

TOWN OF BRAINTREE

IN COUNCIL

ORDER NO. 08 049

July 25, 2008

INTRODUCED: TOWN SOLICITOR – ABANDONMENT OF DRAIN EASEMENT – 233 HAYWARD STREET

TOWN SOLICITOR, CAROLYN MURRAY, HAS SUBMITTED TO THE BRAINTREE TOWN COUNCIL THE FOLLOWING STATUTE:

THAT THE TOWN VOTE TO SURRENDER ANY INTEREST IT MAY HOLD IN A PORTION OF THE DRAINAGE EASEMENT ACROSS THE PROPERTIES OF 277 AND 233 HAYWARD STREET, THE PORTION BEING FROM STATION 0+33 TO STATION 2+27 ON THE DRAINAGE BASELINE SHOWN ON A PLAN DRAWN BY G.H. DELANO, CHIEF ENGINEER, DATED SEPTEMBER 8, 1938, AND ENTITLED: "THE COMMONWEALTH OF MASSACHUSETTS, DEPARTMENT OF PUBLIC WORKS, TOWN OF BRAINTREE PLAN SHOWING DRAINAGE OUTLET" WHICH IS RECORDED AT THE NORFOLK COUNTY REGISTRY OF DEEDS AT BOOK 2212, PAGE 609 AND FURTHER THAT THE MAYOR AND DEPARTMENT OF PUBLIC WORKS BE AUTHORIZED TO TAKE ANY ACTIONS NECESSARY TO CARRY OUT THIS VOTE.

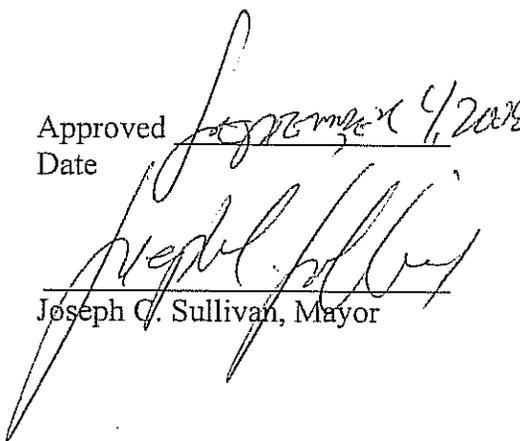
Passed in Council – September 2, 2008

Presented to Mayor – September 3, 2008

A True Copy. Attest:


Donna J. Fabiano, Town Clerk

Approved
Date


Joseph C. Sullivan, Mayor

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros
Mullaney, Randolph, Ryan

**RELEASE OF EASEMENT
233 Hayward Street, Braintree, MA**

The Town of Braintree by its City Council

Hereby releases any right, title and interest that it may have in a drainage easement to David C. Chiavaroli, as Trustee of the C & A Chiavaroli Security Trust u/d/t dated May 16, 1996 and recorded in Book 11371, Page 185 of 233 Hayward Street, Braintree, Massachusetts 02184 and those forever claiming title through him

Said drainage easement was originally located through the rear of the subject property over Lots 43 and 44 and known as 233 Hayward Street, Braintree, Norfolk County, Massachusetts as shown on a plan filed with the Norfolk County Registry of Deeds Plan 2712, Page 44.

This release confirms that the easement has been relocated to within the limits of Heritage Way (formerly Warren Avenue) and Hayward Street as shown on a plan dated April 20, 1950 and titled, "Plan Showing Revised Drainage Outlet, ABOUT STA: 32+65 on the 1902 State Highway Layout" filed with the Norfolk County Registry of Deeds as Plan No. 709 of 1950 at Book 2922, Page 416.

Signed and sealed this ____ day of _____, 2008.

The Town of Braintree
Through it's City Council

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COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

August ____, 2008

On this ____ day of August, 2008, before me, the undersigned notary public, personally appeared _____, proved to me through satisfactory evidence of identification, which was _____, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.