

SENATE No. 195.

To accompany the petition of Arthur G. Pelletier for legislation to provide for recording easements. Legal Affairs.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eight.

AN ACT

To provide for the Recording of Easements.

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. No easements shall be valid against
2 the present owner or owners of property, or third
3 parties, unless a complete and accurate record of
4 the same is entered in the registry of deeds for the
5 district where the property is located.

1 SECTION 2. The record provided in section one of
2 this act as to the present owner or owners of the
3 property shall be entered as required in said section
4 one within sixty days after the passage of this act,
5 and thirty days before such record is entered a
6 complete and accurate written notice of such claim

7 shall be delivered by such claimant to the owner or
8 owners of such property, and if such owner or own-
9 ers should reside outside of this Commonwealth said
10 notice shall be mailed by registered letter by said
11 claimant to said owner or owners, and said claimant
12 shall also publish said notice in at least two daily
13 newspapers published in the city or town where the
14 property is located, and if there should not be two
15 such newspapers published in said city or town,
16 then in three such newspapers published nearest to
17 the place where the property is located.

1 SECTION 3. The recording of the claim of an
2 easement as provided by this act shall not be any
3 evidence against the owner or owners of such prop-
4 erty that the claimant has acquired such title in said
5 property, but only of an intention to acquire the
6 same.

