

TOWN OF BRAINTREE

IN COUNCIL

ORDER NO. 08 051

August 13, 2008

INTRODUCED: MAYOR

RELEASE OF RESTRICTION ON LAND ADJACENT TO SOUTH SHORE PLAZA

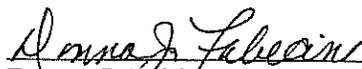
HIS HONOR, MAYOR SULLIVAN HAS SUBMITTED TO THE BRAINTREE TOWN COUNCIL A REQUEST FOR RELEASE OF RESTRICTION ON LAND ADJACENT TO SOUTH SHORE PLAZA.

THAT THE RESTRICTION, AS VOTED BY THE SPECIAL TOWN MEETING OF DECEMBER 11, 1956, PLACED UPON LOTS 197 AND B, AS RECITED IN A DEED FROM THE TOWN OF BRAINTREE TO FEDERATED DEPARTMENT STORES, INC. DATED APRIL 22, 1957 AND FILED WITH THE NORFOLK REGISTRY DISTRICT OF THE LAND COURT AS DOCUMENT NUMBER 191013 ("DEED") AND AS SHOWN ON A PLAN ENTITLED "SUBDIVISION OF LAND IN BRAINTREE, MASS." DATED DECEMBER, 1956 BY H. A. HAMILTON, REGISTERED SURVEYOR, RECORDED WITH THE NORFOLK REGISTRY OF DEED AS PLAN NUMBER 573 OF 1957 IN PLAN BOOK 204 AND ON LAND COURT PLAN NUMBER 10219-0 ("PLAN"), WHEREBY SAID DEED LIMITED THE USE OF LOTS 197 AND B TO THE CONSTRUCTION, PAVING, MAINTENANCE, REPAIR AND USE OF SAME FOR ROADS AND PARKING OF VEHICLES, BE RESCINDED AND THAT LOTS 197 AND B ARE HEREBY RELEASED FROM SAID RESTRICTION, SUBJECT TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S APPROVAL OF SAME, IF REQUIRED. FURTHER, THAT THIS VOTE SHALL NOT ALTER ANY RIGHTS OR INTERESTS THAT THE TOWN OF BRAINTREE HAS WITH RESPECT TO ITS WELL AND WELL HOUSE LOCATED ON LOT 198 AND AS SHOWN ON THE AFOREMENTIONED PLAN. THE MAYOR IS HEREBY AUTHORIZED TO EXECUTE ALL DOCUMENTS AND TAKE ANY ACTION NECESSARY TO CARRY OUT THIS VOTE.

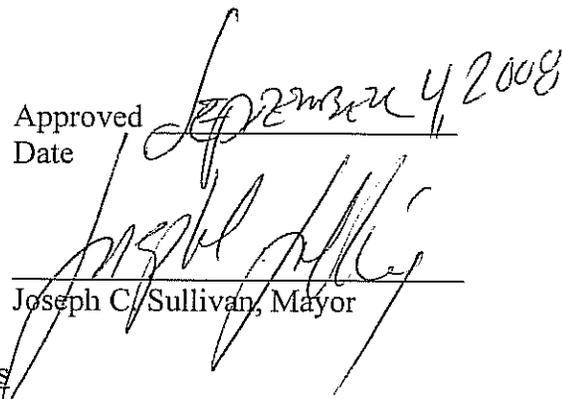
Passed in Council – September 2, 2008

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