

SENATE No. 1945

The Commonwealth of Massachusetts

SENATE, June 22, 1989.

The committee on Ways and Means, to whom was committed the Senate Bill authorizing the Division of Capital Planning and Operations to convey a permanent easement of land belonging to the division of water resources in the Town of Northborough (Senate, No. 1430), reports recommending that the same ought to pass, with an amendment, substituting a new draft with the same title (Senate, No. 1945).

For the committee,

LOUIS P. BERTONAZZI.

The Commonwealth of Massachusetts

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

AN ACT AUTHORIZING THE DIVISION OF CAPITAL PLANNING AND OPERATIONS TO CONVEY A PERMANENT EASEMENT ON LAND BELONGING TO THE DIVISION OF WATER RESOURCES IN THE TOWN OF NORTHBOROUGH.

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 deputy commissioner of the division of
2 capital planning and operations is hereby authorized, subject to
3 the provisions of sections 40E through 40J, inclusive of chapter 7
4 of the General Laws, to convey to individuals and or entities
5 a certain permanent utility easement located in said town of
6 Northborough, subject to the requirements of sections two, three
7 and four and to such additional terms and conditions as the deputy
8 commissioner may prescribe in consultation with the division of
9 water resources. Said land is bounded and described on a plan
10 of to be recorded herewith in the Worcester County Registry of
11 Deeds.

12 The description of the proposed utility easement is bounded and
13 described as follows: —

14 A certain parcel of land situated in the Town of Northborough,
15 County of Worcester, Commonwealth of Massachusetts, being
16 more particularly described within a “Tyler Project — Easement
17 Plan, Assabet River Vicinity Hudson Street”; dated 5-19-89; scale
18 1" = 40'; drawn by E.S. Flynn Engineers, Inc., Consulting Engi-
19 neers, 81 Taunton Street, Middleboro, Ma., to be recorded;
20 described as follows:

21 Beginning at point which is the center of an existing sewer
22 manhole located at station 36+31.02, left 297.65 feet of the 1948
23 county layout baseline from Hudson Street, as located within a
24 record 50.00 foot town sewer easement;

25 Thence: N 26°-26'-24" E, a distance of 11.38 feet to a point;

26 Thence: S 35°-05'-10" E, a distance of 368.34 feet to a drill hole
27 in a concrete bound set;

28 Thence: S 15°-19'-19" E, a distance of 80.60 feet to a drill hole
29 in a concrete bound set, said point being S 80°-52'-40" W, a
30 distance of 1.88 feet from a lot corner for parcel 106A as shown
31 on the Tyler project plan referenced to hereafter;

32 Thence: S 80°-52'-40" E, a distance of 20.12 feet to a drill hole
33 at a concrete bound set;

34 Thence: N 15°-19'-19" W, a distance of 74.94 feet to a drill hole
35 at a concrete bound set;

36 Thence: N 35°-05'-10" W, a distance of 359.91 feet to a point;

37 Thence: N 57°-40'-32" E, a distance of 10.01 feet to a point of
38 beginning;

39 Said easement contains 8,808+ square feet and is a 20.00 foot
40 wide sewer parallel with either side of a sewer line crossing under
41 the Assabet River through lands of the Commonwealth of
42 Massachusetts Water Resources Commission.

43 Reference is made to a plan for the Suasco watershed, Tyler
44 Site, Acc. No. 001221, Plan Book 455, Plan 84, W.D.R.D.

1 SECTION 2. No conveyance of the permanent utility
2 easement described in section one shall be valid unless such deed
3 provides that said easement shall be used for sewerage drainage
4 purposes only.

1 SECTION 3. The recipient shall assume all costs and expenses
2 as deemed necessary by the deputy commissioner for the con-
3 veyance of this easement, including, but not limited to, the reci-
4 pient assuming the responsibility of general maintenance of said
5 easement.

1 SECTION 4. In the event that the aforementioned purpose
2 described in section two ceases at any time, the easement shall
3 revert to the Commonwealth under such terms and conditions as
4 the deputy commissioner may prescribe.

