

Town of Franklin

355 East Central Street
Franklin, Massachusetts 02038-1352



Phone: (508) 520-4949
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OFFICE OF THE TOWN ADMINISTRATOR

Memorandum

August 28, 2020

To: Town Council
From: Jamie Hellen, Town Administrator

Re: Resolution 20-55: Grant of Roadway Easement

I am asking the Council to accept an easement located on property at 327 Union Street. S.C. Rossi Automotives Services, Inc., is the owner of a certain parcel of land located at 327 Union Street in Franklin and has granted a permanent easement to the Town of Franklin over, under and through that portion of Grantor's land.

Back in 2000, the Town received easements for the Town's Union St reconstruction project. For some reason the easement at the corner of Union and Cottage St on property owned by SC Rossi Automotive was referenced but never shown on a plan. This recently came up because the owner is looking to do something with that lot and the plan needs to be formally corrected.

The vote this evening is a clarification and housekeeping item to assist the business owner to move forward with their plans. In discussing the matter with the Town Attorney regarding this discrepancy pre-pandemic, the easiest way to solve the problem is to have Steve Rossi sign a new grant the easement to the town, a copy of which is attached.

If you have any additional questions please feel free to ask.



Sponsor:
Administration

**TOWN OF FRANKLIN
RESOLUTION 20-55
ACCEPTANCE OF EASEMENT ON PROPERTY AT 327
UNION STREET**

WHEREAS, S.C. Rossi Automotives Services, Inc., is the owner of a certain parcel of land located at 327 Union Street in Franklin described in a deed dated April 16, 1999 and recorded at Norfolk Registry of Deeds in Book 13383, Page 88 and

WHEREAS, S.C. Rossi Automotives Services, Inc., having agreed to grant to the Town of Franklin a permanent easement over, under and through that portion of Grantor’s land shown as Parcel U-E-2 on a sketch plan of land captioned "Town of Franklin Roadway Easement U-E-2 Franklin, MA 02038 Scale: 1:250 February 27, 2020 Guerriere & Halnon, Inc.", executed a Grant of Easement to the Town of Franklin together with a copy of said sketch plan attached as “Exhibit A” for nominal consideration on August 11, 2020, a true copy of said Grant of Easement being attached hereto as "Exhibit 1".

NOW THEREFORE, BE IT ORDERED that the Town of Franklin acting by and through its Town Council, accepts the Grant of Easement, a true copy of which is attached hereto as “Exhibit 1” and it is further ordered that a true copy of this resolution, together with the original Grant of Easement and attached sketch plan “Exhibit A”, be recorded at Norfolk County Registry of Deeds.

This Resolution shall become effective according to the provisions of the Town of Franklin Home Rule Charter.

DATED: _____, 2020

VOTED: _____

UNANIMOUS: _____

A TRUE RECORD ATTEST:

YES: _____ **NO:** _____

ABSTAIN: _____ **ABSENT:** _____

RECUSED: _____

**Teresa M. Burr, CMC
Town Clerk**

**Glenn Jones, Clerk
Franklin Town Council**

GRANT OF ROADWAY EASEMENT

S.C. Rossi Automotives Services, Inc., a duly-organized Massachusetts business corporation with a principal place of business at 341 Union Street, Franklin, Norfolk County, MA, for consideration paid and in full consideration of

One Dollar (\$1.00)

GRANTS to the Town of Franklin, a duly-organized municipal corporation with administrative offices located in the Municipal Building, 355 East Central Street, Franklin, Norfolk County, MA, a permanent easement over, under and through that portion of Grantor's land shown on Franklin Assessors' Map #287-066-000 located on Union Street at its intersection with Cottage Street in said Franklin shown as "Roadway Easement U-E-2" on the sketch plan attached hereto as "Exhibit A"; said easement area contains about 1,497 square feet, more or less, according to "Exhibit A". Included within the foregoing grant of easement is the right to use said easement area as part of the public right of way for all purposes for which public streets are commonly used in the Town of Franklin including, without limitation, vehicular and pedestrian traffic, related drainage, and utility pipes, conduits, and other structures together with the right to maintain, repair and replace the existing roadway and the right to enter upon said easement area on foot and with motor vehicles and equipment for said purpose(s); Grantee shall restore all disturbed areas of Grantor's property to the condition which existed prior to any work which Grantee performs.

Grantor shall not relocate said easement without first obtaining Grantee's written consent to said relocation.

Grantor, for itself and its successors in title, covenants that it shall not permit any use within said easement area described herein, which is inconsistent with this Grant of Easement, including, but not limited to the erection of any structures of any kind or planting shrubs and/or trees within the easement area or performing any act which will impair the function and purpose of said Grant of Easement.

For Grantor's title, see deed recorded in Norfolk Registry of Deeds in Book 13383 at Page 88.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed on its behalf by its duly-authorized corporate officers this 11 day of August, 2020.

S.C. Rossi Automotives Services, by:



Stephen C. Rossi, President and Treasurer

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

On this 11th day of August, 2020, before me, the undersigned notary public, personally appeared Stephen C. Rossi, proved to me through satisfactory evidence of identification which was Driver License to be the persons whose names are signed on the preceding document and acknowledged to me that he signed it voluntarily on behalf of the corporation for its stated purpose.



Notary Public
My commission expires: 9/3/21



