

By Mr. Stanley of Waltham, petition of Thomas M. Stanley and others (with the approval of the mayor and city council) that the city of Waltham be authorized to continue the use of certain park land for water purposes. Local Affairs. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Two.

AN ACT AUTHORIZING THE CITY OF WALTHAM TO CONTINUE THE USE OF CERTAIN PARK LAND FOR WATER PURPOSES.

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. The City of Waltham, having already received the
2 approval of its Parks and Recreation Board, acting through its
3 City Council and Mayor, may transfer from the Parks and Recreation
4 Board to the Waltham Public Works Department, for the
5 continued maintenance and operation of two water towers and the
6 water lines connected thereto, the care, use and control of several
7 portions of land located in Prospect Hill Park as identified on the
8 plan entitled "Plan of Land, Prospect Hill Park, Waltham, Massachusetts" dated October 28, 1999, consisting of 5 sheets, and on
9 file in the office of the City Clerk and the City Engineer (the
10 "Plan" The property to be transferred to the care, use and control
11 of the Public Works Department is identified on the Plan as "Proposed 25 Feet Wide Water Easement," "Proposed 20 Feet Wide
12 Water Easement," "Proposed 25 Feet Wide Water Easement," and
13 "Proposed Water Easement" (hereafter collectively referred to as
14 the "Water Easements"). The area shown on Sheet 2, roughly
15 defined as the rectangular area 471.98' by 240', containing two
16 water towers, shall continue to be surrounded by a chain link
17 fence, the continued maintenance of which shall be the responsibility
18 of the Public Works Department. This area shall be subject
19 to the exclusive care, use and control of the Public Works Department
20 for so long as the water towers, or any replacements
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23 therefor, remain necessary for the operation of the City of
24 Waltham water supply and distribution system. If such towers
25 shall become unnecessary to the operation of the City of Waltham
26 water supply and distribution system, as determined by the
27 Director of Public Works in writing and submitted to the Mayor
28 and City Council, then the care, use and control of the land
29 located within said area shall revert to the Parks and Recreation
30 Board. The surface of the Water Easements shall continue to be
31 subject to the care, control and use of the Parks and Recreation
32 Board for park and recreation purposes, subject, however, to the
33 right of the Public Works Department to enter said areas for the
34 purpose of installing, operating, repairing, maintaining, and
35 replacing underground water lines necessary for the continued
36 operation of the City of Waltham water supply and distribution
37 system.

1 SECTION 2. This act shall take effect upon its passage.