Affidavit

City/Town: Acton **Fed Aid Number:** CMAQ/STP-TE-002S(836)

Owner(s) of Record: Ross W. Israel and Christine Israel-Dwyer

Project: Acton-Maynard Assabet River Rail Trail

Assigned Parcel(s) Number: A-TE-59
(From ROW plans)

To: John DeLeire, Director
Right of Way Bureau
MassDOT, Highway Division
10 Park Plaza, Room 6160 - Boston, Ma 02116-3973

The Municipality acknowledges to MassDOT that it is their sole responsibility to acquire all land or rights therein which are required for the Project # 604531 for the City/Town of Acton.

The Municipality represents that it has acquired all land or rights therein which are required for the City/Town of Acton Project # 604531 and acknowledges that MassDOT is relying on this representation. If it is subsequently determined by MassDOT that the municipality has not acquired all required land or rights therein, the municipality shall be responsible for all damages resulting there from, including compensation to private land owners and contractor claims of any nature. Furthermore, it is acknowledged that in such event, MassDOT may withdraw from the Project.

This is to certify that all rights in land acquired by the City/Town in connection with the above referenced project were acquired in accordance with the provisions of Title III, Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970 as amended.

With reference to the Act, the following applicable provisions were specifically met:

1. Real property was appraised on June 9, 2015 , before the initiation of the negotiations. The owner or his designated representative was given the opportunity to accompany the appraiser during the inspection of the property. The property owner was given a Federal Aid Acquisition Guide for Property Owners and was given the opportunity to review it.

2. A Review Appraisal was completed on June 24, 2015 .

3. A fair market value of $ 60.00 for the acquired property was offered. The owner was provided with a basic summary (a written-statement) for the amount established as just compensation and a Just Compensation Report. The property owner was given a Federal Aid Acquisition Guide for Property Owners and was given the opportunity to review it.

4: The owner was not or will not be required to surrender possession of the subject property before the tender of payment.

5. The owner was not coerced or compelled in any way to agree on the price to be paid for the property and was not left with an uneconomic remnant.

6. Relocation, of residential/commercial occupancy, was not required.

Agreement Voted: August 11, 2015 Recorded: August 25, 2015

Written Offer Mailed: July 8, 2015 Payment Tendered: August 26, 2015

Physical Possession Secured: August 26, 2015

Authorized City/Town Official Date

Physical Possession may only be secured after payment (award of damages) has been tendered.