



SPONSOR: ADMINISTRATION

**TOWN OF FRANKLIN**

**RESOLUTION 16-57**

**GRANT OF UTILITY EASEMENT  
TOWN-OWNED LAND AT 118 MAIN STREET  
(FRANKLIN PUBLIC LIBRARY)**

**WHEREAS**, Town of Franklin owns land at 118 Main Street which contains the Franklin Public Library, and

**WHEREAS**, both the existing library and the addition presently under construction require new electric service, and

**WHEREAS**, Massachusetts Electric Company is an electric company as defined in G.L. Chapter 164, Section 1 and provides electric service in the Town of Franklin; and

**WHEREAS**, Massachusetts Electric Company requires that the Town of Franklin grant it an access easement to provide electric service.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Town Council of the Town of Franklin hereby grants a utility easement to Massachusetts Electric Company through, under, over, across and upon land of the Town of Franklin located on the westerly side of Main Street, described in a deed recorded in Norfolk Registry of Deeds in Book 6423 at Page 367 for the sole purpose of providing electric service to said property, as more fully set out and upon the terms and conditions contained in the easement instrument attached hereto as "Exhibit 1" and the Town Council hereby authorizes the Town Administrator to execute said easement instrument on its behalf.

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

**DATED:** \_\_\_\_\_, 2016

**VOTED:**

**UNANIMOUS** \_\_\_\_\_

**A True Record Attest:**

**YES** \_\_\_\_\_ **NO** \_\_\_\_\_

**ABSTAIN** \_\_\_\_\_

**Teresa M. Burr  
Town Clerk**

**ABSENT** \_\_\_\_\_

---

**Judith Pond Pfeffer, Clerk  
Franklin Town Council**

Exhibit 1

GRANT OF EASEMENT

TOWN OF FRANKLIN, a municipal corporation having an address of 355 East Central Street, Franklin, Massachusetts 02038 (hereinafter referred to as the Grantor), for consideration of One (\$1.00) Dollar, grants to MASSACHUSETTS ELECTRIC COMPANY, a Massachusetts corporation with its usual place of business at 40 Sylvan Road, Waltham, Massachusetts 02451 (hereinafter referred to as the Grantee) with quitclaim covenants, the perpetual right and easement to install, construct, reconstruct, repair, replace, add to, maintain and operate for the transmission of high and low voltage electric current and for the transmission of intelligence, an "UNDERGROUND ELECTRIC DISTRIBUTION SYSTEM" (hereinafter referred to as the "UNDERGROUND SYSTEM") located in Franklin, Norfolk County, Massachusetts, consisting of lines of buried wires and cables and lines of wires and cables installed in underground conduits, together with all equipment and appurtenances thereto for the transmission of intelligence and the furnishing of electric service to the herein described premises and without limiting the generality of the foregoing, but specifically including the following equipment; namely: bollards, handholes, junction boxes, transformers, padmount transformers and all housings, connectors, switches, conduits, cables and wires all located within the easement area of the hereinafter described property.

Said "UNDERGROUND SYSTEM" is located in, through, under, over, across and upon a certain parcel of land situated on the westerly side of Main Street and the southerly side of School Street, being more particularly designated as Lot 38 on the Town of Franklin Assessor's Map No.279, as presently constituted.

WR# 22149921

Address of Grantee:  
Mass El. - 40 Sylvan Road, Waltham, Massachusetts 02451

05 FRANMA GEN

After recording return to:  
Elizabeth Fresolone  
National Grid  
Service Company, Inc.  
280 Melrose Street  
Providence, RI 02907

Property Address: 118 Main St, Franklin, MA (Norfolk County)

And further, said "UNDERGROUND SYSTEM" (locations of the electrical equipment and other facilities on the hereinbefore referred to premises of the Grantor) is approximately shown on a sketch entitled: "Massachusetts Electric, Feeder: 348W6, Work Location: 138 Main St, Franklin, MA, Date: 08/03/2016, Easement Drawing: 22149921, District Engineer: M. Roberts," a reduced copy of said sketch is attached hereto as "Exhibit A" and recorded herewith, copies of which are in the possession of the Grantor and Grantee herein, but the final definitive locations of said "UNDERGROUND SYSTEM" shall become established by and upon the installation and erection thereof by the Grantee.

Also with the further perpetual right and easement from time to time to pass and repass over, across and upon said land of the Grantor as is reasonable and necessary in order to renew, replace, repair, remove, add to, maintain, operate, patrol and otherwise change said "UNDERGROUND SYSTEM" and each and every part thereof and to make such other excavation or excavations as may be reasonably necessary in the opinion and judgment of the Grantee, its successors and assigns, and to clear and keep cleared the portions and areas of the premises wherein the "UNDERGROUND SYSTEM" is located as shown on the sketch herein referred to, of such trees, shrubs, bushes, above ground and below ground structures, objects and surfaces, as may in the opinion and judgment of the Grantee interfere with the safe and efficient operation and maintenance of the "UNDERGROUND SYSTEM" and other related electrical equipment. However, said Grantee, its successors and assigns, will properly backfill said excavation or excavations and restore the surface of the land to as reasonably good condition as said surface was in immediately prior to the excavation or excavations thereof.

If said herein referred to locations as approximately shown on the sketch herein also referred to are unsuitable for the purposes of the Grantee, its successors and assigns, then said locations may be changed to areas mutually satisfactory to both the Grantor and the Grantee herein; and further, said newly agreed to locations shall be indicated and shown on the sketch above referred to by proper amendment or amendments thereto. The Grantor, for itself, its successors and assigns, covenant and agrees with the Grantee, for itself, its successors and assigns, that this Grant of Easement and the location of the Underground System may not be changed or modified without the written consent of the Grantee, its successors and assigns, which consent may be withheld by the Grantee in its sole discretion.

It is the intention of the Grantor to grant to the Grantee, its successors and assigns, all the rights and easements aforesaid and any and all additional and/or incidental rights needed to install, erect, maintain and operate within the Grantor's land an "UNDERGROUND SYSTEM" for the transmission of intelligence and for supplying electric service for the building, buildings or proposed buildings shown on the last herein referred to sketch or amended sketch and the right to service others from said "UNDERGROUND SYSTEM".

It is agreed that said "UNDERGROUND SYSTEM" and all necessary appurtenances thereto, shall remain the property of the Grantee, its successors and assigns, and that the Grantee, its successors and assigns, shall pay all taxes assessed thereon.

For Grantor's title, see deed dated May 23, 1984, recorded with the Norfolk County Registry of Deeds in Book 6423, Page 367.

IN WITNESS WHEREOF, the TOWN OF FRANKLIN has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by JEFFREY D. NUTTING, its Town Administrator, being thereto duly authorized this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

TOWN OF FRANKLIN

\_\_\_\_\_  
By: JEFFREY D. NUTTING  
Its: Town Administrator

Commonwealth of Massachusetts

County of \_\_\_\_\_ } ss.

On this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me,

\_\_\_\_\_  
Name of Notary Public the undersigned Notary Public,

personally appeared JEFFREY D. NUTTING proved to me through satisfactory evidence of identity, which was

\_\_\_\_\_  
Description of Evidence of Identity

to be the person whose name is signed on the preceding Grant of Easement, and acknowledged to me that he signed it voluntarily for its stated purpose as Town Administrator for the Town of Franklin.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary

My Commission Expires \_\_\_\_\_

Place Notary Seal and/or Any Stamp Above

Feeder: 348W/6  
Work location: 138 MAIN ST, FRANKUN, MA 02038  
DATE: 08/10/2016 EASEMENT DRAWING: 22149921  
District Engineer M. Roberts

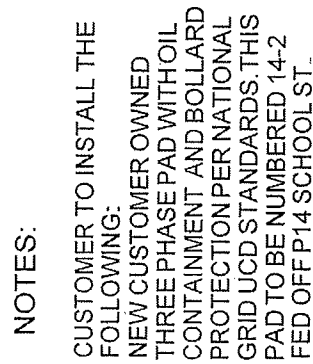


EXHIBIT 'A'  
NOTTO SCALE

The exact location of said Facilities to be established by and upon the Installation and erection of the Facilities thereof.