

RECORD OF VOTE OF THE ACTON BOARD OF SELECTMEN
August 20, 2015

At a duly called public meeting of the Acton Board of Selectmen on August 20, 2015 the Board voted as follows with respect to a certain parcel of land located in the Town of Acton commonly identified as 20 Main Street (Acton Assessor's Parcel I2-33):

1. To approve that certain Termination of Easement for a portion of an existing easement over 20 Main Street pursuant to that certain Declaration of Covenants and Grant of Easement recorded with the Middlesex South District Registry of Deeds in Book 46076, Page 394, in accordance with the applicable Town Meeting vote presented to the Board at its August 20, 2015 meeting.

2. Subject to the condition described in Vote 5 below, to accept that certain Deed of Easements for Bike Path Purposes for 20 Main Street presented to the Board at its August 20, 2015 meeting (the "Deed of Easements") in substantially the form presented to the Board at its August 20, 2015 meeting, to be duly executed by the Town Manager, with final changes to be made by the Town Manager in his reasonable discretion in consultation with town counsel.

3. Subject to the condition described in Vote 5 below, to authorize the Town Manager to enter into that certain letter agreement (the "Letter Agreement") with Wedgewood Realty Trust ("Wedgewood"), in substantially the form presented to the Board at its August 20, 2015 meeting, to be duly executed by the Town Manager, with final changes to be made by the Town Manager in his reasonable discretion in consultation with town counsel.

4. Subject to the condition described in Vote 5 below, to rescind that certain Order of Taking approved by the Board at its August 11, 2015 meeting for 20 Main Street (the "Order of Taking").

5. As a pre-condition to taking the actions described in Votes 2-4 above, Wedgewood shall deliver Town Counsel a fully executed Subordination and Non-Disturbance Agreement subordinating the mortgage from Middlesex Savings Bank and secured by 20 Main Street to the Deed of Easements in form satisfactory to the Town Manager and Town Counsel no later than August 26, 2015. If such Subordination Agreement is not delivered to Town Counsel by August 26, 2015, then Town Counsel is authorized and instructed to record the Order of Taking on August 27, 2015, and the Town Manager shall no longer be authorized to enter into the Deed of Easements or the Letter Agreement.

[signatures on following page]

TOWN OF ACTON
BOARD OF SELECTMEN


Katie Green


Franny Osman


Peter Berry


Chingsung Chang


Janet K. Adachi

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

On this 20 day of August, 2015, before me, the undersigned Notary Public, personally appeared Katie Green, Janet K. Adachi, Peter Berry, Franny Osman and ~~Chingsung Chang~~ known to me proved to me through satisfactory evidence of identification, which was known to me, to be the persons whose names are signed on the preceding document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose, and that he/she/they has/have authority to sign as a/the Member(s) of the Board of Selectmen of the Town of Acton, before me.


Notary Public
My Commission Expires:

