

Memo

To: Town Council

From: Jeffrey D. Nutting



Date: March 16, 2017

Re: Acceptance of Access Easement over Property at 121 Longhill Road

The attached resolution grants the Town an easement to allow continued use of the Public safety antenna at 121 Longhill Road.

I want to thank the French family for their cooperation and consideration of the Town's public safety needs.

I am happy to answer any questions.



Sponsor: Administration

TOWN OF FRANKLIN

RESOLUTION 17-17

**ACCEPTANCE OF ACCESS EASEMENT OVER
PROPERTY AT 121 LONGHILL ROAD**

WHEREAS, Shirley A. French, Trustee of the French Family Trust, is the owner of a parcel of land located at 121 Longhill Road in Franklin described in a deed recorded at Norfolk Registry of Deeds in Book 5898, Page 76 and Successor Trustee of said trust pursuant to a document recorded at Norfolk County Registry of Deeds in Book 32362 at Page 305,

WHEREAS, Shirley A. French as Trustee, executed a Grant of Access Easement to the Town of Franklin for nominal consideration on March 3, 2017, a true copy of said Grant of Access 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 pass and re-pass with motor vehicles and equipment between Ridgeview Road and the "80 ft. tower" shown on the sketch plan, to perform maintenance and repair work on Town's public safety communications antenna and support equipment,

NOW THEREFORE, BE IT ORDERED that the Town of Franklin acting by and through its Town Council, accepts the Grant of Access Easement, a true copy of which is attached hereto as "Exhibit 1" and it is further ordered that the Grant of Access 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: _____, 2017

VOTED:

UNANIMOUS _____

YES _____ **NO** _____

ABSTAIN _____

ABSENT _____

A True Record Attest:

Teresa M. Burr
Town Clerk

Judith Pond Pfeffer, Clerk
Franklin Town Council

GRANT OF ACCESS EASEMENT

I, Shirley A. French, Trustee of the French Family Trust under a Declaration of Trust dated December 30, 1978 and filed with Norfolk County Registry of Deeds in Book 5898 at Page 76 and Successor Trustee of said trust pursuant to a document recorded at Norfolk County Registry of Deeds in Book 32362 at Page 305, with a usual place of business at 121 Longhill Road, Franklin, Norfolk County, Massachusetts, for consideration paid and in full consideration of:

One Dollar (\$1.00)

GRANT 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 non-exclusive access easement over, under and through that portion of Grantor's land located at 121 Longhill Road in said Franklin shown as "Access Easement Area = 3519 ± SF" on the sketch plan captioned "Access Easement off Ridgeview Road in Franklin, Massachusetts" prepared by Guerriere and Halnon, Inc. and dated February 4, 2013, a copy of which is attached hereto as "Exhibit A".

Included within the foregoing grant of easement is the right to pass and re-pass with motor vehicles and equipment between Ridgeview Road and the "80 ft. tower" designated on said plan to perform maintenance and repair work, as needed, on the Town's public safety communications antenna and support equipment and the right, but not the obligation, to pave or otherwise make improvements thereto PROVIDED THAT, once improved, Grantee will maintain said improvements and keep them in good repair.

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

Grantor, for herself and her successors in title, covenants that she 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 County Registry of Deeds in Book 6248 at Page 56.

As Successor Trustee of French Family Trust, Grantor certifies that:

she is authorized and directed by all of the beneficiaries of said Trust to execute all documents associated with this transaction,

there has been no change in the beneficial interests of said Trust, and

Locus: 121 Longhill Road, Franklin

the Trust has not been altered, amended, or revoked and it is still in force and effect as evidenced by the instrument recorded in the Registry of Deeds.

IN WITNESS WHEREOF, Grantor has executed this instrument this 3rd day of March, 2017.

Shirley A. French, Trustee of
French Family Trust

Shirley A. French, Trustee

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss.

On this 3rd day of March, 2017, before me, the undersigned notary public, personally appeared Shirley A. French, 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 document and acknowledged to me that she signed it voluntarily as Trustee of French Family Trust for its stated purpose.

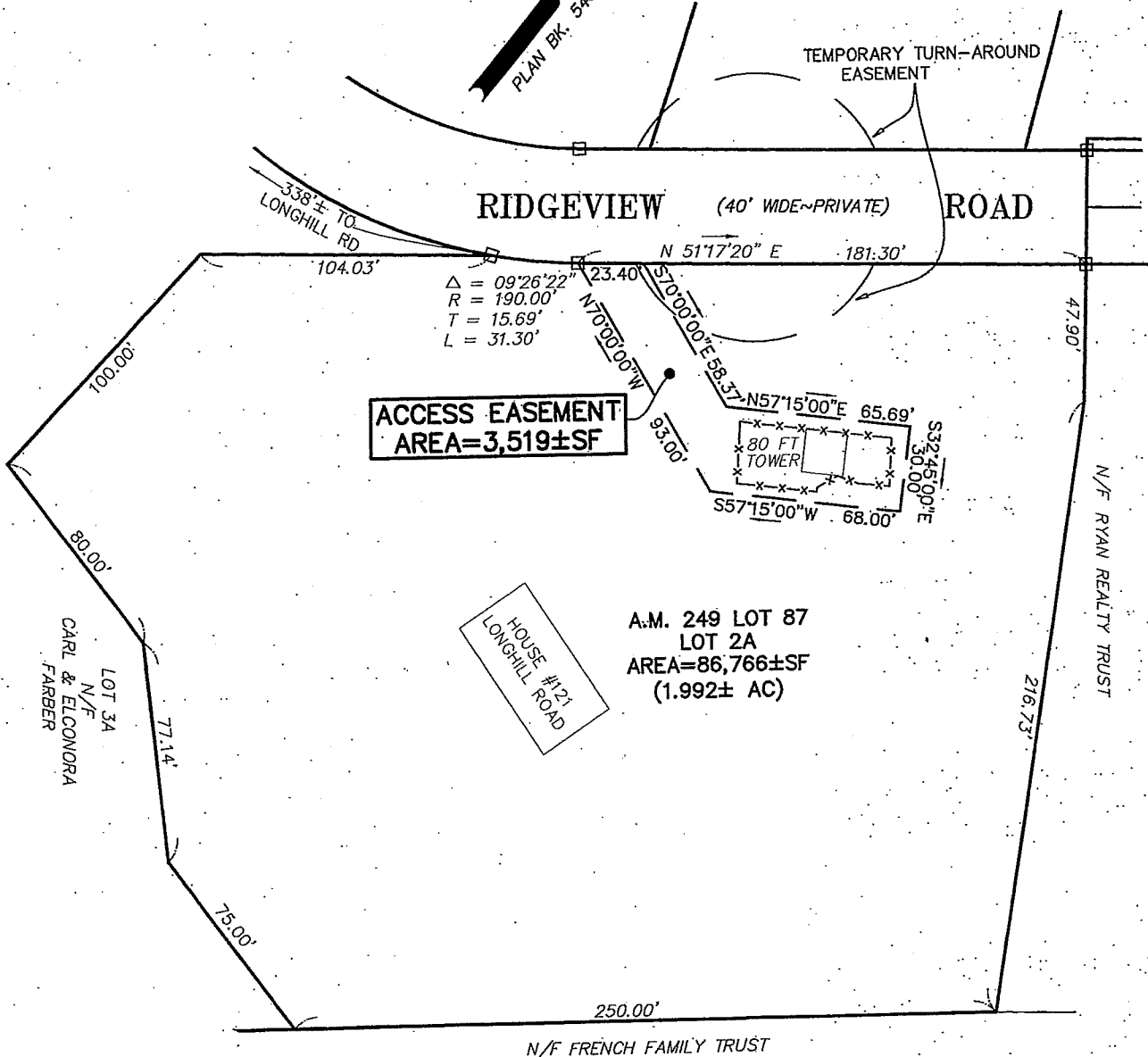
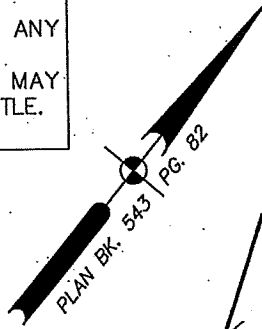
Cynthia A. Elzy

Notary Public

My commission expires: 8-17-2023

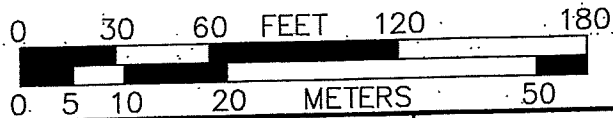
CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

EXHIBIT A



PLAN REFERENCES:

1. PLAN BK. 287, PG. 216
2. PLAN BK. 447, PG. 327
3. PLAN BK. 543 PG. 82



OWNER/PREPARED FOR:

ROBYN M. CARLUCCI, TRUSTEE
FRENCH FAMILY TRUST
860 WEST CENTRAL STREET
FRANKLIN, MA 02038

ASSESSOR MAP 249 LOT 87
DEED BK. 6248 PG. 56
DEED BK. 23360 PG. 413



**ACCESS EASEMENT
OFF RIDGEVIEW ROAD
FRANKLIN
MASSACHUSETTS**

FEBRUARY 4, 2013