

HOUSE No. 6137

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, May 29, 1985.

The committee on Bills in the Third Reading, to whom was referred the Bill authorizing the town of Middleborough to grant certain easements (House, No. 4477), reports recommending that the same be amended by the substitution of the accompanying bill (House, No. 6137).

For the Committee,

DAVID B. COHEN.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE TOWN OF MIDDLEBOROUGH TO GRANT CERTAIN 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 The town of Middleborough is hereby authorized to grant to
2 Hosea F. Maxim and Lucy M. Maxim in consideration of one
3 dollar, easements over land in said town described in an Order of
4 Taking by the board of selectmen of said town dated December 17,
5 1979 recorded in the Plymouth county registry of deeds in Book
6 4771, Page 191 and shown on a plan entitled "Plan of the Spruce
7 Street Municipal Well Site, Middleboro, MA" dated December 30,
8 1976 by Robert A. Cattley, Surveyor which plan was recorded in
9 said registry on December 19, 1979. Said land was taken for public
10 water supply purposes.

11 The easements shall be granted for the following purposes and on
12 the following terms and conditions: —

13 A. An easement to use and maintain an existing well designated
14 on said plan as "Existing well" for domestic water supply purposes
15 which easement shall be appurtenant to and in connection with an
16 existing single family dwelling owned by the within grantees located
17 on the northerly side of Spruce street and located on remaining land
18 of the within grantees.

19 B. An easement on foot and by vehicle over the roads presently
20 existing on the ground from Spruce street to remaining land of the
21 within grantees as shown on said plan and consisting of twenty-
22 eight point nine eight acres more or less for the purpose of cutting
23 trees and removing said trees from said remaining land. This ease-
24 ment shall be appurtenant to grantees' said remaining land.

25 The aforesaid well easement is subject to the following condition:

26 The easement shall terminate when said town uses the land on
27 said plan for an operational well site as part of the town's public

28 water supply system provided that the town extends a suitable
29 water line to the aforesaid single family dwelling to replace the well
30 as the source of water for the dwelling.

31 The aforesaid easement to use existing roads shall be on the
32 following conditions:

33 (a) There shall be no pollution or spillage of fuel or other chemi-
34 cals or contaminants in, on or within the land of the within grantor
35 including the easement area. The owners of the remaining land shall
36 reimburse said town for all expenses of cleanup of any such pollu-
37 tion or spillage.

38 (b) Said town may at its option and at its expense relocate all or
39 any part of the easement to any location or locations within the
40 grantor's well site property.

41 The within grantees shall execute and deliver in a form suitable
42 for recording any documents as the grantor may reasonably request
43 with respect to termination of the well easement or relocation of the
44 access easement in accordance with the terms of this instrument.
45 Grantees' obligations hereunder shall also apply to and be binding
46 upon grantees' successors and assigns.

The first part of the history is a general account of the state of the country at the beginning of the reign of King Henry the Second. It describes the various provinces and the different manners of the people. It also mentions the wars which were carried on between the king and the nobles, and the manner in which the king at last prevailed upon them to submit to his authority.

The second part of the history is a particular account of the reign of King Richard the First. It describes the various wars which he carried on, and the manner in which he at last died in the Holy Land. It also mentions the manner in which his kingdom was divided between his two sons, King John and King Richard the Lionheart.

The third part of the history is a particular account of the reign of King John. It describes the various wars which he carried on, and the manner in which he at last died. It also mentions the manner in which his kingdom was divided between his two sons, King Henry the Third and King Richard the Lionheart.

The fourth part of the history is a particular account of the reign of King Henry the Third. It describes the various wars which he carried on, and the manner in which he at last died. It also mentions the manner in which his kingdom was divided between his two sons, King Edward the First and King Henry the Third.

The fifth part of the history is a particular account of the reign of King Edward the First. It describes the various wars which he carried on, and the manner in which he at last died. It also mentions the manner in which his kingdom was divided between his two sons, King Edward the Second and King Edward the Third.

The sixth part of the history is a particular account of the reign of King Edward the Second. It describes the various wars which he carried on, and the manner in which he at last died. It also mentions the manner in which his kingdom was divided between his two sons, King Edward the Third and King Richard the Second.

The seventh part of the history is a particular account of the reign of King Richard the Second. It describes the various wars which he carried on, and the manner in which he at last died. It also mentions the manner in which his kingdom was divided between his two sons, King Richard the Third and King Henry the Fourth.

The eighth part of the history is a particular account of the reign of King Richard the Third. It describes the various wars which he carried on, and the manner in which he at last died. It also mentions the manner in which his kingdom was divided between his two sons, King Henry the Fourth and King Henry the Fifth.