

ACTS, 1983. - Chaps. 490, 491, 492.

Chap. 490. AN ACT AUTHORIZING PAROLE OFFICERS TO CARRY CERTAIN WEAPONS.

Be it enacted, etc., as follows:

Section 8A of chapter 147 of the General Laws, as appearing in chapter 174 of the acts of 1939, is hereby further amended by inserting after the word "commissioner", in line 7, the first time it appears, the following words: - , the chairman of the parole board and any other officer of the parole board if so authorized by said chairman.

Approved November 14, 1983.

Chap. 491. AN ACT AUTHORIZING THE TOWN OF ASHLAND TO APPOINT WALTER L. BREWER AS A PERMANENT INTERMITTENT POLICE OFFICER.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter thirty-one of the General Laws or any other law or rule to the contrary, the town of Ashland is hereby authorized to appoint Walter L. Brewer as a permanent intermittent police officer provided he passes a medical examination determining he is of sufficient health to perform the duties of a police officer.

Approved November 14, 1983.

Chap. 492. AN ACT AUTHORIZING THE SOUTH ESSEX SEWERAGE DISTRICT TO ACQUIRE EASEMENTS FOR THE CONSTRUCTION OF CERTAIN SEWERAGE FACILITIES.

Be it enacted, etc., as follows:

The South Essex Sewerage District, by its board, for the purpose of the construction, laying, maintenance and operation of new and enlarged main sewers, pumping stations and other related sewerage works as shall be required to convey sewage from said city of Beverly to the sewerage treatment plant of the district in the city of Salem, is hereby authorized to take by eminent domain under the provisions of chapter seventy-nine of the General Laws or acquire by lease, purchase or otherwise, permanent easements and temporary construction easements

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through, across, over and under certain park lands in Beverly, each parcel being more particularly bounded and described as follows:

PERMANENT EASEMENT

A CERTAIN PARCEL OF LAND SITUATED IN O'BEAR PARK; SHOWN AS "PROPOSED SEWER EASEMENT" ON A PLAN ENTITLED "PLAN OF SEWER EASEMENTS THRU CITY OF BEVERLY PARK LAND FOR PORTIONS OF CONTRACT NUMBER 81-12; BEVERLY, MASS.; FOR SOUTH ESSEX SEWERAGE DISTRICT; SCALE 1"=40'; DATED JUNE 13, 1983; ASEC CORPORATION; BOSTON, MASS." AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT ON THE NORTHWESTERLY CORNER OF THE PERMANENT EASEMENT PARCEL, SAID POINT ALSO BEING THE INTERSECTION OF THE WESTERLY EASEMENT LINE WITH THE DIVIDING LINE OF THE LAND OF THE CITY OF BEVERLY (O'BEAR PARK) AT THE SOUTHERLY END OF SYL-VESTER AVENUE EXTENSION; THENCE

EASTERLY ALONG SAID DIVIDING LINE A DISTANCE OF SIXTY FEET MORE OR LESS (60'±) TO A POINT ON THE DIVIDING LINE WITH LAND NOW OR FORMERLY OF THE TRUSTEES OF THE GOMES FAMILY TRUST; THENCE

SOUTHEASTERLY A DISTANCE OF FOUR HUNDRED TWENTY-EIGHT FEET MORE OR LESS (428'±) ALONG SAID DIVIDING LINE TO A CORNER; THENCE

SOUTHWESTERLY FOR TWO COURSES A TOTAL DISTANCE OF ONE HUNDRED SEVENTY-FIVE FEET MORE OR LESS (175'±) TO A CORNER; THENCE

SOUTHERLY AND SOUTHEASTERLY FOR THREE COURSES A TOTAL DISTANCE OF THREE HUNDRED THIRTY-TWO FEET MORE OR LESS (332'±) TO A CORNER ON THE DIVIDING LINE WITH LAND NOW OR FORMERLY OF GEORGE AND LILLIAN R. PERNOKAS; THENCE

NORTHWESTERLY A DISTANCE OF ONE HUNDRED THIRTY-NINE AND FIFTY-FIVE HUNDREDTHS MORE OR LESS (139.55 ±) ALONG SAID DIVIDING LINE TO A CORNER ON THE CENTER-LINE OF A TIDAL CREEK; THENCE

SOUTHWESTERLY A DISTANCE OF SIXTY-FIVE FEET MORE OR LESS (65'±) ALONG SAID CENTERLINE OF CREEK TO A CORNER; THENCE

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NORTHERLY FOR FIVE COURSES HAVING DISTANCES OF TWO HUNDRED SEVENTEEN FEET MORE OR LESS (217'±), ONE HUNDRED EIGHT FEET MORE OR LESS (108'±), THREE HUNDRED FEET MORE OR LESS (300'±), ONE HUNDRED SIXTY-SEVEN FEET MORE OR LESS (167'±) AND THIRTY-SIX FEET MORE OR LESS (36'±), ALONG THE WESTERLY EASEMENT LINE OF THE PERMANENT SEWER EASEMENT TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF ONE AND FIFTY-SEVEN HUNDREDTHS (1.57±) ACRES MORE OR LESS.

PERMANENT EASEMENT PARCEL NUMBER 1

A CERTAIN PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF PORTER STREET; SHOWN AS PARCEL NUMBER 1 ON A PLAN ENTITLED "PLAN OF SEWER EASEMENTS THRU CITY OF BEVERLY PARK LAND FOR PORTIONS OF CONTRACT NOS. 81-13A & 81-9; BEVERLY, MASS.; FOR SOUTH ESSEX SEWERAGE DISTRICT; SCALE 1"=40'; DATED JUNE 3, 1983; ASEC CORPORATION; BOSTON, MASS." AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID EASEMENT PARCEL AND THE WESTERLY LINE OF PORTER STREET; THENCE

S01°17'16"E; A DISTANCE OF EIGHTEEN AND NINETEEN HUNDREDTHS FEET (18.19') ALONG SAID WESTERLY LINE TO A CORNER; THENCE

N56°50'37"W; A DISTANCE OF TWO HUNDRED FIFTY-FIVE FEET MORE OR LESS (255'±) ALONG THE SOUTHERLY LINE OF SAID EASEMENT PARCEL TO THE WESTERLY EDGE OF A BITUMINOUS CONCRETE PAVED BOAT RAMP; THENCE

SOUTHWESTERLY FOR TWO COURSES A TOTAL DISTANCE OF FORTY-FOUR FEET MORE OR LESS (44'±) ALONG SAID WESTERLY EDGE OF THE BOAT RAMP TO A CORNER; THENCE

N56°50'37W A DISTANCE OF TWENTY-TWO FEET MORE OR LESS (22'±) TO A CORNER; THENCE

N33°09'23E A DISTANCE OF SIXTY-TWO FEET MORE OR LESS (62±) ALONG A LINE WHICH IS FIFTEEN FEET (15') WEST AND PARALLEL WITH THE WESTERLY END OF THE YET TO BE CONSTRUCTED INLET CHAMBER TO A CORNER; THENCE

S56°50'37E A DISTANCE OF FIFTY-EIGHT FEET MORE OR LESS (58'±) ALONG A LINE WHICH IS TEN FEET (10') NORTH OF AND PARALLEL WITH THE NORTHERLY FACE OF THE YET TO BE CONSTRUCTED INLET CHAMBER TO A CORNER ON THE

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SAID WESTERLY EDGE OF THE BOAT RAMP; THENCE

SOUTHERLY A DISTANCE OF TWELVE FEET MORE OR LESS (12'±) ALONG SAID WESTERLY EDGE OF THE BOAT RAMP TO A CORNER; THENCE

S56°50'37E A DISTANCE OF TWO HUNDRED FORTY FEET MORE OR LESS (240±) ALONG THE NORTHERLY LINE OF THE EASEMENT PARCEL, SAID NORTHERLY LINE IS PARALLEL WITH AND FIFTEEN FEET (15') NORTH OF THE PREVIOUSLY MENTIONED SOUTHERLY LINE TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF SIX THOUSAND TWO HUNDRED NINETEEN (6,219±) SQUARE FEET MORE.

PERMANENT EASEMENT PARCEL NUMBER 1A

A CERTAIN PARCEL OF LAND SITUATED ON THE EASTERLY SIDE OF THE BASS RIVER; SHOWN AS PARCEL NUMBER 1A ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF SAID EASEMENT PARCEL NUMBER 1A AND THE WESTERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1; THENCE

S33°09'23"W; A DISTANCE OF TWENTY-FIVE AND THIRTY-FIVE HUNDREDTHS FEET (25.35') ALONG THE WESTERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1 TO CORNER, SAID LINE BEING FIFTEEN FEET (15') WEST OF AND PARALLEL WITH THE YET TO BE CONSTRUCTED TUNNEL INLET CHAMBER; THENCE

N66°25'32"W; A DISTANCE OF TWO HUNDRED SEVENTY-TWO FEET MORE OR LESS (272'±) ALONG THE SOUTHERLY EASEMENT LINE TO A CORNER ON THE EASTERLY MEAN LOW WATER LINE OF THE BASS RIVER; THENCE

NORTHWESTERLY A DISTANCE OF TWENTY-SEVEN FEET MORE OR LESS (27'±) ALONG THE SAID MEAN LOW WATER LINE TO A CORNER; THENCE

S66°25'32E A DISTANCE OF TWO HUNDRED SIXTY-SIX FEET MORE OR LESS (266'±) ALONG THE NORTHERLY EASEMENT LINE TO THE POINT OF BEGINNING, SAID NORTHERLY LINE BEING TWENTY-FIVE FEET (25') NORTHERLY OF AND PARALLEL WITH THE SOUTHERLY EASEMENT LINE;

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF SIX THOUSAND SEVEN HUNDRED TWENTY (6,720±) SQUARE FEET

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MORE OR LESS AND INCLUDES LAND BETWEEN THE MEAN HIGH WATER LINE AND MEAN LOW WATER LINE OF THE BASS RIVER.

TEMPORARY CONSTRUCTION EASEMENT PARCEL NUMBER TC-1

A CERTAIN PARCEL OF LAND SITUATED ON THE EASTERLY SIDE OF THE BASS RIVER MEAN HIGH WATER LINE; SHOWN AS PARCEL TC-1 ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1 AND THE EASTERLY LINE OF THE BITUMINOUS CONCRETE BOAT RAMP, SAID RAMP LINE ALSO BEING THE WESTERLY FACE OF A GRANITE BLOCK RETAINING WALL; THENCE

SOUTHERLY ALONG SAID BOAT RAMP AND FACE OF RETAINING WALL LINE A DISTANCE OF TWENTY-FOUR FEET MORE OR LESS (24'±) TO A CORNER; THENCE

SOUTHEASTERLY A DISTANCE OF ELEVEN FEET MORE OR LESS (11'±) ALONG THE WESTERLY FACE OF THE GRANITE BLOCK RETAINING WALL TO A CORNER ON SAID FACE OF WALL; THENCE

SOUTHWESTERLY A DISTANCE OF FIFTY FEET MORE OR LESS (50'±) ALONG A LINE WHICH IS TEN FEET (10') EASTERLY AND PARALLEL WITH THE EASTERLY LINE OF THE BOAT RAMP TO A CORNER; THENCE

N66°25'32"W; A DISTANCE OF SEVENTY FEET MORE OR LESS (70'±) ALONG A LINE WHICH IS A DISTANCE OF EIGHTY FEET (80') SOUTHERLY AND PARALLEL WITH THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A TO A CORNER AT THE MEAN HIGH WATER LINE OF THE EASTERLY SIDE OFF THE BASS RIVER; THENCE

NORTHERLY A DISTANCE OF EIGHTY-FIVE FEET MORE OR LESS (85'±) ALONG THE MEAN HIGH WATER LINE TO A CORNER BEING AT THE INTERSECTION OF THE MEAN HIGH WATER LINE AND THE SOUTHERLY LINE OF THE PERMANENT EASEMENT PARCEL NUMBER 1A; THENCE

S66°25'32"E; A DISTANCE OF FIFTY FEET MORE OR LESS (50'±) ALONG THE SOUTHERLY EASEMENT LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A TO A CORNER ON THE WESTERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1; THENCE

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S33°09'23"W; A DISTANCE OF THIRTY FEET MORE OR LESS (30±) ALONG THE SAID WESTERLY LINE OF SAID EASEMENT PARCEL NUMBER 1 TO A CORNER; THENCE

S56°50'37"E; A DISTANCE OF TWENTY-TWO FEET MORE OR LESS (22'±) ALONG THE SOUTHERLY LINE OF EASEMENT PARCEL NUMBER 1 TO A CORNER; THENCE

NORTHEASTERLY A TOTAL DISTANCE OF FORTY-FOUR FEET MORE OR LESS (44'±) FOR TWO COURSES ALONG THE WESTERLY LINE OF THE PREVIOUSLY MENTIONED BOAT RAMP TO A CORNER; THENCE

S56°50'37"E; A DISTANCE OF SEVENTEEN FEET MORE OR LESS (17'±) TO THE POINT OF BEGINNING.

THE LAST THREE COURSES MENTIONED ALSO BEING A PORTION OF THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF SIX THOUSAND SIX HUNDRED THIRTY (6,630±) SQUARE FEET MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT PARCEL NUMBER TC-2

A CERTAIN PARCEL OF LAND SITUATED ON THE WESTERLY SIDE OF PORTER STREET EXTENSION; SHOWN AS PARCEL TC-2 ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1 AND THE EASTERLY LINE OF THE BITUMINOUS CONCRETE BOAT RAMP, SAID RAMP LINE ALSO BEING THE WESTERLY FACE OF A GRANITE BLOCK RETAINING WALL; THENCE

N56°50'37"W; A DISTANCE OF SEVENTEEN FEET MORE OR LESS (17'±) TO A CORNER ON THE WESTERLY LINE OF SAID BOAT RAMP; THENCE

NORTHEASTERLY A DISTANCE OF TWELVE FEET MORE OR LESS (12'±) ALONG THE WESTERLY LINE OF SAID BOAT RAMP TO A CORNER; THENCE

N56°50'37"W; A DISTANCE OF FIFTY-EIGHT FEET MORE OR LESS (58'±) TO A CORNER; THE PREVIOUS THREE (3) COURSES ALSO BEING ALONG A PORTION OF THE NORTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1; THENCE

S33°09'23"W; A DISTANCE OF SIX AND SIXTY-ONE HUNDREDTHS FEET (6.61') ALONG THE WESTERLY LINE OF THE

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PERMANENT EASEMENT PARCEL NUMBER 1 TO A CORNER AT THE INTERSECTION OF THE NORTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A AND THE WESTERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1; THENCE

N66°25'32"W; A DISTANCE OF THIRTY-SIX FEET MORE OR LESS (36'±) ALONG THE NORTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A TO A CORNER AT THE MEAN HIGH WATER LINE; THENCE

NORTHEASTERLY A DISTANCE OF ONE HUNDRED FIFTY-FIVE FEET MORE OR LESS (155'±) ALONG THE MEAN HIGH WATER LINE TO THE INTERSECTION WITH THE SOUTHERLY LINE OF PORTER STREET EXTENSION (A PRIVATE WAY); THENCE

SOUTHEASTERLY A DISTANCE OF ONE HUNDRED SIXTY-FOUR FEET MORE OR LESS (164'±) ALONG THE SOUTHERLY LINE OF PORTER STREET EXTENSION TO A CORNER; THENCE

WESTERLY AND SOUTHWESTERLY A DISTANCE OF ONE HUNDRED SEVEN FEET MORE OR LESS (107'±) ALONG A CURVED LINE WHICH IS THIRTEEN FEET (13') SOUTHERLY OF AND CONCENTRIC WITH THE SOUTHEASTERLY LINE OF THE BITUMINOUS CONCRETE BOAT RAMP TO A CORNER; THENCE

WESTERLY A DISTANCE OF SEVENTEEN FEET MORE OR LESS (17'±) TO THE NORTHWESTERLY CORNER OF THE PREVIOUSLY MENTIONED GRANITE BLOCK RETAINING WALL; THENCE

SOUTHWESTERLY A DISTANCE OF TWENTY-FOUR FEET MORE OR LESS (24'±) ALONG THE WESTERLY FACE OF SAID GRANITE WALL AND THE EASTERLY LINE OF THE BITUMINOUS CONCRETE BOAT RAMP TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF THIRTEEN THOUSAND FIVE HUNDRED (13,500±) SQUARE FEET MORE OR LESS.

TEMPORARY CONSTRUCTION EASEMENT PARCEL NUMBER TC-3

A CERTAIN PARCEL OF LAND SITUATED BETWEEN THE MEAN LOW WATER AND MEAN HIGH WATER LINES OF THE EASTERLY SIDE OF THE BASS RIVER; SHOWN AS PARCEL TC-3 ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A AND THE MEAN HIGH WATER LINE OF THE BASS RIVER; THENCE

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SOUTHERLY A DISTANCE OF EIGHTY-FIVE FEET MORE OR LESS ($85'\pm$) ALONG SAID MEAN HIGH WATER LINE TO A CORNER WHICH IS ALSO THE SOUTHWESTERLY CORNER OF TEMPORARY CONSTRUCTION EASEMENT NUMBER TC-1; THENCE

$N66^{\circ}25'32''W$; A DISTANCE OF TWO HUNDRED THIRTY-SEVEN FEET MORE OR LESS ($237'\pm$) ALONG A LINE WHICH IS PARALLEL WITH AND EIGHTY FEET ($80'\pm$) SOUTHERLY OF THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A TO A CORNER ON THE MEAN LOW WATER LINE OF THE EASTERLY SIDE OF BASS RIVER; THENCE

NORTHEASTERLY A DISTANCE OF EIGHTY-TWO FEET MORE OR LESS ($82'\pm$) ALONG THE MEAN LOW WATER LINE TO A CORNER AT ITS INTERSECTION WITH THE SOUTHERLY LINE OF PERMANENT EASEMENT PARCEL NUMBER 1A; THENCE

$S66^{\circ}25'32''E$; A DISTANCE OF TWO HUNDRED TWENTY-TWO FEET ($222'\pm$) ALONG THE SOUTHERLY LINE OF THE PERMANENT EASEMENT PARCEL NUMBER 1A TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF SEVENTEEN THOUSAND EIGHT HUNDRED TEN ($17,810\pm$) SQUARE FEET MORE OR LESS ALL OF WHICH LIES BETWEEN MEAN HIGH WATER AND MEAN LOW WATER OF THE BASS RIVER.

TEMPORARY CONSTRUCTION EASEMENT PARCEL NUMBER TC-4

A CERTAIN PARCEL OF LAND SITUATED BETWEEN THE EASTERLY AND THE WESTERLY SIDE LINES OF PORTER STREET EXTENSION (A PRIVATE WAY); SHOWN AS PARCEL TC-4 ON SAID PLAN AND BOUNDED AS FOLLOWS;

BEGINNING AT A POINT AT THE INTERSECTION OF THE NORTHERLY LINE OF PORTER STREET EXTENSION AND THE WESTERLY LINE OF WEBBER AVENUE; THENCE

SOUTHWESTERLY A DISTANCE OF FORTY-FIVE FEET MORE OR LESS ($45'\pm$) ALONG THE EXTENSION OF THE WESTERLY LINE OF WEBBER AVENUE TO THE INTERSECTION WITH THE SOUTHERLY LINE OF PORTER STREET EXTENSION; THENCE

NORTHWESTERLY A DISTANCE OF TWO HUNDRED NINE FEET MORE OR LESS ($209'\pm$) ALONG THE SOUTHERLY LINE OF PORTER STREET EXTENSION TO A CORNER AT THE MEAN HIGH WATER LINE OF THE BASS RIVER; THENCE

NORTHEASTERLY A DISTANCE OF FORTY-FIVE FEET MORE

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OR LESS (45'±) ALONG THE MEAN HIGH WATER LINE TO ITS INTERSECTION WITH THE NORTHERLY LINE OF PORTER STREET EXTENSION; THENCE

SOUTHEASTERLY A DISTANCE OF TWO HUNDRED FIVE FEET (205'±) ALONG THE NORTHERLY LINE OF THE PORTER STREET EXTENSION AND BY LAND NOW OR FORMERLY OF GEORGE AND RUTH M. THIBODEAU AND BY LAND NOW OR FORMERLY OWNED BY JEREMIAH J. COONER TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF NINE THOUSAND THREE HUNDRED FIFTEEN (9315'±) SQUARE FEET MORE OR LESS.

Approved November 14, 1983.

Chap. 493. AN ACT AUTHORIZING THE CITY OF BEVERLY TO ACQUIRE EASEMENTS FOR THE CONSTRUCTION OF CERTAIN SEWERAGE FACILITIES.

Be it enacted, etc., as follows:

The city of Beverly, by its board of aldermen for the purposes of the construction, laying, maintenance and operation of new and enlarged main sewers, pumping stations and other related facilities, is hereby authorized to take by eminent domain under the provisions of chapter seventy-nine of the General Laws or acquire by lease, purchase or otherwise, permanent easements through, across, over and under certain park lands in the city of Beverly, each parcel being more particularly bounded and described as follows:

LAND SHOWN AS PE-22 ON A PLAN BY CULLINAN ENGINEERING CO., INC., TITLED "Proposed Easement for City of Beverly", Sheet 5 of 6 and dated June 4, 1983, bounded and described as follows:

Beginning at a point on the southwesterly sideline of Porter Street Extension, at the most southeasterly corner of the easement to be described, said point being N 31° 31' 18" W and 183.25 feet from an angle point in Porter Street Extension opposite the northerly sideline of Webber Avenue;

THENCE through land now or formerly of The City of Beverly, the following three (3) courses;

S 53° 14' 49" W, a distance of 126.21 feet to a point;

N 07° 45' 11" W, a distance of 17.15 feet to a point;