

HOUSE No. 4304
[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Bradford R. Hill, Bruce E. Tarr

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled.

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:
**AN ACT AUTHORIZING THE TOWN OF MANCHESTER-BY-THE-SEA TO GRANT AN
EASEMENT ON CERTAIN WATER PROTECTION LAND.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradford R. Hill	4th Essex
Bruce E. Tarr	First Essex and Middlesex

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT AUTHORIZING THE TOWN OF MANCHESTER-BY-THE-SEA TO GRANT AN EASEMENT ON CERTAIN WATER PROTECTION LAND.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The town of Manchester-by-the-Sea, acting by and through its board of selectmen, may grant a non-exclusive easement on a portion of land located on Lincoln street in said town containing 6.03 acres, more or less, to the Essex County Club, for the purpose of continuing the use of said land by the club as a golf course. The land on which the easement may be granted was acquired by the town for water supply purposes and the town shall continue to use the easement area for its water resources. The easement is shown on a plan entitled "Easement Plan, Lincoln Avenue, Town of Manchester-by-the-Sea," dated September 18, 2008 and prepared by North Shore Survey Corporation, which is on file in the office of the town clerk.

SECTION 2. In consideration for and as a condition of the conveyance of the easement to the Essex County Club, the Club shall elect not to obtain any tax benefit from chapter 61B of the General Laws for as long as the easement is in effect. As further good and valuable consideration for the easement granted by the town to the Club, the Club shall grant an easement to the town of Manchester-by-the-Sea on land located on Mill street in said town, containing approximately .75 acres, shown on a plan entitled "Easement Plan, Mill Street, Town of Manchester-by-the-Sea," dated September 18, 2008 and prepared by North Shore Survey Corporation, which is on file in the office of the town clerk. The value of said easement provided to the town is to link 2 water mains, currently dead-ended, for the benefit of residents of the town, to improve Mill street and other traveled ways in said town and to provide direct access to a main highway and for general municipal purposes.

SECTION 3. If the easement granted to the Essex County Club ceases to be used for the purposes described in section 1, the easement shall terminate and the land shall revert to the town for water resource purposes.

SECTION 4. This act shall take effect upon its passage.