

# CITY OF CONCORD

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*In the year of our Lord two thousand and twenty-six*

**RESOLUTION** AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH SCENIC RAILRIDERS, INC., CONCERNING THE CITY-OWNED PARCELS IDENTIFIED AS TAX MAP 743Z, LOT 10-2 AND TAX MAP 13P, LOT 21 (FORMER NORTHERN RAILROAD) TO OPERATE A RAILBIKE TOUR BUSINESS.

Page 1 of 2

*The City of Concord resolves as follows:*

**WHEREAS,** the City owns the vacant parcel of land located between Horseshoe Pond Lane and the Boscawen Townline (Tax Map 6743Z, Lot 10-2 and Tax Map 13P, Lot 21, previously known as the “Northern Railroad”); and,

**WHEREAS,** the Northern Railroad Property was acquired by the City on February 25, 2026 from Boston and Maine Corporation (“BMC”), a subsidiary of CSX, for the express purpose of constructing a portion of the Merrimack River Greenway Trail (CIP #543); and,

**WHEREAS,** on June 7, 2019, the Scenic RailRiders entered into a lease with BMC to utilize 3.3-miles of the property for the purpose of operating a railbike tour business; and,

**WHEREAS,** the lease agreement expired on June 7, 2024, and the Scenic RailRiders have remained at the property in a month-to-month holdover status; and,

**WHEREAS,** the City was awarded funding through the NH Department of Transportation (“NHDOT”) Transportation Alternatives Program for the design and construction of CIP #543 in the area historically utilized by the Scenic RailRiders, with design commencing in 2026 and construction in 2028; and,

**WHEREAS,** BMC maintains the right to salvage and remove the rails within 12 months of the property transaction; and,

**WHEREAS,** recognizing that construction of CIP #543 is not imminent, the City desires to allow Scenic RailRiders to continue to operate for a temporary, interim use until BMC removes the track or December 31, 2026, whichever comes first; and,

**WHEREAS,** the lease will include provisions per RSA 72:23, I(b), which states that when a municipality leases its property to a private entity, the lease agreement must include a provision requiring the lessee pay all property taxes.

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Page 2 of 2

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Concord that:

- 1) The City Manager is hereby authorized to enter into the proposed Lease Agreement with Scenic RailRiders, Inc. for the 3.3-mile portion of the properties located at Tax Map 6743Z, Lot 10-2 and Tax Map 13P, Lot 21, previously known as the “Northern Railroad”.
- 2) This resolution shall take effect upon its passage.