

## Town of Franklin

Town Administrator  
Tel: (508) 520-4949



Fax: (508) 520-4903

355 East Central Street  
Franklin, Massachusetts 02038-1352

### Memorandum

August 30, 2019

To: Town Council

From: Jamie Hellen, Town Administrator

**Re: Resolution 19-62: Acceptance of Easement for Traffic Signal Equipment on Property at 876 King Street**

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I am asking the Council to consider accepting an easement for traffic signal equipment on approximately 282 square feet of property located at 876 King Street. This easement is in relation to the traffic improvements required by the Planning Board for the development of the new Charter School building and warehouses located at the former Putnam site.

David A. Moody, the owner of a parcel of land located at 876 King Street, executed a Grant of Easement (attached) to the Town of Franklin for nominal consideration on August 23, 2019.

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



Sponsor: Administration

**TOWN OF FRANKLIN  
RESOLUTION 19-62**

**ACCEPTANCE OF EASEMENT FOR TRAFFIC SIGNAL EQUIPMENT ON  
PROPERTY AT 876 KING STREET**

**WHEREAS**, David A. Moody, is the owner of a parcel of land located at 876 King Street in Franklin described in a deed recorded at Norfolk Registry of Deeds in Book 24185, Page 83,

**WHEREAS**, David A. Moody, executed a Grant of Easement to the Town of Franklin for nominal consideration on August 23, 2019, a true copy of said Grant of Easement together with attached "Exhibit A" sketch plan being attached hereto as "Exhibit 1", to provide the Town, according to said instrument, with the right to construct and maintain traffic signal equipment, within the easement areas, as shown on the sketch plan.

**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 the Grant of Easement together with a true copy of this resolution be recorded at Norfolk County Registry of Deeds.

This Resolution shall become effective according to the rules and regulations of the Town of Franklin Home Rule Charter.

**DATED:** \_\_\_\_\_, 2019

**VOTED:**  
**UNANIMOUS** \_\_\_\_\_  
**YES** \_\_\_\_\_ **NO** \_\_\_\_\_  
**ABSTAIN** \_\_\_\_\_  
**ABSENT** \_\_\_\_\_  
**RECUSED** \_\_\_\_\_

**A True Record Attest:**

**Teresa M. Burr  
Town Clerk**

\_\_\_\_\_  
**Glenn Jones, Clerk  
Franklin Town Council**

Property Address: 876 King Street, Franklin, MA 02038

### GRANT OF EASEMENT

I, **David A. Moody**, of 876 King Street, Franklin, Massachusetts (“Grantor”) owner of the real property located at 876 King Street, Franklin, Massachusetts,

in consideration of ONE DOLLAR,

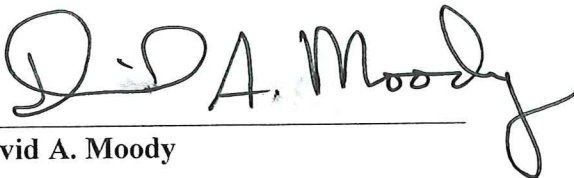
GRANT to the **Town of Franklin**, a municipal corporation with administrative offices located in the Franklin Municipal Building, 355 East Central Street Franklin, Norfolk County, Massachusetts, a permanent easement over under and through that portion of Grantor’s land shown as “Easement Area #1 and Easement Area #2 on the land of David Moody, Deed Book 24185 Page 83, Tax Map 321 Parcel 22” on a Plan of Land captioned “Plan of Easements for Washington Street and King Street Intersection Improvements, Franklin, Mass,” a copy of which is attached hereto as “Exhibit A”, said easement areas, collectively containing approximately 282 square feet, according to said plan (the “Easement Area”). Included in the foregoing grant of easement is the right to use said Easement Area as part of the public right of way for the purpose of constructing and maintain a traffic signal in the Town of Franklin.

The Grantor, for himself and his successors in title, covenants that he 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 performing any act which will impair the function and purpose of said Gant of Easement.

Said grant of easement is subject to easements and encumbrances of record.

For Grantor’s title, see deed dated October 20, 2006, and recorded in Book 24185, Page 83 at the Norfolk Registry of Deeds.

Witness the execution this 23 day of August, 2019.

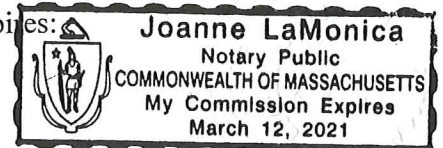
  
\_\_\_\_\_  
David A. Moody

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this 23 day of August, 2019, before me, the undersigned notary public, personally appeared, David A. Moody, proved to me through satisfactory evidence of identification, which was MA Driver's License, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose.

  
\_\_\_\_\_  
Notary Public  
My commission expires:



MORTGAGEE'S ASSENT

**Dean Bank**, a duly organized banking corporation with a principal place of business at 21 Main Street, Franklin, Massachusetts, 02038, holder of a mortgage from **David A. Moody** on the property located at 876 King Street, Franklin, Norfolk County, Massachusetts, described in the foregoing grant of easement, said mortgage being recorded in Book 30572, Page 509 at the Norfolk Registry of Deeds, do hereby assent to join in the foregoing Grant of Easement.

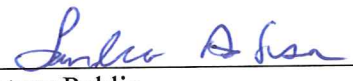
In witness whereof, **Dean Bank** has caused this instrument to be executed on its behalf by its duly-authorized officer this 21st day of August, 2019.

  
Jonathan P. Davis, SVP

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss.

On this 21 day of August, 2019, before me, the undersigned notary public, personally appeared, Jonathan P. Davis as SVP of **Dean Bank**, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he/she signed it voluntarily on behalf of the corporation for its stated purpose.

  
Notary Public  
My commission expires:



"Exhibit A"

N/F  
JUNIOR FAMILY TRUST  
DEED BOOK 19575 PAGE 184  
TAX MAP 321 PARCEL 58

END 1927 COUNTY LAYOUT  
BEGIN 1925 COUNTY LAYOUT

N/F  
THOMAS J. PALMER  
DEED BOOK 30229 PAGE 216  
TAX MAP 321 PARCEL 3

END 1925 COUNTY LAYOUT  
BEGIN 1933 COUNTY LAYOUT

8 FT LONG BY 4 FT WIDE  
TRAFFIC SIGNAL EASEMENT #2  
AREA=32 SF ±

WASHINGTON STREET

KING STREET

50 FT LONG BY 5 FT WIDE  
TRAFFIC SIGNAL EASEMENT #1  
AREA=250 SF ±

50'±

5'±

4'±

(1925 COUNTY LAYOUT)

8'±

APPROX.

N/F  
DAVID MOODY  
DEED BOOK 24185 PAGE 83  
TAX MAP 321 PARCEL 22

N/F  
ANNIE L. WHITING &  
WILLIAM A. HALL  
DEED BOOK 8128 PAGE 657  
TAX MAP 321 PARCEL 13



North

Scale: 1"=40'

Town of Franklin, MA  
Department of Public Works  
Engineering Division  
257 Fisher Street  
Franklin, MA 02038

Plan of Easements  
for  
Washington Street and King Street  
Intersection Improvements  
Franklin, Mass