

# HOUSE . . . . . No. 6942

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## *The Commonwealth of Massachusetts*

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HOUSE OF REPRESENTATIVES, June 5, 1973.

The committee on Bills in the Third Reading, to whom was referred the Bill authorizing the Commonwealth through the Water Resources Commission to take by eminent domain, in fee or easement or both, four certain tracts of land located in the city of Marlborough, owned by the city of Marlborough (House, No. 6271), report recommending that the same be amended by the substitution of the accompanying bill (House, No. 6942).

For the committee,

RICHARD E. LANDRY.

**The Commonwealth of Massachusetts**

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

AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO TAKE BY EMINENT DOMAIN CERTAIN LAND OR EASEMENTS LOCATED IN THE CITY OF MARLBOROUGH.

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

1 The water resources commission, acting for and in behalf of  
2 the commonwealth, is hereby authorized to take by eminent  
3 domain under chapter seventy-nine of the General Laws or ac-  
4 quire by purchase or otherwise the following described land or  
5 easements therein, or both, for the purpose of flood prevention  
6 and related purposes including water resources utilization and  
7 other purposes and uses as authorized by chapter twenty-one of  
8 the General Laws and chapter six hundred and sixty-nine of the  
9 acts of nineteen hundred and sixty, as amended, said land being  
10 located in the city of Marlborough and owned by said city and  
11 consisting of four tracts and being bounded and described as  
12 follows:

13 The first tract is situated on the northeasterly side of  
14 Boundary Street, being more particularly bounded and described  
15 as follows:

16 Beginning at the southeasterly corner of the parcel herein des-  
17 cribed on the northeasterly side of Boundary Street;

18 THENCE RUNNING N.  $64^{\circ} 31' 44''$  W., 57.49 feet to the  
19 centerline of the Assabet River;

20 THENCE RUNNING by the centerline of said river north-  
21 easterly 89.8 feet, more or less, to a point;

22 THENCE RUNNING easterly 43. feet, more or less, to a point;

23 THENCE RUNNING S.  $05^{\circ} 41' 10''$  W., 105.79 feet to the  
24 point of beginning.

25 The above described parcel contains 4,900 square feet, more  
26 or less, and is a portion of land conveyed to the City of Marl-  
27 borough by Walter LaBossiere in a deed recorded August 1,  
28 1962, Middlesex South District Registry of Deeds, Book 10091,  
29 Page 188, and in an order of taking dated July 16, 1962 and

30 recorded at the Middlesex District Registry of Deeds in Book  
31 10091 Page 186.

32 The second tract is situated on the northeasterly side of  
33 Boundary Street being more particularly bounded and described  
34 as follows:

35 Beginning at the southwesterly corner of the parcel herein  
36 described at a point in the northeasterly line of Boundary Street;  
37 THENCE RUNNING N.  $05^{\circ} 41' 10''$  E., 105.79 feet to a  
38 point;

39 THENCE RUNNING N.  $17^{\circ} 32' 57''$  E., 200.64 feet to a  
40 point;

41 THENCE RUNNING in a general northeasterly direction, on  
42 four courses, by a stone wall, 150.12 feet, more or less, 339.49  
43 feet, more or less, 254.93 feet, more or less, and 18.89 feet, more  
44 or less, to a drill hole;

45 THENCE RUNNING southerly 300.0 feet, more or less, to a  
46 point;

47 THENCE RUNNING S.  $62^{\circ} 34' 50''$  W., 247.43 feet to a  
48 point;

49 THENCE RUNNING S.  $26^{\circ} 34' 10''$  W., 201.25 feet to a  
50 point;

51 THENCE RUNNING S.  $10^{\circ} 06' 00''$  E., 199.43 feet to a point;

52 THENCE RUNNING N.  $41^{\circ} 47' 00''$  W., 136.35 feet to a drill  
53 hole on the north easterly line of Boundary Street;

54 THENCE RUNNING N.  $54^{\circ} 40' 40''$  W., 430.28 feet to the  
55 point of beginning.

56 The above described parcel contains 6.6 acres, more or less,  
57 and is a portion of the land conveyed to the City of Marlborough  
58 by Walter LaBossiere recorded July 24, 1962, Middlesex South  
59 District Registry of Deeds, Book 10091, Page 188, and in an  
60 order of taking dated July 16, 1962 and recorded at the Middle-  
61 sex District Registry of Deeds in Book 10091 Page 185.

62 The third tract is situated off the northerly line of Boundary  
63 Street, being more particularly bounded and described as  
64 follows:

65 Beginning at the southwesterly corner of the parcel herein  
66 described;

67 THENCE RUNNING N.  $44^{\circ} 14' 00''$  E., 352.64 feet, more or  
68 less to a point;

69 THENCE RUNNING N.  $59^{\circ} 09' 20''$  E., 499.38 feet, more or



70 less to a point;

71 THENCE RUNNING southerly 163.00 feet, more or less, to a  
72 drill hole;

73 THENCE RUNNING by a stone wall in a general south-  
74 westerly direction four courses, 18.89 feet, more or less, 254.93  
75 feet, more or less, 339.49 feet, more or less, and 105.12 feet,  
76 more or less, to the point of beginning.

77 The above described parcel contains 2.15 acres, more or less  
78 and is a portion of the land conveyed to the City of Marlborough  
79 by Hillside School Incorporated in a deed recorded August 13,  
80 1963, Middlesex South District Registry of Deeds, Book 10333,  
81 Page 456, and in an order of taking dated July 16, 1962 and  
82 recorded at the Middlesex District Registry of Deeds in Book  
83 10091 Page 185.

84 The fourth tract is situated off the northeasterly side of  
85 Boundary Street, being more particularly bounded and described  
86 as follows:

87 Beginning at the southwesterly corner of the parcel herein  
88 described at the center of Assabet River;

89 THENCE RUNNING in a general northerly direction by the  
90 centerline of the river and land of Leonard B. Himmelman, 1100  
91 feet, more or less, to a point;

92 THENCE RUNNING southeasterly 515.00 feet, more or less,  
93 by a brook to a point;

94 THENCE RUNNING S. 59° 09' 20" W., 499.38 feet, more or  
95 less to a point;

96 THENCE RUNNING S. 44° 14' 00" W., 352.64 feet, more or  
97 less to a point;

98 THENCE RUNNING S. 17° 32' 57" W., 200.64 feet, more or  
99 less, to a point;

100 THENCE RUNNING northwesterly 43 feet, more or less, to  
101 the center of the river and the point of beginning.

102 The above described parcel contains 4.20 acres, more or less,  
103 and is a portion of the land conveyed to the City of Marlborough  
104 by Hillside School Inc. in a deed recorded August 13, 1963,  
105 Middlesex South District Registry of Deeds, Book 10333, Page  
106 456, and in an order of taking dated July 16, 1962 and recorded  
107 at the Middlesex District Registry of Deeds in Book 10091 Page  
108 185.

109 Said four tracts of land were taken by the City of Marlborough  
110 by virtue of the authority and in the exercise of the powers  
111 conferred by chapter two hundred and sixty-seven of the acts of  
112 nineteen hundred and fifteen and chapters forty and seventy-nine  
113 of the General Laws.

HOUSE OF REPRESENTATIVES, June 5, 1973.

Passed to be engrossed, sent up for concurrence.

WALLACE C. MILLS,  
*Clerk.*

1. The first part of the report is devoted to a general survey of the situation in the country. It is found that the country is in a state of general depression, and that the people are suffering from want and distress. The cause of this is attributed to the war, and the consequent destruction of property and the loss of life.

2. The second part of the report is devoted to a detailed description of the various districts of the country. It is found that the districts are in a state of general depression, and that the people are suffering from want and distress. The cause of this is attributed to the war, and the consequent destruction of property and the loss of life.

3. The third part of the report is devoted to a description of the various districts of the country. It is found that the districts are in a state of general depression, and that the people are suffering from want and distress. The cause of this is attributed to the war, and the consequent destruction of property and the loss of life.

4. The fourth part of the report is devoted to a description of the various districts of the country. It is found that the districts are in a state of general depression, and that the people are suffering from want and distress. The cause of this is attributed to the war, and the consequent destruction of property and the loss of life.

5. The fifth part of the report is devoted to a description of the various districts of the country. It is found that the districts are in a state of general depression, and that the people are suffering from want and distress. The cause of this is attributed to the war, and the consequent destruction of property and the loss of life.

6. The sixth part of the report is devoted to a description of the various districts of the country. It is found that the districts are in a state of general depression, and that the people are suffering from want and distress. The cause of this is attributed to the war, and the consequent destruction of property and the loss of life.



