

By Mr. Durand, a petition (accompanied by bill, Senate, No. 1757) of Robert A. Durand and Geoffrey D. Hall (by vote of the town) for legislation to authorize the town of Harvard to convey certain land. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Four.

AN ACT AUTHORIZING THE TOWN OF HARVARD TO CONVEY CERTAIN LAND.

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. Notwithstanding the provisions of any general or
2 special law to the contrary, the conservation commission of the
3 town of Harvard is hereby authorized to convey to Robert J. Pena
4 and Dana W. Fairbanks two certain parcels of land located on
5 Brown road in said town of Harvard, being shown as "PCL.D"
6 and "PARCEL E" on a plan entitled "Clarification Plan of Land in
7 Harvard, Massachusetts, dated March, 1994, prepared for
8 Robert J. Pena and Dana W. Fairbanks by Joseph R. Henry &
9 Associates, Inc." Parcels D & E contain 12,705 and 40,249 square
10 feet of land, more or less, respectively, according to said plan.
11 Said conveyance shall include the perpetual right to pass
12 and repass over, across, and under a parcel of land shown as
13 "PARCEL C" on said plan for the benefit of the land shown as
14 Parcels 1-R, 2-R, D and E on said Clarification Plan and to use
15 said Parcel C for all purposes for which driveways are commonly
16 used in the town of Harvard, including installation, repair,
17 replacement and maintenance of utilities over, across, and under
18 said Parcel C, and also to grant utility easements to utility com-
19 panies in said Parcel C for the benefit of said land. Said Parcel C
20 contains 1,306 square feet of land according to said plan.

21 Parcels C, D, and E are a portion of the premises conveyed to
22 said conservation commission, by deed recorded with the
23 Worcester county registry of deeds in Book 6400, Page 203.

24 In consideration for the conveyance the town of Harvard shall
25 receive the land in accordance with the provisions of section two.

1 SECTION 2. In consideration for the conveyance provided in
2 section one, the town of Harvard is hereby authorized to accept
3 for conservation purposes by deed from Robert J. Pena and
4 Dana W. Fairbanks two certain parcels of land located on Brown
5 Road in the town of Harvard, being shown as "PARCEL A-1"
6 AND "PARCEL B" on a plan entitled "Clarification Plan of Land
7 in Harvard, Massachusetts, dated March, 1994, prepared for
8 Robert J. Pena and Dana W. Fairbanks by Joseph R. Henry &
9 Associates, Inc." Parcel A-1 contains 4.1 acres of land, and Parcel
10 B contains 32,506 square feet of land, according to said plan.
11 Parcel A-1 is the Harvard portion of the land described in a deed
12 recorded in Worcester Registry of Deeds in Book 3480,
13 Page 499; Parcel B is a portion of the land described in a deed
14 recorded in Worcester Registry of Deeds in Book 10022,
15 Page 193. Said conveyance shall be subject to a reservation of a
16 perpetual right to pass and repass over, across, and under said
17 Parcel B for the benefit of the land shown as Parcels 1-R, 2-R, D,
18 and E on said Clarification Plan and to use parcel B for all
19 purposes for which driveways are commonly used in the town of
20 Harvard, including installation, repair, replacement and mainte-
21 nance of utilities over, across, and under said Parcel B, and also to
22 grant utility easements to utility companies in said Parcel B for
23 the benefit of said land.