

**COMMONWEALTH OF MASSACHUSETTS  
ORDER OF TAKING**

Middlesex, ss

Town of Acton

Main Street

At a meeting of the Board of Selectmen of the Town of Acton held on the 27th day of July, 2009, it is

WHEREAS, the Board of Selectmen of the Town of Acton, having determined and adjudged that common convenience and necessity require that the Town relocate a portion of Main Street in the locations hereinafter described and having complied with the requirements of law relating to notice, did on the 13th day of April 2009 lay out as a town street and sidewalk, and accordingly and duly filed their report of such laying out with the boundaries and the measurements of the same in the office of the Town Engineer on the 20th day of April 2009, and

WHEREAS, at the 2009 Annual Town Meeting duly called, warned and held on April 7<sup>th</sup> and 13<sup>th</sup>, 2009, it was voted under Article No. 44 as follows:

VOTED: That the Town authorize the acquisition of the easements as set forth in the Article and that the Town accept a portion of Main Street, as relocated by the Board of Selectmen, authorize the Board of Selectmen to acquire and/or take by eminent domain Parcels 2C, 2D and 4A, and authorize the Board of Selectmen to discontinue and dispose of Parcel 1A, all as shown on the Plan of Relocation of a Portion of Main Street as referenced in and as set forth in the Article.

NOW THEREFORE, we, the undersigned, being a majority of the Board of Selectmen of the Town of Acton, duly elected, qualified and acting as such, do hereby under and by virtue of the provisions of Chapters 79 and 82 of the General Laws and of every other power and authority in any way enabling, take easements to use for all the purposes for which streets, sidewalks and ways are used, for the use of said Town of Acton and the public, in the land in said Town bounded and described as follows:

Said parcels of land are shown as "Area to be Taken" and identified as "Parcel 2C" "Parcel 2D" and Parcel 4A" (consisting of 3,191, 2,855 and 7,093 square feet, respectively) on Sheets 1, 2 and 3 of a plan entitled "Plan of the Relocation of a Portion of Main Street (Route 27) in Acton, Massachusetts, As Laid Out by Order of the Board of Selectmen, 2008" by Stamski and McNary, Inc., dated July 24, 2009 and attached to this document. This taking is of a portion of the area that is described in the deed recorded with the Middlesex South District Registry of Deeds at Book 13590, Page 240.

All trees, structures and improvements, if any, upon the land taken are specifically included in the taking.

The said area comprises the property of Brewster Conant shown upon the plan hereinbefore referred to. No betterments are to be assessed upon the land.

In accordance with the provisions of Chapter 79 of the General Laws, as amended, an award of Five Thousand Dollars (\$5,000) is made to Brewster Conant. The Town reserves the right to amend the award at any time prior to payment for good cause shown.

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The land in which the aforesaid rights and easements are taken is believed to belong to the aforesaid named party, but if the name of the owner of any of said land or of any interest therein is not currently stated, it is to be understood that such land or interest is owned by an owner or owners unknown to us.

WITNESS our hands at Acton aforesaid this 27th day of July, 2009.

TOWN OF ACTON  
BOARD OF SELECTMEN

\_\_\_\_\_  
Paulina Knibbe, Chair

\_\_\_\_\_  
Peter Berry, Vice-Chair

\_\_\_\_\_  
Lauren S. Rosenzweig, Clerk

\_\_\_\_\_  
Terra Friedrichs, Board Member

\_\_\_\_\_  
Mike Gowing, Board Member

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDDLESEX

On this 27th day of July, 2009, before me, the undersigned notary public, personally appeared \_\_\_\_\_, Members of the Selectmen for the Town of Acton, proved to me through satisfactory evidence of identification, which was \_\_\_\_\_, to be the persons whose names are signed on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public:  
My Commission Expires: