Executive Council approval on March 26, 2025, Item # ____, management responsibilities to the following land held in title by the State of New Hampshire:

A certain parcel of land in the Towns of Ossipee, Tamworth, Madison, Albany and Conway, Carroll County, New Hampshire, being a portion of the so called "Conway Branch" line, beginning at approximate centerline engineering station ("CLE") 2321+92 in the Town of Ossipee and continuing through the Towns of Tamworth, Madison and Albany to CLE 3448+56 in the Town of Conway, all within Carroll 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 V4.1NH/45 through V4.1NH/66, on file with the State of New Hampshire, Department of Transportation, Bureau of Rail and Transit, 7 Hazen Drive, Concord, NH 03302-0483.

Being a portion of that property conveyed in 1994 by Town of Madison to the State of New Hampshire by Deed, and recorded in the Carroll County Registry of Deeds December 08, 1994, at Book 1599 Page 649, and subject to all the covenants, conditions, and reservations therein.

Being a portion of that property conveyed in 1998 by Boston & Maine Corp. to the State of New Hampshire by Deed, and recorded in the Carroll County Registry of Deeds December 21, 2001, at Book 1984 Page 743, and subject to all the covenants, conditions, and reservations therein.

Further subject to the right retained by the Department of Transportation to restore rail or other transportation service on the corridor, to maintain drainage on the property, and to exercise a right of first refusal prior to the sale of any portion of the property. The DNCR agrees to contact the Division of Historical Resources prior to any major construction or excavation activities on the property.

It is hereby made a part of the before mentioned consideration and a condition to this instrument that the property taxes, if any, are to be pro-rated as of the date of execution of this instrument.

DRAFT

Executed this _____ day of _____, 2025.

**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF NATURAL
AND CULTURAL RESOURCES**

By: _____
Sarah L. Stewart
Commissioner

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS

On this _____ day of _____, 2025, personally appeared Sarah L. Stewart, Commissioner of the Department of Natural and Cultural Resources of the State of New Hampshire, known to me or satisfactorily proven to be the person described in this document, and acknowledged that he was duly authorized to execute this document.

Notary Public/Justice of the Peace

My commission expires: _____

**THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION**

By: _____
William J. Cass,
Commissioner

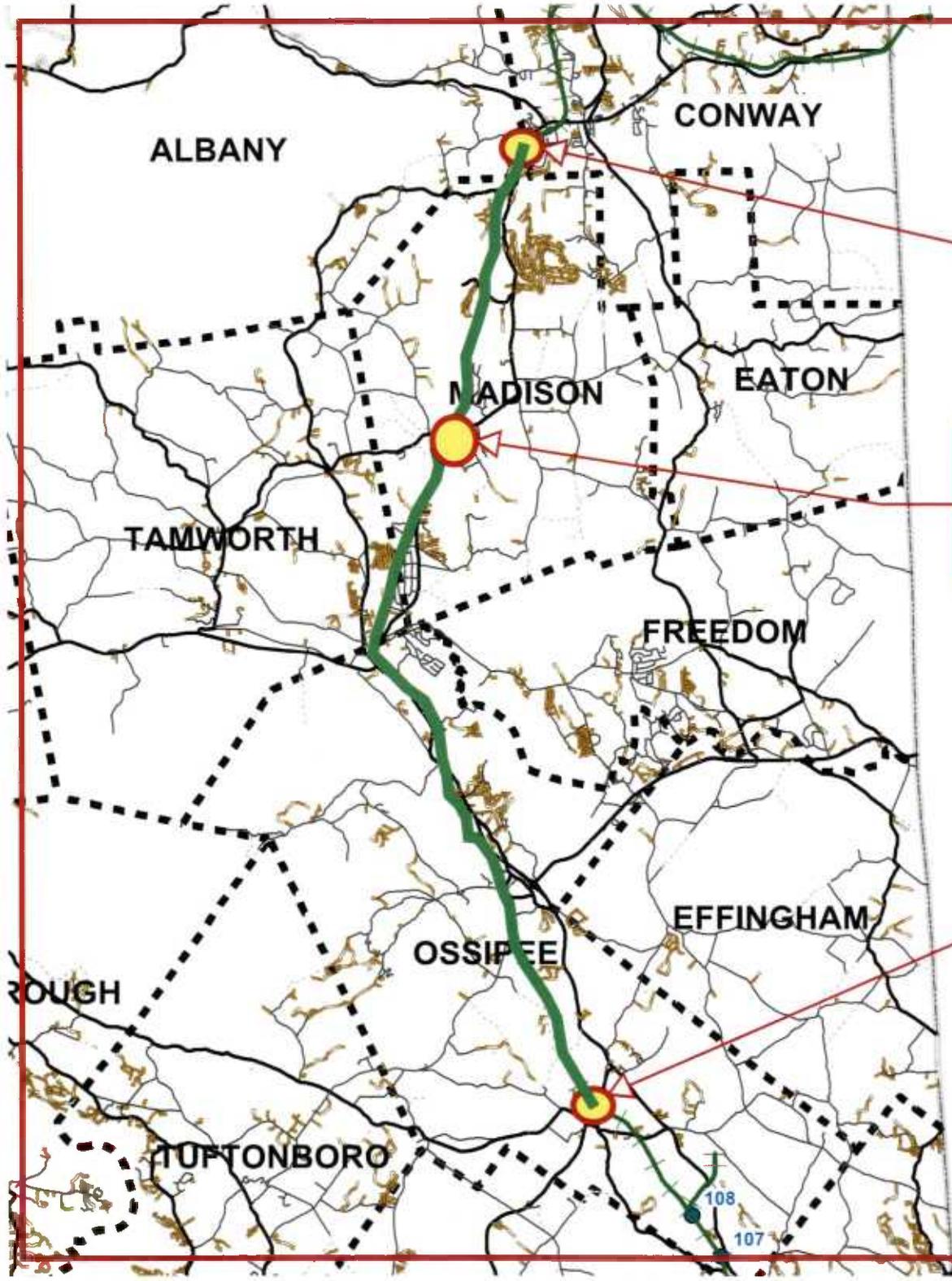
STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS

On this _____ day of _____, 2025 personally appeared William Cass, Commissioner of the New Hampshire Department of Transportation, known to me or satisfactorily proven to be the person described in this document, and acknowledged that he was duly authorized to execute this document.

Notary Public/Justice of the Peace

My commission expires: _____

Approved by Governor and Council on _____, Item # _____



Ends Engineering Station
3448+56 in Conway

Neil Underwood Ownership Section
(Private)
Begin / End Engineering Station
3122+00 to 3129+46.2 in Madison

Begins Engineering Station
2321+92 in Ossipee

CONWAY BRANCH
Ossipee to Conway
21.22 Miles