

**BOARD OF SELECTMEN'S VOTE**  
**TO DECLARE FORMER MUNICIPAL AND FOREST LAND**  
**ON QUARRY ROAD AS SURPLUS**

MOVED: Pursuant to Article 33 of the 2012 annual Acton Town Meeting and G.L. c. 40, §§ 15 and 15A, at an open meeting duly called, that:

(i) The Acton Board of Selectmen, having charge of the real property (the "Municipal Property") owned by the Town of Acton identified as "Parcel D Area to be Transferred From General Municipal to Town Forest + 104,820 SF (2.41 AC)" on that certain plan entitled "Plan of Land Quarry Road, Acton, MA" prepared by the Town of Acton Engineering Department, dated June 24, 2013 and attached hereto as Exhibit A (the "Plan"), finds that such Municipal Property is no longer required for municipal purposes and is suitable for disposition to the Board of Selectmen to be used for Town Forest purposes; and

(ii) The Acton Board of Selectmen, having charge of the real property (collectively, the "Forest Land") owned by the Town of Acton identified on the Plan as (a) "Parcel A Area to be Transferred from Town Forest to General Municipal + 53,768 SF (1.23 AC)"; (b) "Parcel B Area to be Transferred from Town Forest to General Municipal + 33,148 SF (0.76 AC)"; and (c) Parcel C Area Transferred from Town Forest to Quarry Road Right-of-Way + 16,810 SF (0.39 AC), finds that such Forest Land is no longer required for Town Forest purposes and is suitable for disposition to the Board of Selectmen to be used for municipal purposes.

TOWN OF ACTON  
Board of Selectmen

\_\_\_\_\_  
Mike Gowing, Chair

\_\_\_\_\_  
Franny Osman

\_\_\_\_\_  
Katie Green, Vice-Chair

\_\_\_\_\_  
Peter Berry

\_\_\_\_\_  
Janet K. Adachi

Dated: \_\_\_\_\_, 2015

Exhibit A  
Plan  
(to be attached)

## QUITCLAIM DEED

**The Town of Acton, acting by and through its Board of Selectmen**, a Massachusetts municipal corporation with an address of 472 Main Street, Acton, Middlesex County, Massachusetts (the "Grantor"),

for consideration of ONE DOLLAR (\$1.00) paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

grants to the **Town of Acton, acting by and through its Board of Selectmen**, (the "Grantee"), for Town Forest purposes,

with **QUITCLAIM COVENANTS**,

that certain parcel of land (the "Property") consisting of approximately 2.41 acres formerly used for general municipal purposes and identified as "Parcel D Area to be Transferred from General Municipal to Town Forest  $\pm$  104,820 SF (2.41 AC)" on that certain plan entitled "Plan of Land Quarry Road, Acton, MA" prepared by the Town of Acton Engineering Department, dated June 24, 2013 and recorded with the Middlesex South District Registry of Deeds (the "Registry") simultaneously herewith and to which plan reference is made for a particular description of the Property.

The Property is subject to and has the benefit of all rights, covenants, easements and restrictions of record insofar as the same remain in full force and effect.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

For title of Grantor, see deed dated January 28, 1976 and recorded with the Registry in Book 12940, Page 132.

Property Location: Quarry Road, Acton, MA

Witness my hand and seal this \_\_\_ day of \_\_\_\_\_, 2015.

TOWN OF ACTON  
Board of Selectmen

\_\_\_\_\_  
Mike Gowing, Chair

\_\_\_\_\_  
Katie Green, Vice-Chair

\_\_\_\_\_  
Janet K. Adachi

\_\_\_\_\_  
Peter Berry

\_\_\_\_\_  
Franny Osman

COMMONWEALTH OF MASSACHUSETTS  
Middlesex, SS

March \_\_\_, 2015

On this \_\_\_ day of March, 2015, before me, the undersigned notary public, personally appeared \_\_\_\_\_, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that each signed it voluntarily for its stated purpose on behalf of the Acton Board of Selectmen.

\_\_\_\_\_  
(Signature of Notary)  
My commission expires on \_\_\_\_\_

## QUITCLAIM DEED

**The Town of Acton, acting by and through its Board of Selectmen**, a Massachusetts municipal corporation with an address of 472 Main Street, Acton, Middlesex County, Massachusetts (the "Grantor"),

for consideration of ONE DOLLAR (\$1.00) paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged,

grants to the **Town of Acton, acting by and through its Board of Selectmen**, (the "Grantee"), for general municipal use,

with **QUITCLAIM COVENANTS**,

those certain parcels of land (collectively, the "Property") consisting of approximately 2.38 acres formerly used for Town Forest purposes and identified as (i) "Parcel A Area to be Transferred from Town Forest to General Municipal  $\pm$  53,768 SF (1.23 AC)"; (ii) "Parcel B Area to be Transferred from Town Forest to General Municipal  $\pm$  33,148 SF (0.76 AC)"; and (iii) Parcel C Area Transferred from Town Forest to Quarry Road Right-of-Way  $\pm$  16,810 SF (0.39 AC)" on that certain plan entitled "Plan of Land Quarry Road, Acton, MA" prepared by the Town of Acton Engineering Department, dated June 24, 2013 and recorded with the Middlesex South District Registry of Deeds (the "Registry") simultaneously herewith and to which plan reference is made for a particular description of the Property.

The Property is subject to and has the benefit of all rights, covenants, easements and restrictions of record insofar as the same remain in full force and effect.

No deed stamp taxes are due on this conveyance pursuant to G.L. c. 64D, §1.

For title of Grantor see deed dated December 30, 1943 recorded with the Registry in Book 6734, Page 596.

Property Location: Quarry Road, Acton, MA

Witness my hand and seal this \_\_\_ day of \_\_\_\_\_, 2015.

TOWN OF ACTON  
Board of Selectmen

\_\_\_\_\_  
Mike Gowing, Chair

\_\_\_\_\_  
Katie Green, Vice-Chair

\_\_\_\_\_  
Janet K. Adachi

\_\_\_\_\_  
Peter Berry

\_\_\_\_\_  
Franny Osman

COMMONWEALTH OF MASSACHUSETTS  
Middlesex, SS

March \_\_\_, 2015

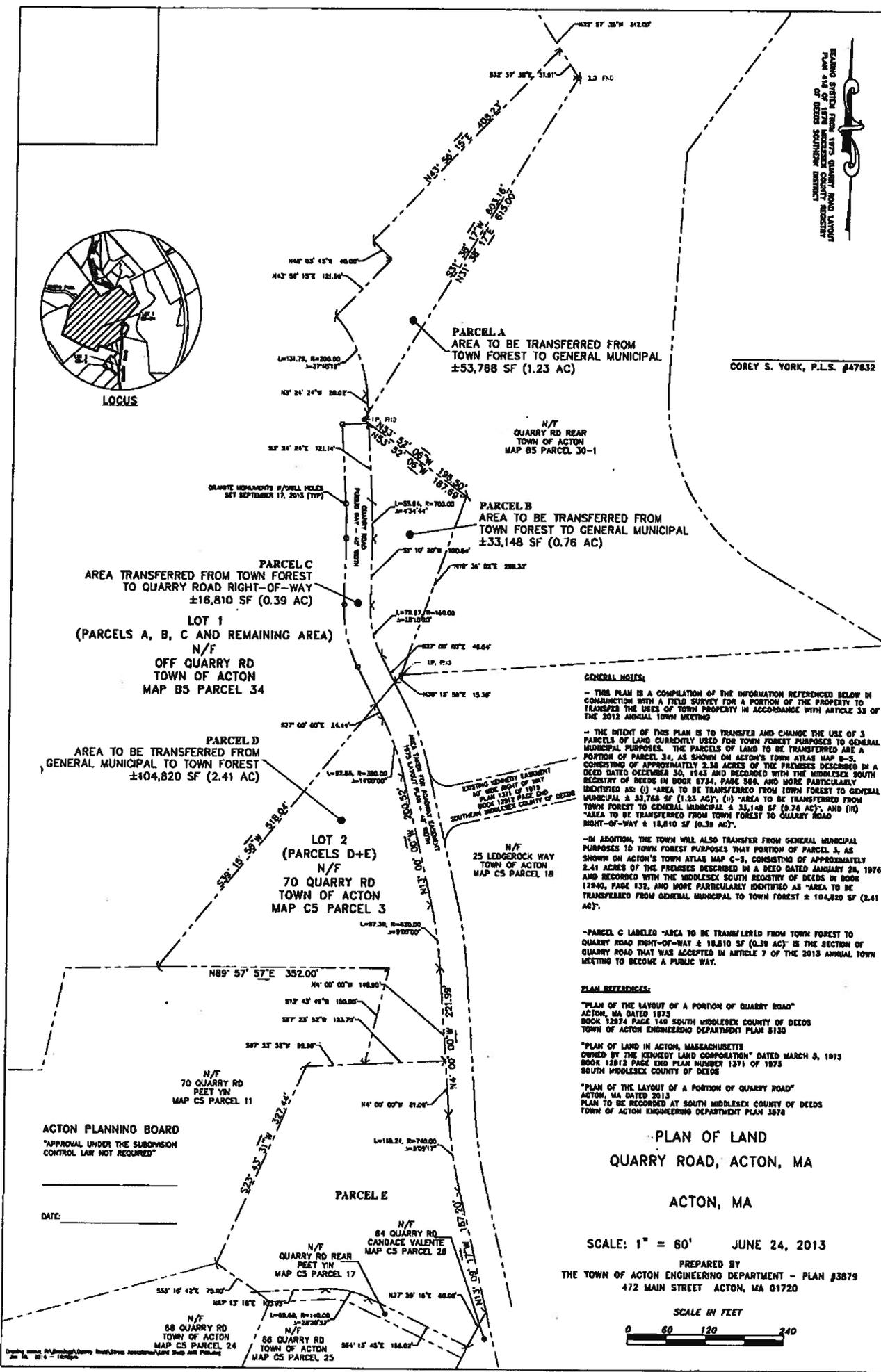
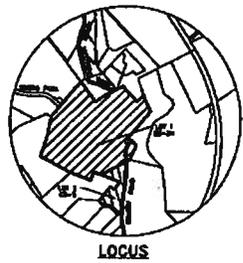
On this \_\_\_ day of March, 2015, before me, the undersigned notary public, personally appeared

\_\_\_\_\_  
\_\_\_\_\_, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that each signed it voluntarily for its stated purpose on behalf of the Acton Board of Selectmen.

\_\_\_\_\_  
(Signature of Notary)

My commission expires on \_\_\_\_\_

READING STRIP FROM 1975 QUARRY ROAD LAYOUT PLAN #18 OF 1975 MIDDLESEX COUNTY REGISTERED BY DEEDS SOUTH MIDDLESEX DISTRICT



COREY S. YORK, P.L.S. #47832

**GENERAL NOTES:**

- THIS PLAN IS A COMPILATION OF THE INFORMATION REFERENCED BELOW IN CONJUNCTION WITH A FIELD SURVEY FOR A PORTION OF THE PROPERTY TO TRANSFER THE USES OF TOWN PROPERTY IN ACCORDANCE WITH ARTICLE 33 OF THE 2012 ANNUAL TOWN MEETING
- THE INTENT OF THIS PLAN IS TO TRANSFER AND CHANGE THE USE OF 3 PARCELS OF LAND CURRENTLY USED FOR TOWN FOREST PURPOSES TO GENERAL MUNICIPAL PURPOSES. THE PARCELS OF LAND TO BE TRANSFERRED ARE A PORTION OF PARCEL 34, AS SHOWN ON ACTON'S TOWN ATLAS MAP B-5, CONSISTING OF APPROXIMATELY 2.34 ACRES OF THE PREMISES DESCRIBED IN A DEED DATED DECEMBER 30, 1943 AND RECORDED WITH THE MIDDLESEX SOUTH REGISTRY OF DEEDS IN BOOK 6734, PAGE 589, AND MORE PARTICULARLY IDENTIFIED AS: (I) "AREA TO BE TRANSFERRED FROM TOWN FOREST TO GENERAL MUNICIPAL ± 33,768 SF (1.23 AC)"; (II) "AREA TO BE TRANSFERRED FROM TOWN FOREST TO GENERAL MUNICIPAL ± 33,148 SF (0.76 AC)"; AND (III) "AREA TO BE TRANSFERRED FROM TOWN FOREST TO QUARRY ROAD RIGHT-OF-WAY ± 16,810 SF (0.39 AC)".
- IN ADDITION, THE TOWN WILL ALSO TRANSFER FROM GENERAL MUNICIPAL PURPOSES TO TOWN FOREST PURPOSES THAT PORTION OF PARCEL 3, AS SHOWN ON ACTON'S TOWN ATLAS MAP C-3, CONSISTING OF APPROXIMATELY 2.41 ACRES OF THE PREMISES DESCRIBED IN A DEED DATED JANUARY 28, 1976 AND RECORDED WITH THE MIDDLESEX SOUTH REGISTRY OF DEEDS IN BOOK 12849, PAGE 132, AND MORE PARTICULARLY IDENTIFIED AS "AREA TO BE TRANSFERRED FROM GENERAL MUNICIPAL TO TOWN FOREST ± 104,820 SF (2.41 AC)".

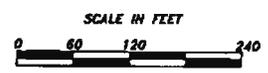
**PLAN REFERENCES:**

- "PLAN OF THE LAYOUT OF A PORTION OF QUARRY ROAD" ACTON, MA DATED 1975 BOOK 12874 PAGE 149 SOUTH MIDDLESEX COUNTY OF DEEDS TOWN OF ACTON ENGINEERING DEPARTMENT PLAN 5130
- "PLAN OF LAND IN ACTON, MASSACHUSETTS OWNED BY THE KENNEDY LAND CORPORATION" DATED MARCH 3, 1973 BOOK 12812 PAGE 132 DEED PLAN NUMBER 1371 OF 1973 SOUTH MIDDLESEX COUNTY OF DEEDS
- "PLAN OF THE LAYOUT OF A PORTION OF QUARRY ROAD" ACTON, MA DATED 2013 PLAN TO BE RECORDED AT SOUTH MIDDLESEX COUNTY OF DEEDS TOWN OF ACTON ENGINEERING DEPARTMENT PLAN 3878

**PLAN OF LAND  
QUARRY ROAD, ACTON, MA  
ACTON, MA**

SCALE: 1" = 60' JUNE 24, 2013

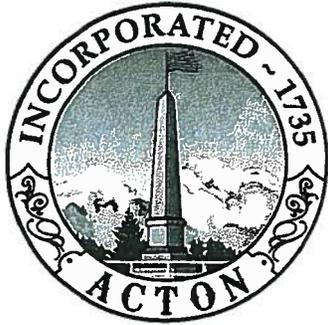
PREPARED BY  
THE TOWN OF ACTON ENGINEERING DEPARTMENT - PLAN #3879  
472 MAIN STREET ACTON, MA 01720



ACTON PLANNING BOARD  
"APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED"

DATE: \_\_\_\_\_

Created using P:\Engineering\Survey\Drawings\Acton\Map 3879.dwg  
Date: 06/24/2013 10:06am



TOWN CLERK

A TRUE COPY, ATTEST:

*Ann K. Szwedek*

TOWN CLERK, ACTON, MA

TOWN OF ACTON  
472 MAIN STREET  
ACTON, MASSACHUSETTS, 01720  
TELEPHONE (978) 929-6620  
FAX (978) 929-6340  
[clerk@acton-ma.gov](mailto:clerk@acton-ma.gov)

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**ABSTRACT OF THE ANNUAL TOWN MEETING HELD  
MONDAY, APRIL 2, 2012, 7:00 P.M.  
ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL AUDITORIUM  
WITH ADJOURNED SESSIONS HELD APRIL 3, 2012  
NUMBER OF REGISTERED VOTERS ATTENDING TOWN MEETING  
APRIL 2, 2012 – 381, APRIL 3, 2012 – 515 AND APRIL 4, 2012 - 165**

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**ARTICLE 33                      LAND TRANSFER – TOWN FOREST AND GENERAL  
(Two-thirds vote)              MUNICIPAL**

To see if the Town will vote to transfer the following real property from and to the following uses, contingent and effective upon the adoption of Article 97 Home Rule legislation pursuant to this Article:

1. To transfer from Town Forest uses to general municipal uses under the care, custody and control of the Board of Selectmen that portion of Parcel 34 on Town Atlas Map B-5 consisting of approximately 2.3 acres more or less and identified as "Portion of Town Forest to be Transferred to General Municipal Uses" on a plan of land entitled Quarry Road Town Forest Plan of Land in Acton, Massachusetts, prepared by the Town of Acton Engineering Department, dated March 20, 2012, on file with the Town Clerk (the "Plan"), being a portion of the premises acquired by the Town from Charles E. Davis and Estelle T. Davis by deed dated December 30, 1943 and recorded in the Middlesex South District Registry of Deeds ("Registry") on December 31, 1943 at Book 6734, Page 596, and
2. To transfer from the municipal uses for which it was acquired and/or to which it has been put to Town Forest uses under the care, custody and control of the Board of Selectmen that portion of Parcel 3 on Town Atlas Map C-5 consisting of approximately 2.41 acres more or less and identified as "Portion of General Municipal Land to be Transferred to Town Forest Uses" on the Plan, being a portion of the premises acquired by the Town from Kennedy Land Corporation by deed dated January 28, 1976, recorded in the Registry on February 27, 1976, at Book 12940, Page 132,

And further to see if the Town will vote to authorize the Selectmen to petition the General Court for an Act pursuant to Article 97 of the Amendments to the Massachusetts Constitution, in a form acceptable to the Selectmen and Town Counsel, to authorize the transfer of the foregoing land from Town Forest uses to general municipal uses and from the municipal uses to Town Forest uses, all as set forth in this Article,

or take any other action relative thereto.

**MOTION:** Mr. Gowing moves that the Town:

- (1) authorize the transfer of the real property from and to the uses as set forth in the Article, both transfers to take effect if and when the General Court adopts Article 97 Home Rule legislation authorizing the transfers pursuant to this Article, and

- (2) authorize the Selectmen to petition the General Court for such Article 97 legislation as set forth in the Article.

**MOTION CARRIES  
DECLARED 2/3 BY MODERATOR\***

\*TOWN OF ACTON HAS EXCEPTED MGL CH 39 SEC 15 AT ITS ANNUAL TOWN MEETING APRIL 2001,  
ARTICLE 43 AND THE AMENDED BYLAW 5A WAS APPROVED BY THE ATTORNEY GENERAL ON AUG. 6, 2001.  
(THE TOWN MEETING MODERATOR IS NOT REQUIRED TO COUNT A 2/3 REQUIRED VOTE.)