

HOUSE No. 1320

By Messrs. Matthews and Violette of Fitchburg, petition of Everett H. Dudley and another for legislation to fix boundary lines between the cities of Fitchburg and Leominster and relative to certain annexations by said cities. Cities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Three.

AN ACT FIXING BOUNDARY LINES AND ANNEXATIONS AND
SETTLING OTHER MATTERS CONCERNING THE CITIES OF
FITCHBURG AND LEOMINSTER.

*Be it enacted by the Senate and House of Representatives
in General Court assembled, and by the authority of the
same, as follows:*

1 SECTION 1. Chapter thirty-seven of the acts of
2 nineteen hundred and forty-one is hereby amended
3 by striking out section one and section two and by
4 inserting in place thereof the following new sections
5 one and two:—

6 *Section 1.* The location of each angle point in the
7 boundary described below is fixed by X and Y co-
8 ordinates referred to the Massachusetts State Coor-
9 dinate System, and is shown on a plan entitled
10 "Plan of Land in Leominster to be Annexed to the
11 City of Fitchburg", drawn on a scale of one inch
12 = three hundred feet by the Fitchburg Department
13 of Public Works, said plan or copies thereof to be
14 filed with the State Secretary and the Worcester

15 Northern District Registry of Deeds and being
16 hereby made a part of the description.

17 All that part of the city of Leominster, with the
18 inhabitants and estates therein, within the area
19 bounded and described as follows:— Beginning at
20 a granite monument marked F-L-L, at a point for-
21 merly marked by a white oak tree, which marked
22 the corner of Fitchburg, Leominster and Lunenburg
23 prior to this annexation, and having the following
24 coordinates: $X = 528502.40$, $Y = 569580.94$; thence
25 by the former Lunenburg-Leominster Town Line,
26 $N 53^{\circ} 14' 23'' E$ 656.55 feet to a point which is the
27 southeasterly corner of the Fitchburg Sewage Dis-
28 posal Area; thence by land of the Boston & Maine
29 Railroad $S 66^{\circ} 03' 34'' E$ 1678.79 feet to a point in
30 the southwesterly sideline of the Boston & Maine
31 Railroad location, said point measuring 46.75 feet
32 southwesterly from the baseline of location at a point
33 of tangency in said location line; thence southeast-
34 erly on the arc of a circle having a radius of 3227.4
35 feet more or less curving to the right 493.9 feet more
36 or less to a point of compound curvature, the chord
37 of said arc bearing $S 48^{\circ} 18' 09'' E$, 493.55 feet; thence
38 southeasterly on the arc of a circle having a radius
39 of 3425.8 feet more or less, curving to the right
40 789.2 feet more or less to a point of compound curva-
41 ture, the chord of said arc bearing $S 37^{\circ} 19' 02'' E$,
42 787.57 feet; thence southeasterly on the arc of a
43 circle having a radius of 3497.4 feet more or less,
44 curving to the right 459.6 feet more or less to a
45 point of tangency, the chord of said arc bearing
46 $S 26^{\circ} 56' 58'' E$, 459.26 feet; thence $S 23^{\circ} 10' 12'' E$,
47 1665.87 feet to a point of curve; thence southeast-
48 erly on the arc of a circle having a radius of 5621.5

49 feet more or less, curving to the left 271.1 feet more
50 or less to a point of compound curvature, the chord
51 of said arc bearing S 24° 32' 49" E 271.01 feet; thence
52 southeasterly on the arc of a circle having a radius
53 of 4821.5 feet more or less, curving to the left 327.1
54 feet more or less to a point of tangency, the chord of
55 said arc bearing S 27° 50' 46" E, 327.04 feet; thence
56 S 29° 49' 11" E, 1152.45 feet to an angle — the seven
57 last named courses lying on a line parallel to the
58 baseline of location of the Boston and Maine Rail-
59 road and 46.75 feet distant southwesterly therefrom
60 measured at right angles thereto; thence by land of
61 Vincent D'Onfro, et ux, S 83° 41' 56" W, 572.79
62 feet to a point in the easterly sideline of Crawford
63 Street; thence southeasterly on the arc of a circle
64 having a radius of 800.00 feet curving to the left
65 along the easterly sideline of said Crawford Street,
66 321.07 feet to a point of tangency, the chord of said
67 arc bearing S 36° 21' 05" E, 318.92 feet; thence
68 crossing said Crawford Street, S 7° 20' 57" W, 977.13
69 feet to an angle on the westerly bank of the Nashua
70 River between the lands of the City of Fitchburg and
71 the heirs of George Davey; thence by land of said
72 heirs of George Davey S 2° 53' 04" W, 433.52 feet
73 to an angle; thence still by land of said heirs of
74 George Davey, N 75° 26' 56" W, 1248.23 feet to an
75 angle; thence N 46° 26' 44" W, 1334.93 feet to a
76 point which marks an angle in the boundary be-
77 tween land of the City of Fitchburg and land of
78 the Standard Pyroxoloid Corporation; thence
79 S 63° 56' 05" W, 775.97 feet to a concrete monu-
80 ment marking Traverse Station 18 AL of the Massa-
81 chusetts Geodetic Survey, whose coordinates are:
82 X = 529710.95, Y = 564032.20, and thence by the

83 same bearing 3.99 feet to a point which lies 33.00
84 feet distant from the New York, New Haven and
85 Hartford Railroad monumented baseline measured
86 along a radial line; thence northwesterly on the arc
87 of a circle having a radius of 28.34.52 feet curbing
88 to the left along a line which lies concentric to the
89 arc of said monumented baseline and 33.00 feet dis-
90 tant therefrom measured along a radial line, 894.53
91 feet to a point lying in the easterly sideline of loca-
92 tion and 33.00 feet distant, measured on a radial
93 line from a concrete bound which marks the point
94 of tangency of said monumented baseline; the chord
95 to said first named arc bearing N 28° 10' 44'' W,
96 890.82 feet; thence N 6° 50' 44'' E, 784.16 feet to an
97 angle; thence N 32° 11' 22'' W, 858.97 feet to a
98 stone bound which marks the northeasterly sideline
99 of Funston Street at Moore Street; thence by the
100 same bearing 486.88 feet to the northwesterly termi-
101 nus of said sideline of Funston Street; thence
102 N 49° 13' 22'' W, 1742.77 feet to a point which lies
103 approximately on the boundary line between the
104 Riverview Subdivision, so-called, and land of Paul
105 Sandrowski; thence along the northeasterly side-
106 line of Kenwood Avenue and crossing Battles Street,
107 N 55° 15' 27'' W, 708.26 feet to a point on the Fitch-
108 burg-Leominster City Line as established by Legis-
109 lative Act, February 24, 1925; thence along the
110 aforesaid city line and crossing the Nashua River
111 N 53° 07' 38'' E, 2176.23 feet to the point of begin-
112 ning.

113 The annexation lines above described encompass
114 an area of 476.32 acres.

115 *Section 2.* The location of each angle point in the
116 boundary described below is fixed by X and Y co-

117 ordinates referred to the Massachusetts State Co-
118 ordinate System, and is shown on a plan entitled
119 "Plan of land in Fitchburg to be annexed to the
120 City of Leominster", drawn on a scale of one inch
121 = three hundred feet by the Fitchburg Department
122 of Public Works, said plan or copies thereof to be
123 filed with the State Secretary and the Worcester
124 Northern District Registry of Deeds, and being
125 hereby made a part of this description. The bear-
126 ings and distances along the State Highway con-
127 form to those given on two plans of said State High-
128 way drawn by the Massachusetts Department of
129 Public Works on a scale of one inch = forty feet
130 and dated, respectively, July 14, 1937 and June 4,
131 1940; and these bearings must be decreased in azi-
132 muth four seconds to conform strictly to the Massa-
133 chusetts State Coordinate System.

134 All that part of the city of Fitchburg, with the
135 inhabitants and estates therein, within the area
136 bounded and described as follows: — Beginning at a
137 granite monument, designated F. L. W. in the Har-
138 bor and Land Commission Town Boundary Survey
139 of 1909, which marks the corner of Fitchburg,
140 Leominster and Westminster, and which has the fol-
141 lowing coordinates: $X = 508831.83$; $Y = 562708.26$;
142 thence $N 6^{\circ} 18' 56'' E$, 1743.95 feet to an angle at a
143 point in the southerly sideline of the State Highway
144 location, said point measuring 100 feet southerly
145 from station 149 + 09.40 on the State Highway base-
146 line of location, measured at right angles thereto;
147 thence $N 82^{\circ} 07' 55'' E$, 1168.37 feet to a point of
148 curve; thence easterly on the arc of a circle having
149 a radius of 1918.11 feet curving to the right 1035.07
150 feet to a point of tangency; thence $S 66^{\circ} 56' 58'' E$

151 1422.77 feet to a point of curve; thence easterly on
152 the arc of a circle having a radius of 2683.84 feet
153 curving to the left 1605.63 feet to a point of tan-
154 gency; thence N 78° 46' 22" E, 888.78 feet to
155 a point of curve; thence easterly on the arc of a
156 circle having a radius of 3082.50 feet curving to the
157 right 957.38 feet to a point of tangency; thence
158 S 83° 26' 11" E, 369.93 feet to a point of curve; thence
159 easterly to northeasterly on the arc of a circle hav-
160 ing a radius of 2099.97 feet curving to the left 2098.25
161 feet to a point of tangency; thence N 39° 18' 53"
162 E, 1153.77 feet to a point of curve; thence north-
163 easterly to southeasterly on the arc of a circle hav-
164 ing a radius of 900.00 feet curving to the right 1037.47
165 feet to a point of tangency; thence S 74° 00' 28" E,
166 2169.69 feet to an angle; thence N 87° 30' 44" E,
167 902.64 feet to an angle at a point which lies on the
168 Fitchburg-Leominster City line as established by
169 Legislative Act, February 24, 1925, and which mea-
170 sures 100.00 feet from Station 1 + 48.93 on the State
171 Highway baseline of location measured at right an-
172 gles thereto, said point having the following coordi-
173 nates: X = 522796.44, Y = 565301.02; the twelve
174 last named courses are intended substantially to be
175 parallel to the State Highway baseline of location
176 and 100 feet distant therefrom; thence along the
177 Fitchburg-Leominster City Line as established by
178 Legislative Act, February 24, 1925, S 53° 07' 38" W,
179 5268.26 feet to an angle at a granite monument
180 marked F-L, which marks a city corner in the
181 boundary line as described in said Legislative Act,
182 said point having the following coordinates:
183 X = 518581.97, Y = 562139.84; thence along the
184 former Fitchburg-Leominster City Line as it existed

185 prior to this annexation, N 86° 39' 49'' W, 9766.69
186 feet to the place of beginning.

187 The annexation lines above described encompass
188 an area of 561.20 acres.

1 SECTION 2. Section one of chapter six hundred
2 and ninety-eight of the acts of nineteen hundred
3 and forty-one, which amended chapter thirty-seven
4 of the acts of nineteen hundred and forty-one, is
5 hereby further amended by inserting after section
6 two C the following new subsections:

7 *Section 2D.* Section two C is hereby amended so
8 as to read as follows: — *Section 2C.* The inhabi-
9 tants of the territory set off from the city of Leomin-
10 ster and annexed to the city of Fitchburg and of
11 that set off from the city of Fitchburg annexed
12 to the city of Leominster by this act, shall, if quali-
13 fied to vote in such territory, be entitled to vote for
14 all purposes in the city to which the annexation is
15 made.

16 *Section 2E.* And other necessary sections will per-
17 tain to the following:

18 Reservation of water and sewer easements by the
19 city of Leominster.

20 Right of the two cities to contract with each other.

21 Financial adjustment between the two cities as
22 to tax collection, tuition charges and other munici-
23 pal services rendered.

24 Release of fee in certain areas, and any other mat-
25 ters affecting the two cities to be settled.

1 SECTION 3. This act shall take full effect upon
2 its acceptance by the vote of the city council, with
3 the approval of the mayor of said city of Fitchburg
4 and said city of Leominster.

