

# SENATE . . . . . No. 2089

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## *The Commonwealth of Massachusetts*

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SENATE, November 10, 1987.

The committee on Ways and Means, to whom was committed the House Bill authorizing the Division of Capital Planning and Operations to grant an easement over certain park land located in the town of New Salem (House, No. 1532), report recommending that the same ought to pass, with an amendment, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2089; and by striking out the title and inserting in place thereof the following title: — “An Act authorizing the Division of Capital Planning and Operations to grant an easement over certain land located in the town of New Salem.”

For the committee,

ROBERT D. WETMORE.

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Seven.

1 SECTION 1. The deputy commissioner of the division of  
2 capital planning and operations is hereby authorized, subject to  
3 the provisions of sections forty E through forty J of chapter seven  
4 of the General Laws, to convey by deed approved as to form by  
5 the attorney general, a permanent easement for passage and access  
6 purposes over certain land under the control of the metropolitan  
7 district commission and located in the town of New Salem, to  
8 Bernard Snow, subject to the provisions of section two and to such  
9 additional terms and conditions as the deputy commissioner may  
10 prescribe, in consultation with the metropolitan district  
11 commission. Said easement extends from Route 122, the so-called  
12 Petersham Highway, northerly, to land of Bernard A. Snow and  
13 is more particularly described by metes and bounds, as follows: —

14 BEGINNING at a point in the northerly line of the October  
15 19, 1937 state highway layout of the Petersham Highway, said  
16 point being located S.81° 27' 55"E. a distance of 87.07 feet from  
17 the locus of a Massachusetts Highway bound (MHB) opposite  
18 station 51+55.73 of said layout; and running thence:

19 (1) N.18° 31' 41"E. a distance of 374.21 feet to a point; and  
20 running thence:

21 (2) N.66° 10' 16"E. a distance of 176.13 feet to a point; and  
22 running thence:

23 (3) N.28° 34' 48"E. a distance of 191.26 feet to a point; and  
24 running thence:

25 (4) N.20° 24' 12"E. a distance of 124.85 feet to a point; and  
26 running thence:

27 (5) N.8° 13' 18"E. a distance of 252.96 feet to a point; and  
28 running thence:

29 (6) N.31° 58' 33"E. a distance of 380.75 feet to a point; and  
30 running thence:

31 (7) N.21° 02' 10"E. a distance of 494.77 feet to a point; and  
32 running thence:

33 (8) N.32° 21' 05"E. a distance of 176.63 feet to a point; and  
34 running thence:

- 35 (9) N.8° 18' 40"E. a distance of 529.69 feet to a point; and  
36 running thence:
- 37 (10) N.19° 55' 58"E. a distance of 88.12 feet to a point; and  
38 running thence:
- 39 (11) N.6° 35' 28"E. a distance of 301.63 feet to an iron pipe in  
40 the southerly line of land of Bernard A. Snow, described in deed  
41 recorded in Franklin County Registry of Deeds in Book 1785,  
42 Page 200, said iron pipe being located N.81° 52' 07"E. a distance  
43 of 99.90 feet from a concrete MDC bound; and running thence:
- 44 (12) N.81° 44' 33"E. a distance of 51.73 feet with the southerly  
45 line of said Snow land to a point; and running thence:
- 46 (13) S.6° 35' 28"W. a distance of 320.74 feet to a point; and  
47 running thence:
- 48 (14) S.19° 55' 58"W. a distance of 88.88 feet to a point; and  
49 running thence:
- 50 (15) S.8° 18' 40"W. a distance of 535.25 feet to a point; and  
51 running thence:
- 52 (16) S.32° 21' 05"W. a distance of 182.32 feet to a point; and  
53 running thence:
- 54 (17) S.21° 02' 10"W. a distance of 494.61 feet to a point; and  
55 running thence:
- 56 (18) S.31° 58' 33"W. a distance of 375.02 feet to a point; and  
57 running thence:
- 58 (19) S.8° 13' 18"W. a distance of 229.69 feet to a point; and  
59 running thence:
- 60 (20) S.20° 24' 12"W. a distance of 134.87 feet to a point; and  
61 running thence:
- 62 (21) S.28° 34' 48"W. a distance of 231.05 feet to a point; and  
63 running thence:
- 64 (22) S.66° 10' 16"W. a distance of 171.07 feet to a point; and  
65 running thence:
- 66 (23) S.18° 31' 41"W. a distance of 343.21 feet to a point in the  
67 northerly line of the Petersham Highway; and running thence:
- 68 (24) N.81° 27' 55"W. a distance of 50.77 feet with the northerly  
69 line of Petersham Highway to the point of beginning, being shown  
70 on "Plan of Right of Way over Land of the Commonwealth of  
71 Massachusetts, New Salem, prepared for Bernard A. Snow," 11  
72 May 1985, 1"=100', by Berry Engineering, Inc.; said right of way  
73 being over land of the Commonwealth of Massachusetts,

74 (Metropolitan District Water Supply Commission, described in  
75 the following two deeds:

76 (1) deed of Harry W. Fay and Betrice A. Fay recorded in Book  
77 812, Page 34

78 (2) deed of Harry W. Fay recorded in Book 812, Page 3.

1 SECTION 2. The recipient of said easement will assume the  
2 costs of appraisals, surveys, and/or other expenses as deemed  
3 necessary by the deputy commissioner for the granting of this  
4 easement.