

CITY OF NORTHAMPTON, MASSACHUSETTS

WHEREAS, The City Council in 2001 accepted Sovereign Way as a public way, with easements as described on the Acceptance Plan at the time; and

WHEREAS, At the time of the acceptance of and the laying out of Sovereign Way as a public way, the City inadvertently failed to acquire title to Lot 14 and Lot 15 as shown on the Acceptance Plan; and

WHEREAS, Lot 14 constitutes the layout of Sovereign Way as accepted by the City Council, and Lot 15 contains a public water line that is part of the City's water supply; and

WHEREAS, The Planning Board's permit for the construction of Sovereign Way included a requirement that the developer grant either an easement on or title in fee simple in "Lot 15" to the City; and

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise the fee in or an easement on and over "Lot 15" , as shown on a plan entitled, "Street Acceptance Plan of Sovereign Way" recorded in Plan Book 190 Page 68 and further described as Tract 2 in the attached deed.

No appropriation shall be necessary for the acquisition authorized herein.

ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take for and on behalf of the Inhabitants of the City of Northampton of the parcels referenced below.

The parcels hereby taken are shown as "Lot 14" and "Lot 15" on a plan entitled, "Street Acceptance Plan of Sovereign Way" recorded in Plan Book 190 Page 68 and more particularly bounded and described as Tract 1 and Tract 2 as set forth on Exhibit A, attached hereto. The purpose of the taking of Lot 14 is for the layout of a public way. The purpose for taking of Lot 15 is the ownership of the land over a public water line and for the provision for the public to pass by non-motorized means or for the future extension of Sovereign Way.

No damages shall be payable as a result of this taking..

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IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this day of , 2016.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

William H. Dwight
AT-LARGE COUNCILOR

Jesse M. Adams
AT-LARGE COUNCILOR

Maureen T. Carney
WARD 1 COUNCILOR

Dennis P. Bidwell
WARD 2 COUNCILOR

Ryan R. O'Donnell
WARD 3 COUNCILOR

Gina-Louise Sciarra
WARD 4 COUNCILOR

David A. Murphy
WARD 5 COUNCILOR

Marianne L. LaBarge
WARD 6 COUNCILOR

Alisa Klein
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on 2016, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Dennis P. Bidwell, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this day of '2016.

Pamela L. Powers
Clerk to City Council
City of Northampton, Massachusetts

EXHIBIT A

The Street known as Sovereign Way in Northampton, Hampshire County, Massachusetts being Lot #14 shown on a plan of land entitled "The Commonwealth of Massachusetts Street Acceptance Plan of Sovereign Way Prepared for the City of Northampton, Hampshire County" " dated May 4, 2000, revised June 9, 2000 and revised November 14, 2001 drawn by Richard A. Lewis P.L.S. and recorded in Hampshire County Registry of Deeds, Plan Book 190, Page 68 bounded and described as follows:

Beginning at a point on the Northerly side of Westhampton Road at the southeasterly corner of the land conveyed herein and the Southwesterly Corner of Lot #13 as shown on said plan; thence turning and running;

In a Northwesterly direction along said Lot #13 along an arc of a curve with a radius of 30.00 feet a distance of 48.04 feet to a bound as found; thence turning and running

N. 05° 01' 35" W. along said Lot #13 a distance of 50.03 feet to a bound as found; thence turning and running

In a Northeasterly direction along said Lot #13 along an arc of a curve with a radius of 220.00 feet a distance of 37.48 feet to a bound as found; thence

Continuing along said Lot #13 in a northwesterly direction along an arc of a curve with a radius of 280.00 feet a distance of 133.56 feet to a bound as found; thence turning and running

N. 22° 35' 44" W. along said Lot #13 a distance of 77.79 feet to a bound as found; thence

Continuing along said Lot #13 in a northeasterly direction along an arc of a curve with a radius of 220.00 feet a distance of 64.69 feet to an iron bound as found; thence turning and running

S. 05° 44' 54" E. along said Lot #13 a distance of 44.86 feet to Lot #1 and #2Rev2 running N 05° 44' 54" W for a distance of 125.00 feet to a point; thence turning and running

N. 05° 44' 54" W. along said Lot #1 and #2REV2 a distance of 110.63 feet to a point; thence

Continuing along said Lot #1 and #2 (REV2) in a northeasterly direction along an arc of a curve with a radius of 100.00 feet a distance of 14.50 feet to a point; thence turning and running

In a Northeasterly direction along Lot #3 (REV3) as shown on said plan along an arc of a curve with a radius of 100.00 feet a distance of 61.88 feet to a point; thence

Continuing along said Lot #3 (REV3) in a northwesterly direction along an arc of a curve with a radius of 80.00 feet a distance of 51.08 feet to a point; thence turning and running

In a northwesterly direction said Lot #4 as shown on said plan along an arc of a curve with a radius of 80.00 feet a distance of 57.05 feet to a point; thence turning and running

In a northwesterly direction along Lot #15 as shown on said plan along an arc of a curve with a radius of 80.00 feet a distance of 69.51 feet to a point; thence turning and running

In a Southwesterly direction along Lot #5 as shown on said plan along an arc of a curve with a radius of 80.00 feet a distance of 51.12 feet to a point; thence turning and running

In a southwesterly direction along Lot #6 as shown on said plan along an arc of a curve with a radius of 80.00 feet a distance of 51.38 feet to a point; turning and running

In a southeasterly direction along Lot #7 as shown on said plan along the arc of a curve with a radius of 80.00 feet a distance of 102.75 feet to a point; thence turning and running

In a southeasterly direction along Lot #8 as shown on said plan in a along an arc of a curve with a radius of 80.00 feet a distance of 11.11 feet to a point; thence

Continuing along said Lot #8 in a southeasterly direction along an arc of a curve with a radius of 25.00 feet a distance of 25.49 feet to a point; thence turning and running

S. 05° 40' 44" E. along said Lot #8 a distance of 23.79 feet to a point; thence

Continuing S. 05° 44' 54" E. along Lot #9 as shown on said plan a distance of 125.00 feet to a point;

Thence S. 05° 44' 54" E. along Lot #10 as shown on said plan a distance of 50.12 feet to a point; thence

Continuing S. 05° 44' 54" E. along Lot #11 as shown on said plan a distance of 116.64 feet to a bound as found; thence

Continuing along said Lot #11 in a southeasterly direction along the arc of a curve with a radius of 280.00 feet a distance of 82.33 feet to a bound as found; thence turning and running

S. 22° 35' 44" E. along Lot #12 as shown on said plan a distance of 77.79 feet to a bound as found; thence

Continuing along said Lot #12 in a southwesterly direction along an arc of a curve with a radius of 220.00 feet a distance of 104.94 feet to a bound as found; turning and running

In a southeasterly direction along said Lot #12 along an arc of a curve with a radius 280.00 a distance of 47.70 feet to a bound as found; thence turning and running

S. 05° 01' 35" E. along said Lot #12 a distance of 53.68 feet to a bound as found; thence turning and running

In a southwesterly direction along said Lot #12 along an arc of a curve with a radius of 30.00 feet a distance of 46.21 feet to a bound as found at the northerly line of Westhampton Road and being the southwesterly corner of the Lot herein conveyed and the Southeasterly corner of lot #12 as shown on said plan; thence turning and running

S. 83° 13' 46" W. a distance of 120.06 feet to the point of beginning.

Containing 64,143 square feet, more or less.

Meaning and intending to convey that way depicted as Sovereign Way on said Plan.

Tract 2

The land in Northampton, Hampshire County, Massachusetts, being lot #15 shown on a plan of land entitled, "The Commonwealth of Massachusetts Street Acceptance Plan of Sovereign Way prepared for the City of Northampton, Hampshire County" dated May 4, 2000, revised June 9, 2000 and revised November 14, 2001 drawn by Richard A. Lewis P.L.S. and recorded in Hampshire County Registry of Deeds, Plan Book 190, Page 68 bounded and described as follows:

Beginning at an iron pipe to be set at the northwesterly corner of the lot conveyed herein, said iron pipe being 554.15 feet distant from the northwesterly corner of Sovereign Meadows Subdivision as shown on Page 27 on Plan recorded in Hampshire County Registry of Deeds, Plan Book 179, Page 25-32; thence; turning and running

N. 82° 10' 22" E. along land now or formerly of Bill Willard, Inc., a distance of 60.09 feet to an iron pipe to be set; thence turning and running

Beginning at an iron pipe on the Northerly side of Sovereign Way as shown on said plan it being the Southeasterly corner of the lot conveyed herein and the Southwesterly corner of Lot #4 as shown on said plan: thence turning and running

In a Northeasterly direction along said Lot#4 along the arc or a curve with a radius of 280.00 feet a distance of 63.48 feet; thence turning and running

N 10° 59' 11" W along said Lot 4 a distance of 252.37 feet to a point; thence turning and running

S. 82° 10' 22" W. along land now or formerly of Bill Willard, Inc., a distance of 60.09 feet to a point; thence turning and running

S. 10° 59' 11" E. along Lot #5 as shown on said plan a distance of 255.68 feet to a point in the Northerly side of Sovereign Way; thence turning and running

In a Southeasterly direction along Sovereign Way along the arc of a curve with a radius of 80.00 feet a distance of 69.51 feet to the place of beginning.

Containing 17,501 square feet, more or less.