

SPECIAL CITY COUNCIL MEETING AGENDA
CITY COUNCIL CHAMBERS

September 1, 2015

7:00 PM

(Name Plates & Sound Check)

- 1. MOMENT OF SILENCE**
- 2. PLEDGE OF ALLEGIANCE**
- 3. CALL TO ORDER**
- 4. LATE FILE ITEMS**
- 5. PUBLIC COMMENT**

CONSENT AGENDA

NOTE: ALL ITEMS LISTED UNDER CONSENT AGENDA WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

6. TRANSFERS

- 1. SEWER CIP - Sewer Easement to CIP- DPS Building, \$225,000** (B&F)
- 2. WATER CIP - Meter Replacement to CIP- DPS Building, \$225,000** (B&F)

7. COMMUNICATIONS

- 1. Use of sidewalk - Informational table request in front of library** (PS)

8. APPOINTMENTS – None

END OF CONSENT AGENDA

REGULAR AGENDA

9. HEARING - CONTINUED

- 1. Electric Box – Rawson Avenue**

10. ORDERS

- 1. Confirmatory Vote – Authority for Taking (Rail Trail)**
- 2. Confirmatory Vote – Order of Taking re. Easements**
- 3. Confirmatory Vote – Order of Taking re. Joppa Park**

11. EXECUTIVE SESSION

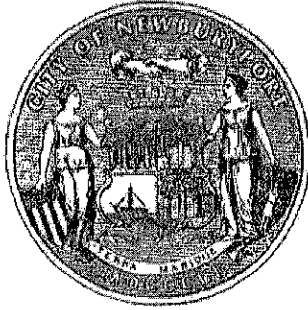
- 1. Discussion of litigation strategy with regard to the Plum Island Water & Sewer systems**

12. GOOD OF THE ORDER

13. ADJOURNMENT

CONSENT AGENDA

TRANSFERS



CITY OF NEWBURYPORT
DEPARTMENT OF PUBLIC SERVICES
WATER AND SEWER DIVISION
BUSINESS OFFICE
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4420 • (978) 465-9242 (FAX)
WSBILLING@CITYOFNEWBURYPORT.COM

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 AUG 25 P 2:20

To: President and Members of the City Council
From: Donna D. Holaday, Mayor
Date: August 25, 2015
Subject: FY16 Capital Transfer Request – Water and Sewer Enterprise Funds

DPS Facility Expansion – The current DPS Facility at 16A Perry Way is over-capacity. Staff members, including the water distribution crew, sewer maintenance crew, and engineering office have been working out of two trailers, which were meant to be temporary, but have been in place for over nine years now. The expansion of the DPS Facility would replace the trailers with a building that would also house the Water and Sewer Business office.

The project is at 100% design complete and after review of bids and budget; an additional \$450,000.00 is needed to fund the overall project. The capital requests previously identified was approved for \$1.642M, and based on delays, in moving forward with this project, design changes with CSS architecture recommendations, in conjunction with Conservation Commission suggestions, and prevailing wage estimates, the project has increased \$450,000.00. This increase will be split 50/50 (\$225,000 each) by Water and Sewer Enterprise Funds.

The overall project, with additional funding requests, was presented to the Water and Sewer Commission at its August 17, 2015 meeting and voted unanimously to approve the transfer of funds needed to fully fund this project.

FY2015 Retained Earnings were last certified by the Department of Revenue with a balance for Water Enterprise in the amount of \$1,117,312 and Sewer Enterprise in the amount of \$1,938,132. At this time of the fiscal year, Retained Earnings are not available for appropriation until the Department of Revenue certifies the balances, which typically occurs in October. Based on the timing of the bids and the need to sign a contract to begin construction within RFP guidelines and before the winter, I am requesting a transfer from **existing capital accounts** in both water and sewer. When Retained Earnings are certified by the DOR this fall, a second appropriation request will be made to replenish the existing capital project funds.

Please see attached the requested capital transfers.

Thank you for your assistance.



City of Newburyport
FY 2016
BUDGET TRANSFER REQUEST

Transfer #1
Sept. 1, 2015

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 AUG 25 P 2:21

Department: DPS - SEWER

Submitted by: Anthony Furnari, Director

Date Submitted: 8/25/2015

Transfer From:

Account Name	CIP-Sewer Easement	YTD Bal:	\$ 330,083.12
Account Number:	3406-59600	Trans In:	\$ -
Amount:	\$225,000.00	Trans Out:	\$ -
Why are Funds Available:	<i>On-going capital project funds are not needed at this time. Capital funds will be appropriated back into this account once Retained Earnings are certified by the Department of Revenue this Fall.</i>		

Transfer To:

Account Name	CIP-DPS Building	YTD Bal:	\$ 1,562,298.03
Account Number:	3403-49700	Trans In:	\$ -
Amount:	\$225,000.00	Trans Out:	\$ -
Why are Funds Required:	<i>The current DPS building is over-capacity and an expansion is needed to support the operations of the department. Previously, \$821,000.00 was funded by Sewer Retained Earnings. Water Retained Earnings has matched funding. The lowest bid from the Request for Proposals came in higher than anticipated.</i>		

Donna D Holaday, Mayor
Ethan R. Manning, Auditor
City Council Approval: (Stamp)

Donna D Holaday
Ethan R Manning

Date: 8/25/15
Date: 8/25/15



City of Newburyport
FY 2016
BUDGET TRANSFER REQUEST

RECEIVED
CITY CLERK'S OFFICE
NEWBURYPORT, MA

2015 AUG 25 P 2:21

Department: DPS - WATER

Submitted by: Anthony Furnari, Director

Date Submitted: 8/25/2015

Transfer From:

Account Name	CIP-Meter Replacement	YTD Bal:	\$	283,812.00
Account Number:	3409-59600	Trans In:	\$	-
Amount:	\$225,000.00	Trans Out:	\$	-
Why are Funds Available:	<i>On-going capital project funds are not needed at this time. Capital funds will be appropriated back into this account once Retained Earnings are certified by the Department of Revenue this Fall.</i>			

Transfer To:

Account Name	CIP-DPS Building	YTD Bal:	\$	1,562,298.03
Account Number:	3403-49700	Trans In:	\$	-
Amount:	\$225,000.00	Trans Out:	\$	-
Why are Funds Required:	<i>The current DPS building is over-capacity and an expansion is needed to support the operations of the department. Previously, \$821,000.00 was funded by Water Retained Earnings. Sewer Retained Earnings has matched funding. The lowest bid from the Request for Proposals came in higher than anticipated.</i>			

Donna D Holaday, Mayor
Ethan R. Manning, Auditor
City Council Approval: (Stamp)

Donna D Holaday
Ethan R Manning

Date: 8/25/15
Date: 8/25/15

COMMUNICATIONS

Richard Jones

from: Michael Sales <mjsales@comcast.net>
sent: Wednesday, August 12, 2015 3:40 PM
to: Richard Jones
cc: Leslie Lipkind; Jared Eigerman
subject: Request to put an informational table in front of the Library

Dear Mr. City Council President O'Brien

Les Lipkind of Newbury and I want to set up an informational table in support of Compassionate Choices in front of the Library on September 5 and 19. Compassionate Choices advocates for the right death with dignity. We would be handing out information on this topic. Please notify me if anything else is needed to advance this request at the 8/18 meeting of the Council.

Best,

Michael Sales

Michael Sales, Ed.D.

Art of the Future

Tomorrow in Design Today

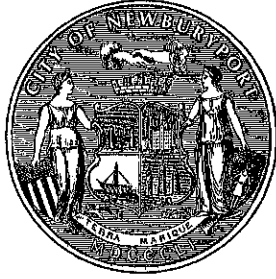
Creating the future you want in uncertain times

<http://www.artofthefuture.com>

END OF CONSENT AGENDA

BEGINNING OF REGULAR AGENDA

**PUBLIC HEARING
APPLICATION AND NOTICE**



CITY OF NEWBURYPORT
MASSACHUSETTS
CITY CLERK'S OFFICE
NEWBURYPORT CITY HALL
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
TEL: 978-465-4407 • FAX: 978-462-7936

RICHARD B. JONES
CITY CLERK

August 17, 2015

Dear Property Owner:

CANCELLATION NOTICE is hereby given that a Public Hearing to be held on the petition of National Grid for the installation of electrical box.36'x50"x17, 1 Rawson Avenue @High St., Newburyport, MA 01950 on Tuesday, August 18, 2015 at 7:15 PM in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA is hereby CANCELLED.

NEW DATE: This hearing has been **rescheduled for Tuesday, September 1, 2015 at 7:00 pm** in the City Council Chamber, City Hall, 60 Pleasant St., Newburyport, MA

Sincerely,

Thanks,
Richard

Richard B. Jones
City Clerk
City of Newburyport
60 Pleasant Street
Newburyport, MA
978.465.4407
rjones@cityofnewburyport.com

Questions contact – Rudy Kocandrle, 781.727.7041
44 River St, Beverly, Massachusetts 01915

RECEIVED
CLERK'S OFFICE
NEWBURYPORT, MA

PETITION FOR SCADA BOX LOCATION

2015 AUG 13 P 2:20

To City Council
Of Newburyport, MA

NATIONAL GRID requests permission to locate above ground SCADA box and vent poles, along the following public way:

Street name - 1 Rawson Ave (@ High St)

Location approximately as shown on plan attached

Two Vent Poles: 48" height x 4" diameter

SCADA box: 19" height x 17" wide x 8" deep (On top of one vent pole)

12 Volt Solar Panel: 14.5" wide x 15.5" height (will be 12" above Scada Box)

Wherefore it prays that after due notice and hearing as provided by law, it be granted a location for and permission to erect and maintain poles and wires, together with such sustaining and protecting fixtures as it may find necessary, said poles to be erected substantially in accordance with the plan filed herewith marked – 1 Rawson Ave, Newburyport, MA

No.# August 13, 2015

Also for permission to lay and maintain underground laterals, cables, and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes.

Your petitioner agrees to reserve space for one cross-arm at a suitable point on each of said poles for the fire, police, telephone, and telegraph signal wires belonging to the municipality and used by it exclusively for municipal purposes.

NATIONAL GRID

BY _____

Construction Supervisor

Questions contact – Rudy Kocandrle, 781.727.7041

ORDER FOR SCADA BOX LOCATION

In the City of Newburyport, Massachusetts

Notice having been given and public hearing held, as provided by law,
IT IS HEREBY ORDERED:

that NATIONAL GRID and be and it is hereby granted a location for and permission to erect and maintain Scada box to be placed thereon, together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way or ways hereinafter referred to, as requested in petition of said Company dated the _____.

All construction under this order shall be in accordance with the following conditions:

No.# Dated: August 13, 2015. Filed with this order

There may be attached to said poles such wires, cables, and fixtures as needed in their business and all of said wires and cables shall be placed at a height of not less than twenty (20) feet from the ground.

The following are the public ways or part of ways along which the Scada box and vent poles above referred to may be erected thereon under this order:

Street Name - 1 Rawson Ave

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City/Town of Newburyport, Massachusetts held on the _____ day of _____ 20 ____.

City/Town Clerk.
Massachusetts

Received and entered in the records of location orders of the City/Town of Newburyport
Book _____ Page _____

Attest:
City/Town Clerk

I hereby certify that on _____ 20 __, at _____ o'clock, M
at _____ a public hearing was held on the petition of

NATIONAL GRID

for permission to erect the Scada box described in the order herewith recorded, and that we mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the Company is permitted to erect poles, wires, and fixtures under said order. And that thereupon said order was duly adopted.

City/Town Clerk.

.....
.....
City Council of Newburyport, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of the location order and certificate of hearing with notice adopted by the _____ of the City of _____ Massachusetts, on the _____ day of _____ 20____, and recorded with the records of location orders of the said City, Book _____, Page _____. This certified copy is made under the provisions of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

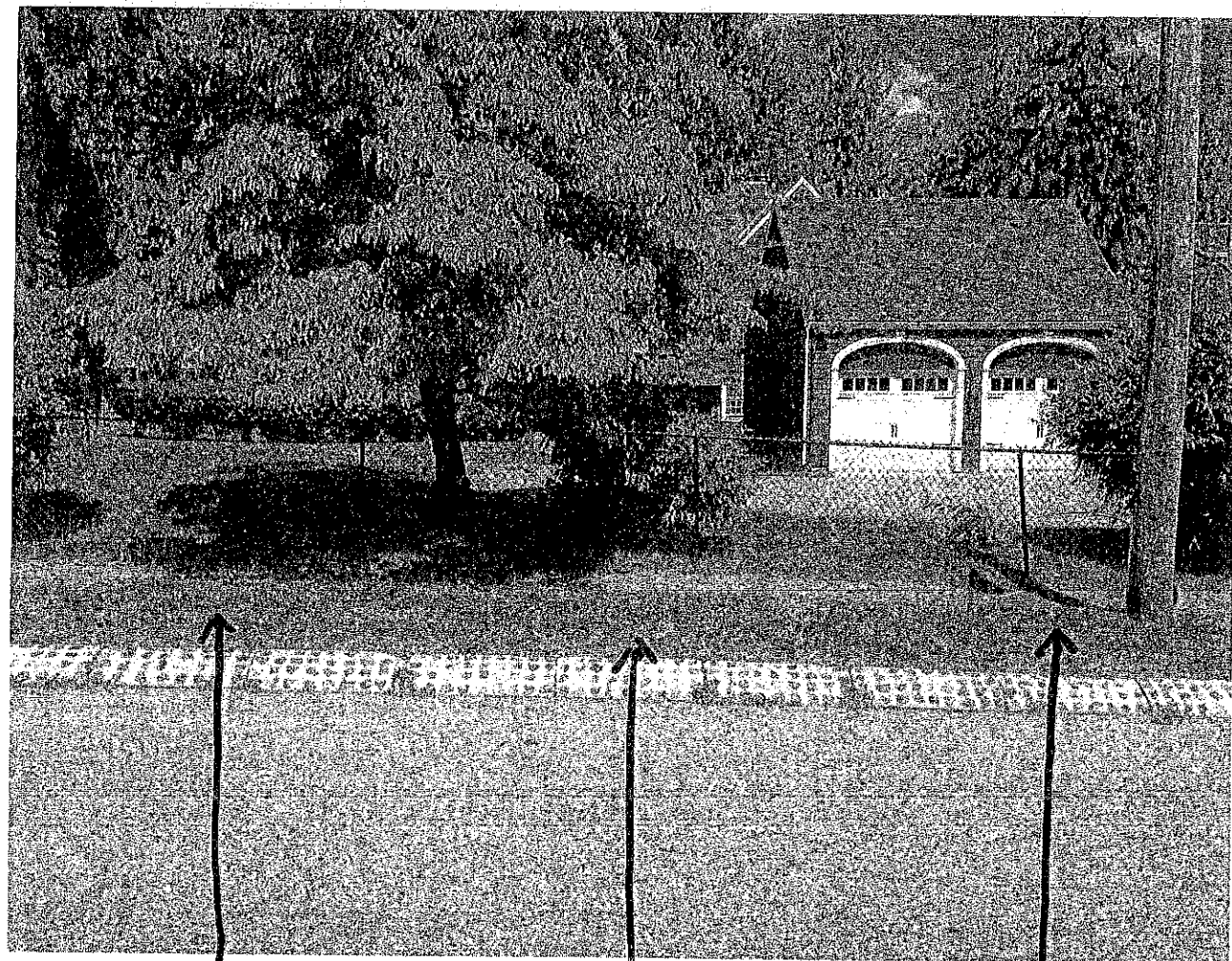
City/Town Clerk





Example

PROPOSED LOCATION OF NEW REGULATOR PIT (GRASS AREA/SIDEWALK)

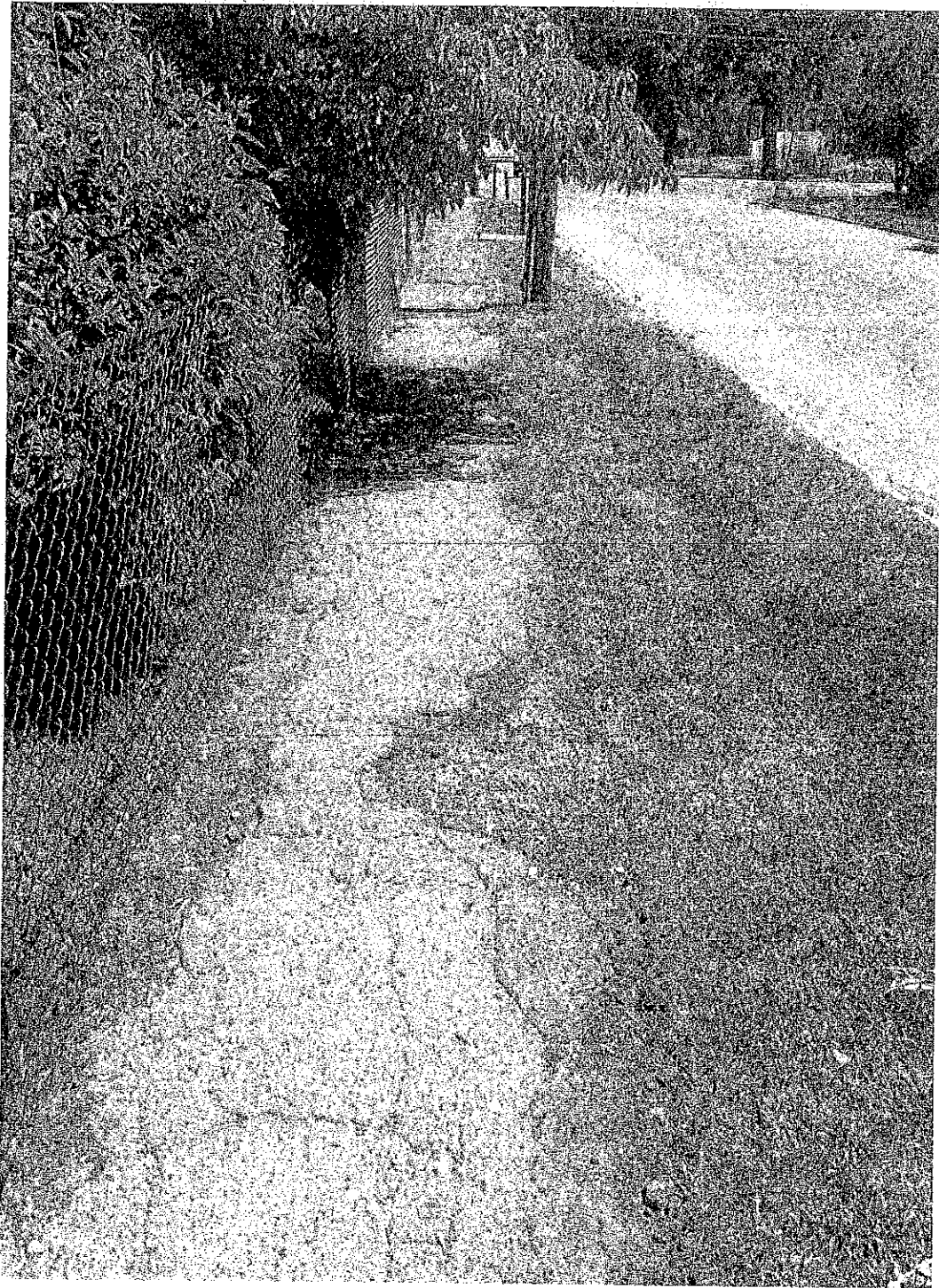


Vent pole
Scada box
Solar Panel

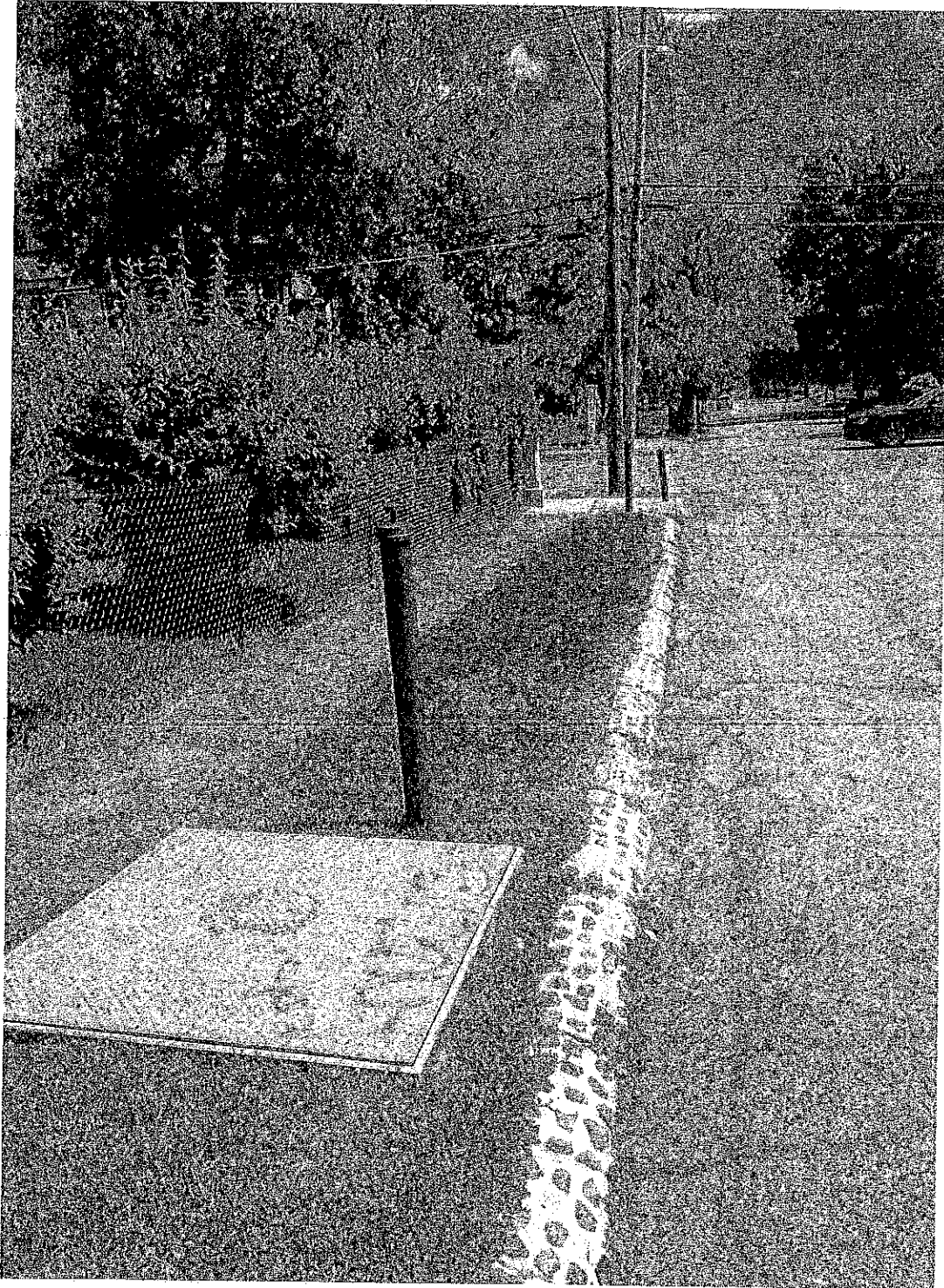
Vaults

Vent pole

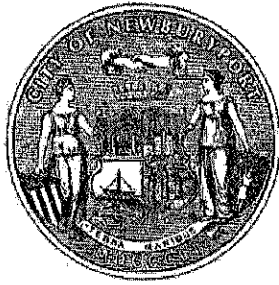
EXISTING SIDEWALK TO BE REPLACED



EXISTING VAULTS AND BALLARDS TO BE REMOVED



ORDERS



CITY OF NEWBURYPORT
OFFICE OF PLANNING AND DEVELOPMENT
60 PLEASANT STREET • P.O. Box 550
NEWBURYPORT, MA 01950
(978) 465-4400 • (978) 465-4452 (FAX)

DONNA D. HOLADAY
MAYOR

MEMORANDUM

TO: NEWBURYPORT CITY COUNCIL
FROM: GEORDIE VINING, SENIOR PROJECT MANAGER
SUBJECT: CLIPPER CITY RAIL TRAIL: PHASE II – RIGHT-OF-WAY CONFIRMATORY VOTE
DATE: 8/25/15

We are writing to respectfully request the City Council's confirmatory votes for the Rail Trail project of the Authority for Taking and the two Orders of Taking associated with Joppa Park and the other easements and interests. This is an administrative matter that is necessary due to the timing of recording at the Registry of Deeds and involves no change to the substance of the orders unanimously approved earlier this summer.

On June 29, 2015, the City Council unanimously voted to approve the taking of the Joppa Park property and various easements and land interests to legally secure the full 1.5 mile corridor of Phase II of the Clipper City Rail Trail. The City, consultants, and City Solicitor subsequently took approximately six weeks to finalize the long-term lease with National Grid, execute documents with New England Development, and finalize the recordable plans associated with the project with a surveyor. However, as the package was going to record on August 14, 2015, the City Solicitor concluded that state law indicates the time between the City Council's votes on the takings and subsequent recording should be no more than 30 days. As a result, we need to conduct a confirmatory vote of the authorization and two orders of taking for Joppa Park and the other easements involved. *There are no substantive changes to the takings.* The confirmatory votes update the plan references to reflect the finalized recordable plans, and include a sentence to clarify that these orders are intended to confirm and restate the City Council's previous votes. After the City Council's vote, I will drive the executed copies of the confirmatory votes down to meet the City Solicitor the next day (September 2nd) and get the documents on record in advance of the extended MassDOT advertising date of September 5, 2015 for the project.

\$4 million of federal and state construction funding for the project continues to be programmed in the Merrimack Valley Metropolitan Planning Organization's Transportation Improvement Plan (TIP) for Federal Fiscal Year 2015. Bids will be received and a contractor selected and mobilized in 2016.

Thank you for your consideration.

* * *

CITY OF NEWBURYPORT



IN CITY COUNCIL

ORDERED:

September 1, 2015

Acquisition of Fee, Temporary and Permanent Easements and Other Interests in Land

THAT the City Council of the City of Newburyport by virtue of and in accordance with the authority of the provisions of Chapter 79 of the Massachusetts General Laws, as amended, and of any and every other power and authority which is hereunto in any way enabling, adopts an Order of Taking to acquire the fee and temporary and permanent easements in land for transportation and rail trail purposes, together with the attendant customary uses as set forth in the Order of Taking, upon the fee, and permanent and temporary easement areas described in Schedule A to said Order of Taking, and as depicted on a plan in seven (7) sheets entitled: "Permanent and Temporary Easement Plan for the Clipper City Rail Trail – Phase 2 in the City of Newburyport, Essex County, Massachusetts" dated July 1, 2015, prepared by Chappell Engineering Associates, LLC, R.K. Executive Centre, 201 Boston Post Road West, Suite 101, Marlborough, MA 01752 recorded with the Essex South District Registry of Deeds in Plan Book 449, Plan 47, and adopts an Order of Taking to acquire the fee in land known as Joppa Park for uses as set forth in said Order of Taking for Joppa Park upon the fee area described in Schedule A of said Order of Taking, and as depicted in a plan, in two (2) sheets, entitled "Plan of Land in the City of Newburyport, County of Essex, Massachusetts" dated July 1, 2015, prepared by Chappell Engineering Associates, LLC, R.K. Executive Centre, 201 Boston Post Road West, Suite 101, Marlborough, MA 01752 recorded with at the Essex South District Registry of Deeds in Plan Book 449, Plan 45 and to authorize the City Council President to execute any Order(s) of Taking to effectuate the purposes of this vote.

No damages are awarded, the Owners of said property having waived their respective rights to an appraisal and compensation, and further provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

The City Council further authorizes the Mayor to acquire and accept the fee, and any easements, long term leases and/or any other interests in land on behalf of the City, on such terms and conditions, and for such term of years if a lease or temporary easement, as the Mayor deems in the best interest of the City, from any adjacent and/or abutting landowner necessary in order to provide for a continuous Harborwalk/Rail Trail corridor and in connection with Phase 2 of the Newburyport/Newbury Clipper City Rail Trail project, provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

Councillor Barry N. Connell

Councillor Edward C. Cameron

In City Council September 1, 2015

Motion to approve by Councillor

Roll call vote: Yes No Absent

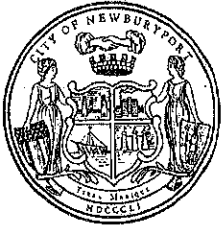
, seconded by Councillor

Approve: _____
Donna D. Holaday, Mayor

Attest: _____
Richard B. Jones, City Clerk

Date: _____

CITY OF NEWBURYPORT



COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS.

IN CITY COUNCIL

ORDER OF TAKING

September 1, 2015

ORDERED:

At a regularly convened meeting of the CITY COUNCIL of the CITY OF NEWBURYPORT held this 1st day of September, 2015, it was voted and ordered as follows:

The City Council of the CITY OF NEWBURYPORT, duly elected, qualified, and acting on behalf of the City, in accordance with the provisions of Massachusetts General Laws, Chapter 79, the City's Charter, as amended, the City Council Resolve of September __, 2015, a certified copy of which is attached hereto as Exhibit A and recorded herewith, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the City, the fee ownership interest in, and/or temporary and permanent easements over, in, through, under and upon land or portions thereof abutting and adjacent to Parker Street, High Street, Purchase Street, and Water Street, all public ways in the City, in all locations depicted on a plan, in seven (7) sheets, entitled: "Permanent and Temporary Easement Plan for the Clipper City Rail Trail – Phase 2 in the City of Newburyport, Essex County, Massachusetts" dated July 1, 2015, prepared by Chappell Engineering Associates, LLC, R.K. Executive Centre, 201 Boston Post Road West, Suite 101, Marlborough, MA 01752 recorded with the Essex South District Registry of Deeds in Plan Book 449, Plan 47 (hereinafter, collectively, "the Plan") a copy of which is attached hereto as Exhibit B.

1. Fee Interest is taken in the premises depicted on the Plan as Parcel No. 33-SR-2 for rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes, which may include motorized handicapped access, together with the attendant customary uses, including but not limited to the construction, operation, maintenance, repair, and replacement of footways and bicycle paths, drainage and other utilities, and for all uses and appurtenances related thereto, the fee ownership and easement interests, as specified in Schedule A, in, over, under, through, across, upon and along that certain parcel of land further specified in Schedule A.

2. Temporary easements are taken in those easement premises depicted as such on the Plan for all purposes incidental to the construction of improvements on a rail trail known as the Clipper City Rail Trail – Phase 2 as shown on the Plan and access thereto, such purposes to include, without limitation, surveying, constructing, inspecting, and installing improvements upon said rail trail land and upon the permanent easement areas described below, including entry by foot, vehicle, and heavy equipment for all purposes stated herein and uses incidental thereto, changing the grade of the temporary easement areas to accommodate permanent improvements within said rail trail land and upon said permanent easements, and all other acts incidental thereto. The temporary easements shall expire in three (3) years or five (5) years from the date this Order is recorded, as set forth in the attached Schedule A, recorded herewith. Upon completion of its use of said easements the City shall restore the surface of the easement premises to as close to its original condition or better.

3. Permanent easements are taken in the easement premises depicted on the Plan for rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes, which may include motorized handicapped access, together with the attendant customary uses, including but not limited to the construction, operation, maintenance, repair, and replacement of footways and bicycle paths, drainage and other utilities, and for all uses and appurtenances related thereto, the fee ownership and easement interests, as specified in Schedule A, in, over, under, through, across, upon and along certain parcels of land specified in Schedule A.

This taking does not include structures presently situated on the fee and easement premises, but does include the right of the City to remove such structures whenever their removal shall be required for said fee and easement purposes.

This taking does include such trees and shrubs within the fee and easement premises whose removal is necessary to carry out the purposes of the interests taken herein. By this Order, and subject to existing easement agreements and grants to the City, the City takes no interest in existing easements, if any, affecting the easement premises unless such existing easements are inconsistent with the purposes for which the interests in fee and easements are hereby taken.

Said land is owned or supposed to be owned and/or formerly owned by the persons listed in Schedule A, hereinafter collectively referred to as the Owners. If in any instance the name of the Owner is not correctly stated, the name of the supposed Owners being given as of this Order of Taking, it is understood that in such instance the land referred to is owned by an Owner or Owners unknown to us.

Said owners have waived damages and a right of appraisal of said damages, and we therefore award no damages to those persons for the herein taking and further provided, however, that the City shall pay no monetary consideration other than the nominal amount of one dollar (\$1.00).

Meaning and intending, by this Order of Taking, to confirm, restate, and amend the action of the Newburyport City Council as set forth in that "Order of Taking" dated June 29, 2015 and recorded with the Essex South District Registry of Deeds in Book 34297, Page 401 and filed with the Essex South District Registry Division of the Land Court as Document No. 564553 as noted on Certificate of Title No.'s 20626, 37533, 37567, 42289, and 78126.

No betterments are to be assessed under this taking.

Councillor Barry N. Connell

Councillor Edward C. Cameron

In City Council September 1, 2015

Motion to approve by Councillor

, seconded by Councillor

Roll call vote: Yes No Absent

IN WITNESS WHEREOF, we, the duly elected and qualified City Council for the City of Newburyport have hereunto set our hands and seal this _____ day of _____, 2015.

CITY OF NEWBURYPORT,
By its City Council

Thomas F. O'Brien, President

APPROVED:

Donna D. Holaday,
Mayor

APPROVED AS TO FORM:

Jonathan D. Eichman, Kopelman and Paige. PC.
City Solicitor

522930/NBPT/0068

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this ____ day _____, 2015, then personally appeared the above-named member of the City Council for the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his/her free act and deed, and the free act and deed of the City of Newburyport, before me.

Notary Public
My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this ____ day _____, 2015, then personally appeared the above-named Donna D. Holaday, Mayor of the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which were _____, to be the person whose name he signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his free act and deed as Mayor, before me.

Notary Public
My Commission Expires:

SCHEDULE A

Parcel No. / Term	Area	Easement Type	Property Owner	Mailing Address	Registry Book/Page
7-TB-1 / 5 years	6,223 SF	Temp.	Salem Five Mortgage Company, LLC	210 Essex St., Salem, MA 01970	33029/16
7-U-2	464 SF	Perm.	Salem Five Mortgage Company, LLC	210 Essex St., Salem, MA 01970	33029/16
7-W-1	315 SF	Perm.	Salem Five Mortgage Company, LLC	210 Essex St., Salem, MA 01970	33029/16
7-W-2	1,500 SF	Perm.	Salem Five Mortgage Company, LLC	210 Essex St., Salem, MA 01970	33029/16
7-SW-S-1	2,837 SF	Perm.	Salem Five Mortgage Company, LLC	210 Essex St., Salem, MA 01970	33029/16
8-TE-2A / 5 years	370 SF	Temp.	Douglas H. Crossman and Melinda Grey Crossman	38 High St., Newburyport, MA 01950	17510/320
27A-TE-3 / 5 years	537 SF	Temp.	Christopher D. Davis and Lori B. Davis	58 Purchase St., Newburyport, MA 01950	28856/245
27A-W-1	299 SF	Perm.	Christopher D. Davis and Lori B. Davis	58 Purchase St., Newburyport, MA 01950	28856/245
27B-TE-3 / 5 years	537 SF	Temp.	Christopher P. Zybert and Julie A. Chakrin	60 Purchase St., Newburyport, MA 01950	33683/282
27B-W-1	299 SF	Perm.	Christopher P. Zybert and Julie A. Chakrin	60 Purchase St., Newburyport, MA 01950	33683/282
30A-TE-11A / 5 years	30 SF	Temp.	Mary Laselva	45 Purchase St., Unit 1, Newburyport, MA 01950	34008/46
30A-TE-11B / 5 years	298 SF	Temp.	Mary Laselva	45 Purchase St., Unit 1, Newburyport, MA 01950	34008/46
30B-TE-11A / 5 years	30 SF	Temp.	Richard M. Salus	45 Purchase St., Unit 2, Newburyport, MA 01950	12637/28

30B-TE-11B / 5 years	298 SF	Temp.	Richard M. Salus	45 Purchase St., Unit 2, Newburyport, MA 01950	12637/28
33-TE-4A / 5 years	3,800 SF	Temp.	David R. Clarridge	15 Bromfield St., Newburyport, MA 01950	12318/330
33-SR-2	1,432 SF	Fee	David R. Clarridge	15 Bromfield St., Newburyport, MA 01950	12318/330
33X-TE-4B / 5 years	1,600 SF	Temp.	Edwin Bernau, III and Eileen M. Bernau	15 Bromfield St., Newburyport, MA 01950	33058/1
34-TE-3A / 3 years	700 SF	Temp.	Michael J. Holohan and Nadine E. Holohan	12 Harrison St., Newburyport, MA 01950	15062/203
35-TE-3B / 5 years	108 SF	Temp.	Donna S. Glick and Jane Maki	10 Harrison St., Newburyport, MA 01950	27388/555
36-TE-4C / 5 years	200 SF	Temp.	David Moore and Beverly Monchun, Trustees of 182 Water Street Trust	182 Water St., Newburyport, MA 01950	15885/74
37-TE-4D / 5 years	170 SF	Temp.	David Moore and Beverly Monchun, Trustees of 182 Water Street Trust	182 Water St., Newburyport, MA 01950	15885/74
38-TE-4E / 5 years	426 SF	Temp.	Philip L. Schwartz and Tamara A. Schwartz	178 Water St., Newburyport, MA 01950	33020/545
41-TE-5 / 5 years	1,149 SF	Temp.	Lloyd N. Daniels, Trustee of 174-176 Water Street Realty Trust	174 Water St., Newburyport, MA 01950	32347/19
41-D-1	40 SF	Perm.	Lloyd N. Daniels, Trustee of 174-176 Water Street Realty Trust	174 Water St., Newburyport, MA 01950	32347/19
42-TE-6 / 5 Years	248 SF	Temp.	Jennifer B. Badger and Vincent M. Badger	172 Water St., Newburyport, MA 01950	30343/340
47-TE-1 / 5 years	295 SF	Temp.	Charles R. Grigg	92 Lakeshore Rd., Boxford, MA 01921	12332/19

48-AT-1	1,336 SF	Perm.	Charles R. Grigg	92 Lakeshore Rd., Boxford, MA 01921	12331/600
48-TE-1 / 5 years	408 SF	Temp.	Charles R. Grigg	92 Lakeshore Rd., Boxford, MA 01921	12331/600
55-TE-7/ 3 Years	2,098 SF	Temp.	American Yacht Club	P.O. Box 1360 Newburyport, MA 01950	Certificate No. 20626 Document No. 61727
64-TE-7F	10,600 SF	Temp.	Range Light Limited Partnership	75 Water St., No. 503 Newburyport, MA 01950	24852/303
65-TE-7H1/ 5 Years	3,808 SF	Temp.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
65-TE-7H2/ 5 Years	200 SF	Temp.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
65-SW-S-1	23 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
65-SW-S-3	585 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
65-D-1	256 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
66-TE-71/ 5 Years	2,088 SF	Temp.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421

67-TE-7J/ 5 Years	1,323 SF	Temp.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
67-SW-S-1	31 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
69-SW-S-4	861 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
69-TE-7K1/ 5 Years	2,918 SF	Temp.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
69-D-1	118 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
70-TE-7L1/ 5 Years	3,868 SF	Temp.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
70-TE-7L2/ 5 Years	1,669 SF	Temp.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
70-SW-S-1	1,788 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
70-D-1	60 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421

70-D-2	60 SF	Perm.	Newburyport Manager LLC, Tr., Rear 51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23921/421
73-TE-7M1/ 5 Years	477 SF	Temp.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
73-TE-7M2/ 5 Years	558 SF	Temp.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
73-SW-S-1	533 SF	Perm.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
73-D-1	106 SF	Perm.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
74-TE-7N1/ 5 Years	1,642 SF	Temp.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
74-TE-7N2/ 5 Years	3,881 SF	Temp.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
74-SW-S-1	1,373 SF	Perm.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511

74-D-1	274 SF	Perm.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
75-TE-8/ 5 Years	2,773 SF	Temp.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
75-S-1	2,731 SF	Perm.	Newburyport Manager LLC, Tr., 35-51 Water Street Nominee Trust	c/o New England Development 75 Park Plaza, Boston, MA 02116	23919/170; Certificate No. 78126, Document No. 450511
77-SW-S-9A	757 SF	Perm.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	Certificate No.s 37533; 37567; and. 42289 Document No. 142652
77-TE-9A / 3 years	665 SF	Temp.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	Certificate No.s 37533; 37567; and. 42289 Document No. 142652
77-TE-9B / 3 years	51 SF	Temp.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	Certificate No.s 37533; 37567; and. 42289 Document No. 142652

78-SW-S-9B	44 SF	Perm.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	Certificate No.s 37533; 37567; and. 42289 Document No. 142652
78-TE-9C / 3 years	2,016 SF	Temp.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	Certificate No.s 37533; 37567; and. 42289 Document No. 142652
80-SW-S-10	186 SF	Perm.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	9658/504
80-TE-10 / 3 years	188 SF	Temp.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	9658/504
80-TE-11 / 3 years	523 SF	Temp.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	9658/504
80-TE-13 / 3 years	4,605 SF	Temp.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	9658/504
81-SW-S-11	653 SF	Perm.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	9658/504
81-TE-12 / 3 years	10,411 SF	Temp.	Newburyport Redevelopment Authority	60 Pleasant St., Newburyport, MA 01950	9658/504

EXHIBIT A

Vote

EXHIBIT B
FEE/EASEMENT PLAN

PLAN BOOK 149 PLANS
 RECEIVED AUGUST 12, 2015
 DEED RECORDING DIVISION
 ATTACHED
 7 Plans

PARCEL SUMMARY:

PARCEL	BOOK / PAGE
7	DEED BOOK 33028 PAGE 16
8	DEED BOOK 17510 PAGE 320
27 A/B	DEED BOOK 28868 PAGE 245
30 A/B	DEED BOOK 39863 PAGE 282
33	DEED BOOK 34008 PAGE 046
	DEED BOOK 12837 PAGE 028
	DEED BOOK 12318 PAGE 330

PARCEL

PARCEL	BOOK / PAGE
33 X	DEED BOOK 33038 PAGE 001
34	DEED BOOK 15052 PAGE 203
35	DEED BOOK 27388 PAGE 555
36	DEED BOOK 15885 PAGE 074
37	DEED BOOK 15885 PAGE 074

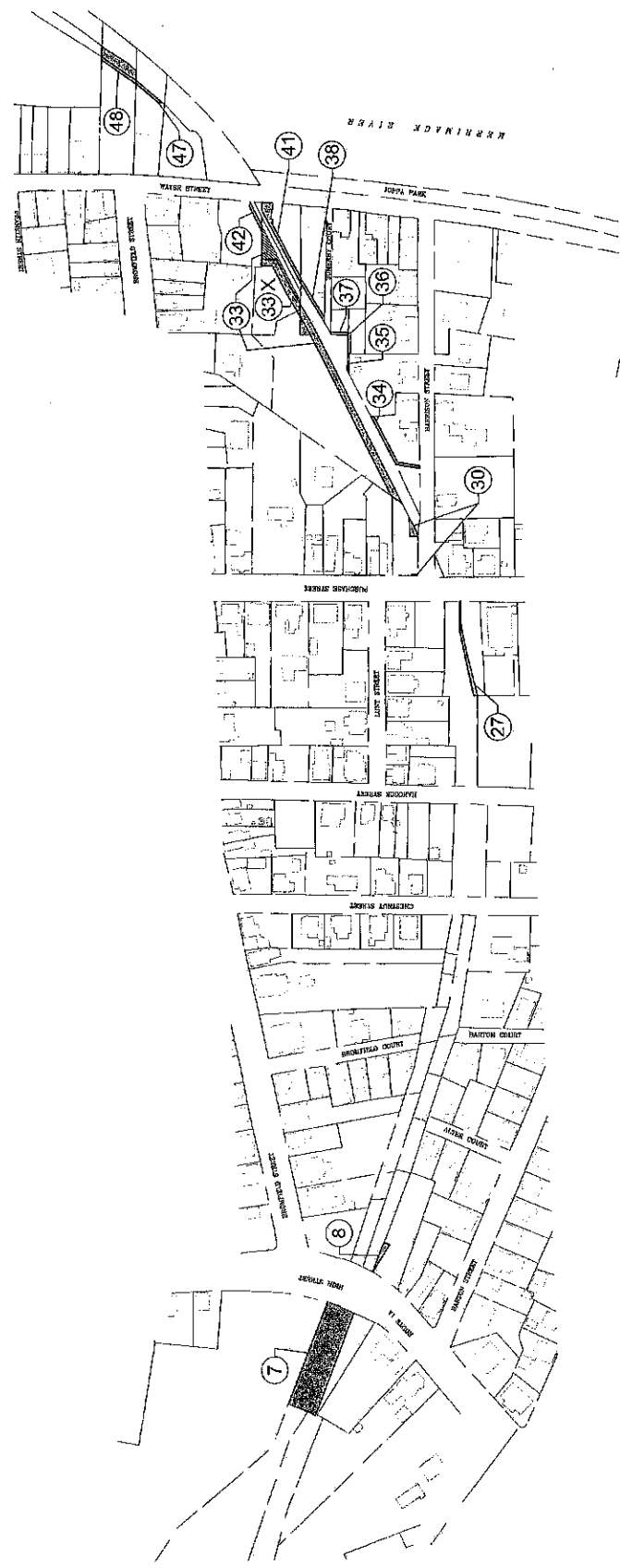
PARCEL

PARCEL	BOOK / PAGE
38	DEED BOOK 33020 PAGE 545
41	DEED BOOK 32847 PAGE 019
42	DEED BOOK 30343 PAGE 340
47	DEED BOOK 12332 PAGE 019
48	DEED BOOK 12331 PAGE 600

47
 149
 7 Plans



FOR REGISTRY USE ONLY



LOCATION PLAN

LEGEND:

- 2 PARCEL IDENTIFICATION NUMBER
- EASEMENT PARCEL
- EXISTING LAND PARCEL
- EXISTING EASEMENT PARCEL
- PARCEL TAKEN IN FEE

PLAN REFERENCE:

- 1) MAP SHOWING LOCATION OF THE NEWBURYPORT CITY COUNCIL ORDER BY R. SANDROTTI ENJOINED BY THE ESSEX SOUTH DISTRICT REGISTRY OF DEEDS ENGINEER'S OFFICE.
- 2) "TRUST CORNARY AND TRUCK MAP" BOSTON AND MAINE S.R. OPERATED BY THE BOSTON MAINE R.R. DATED 1-1-1907, JUNE 30, 1914, VAL. SER. 7, IS ON FILE AT THE ESSEX SOUTH DISTRICT REGISTRY OF DEEDS ENGINEER'S OFFICE.
- 3) PLAN BOOK 381 PLAN 54
 PLAN BOOK 880 OF 1948
 PLAN BOOK 413 PLAN 34
 PLAN BOOK 287 PLAN 3
 PLAN BOOK 287 PLAN 3
 PLAN BOOK 287 PLAN 3
 PLAN 1957A
 PLAN 1958A

NOTES:

1. THE PURPOSE OF THIS PLAN IS TO SUBMIT PARCELS TAKEN BY THE ESSEX SOUTH DISTRICT REGISTRY OF DEEDS ENGINEER'S OFFICE TO THE ORDER OF THE CITY COUNCIL AS ORDER NO. 12 FOR THE TAKING OF TEMPORARY AND PERMANENT EASEMENTS AND FEE INTERESTS AS MORE PARTICULARLY SET FORTH IN THE ORDER.
2. PARCELS 7, 8, 33, 34, 35, 36, 37, 38, 41, 42, 47, 48 ARE SUBJECT TO AN ELECTRIC EASEMENT RECORDED WITH THE ESSEX SOUTH DISTRICT REGISTRY OF DEEDS IN BOOK 33028 PAGE 16.
3. PARCELS 7, 8, 33, 34, 35, 36, 37, 38, 41, 42, 47, 48 ARE SUBJECT TO AN ELECTRIC EASEMENT RECORDED WITH THE ESSEX SOUTH DISTRICT REGISTRY OF DEEDS IN BOOK 33028 PAGE 16.
4. PARCELS 7, 8, 33, 34, 35, 36, 37, 38, 41, 42, 47, 48 ARE SUBJECT TO AN ELECTRIC EASEMENT RECORDED WITH THE ESSEX SOUTH DISTRICT REGISTRY OF DEEDS IN BOOK 33028 PAGE 16.

PREPARED BY:
 CHAPPEL
 ASSOCIATION, LLC
 CIVIL Structural Land Surveying
 R.K. EXECUTIVE CENTRE
 201 BOSTON AVENUE WEST,
 SUITE 101
 MARLBOROUGH, MA 01752
 (508) 481-7400

CERTIFICATION:
 THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTRY OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN ACCORDANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. THE CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS. THE CERTIFICATION OF THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES AMONG THE ADJACENT OWNERS OF THE LOTS OR STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE OWNERSHIP OR WAYS AND NOT NEW LINES FOR DIVISION OF OWNERSHIP OR FOR NEW WAYS ARE SHOWN.



1000 F. CHAPIN PLS #37553 DATE 8/6/15

REVISIONS

REV.	DATE	DESCRIPTION
1	7/27/15	ISSUED FOR REVIEW
0	9/29/15	ISSUED FOR REVIEW

PROJECT NO. 1511A0

REV.	DATE	DESCRIPTION
1	7/27/15	ISSUED FOR REVIEW
0	9/29/15	ISSUED FOR REVIEW

PERMANENT AND TEMPORARY EASEMENT PLAN FOR THE CLIPPER CITY RAIL TRAIL - PHASE 2 IN THE CITY OF NEWBURYPORT, MASSACHUSETTS JULY 1, 2015 SHEET 1 OF 7

SCALE 1" = 100'

PREPARED BY:
CHAPPELL ENGINEERING ASSOCIATES, LLC
 Civil/Structural/Land Surveying
 R.K. EXECUTIVE CENTRE
 207 BOSTON POST ROAD WEST, SUITE 101
 MARLBOROUGH, MA 01752
 (508) 481-7400

CERTIFICATION:
 THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE BOARD OF REGISTRY OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS, AND IN COMPLIANCE WITH THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A SURVEY OF THE LAND SHOWN HEREON.
 THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF THE LOTS SHOWN ARE THOSE OF A PUBLIC OR PRIVATE STREET OR WAY ALREADY ESTABLISHED AND THERE NO NEW OR PROPOSED LINES OF DIVISION OR FOR NEW WAYS ARE SHOWN.

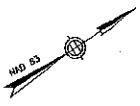


Todd P. Chappell 8/1/15
 TODD P. CHAPPELL #37658 DATE:

REV.	DATE	DESCRIPTION
1	7/27/15	ISSUED FOR REVIEW
2	8/1/15	ISSUED FOR REVIEW
3	8/1/15	ISSUED FOR REVIEW
4	8/1/15	ISSUED FOR REVIEW
5	8/1/15	ISSUED FOR REVIEW
6	8/1/15	ISSUED FOR REVIEW
7	8/1/15	ISSUED FOR REVIEW
8	8/1/15	ISSUED FOR REVIEW
9	8/1/15	ISSUED FOR REVIEW
10	8/1/15	ISSUED FOR REVIEW

PERMANENT AND TEMPORARY EASEMENT PLAN FOR THE CUPPER CITY RAIL TRAIL - PHASE 2 IN THE CITY OF NEWBURYPORT COUNTY OF ESSEX, MASSACHUSETTS
 JULY 1, 2015
 SHEET 2 OF 7

47
 47/47
 7 Plans



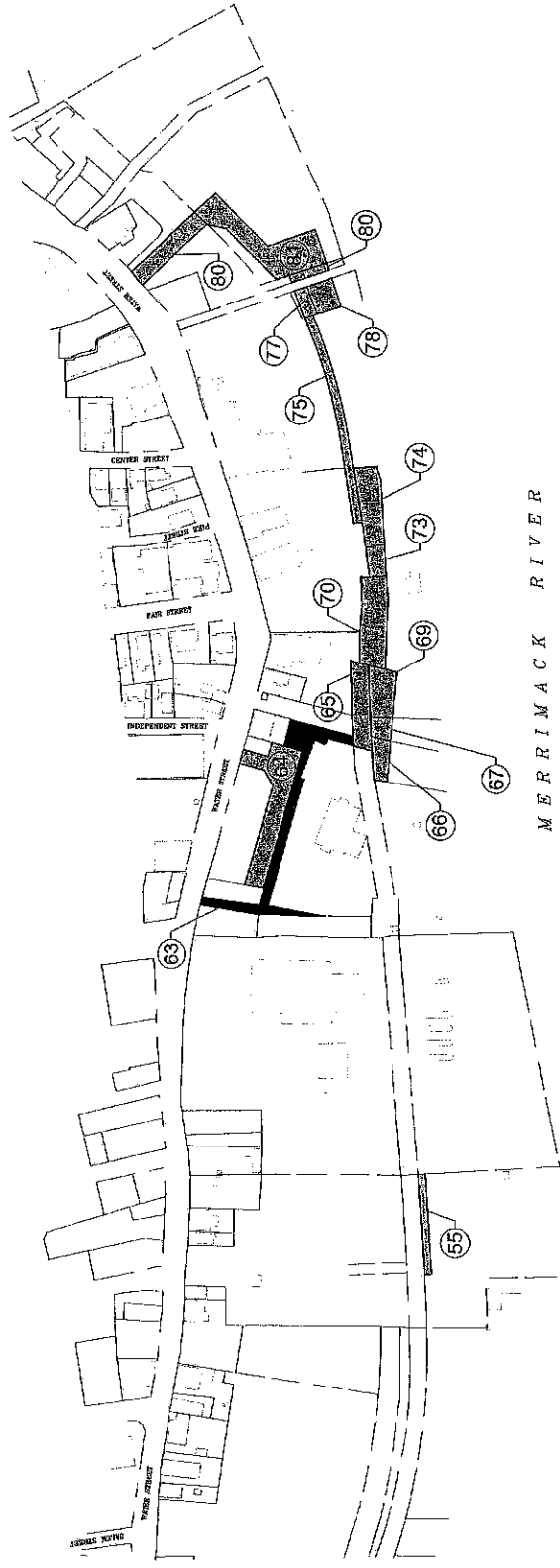
BOOK / PAGE	PARCEL	BOOK / PAGE	PARCEL
LAND COURT CERT. NOS. 37533, 37567, AND 42289; DOC. NO. 142652	(78)	DEED BOOK 23921 PAGE 421	(69)
DEED BOOK 9658 PAGE 504	(80)	DEED BOOK 23921 PAGE 421	(70)
DEED BOOK 9658 PAGE 504	(81)	DEED BOOK 23919 PAGE 170	(73)
		DEED BOOK 23918 PAGE 170	(74)
		DEED BOOK 23919 PAGE 170	(75)
		LAND COURT CERT. NOS. 37533, 37567, AND 42289; DOC. NO. 142652	(77)

PARCEL SUMMARY:

BOOK / PAGE	PARCEL
LAND COURT CERT. NO. 20826; DOC. NO. 81727	(55)
SEE NOTE 4 ON SHEET 1 OF 7	(63)
DEED BOOK 24852 PAGE 303	(64)
DEED BOOK 23921 PAGE 421	(65)
DEED BOOK 23921 PAGE 421	(66)
DEED BOOK 23921 PAGE 421	(67)

PLAN BOOK 448 PLANNING
 Received August 14, 2015
 with City
 of Newburyport
 8/13/15
 Registered
 7 Plans

FOR REGISTRY USE ONLY



MERRIMACK RIVER

LOCATION PLAN

- LEGEND:**
- ② PARCEL IDENTIFICATION NUMBER
 - EASEMENT PARCEL
 - EXISTING LAND PARCEL
 - EXISTING EASEMENT PARCEL
 - PARCEL TAKEN IN FEE

SCALE 1" = 100'
 0 50' 100' 200' 300'

- NOTES:**
1. NUMBERED EASEMENT PARCELS ARE FURTHER DETAIL AND DETAILED ON SHEETS 3-7
 2. REFER TO SHEET 1 OF 7 FOR ADDITIONAL NOTES.

Civil-Structural-Land Surveying
R.K. EXECUTIVE CENTRE
201 BOSTON POST ROAD WEST,
SUITE 101
MARLBOROUGH, MA 01752
(508) 481-7400

CERTIFICATION:

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION OF THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

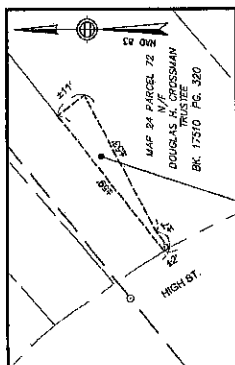
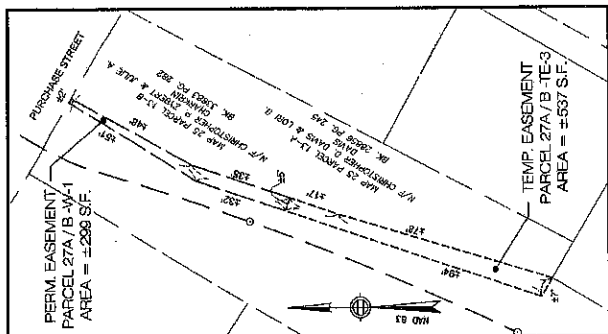
THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES FOR STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF OWNERSHIP OR FOR NEW WAYS ARE SHOWN.



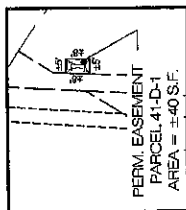
REVISIONS		REV. #	DATE	DESCRIPTION	ISSUED FOR REVIEW
1		1/23/15			
0		8/29/15			

PROJECT NO.	FULL NAME	NET	TOTAL
151,000	ADAM ZE	3.7	1" = 100'

PERMANENT AND
TEMPORARY EASEMENT
PLAN FOR
THE CLIPPER CITY
RAIL TRAIL - PHASE 2
IN THE CITY OF
NEWBURYPORT
COUNTY OF ESSEX,
MASSACHUSETTS
JULY 1, 2015
SHEET 3 OF 7

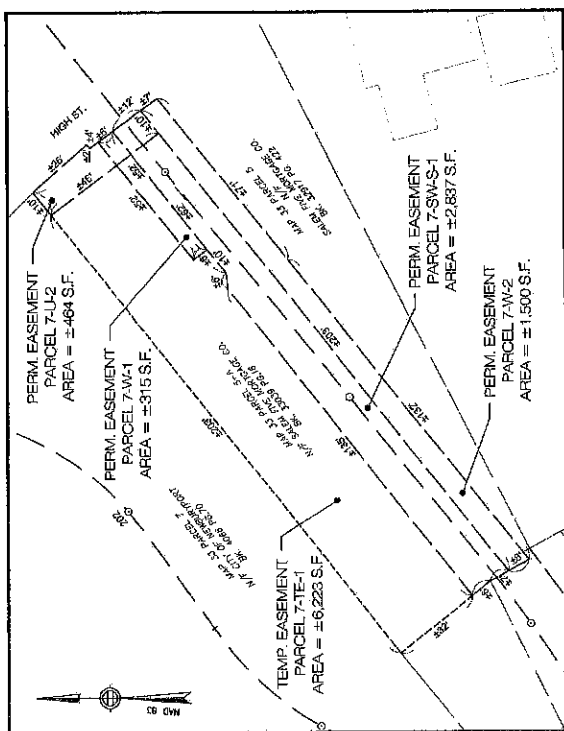
$$\begin{array}{r} 549 \\ 17 \overline{) 973} \\ \underline{85} \\ 123 \\ \underline{119} \\ 40 \\ \underline{35} \\ 50 \\ \underline{49} \\ 10 \\ \underline{9} \\ 10 \end{array}$$


PARCEL 8
SCALE: 1"=20'
L-TEMP. EASEMENT
PARCEL 8-TE-2A
AREA = ±370 S.F.

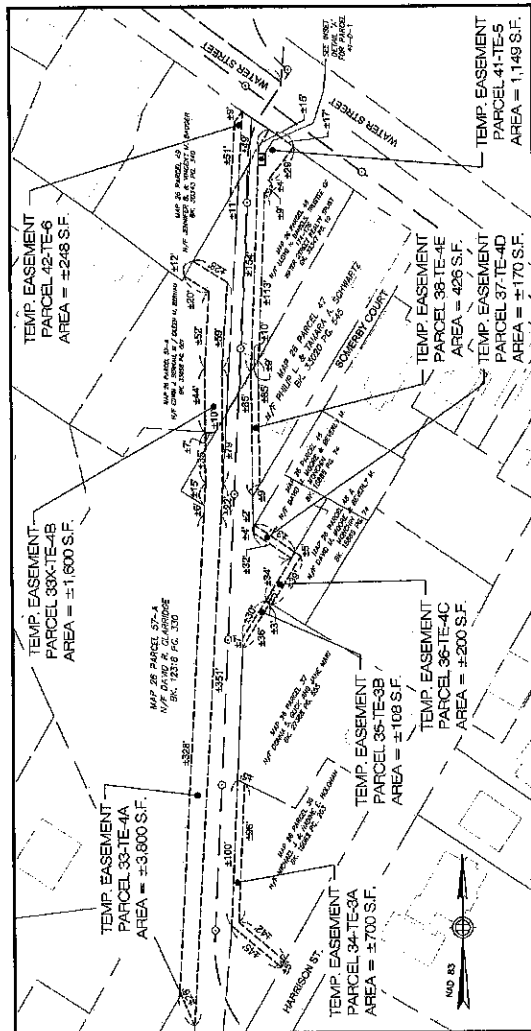


PERM. EASEMENT
PARCEL 41-D-1
AREA = ±40 S.F.

INSET DETAIL 'A'
SCALE: 1"=20'

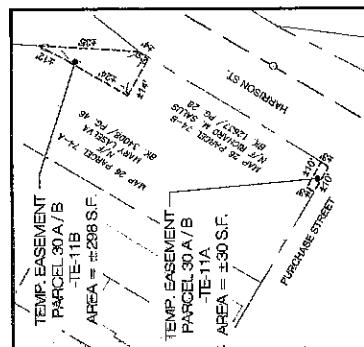


PARCEL 7
SCALE: 1"=20'



PARCELS 33, 33X, 34, 35, 36, 37, 38, 41, & 42

SCALE: 1"=40'



PARCEL 30
SCALE: 1"=20'

PLAN BOOK 449 PLAN 47
 Received August 14, 1966
 with J. King, C. G.
 P. E. Newberry, Jr.
 See August 17, 1966
 J. G. King
 Registered on Street

FOR REGISTRY USE ONLY

R.K. EXECUTIVE CENTRE
1 BOSTON POST ROAD WEST,
SUITE 101
MARLBOROUGH, MA 01752
(508) 481-7400

CERTIFICATION:

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION OF THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

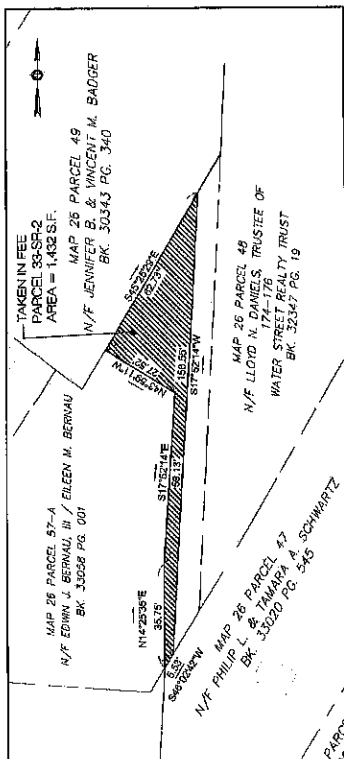
THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES FOR STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF OWNERSHIP OR FOR NEW WAYS ARE SHOWN.



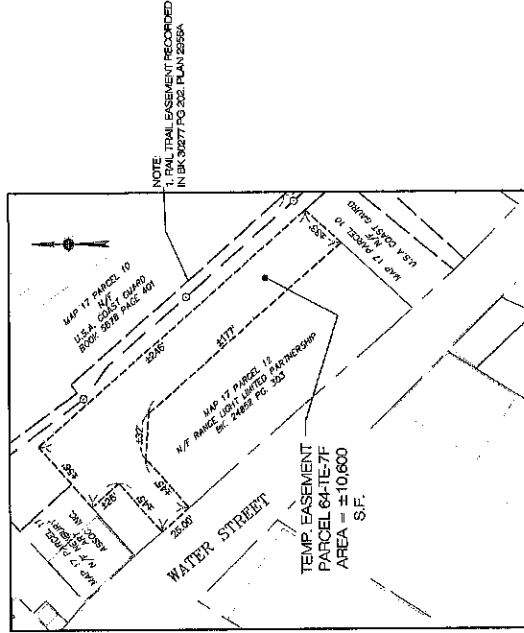
NAME	DATE
TABLE P. Origin	8/11/15

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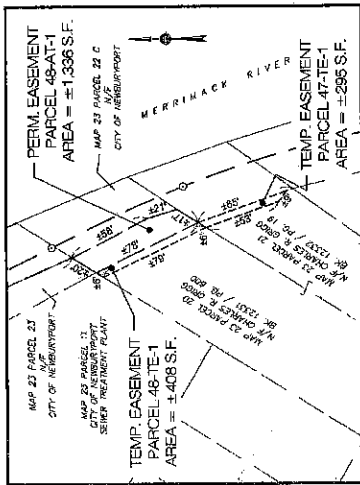
PERMANENT AND
TEMPORARY EASEMENT
PLAN FOR
THE CLIPPER CITY
RAIL TRAIL - PHASE 2
IN THE CITY OF
NEWBURYPORT
COUNTY OF ESSEX,
MASSACHUSETTS
JULY 1, 2015
SHEET 4 OF 7



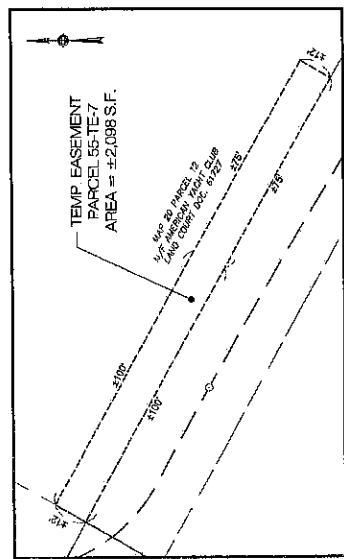
PARCEL 33
SCALE: 1"=20'



PARCEL 64
SCALE: 1"=40'



PARCEL 47 & 48
SCALE: 1"=40'



PARCEL 55
SCALE: 1"=20'

SCALE 1" = 100'

PLAN BOOKING PLAN 17
 RESERVATION OF SEATING FOR BUS
 AUGUST 1941
 Arrived August 14 - 10:30 AM
 with Takings City
 of New York
 NEW YORK
 Y. B. B. B.
 Reservation Order
 No. 10

FOR REGISTRY USE ONLY

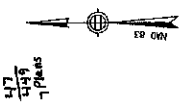
PREPARED BY:
 CHAPPELL
 ENGINEERING
 ASSOCIATES, LLC
 Civil Structural Land Surveying
 R.K. EXECUTIVE CENTRE
 201 BOSTON EAST ROAD WEST
 MARLBOROUGH, MA 01752
 (508) 481-7400

CERTIFICATION:
 THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE REGISTERS OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH. THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND ITS TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.
 THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING THE LAND INTO PARCELS AND ARE NOT TO BE CONSIDERED AS EVIDENCE OF TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.
 THE LINES SHOWN ON THIS PLAN ARE NOT TO BE CONSIDERED AS EVIDENCE OF TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

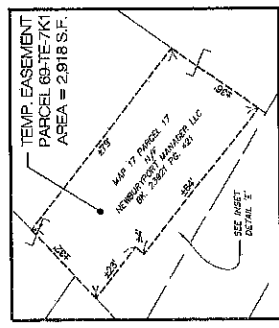
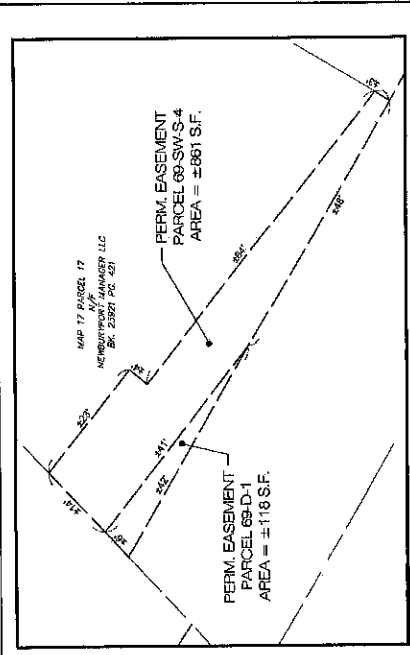
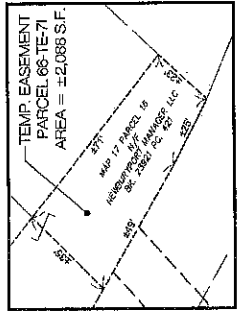
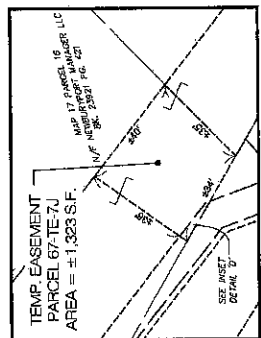
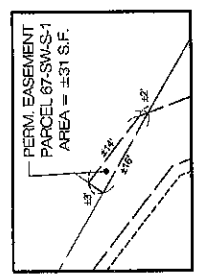
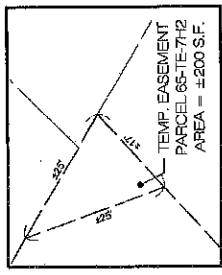
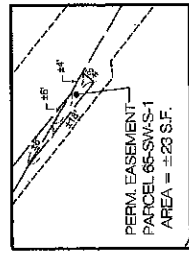
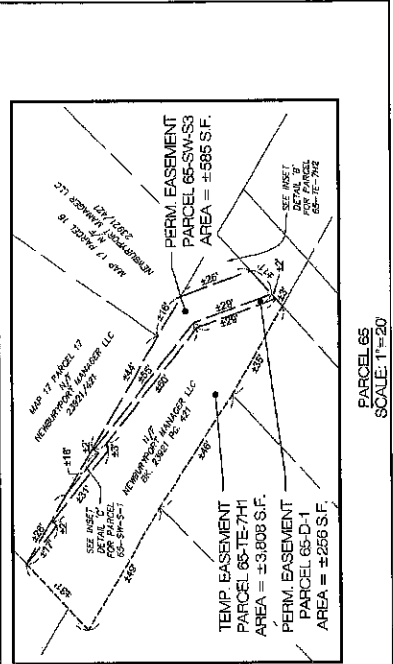
1000 P. CHAPMAN #37508 DATE: 8/11/15
 TSP/DA

REV.	DATE	DESCRIPTION
1	7/27/15	ISSUED FOR REVIEW
0	6/25/15	ISSUED FOR REVIEW
0	6/25/15	ISSUED FOR REVIEW

PERMANENT AND
 TEMPORARY EASEMENT
 PLAN FOR
 THE CLIPPER CITY
 RAIL TRAIL - PHASE 2
 IN THE CITY OF
 NEWBURPORT
 COUNTY OF ESSEX,
 MASSACHUSETTS
 JULY 1, 2015
 SHEET 5 OF 7



47
 149
 7 Plans



SCALE 1" = 100'
 0 50' 100' 200' 300'

PLAN BOOKING PLAN 47
 FOR REGISTRY USE ONLY
 Received August 11, 2015
 by the Registry
 of Deeds
 for the County of Essex
 and the City of Newburyport
 for the purpose of recording
 the same
 T. Plant

FOR REGISTRY USE ONLY

PREPARED BY:



Chappell Engineering Associates, LLC

R.K. EXECUTIVE CENTRE
201 BOSTON STREET, 10TH FLOOR
MARLBOROUGH, MA 01752
(508) 481-7400

CERTIFICATION:

THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IS IN CONFORMANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH. THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTER OF DEEDS AND IS NOT A GUARANTEE OF THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DEDUCED FROM THE RECORDS OF THE REGISTER OF DEEDS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY EXISTING OR TO BE CREATED BY THIS PLAN FOR DIVISION OF OWNERSHIP OR FOR NEW WAYS ARE SHOWN.



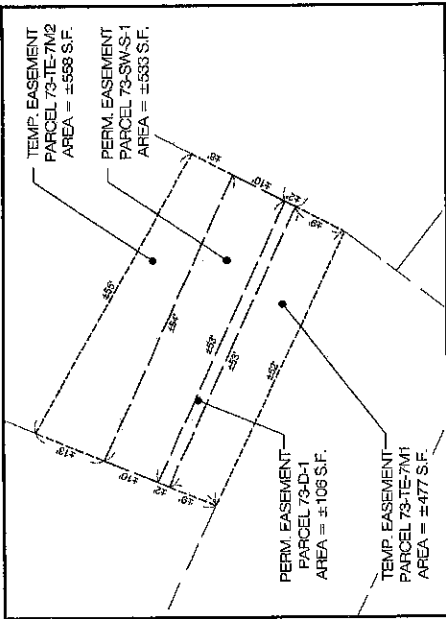
1000 P. CHAPIN PL. #7559 DATE: 8/11/15

REVISIONS	
REV. #	DESCRIPTION
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0	6/29/15 ISSUED FOR REVIEW

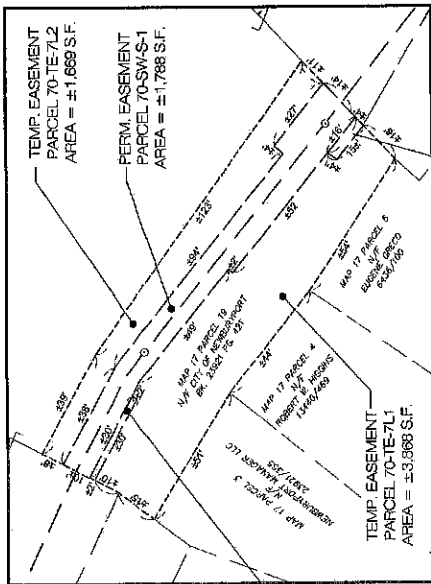
PROJECT NO.	DATE	SCALE
1511.00	8/11/15	1" = 100'

PERMANENT AND TEMPORARY EASEMENT PLAN FOR THE CLIPPER CITY RAIL TRAIL - PHASE 2 IN THE CITY OF NEWBURYPORT COUNTY OF ESSEX, MASSACHUSETTS JULY 1, 2015 SHEET 6 OF 7

7/11/15



PARCEL 73
SCALE: 1"=10'



PARCEL 70
SCALE: 1"=20'

PERM. EASEMENT
PARCEL 70-D-2
AREA = ±60 S.F.

PLAN BOOK 449, PLAT 97

CLIPPER CITY RAIL TRAIL

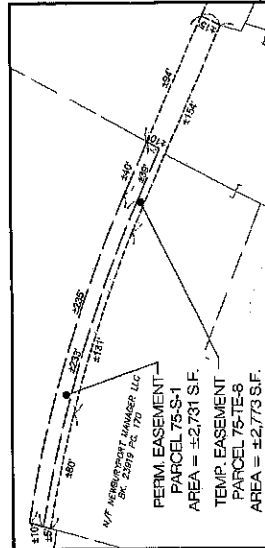
Record August 11, 2015

City of Newburyport

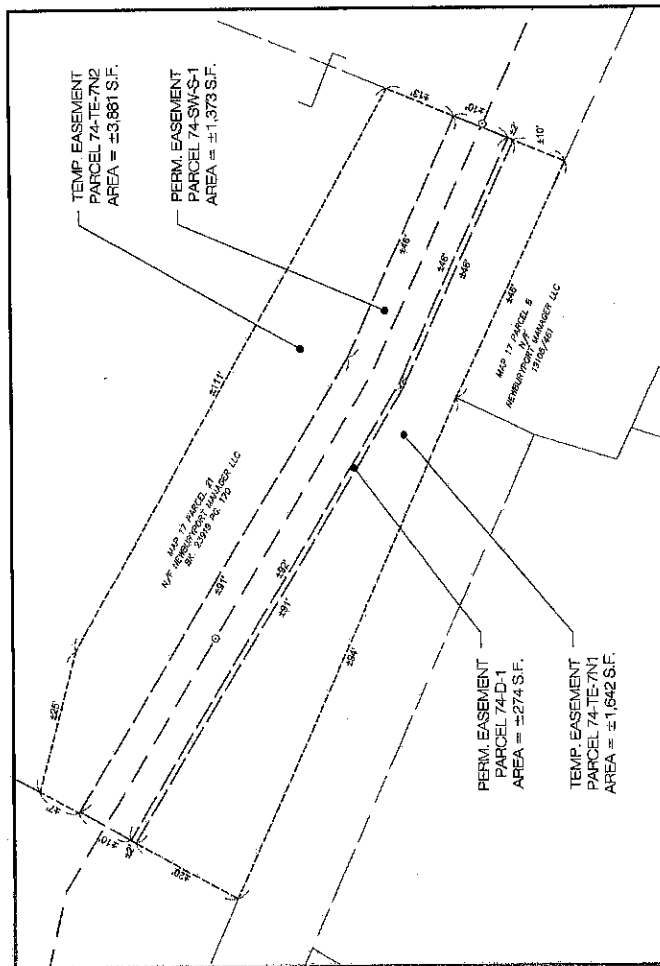
Attorney: [Signature]

For Registry Use Only

7/11/15



PARCEL 75
SCALE: 1"=40'



PARCEL 74
SCALE: 1"=10'

SCALE 1" = 100'

R.K. EXECUTIVE CENTRE
201 BOSTON POST ROAD WEST,
SUITE 101
MARLBOROUGH, MA 01752
(508) 481-7400

CERTIFICATION:

THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN THE COMMONWEALTH OF MASSACHUSETTS AND IN COMPLIANCE WITH THE RULES AND REGULATIONS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS. THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION OF THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF OWNERSHIP OR FOR NEW WAYS ARE SHOWN



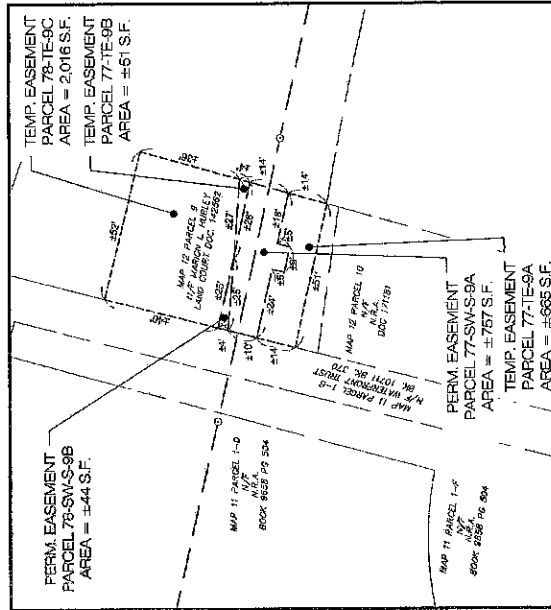
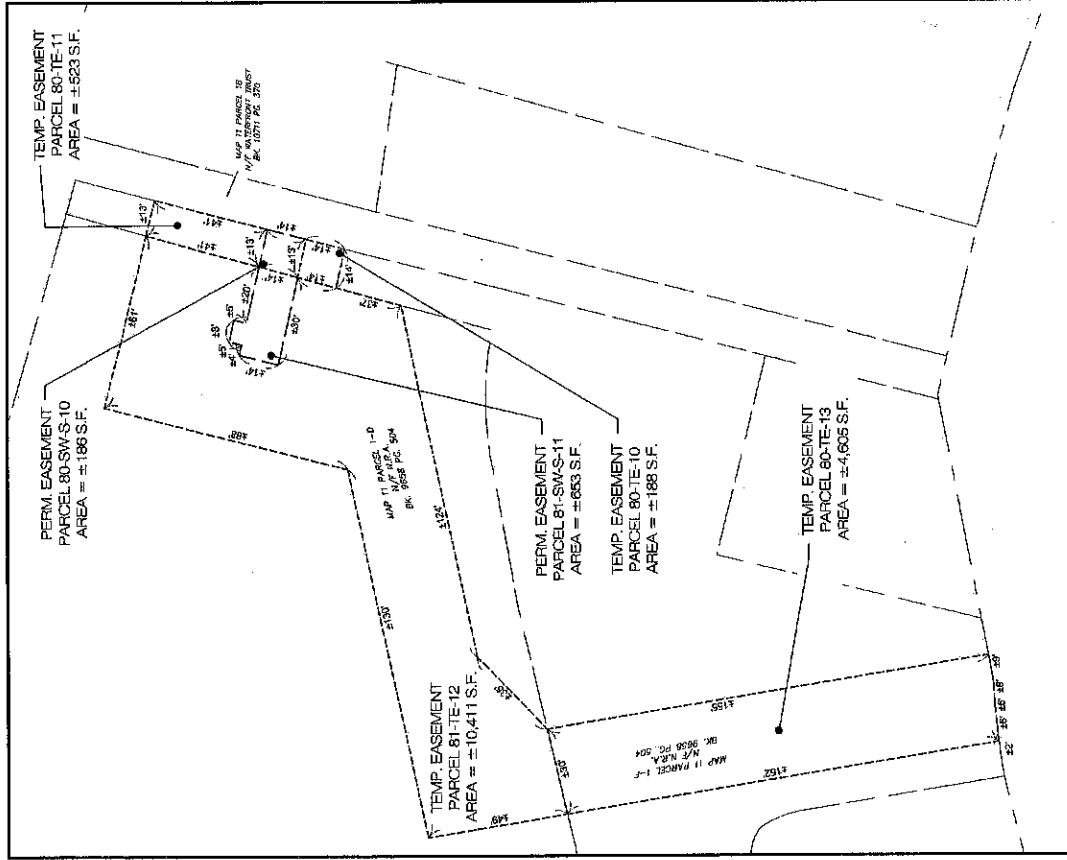
Robert P. Chang 8/11/15

REVISIONS									
REV. #	DATE	DESCRIPTION	ISSUED FOR REVIEW	ISSUED FOR REVIEW	FIELD DOWNS	MAJ	SCALE	1"	100'
1	7/27/15								
0	6/29/10								

PERMANENT AND
TEMPORARY EASEMENT
PLAN FOR
THE CLIPPER CITY
RAIL TRAIL - PHASE 2
IN THE CITY OF
NEWBURYPORT
COUNTY OF ESSEX,
MASSACHUSETTS
JULY 1, 2015
SHEET 7 OF 7

SCALE 1" = 100'

PARCELS 80 & 81
SCALE: 1"=20'



PARCEL 77 & 78
SCAFF: 1st=20'

PLAN BOOK 4499 PLAYS 47
 RECEIVED AUGUST 14 1946
 WITH TAKING CITY
 S.F. NEWBURYPORT
 AUTHOR
 J. B. B. B.
 REGISTERED DEED

FOR REGISTRY USE ONLY

CITY OF NEWBURYPORT



COMMONWEALTH OF MASSACHUSETTS

ESSEX, SS. IN CITY COUNCIL

ORDER OF TAKING

ORDERED:

At a regularly convened meeting of the City Council of the City of Newburyport held the first day of September, 2015, it was voted and ordered:

The City Council of the City of Newburyport duly elected, qualified, and acting as such, on behalf of the City and by virtue of and in accordance with the authority of the provisions of Chapter 82, Sections 21 and 35A and Chapter 79 of the Massachusetts General Laws, as amended, the City of Newburyport General Ordinance Chapter 222, the City Council Resolve of September __, 2015, a certified copy of which is attached hereto as Exhibit A and recorded herewith, and of any and every other power and authority which is hereunto in any way enabling, does hereby take, on behalf of the City, for general municipal purposes and for rail trail corridor purposes, including bicycle, pedestrian and other non-motorized public transportation, recreation and associated purposes, which may include motorized handicapped access, together with the attendant customary uses, including but not limited to the construction, operation, maintenance, repair, and replacement of footways and bicycle paths, drainage and other utilities, and for all uses and appurtenances related thereto, the fee ownership interests in, over, under, through, across, upon and along a certain parcel of land specified in Schedule A shown on a plan, in two (2) sheets, entitled "Plan of Land in the City of Newburyport, County of Essex, Massachusetts" dated July 1, 2015, prepared by Chappell Engineering Associates, LLC, R.K. Executive Centre, 201 Boston Post Road West, Suite 101, Marlborough, MA 01752 and recorded at the Essex South District Registry of Deeds in Plan Book 449, Plan 45 (hereinafter "the Plan") a copy of which is attached hereto as Exhibit B showing what is commonly known as "Joppa Park".

Said land is owned or supposed to be owned and/or formerly owned by the persons listed in Schedule A, hereinafter collectively referred to as the Owners. If in any instance the name of the Owner is not correctly stated, the name of the supposed Owners being given as of this Order of Taking, it is understood that in such instance the land referred to is owned by an Owner or Owners unknown to us.

No damages are awarded to the Owner or Owners of said property and to any other person or corporation having an interest therein.

No betterments are to be assessed under this taking.

Any and all trees and structures located within the boundaries of the above-described areas are included in this taking excepting those structures which encroach upon said parcels from land retained by the Owner or Owners; structures and facilities so located that are owned by private utility companies are not taken; nor is any easement, lease or other interest held by any public utility company taken hereby.

All easements presently held by the City of Newburyport within the boundaries of the above-described areas are not merged in or superseded by the fee ownership or easement hereby taken, but shall continue in effect for the purposes for which they were originally acquired.

By this Order, the City takes no interest in existing easements, if any, affecting the easement premises unless such existing easements are inconsistent with the purposes for which the easement premises are hereby taken.

Meaning and intending, by this Order of Taking, to confirm, restate, and amend the action of the Newburyport City Council as set forth in that "Order of Taking" dated June 29, 2015 and recorded with the Essex South District Registry of Deeds in Book 34296, Page 183.

IN WITNESS WHEREOF, we, the duly elected and qualified City Councilors of the City of Newburyport have hereunto set our hands and seals as of this first day of September, 2015.

Councillor Barry N. Connell

Councillor Edward C. Cameron

In City Council September 1, 2015

Motion to approve by Councillor

, seconded by Councillor

Roll call vote: Yes No Absent

CITY OF NEWBURYPORT,
By its City Council

Thomas F. O'Brien, President

APPROVED:

APPROVED AS TO FORM:

Donna D. Holaday,
Mayor

Jonathan D. Eichman, Kopelman and Paige, PC.
City Solicitor

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this ____ day _____, 2015, then personally appeared the above-named member of the City Council for the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his/her free act and deed, and the free act and deed of the City of Newburyport, before me.

Notary Public
My Commission Expires:

THE COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this ____ day _____, 2015, then personally appeared the above-named Donna D. Holaday, Mayor of the City of Newburyport, as aforesaid, and proved to me through satisfactory evidence of identification, which were _____, to be the person whose name he signed on the foregoing instrument in my presence, and further acknowledged the foregoing instrument as his free act and deed as Mayor, before me.

Notary Public
My Commission Expires:

SCHEDULE A

Owners

Parcel No.	Area	Interest Type	Property Owner	Mailing Address	Registry Book/Page
44-AT-1*	47,754 s/f +/-	Fee	Unknown	Unknown	Unknown

EXHIBIT A

Vote

EXHIBIT B
Recordable Plan

PREPARED BY:



CH2M HILL
ASSOCIATES, LLC
Civil Structural Land Surveying
P.O. BOX 101
201 BOSTON POST ROAD WEST,
SUITE 101
MASSACHUSETTS 01712
(508) 451-7400

OWNED BY:
THE CITY OF
NEWBURYPORT,
COUNTY OF ESSEX,
MASSACHUSETTS

CERTIFICATION:

I HEREBY CERTIFY THE FOLLOWING:
THIS PLAN HAS BEEN PREPARED IN
CONFORMITY WITH THE RULES AND
REGULATIONS OF THE BOARD OF
REGISTERED PROFESSIONAL SURVEYORS
OF MASSACHUSETTS AND IN COMPLIANCE
WITH THE RULES AND REGULATIONS
GOVERNING THE PRACTICE OF
SURVEYING IN THE COMMONWEALTH
OF MASSACHUSETTS. THIS TO LIST
THE REQUIREMENTS OF THE REGISTRY
OF DEEDS AND IS NOT A
CONSENT OF THE LAND SHOWN
HEREON.

THE PROPERTY LINES SHOWN ON THIS
PLAN ARE THE LINES DOWING
EXISTING OWNERSHIPS AND THE LINES
THAT OF PUBLIC WORKS OR PRIVATE
STREETS OR WAYS ALREADY
ESTABLISHED AND THE NEW LINES
SHOWN HEREON ARE THE LINES
FOR NEW WAYS ARE SHOWN.



TODD P. CAVAN AS 877598 DATE 8/11/15

REVISIONS

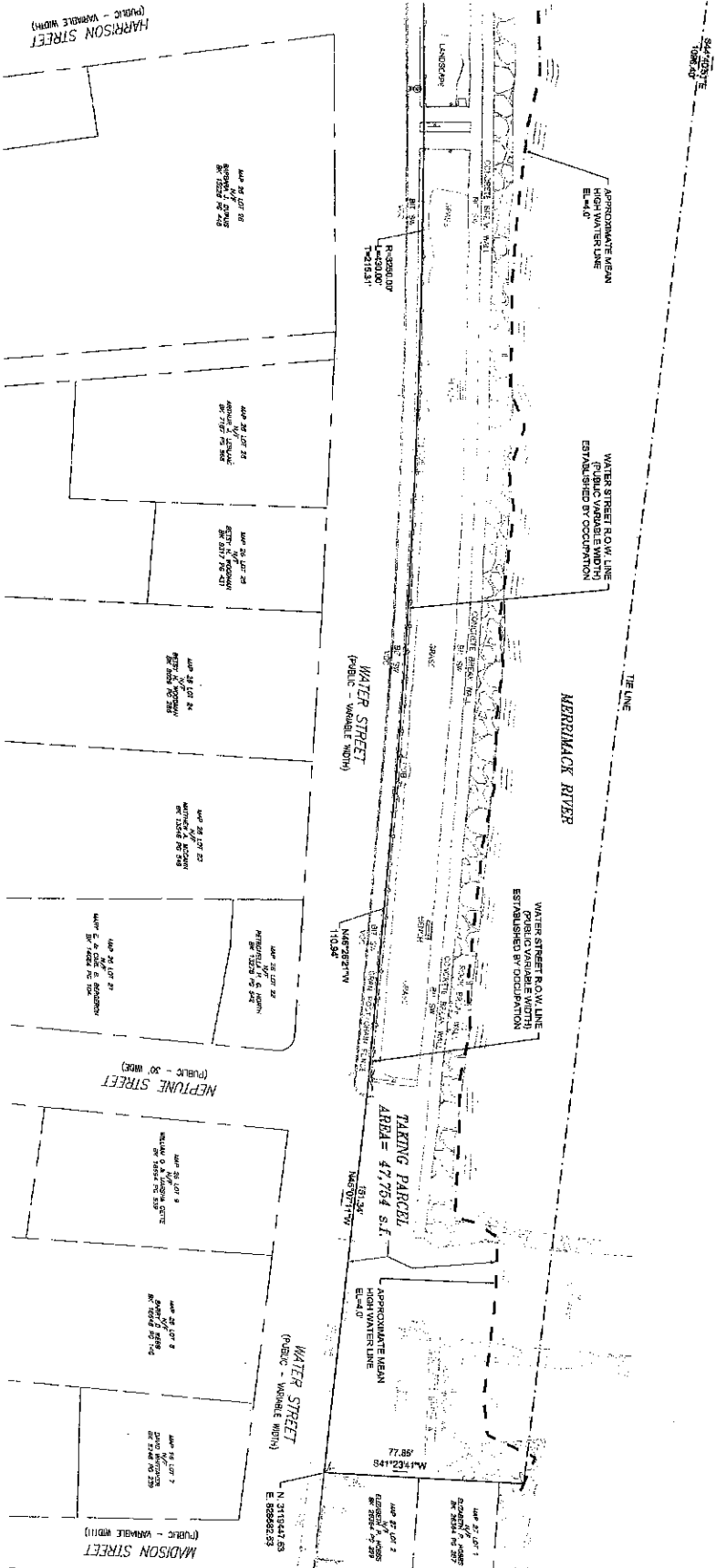
NO.	DATE	DESCRIPTION
1	7/27/15	ISSUED FOR REVIEW
0	6/22/15	ISSUED FOR REVIEW

PROJECT NO.	145.00
SHEET NO.	2
TOTAL SHEETS	2

PLAN OF LAND IN
THE CITY OF
NEWBURYPORT,
COUNTY OF ESSEX,
MASSACHUSETTS

JULY 06, 2015
SHEET 2 OF 2

SCALE 1" = 20'



FOR PROPERTY USE ONLY

PLAN BOOK 145
SHEET 2 OF 2
JULY 06, 2015
SHEET 2 OF 2

City of Newburyport
County of Essex
Massachusetts

8/11/15
TODD P. CAVAN

EXECUTIVE SESSION