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BOARD OF SELECTMEN

Middlesex, ss.

March 8, 2004

ORDER OF STREET LAYOUT

WHEREAS, the Board of Selectmen has referred the proposed layout to the Planning Board of the Town of Acton in accordance with Chapter 41, Section 81-I of the General Laws, and said Planning Board has approved the laying out as hereinafter described; and

WHEREAS, the Board of Selectmen has determined and adjudged that common convenience and necessity require that Town ways be laid out in the locations hereinafter described; and

WHEREAS, notice of the intention of this Board to lay out said ways has been duly given in accordance with the applicable provisions of the General Laws, and other provisions of the law have been complied with; and

WHEREAS, the Board of Selectmen met at the time and place appointed for the hearing.

NOW THEREFORE, it is ordered and adjudged that Town ways for the use of the Town be and are hereby laid out as follows:

In the NORTH ACTON WOODS SUBDIVISION

ALEXANDRA WAY – from the northeasterly sideline of Harris Street a distance of 1495 feet, more or less, in a generally northerly direction to the northerly sideline of a 70 foot radius cul-de-sac, including the cul-de-sac, this being the entire road.

REEVE STREET – from the easterly sideline of Alexandra Way a distance of 574 feet, more or less, in a generally easterly direction to the northerly sideline of a 70 foot radius cul-de-sac, including the cul-de-sac and Parcel A (a 40-foot wide street right-of-way containing 8,584 square feet), this being the entire road.

The description, bounds and location of Alexandra Way, Reeve Street and Parcel A are as shown on a plan entitled, "North Acton Woods, Definitive Subdivision Plan, Planned Conservation Residential Community, Record Plan 1 of 4 through 4 of 4, Record Owner: William A. Bruce, Trustee of the North Acton Woods Realty Trust, Prepared For: Highland Homes, Inc. 1 Robbins Road, Ayer, Massachusetts 01452, Date: August, 1998, Scale: 1" = 40', Prepared By Acton Survey & Engineering, 277 Central Street, P.O. Box 666, Acton, MA 01720", and recorded at the Middlesex South District Registry of

Deeds (the "Registry") as Plan No. 314 of 1999 (the "1999 Plan"). Alexandra Way and Reeve Street are also shown on a plan entitled "Road As-Built, Acton, MA, Applicant/Owner: Collins Development Inc., 394 Lowell Street – Suite 16, Lexington, MA 02420, Date August 19, 2003, Scale 1" = 40', Prepared by Allen & Major Associates, Inc., 100 Commerce Way, P.O. Box 2118, Woburn, MA 01888-0118", (the "As-Built Plan"). The As-Built Plan is on file with the Town of Acton Engineering Department. Alexandra Way, Reeve Street and Parcel A are more particularly described as follows:

ALEXANDRA WAY

Beginning at a granite bound with a drill hole set in concrete on the northerly sideline of Harris Street, thence running;

- | | |
|---------------|--|
| N51°30'00"W | One hundred five and no hundredths feet (105.00') by the northerly sideline of Harris Street to a point; thence |
| N38°30'00"E | One hundred fifty and no hundredths feet (150.00') to a granite bound with a drill hole; thence |
| S51°30'00"E | Eighteen and forty-three hundredths feet (18.43') to a granite bound with a drill hole set in concrete; thence |
| Northeasterly | And along an arc to the right with a radius of four hundred seventy and no hundredths feet (470.00') and a length of one hundred eighty-four and ninety hundredths feet (184.90') to a PK nail; thence |
| N67°08'46"E | One hundred and no hundredths feet (100.00') to a PK nail; thence |
| Northerly | And along an arc to the left with a radius of one hundred sixty and no hundredths feet (160.00') and a length of one hundred thirty-seven and seventy-eight hundredths feet (137.78') to a PK nail; thence |
| N17°48'29"E | Four hundred ninety-five and no hundredths feet (495.00') to a granite bound with a drill hole; thence |
| Northerly | And along an arc to the right with a radius of seven hundred seventy and no hundredths feet (770.00') and a length of one hundred forty-one and no hundredths feet (141.00') to an iron rod set; thence |
| N28°17'59"E | One hundred twelve and eighty-eight hundredths feet (112.88') to a granite bound with a drill hole; thence |
| Northwesterly | And along an arc to the left with a radius of thirty and no hundredths feet (30.00') and a length of forty-seven and twelve hundredths feet (47.12') to a granite bound with a drill hole; thence |

Northeasterly And along an arc to the right with a radius of seventy and no hundredths feet (70.00') and a length of three hundred twenty-nine and eighty-seven hundredths feet (329.87') to a P.K. nail; thence

S28°17'59"W Two hundred twelve and eighty-eight hundredths feet (212.88') to a granite bound with a drill hole; thence

Southerly And along an arc to the left having a radius of seven hundred thirty and no hundredths feet (730.00') and a length of one hundred thirty-three and sixty-seven hundredths feet (133.67') to a granite bound with a drill hole set in concrete; thence

S17°48'29"W One hundred eighty-two and fifty-eight hundredths feet (182.58') to a granite bound with a drill hole set in concrete; thence

S17°48'29"W One hundred seven and eighty-six hundredths feet (107.86') by the end of Reeve Street to a granite bound with a drill hole; thence

S17°48'29"W Two hundred four and fifty-six hundredths feet (204.56') to a granite bound with a drill hole; thence

Southwesterly And along an arc to the right with a radius of two hundred and no hundredths feet (200.00') and a length of one hundred seventy-two and twenty-two hundredths feet (172.22') to a granite bound with a drill hole set in concrete; thence

S67°08'46"W One hundred and no hundredths feet (100.00') to a granite bound with a drill hole set in concrete; thence

Southwesterly And along an arc to the left with a radius of four hundred thirty and no hundredths feet (430.00') and a length of one hundred sixty-four and eighty-nine hundredths feet (164.89') to a granite bound with a drill hole set in concrete; thence

S51°30'00"E Six and thirty-three hundredths feet (6.33') to a drill hole; thence

S38°30'00"W One hundred ten and no hundredths feet (110.00') to a granite bound with a drill hole set in concrete; thence

Southeasterly And along an arc to the left with a radius of forty and no hundredths feet (40.00') and a length of sixty-two and eighty-three hundredths feet (62.83') to the point of beginning.

REEVE STREET

Beginning at a granite bound with a drill hole set in concrete on the easterly sideline of Alexandra Way, thence running;

Southeasterly And along an arc to the left with a radius of thirty and no hundredths feet (30.00') and a length of thirty-five and sixty hundredths feet (35.60') to a granite bound with a drill hole; thence

S50°11'09"E Two hundred thirteen and ninety hundredths feet (213.90') to a granite bound with a drill hole set in concrete; thence

Northeasterly And along an arc to the left with a radius of ninety and no hundredths feet (90.00') and a length of one hundred thirty-four and seventy-three hundredths feet (134.73') to a granite bound with a drill hole set in concrete; thence

N44°02'33"E Thirteen and sixteen hundredths feet (13.16') to a granite bound with a drill hole set in concrete; thence

Northwesterly And along an arc to the left with a radius of thirty and no hundredths feet (30.00') and a length of forty-seven and twelve hundredths feet (47.12') to a granite bound with a drill hole; thence

Northeasterly And along an arc to the right with a radius of seventy and no hundredths feet (70.00') and a length of three hundred twenty nine and eighty-seven hundredths feet (329.87') to a granite bound with a drill hole; thence

S44°02'33"W One hundred thirteen and sixteen hundredths feet (113.16') to a point; thence

Southwesterly And along an arc to the right with a radius of one hundred thirty and no hundredths feet (130.00') and a length of one hundred ninety-four and sixty-one hundredths feet (194.61') to a granite bound with a drill hole; thence

N50°11'09"W One hundred seventy-three and forty-nine hundredths feet (173.49') to a granite bound with a drill hole; thence

Southwesterly And along an arc to the left with a radius of thirty and no hundredths feet (30.00') and a length of fifty-eight and sixty-five hundredths feet (58.65') to a granite bound with a drill hole set in concrete; thence

N17°48'29"E One hundred seven and eighty-six hundredths feet (107.86') by the easterly sideline of Alexandra Way to the point of beginning.

Alexandra Way and Reeve Street herein described are further monumented by magnetized masonry nails set on the centerline thereof at points of curvature and tangency, as shown on the As-Built Plan.

PARCEL A

Also included in this layout is the fee in the following parcel of land:

That certain parcel of land shown as "Parcel A, 40' Street R.O.W., Area = 8,584 Sq. Ft." on the 1999 Plan. Parcel A is hereby laidout for all purposes for which streets and ways are used in the Town of Acton, including the installation of utilities. Parcel A is bounded and described as follows:

Beginning at the most southwesterly point of Parcel A at a P.K. nail on the easterly sideline of Reeve Street, thence running;

Easterly	And along an arc to the right with a radius of thirty and no hundredths feet (30.00') and a length of twenty-eight and seventy-nine hundredths feet (28.79') to a granite bound with drill hole; thence
S64°39'43"E	One hundred ninety-five and twenty-nine hundredths feet (195.29') to a point; thence
N25°20'17"E	Forty and no hundredths feet (40.00') to a point; thence
N64°39'43"W	One hundred fifty-four and sixty-three hundredths feet (154.63') to a granite bound with drill hole; thence
Northerly	And along an arc to the right with a radius of thirty and no hundredths feet (30.00') and a length of fifty-six and ninety-two hundredths feet (56.92') to a granite bound with drill hole; thence
S44°02'33"W	Sixty-two and eighty-one hundredths feet (62.81') by the easterly sideline of Reeve Street to a point; thence
Southerly	And along an arc to the right with a radius of one hundred thirty and no hundredths feet (130.00') and a length of thirty-seven and one hundredth feet (37.01') by the easterly sideline of Reeve Street to the point of beginning

Meaning and intending to layout Alexandra Way and Reeve Street as shown on the 1999 Plan, however otherwise bounded, measured or described. For title reference to Alexandra Way, Reeve Street and Parcel A see deed from Creative Land Management Associates, Inc. to North Acton Woods Limited Partnership dated June 20, 2000 and recorded with the Registry in Book 31524, Page 039.

EASEMENTS

Alexandra Way, Reeve Street and Parcel A are laid out together with certain easements as follows:

Easement No. 1

The perpetual right and easement over, under and upon those portions of E.U.A. 1 through E.U.A. 23 inclusive, Parcel B and Open Space A, Open Space B, and Open Space C shown as "10' Utility, Construction & Slope Easement (Typ.)" on the 1999 Plan. The ten-foot wide utility, construction and slope easements are parallel to and adjacent to each sideline of Alexandra Way, Reeve Street and Parcel A and include the right to enter upon the easement areas for the purpose of grading, regrading and

depositing fill and maintaining slopes necessary for the construction, maintenance and support of Alexandra Way, Reeve Street and Parcel A. Said easements also include the right to enter upon the easement areas to install, maintain, operate, repair, remove and replace wires, cables, poles, pipes, manholes, catchbasins, ditches and appurtenant structures for the provision of public and private utilities, including without limitation, sewer, water, gas, electric, telephone, fire protection, cable television, storm drainage and the like.

Easement No. 2

The perpetual right and easement over, under and upon that portion of Open Space A, adjacent to E.U.A. 1, shown as "20' Drainage & Utility Easement" on the 1999 Plan. Said easement includes the right to enter upon the easement area to install, maintain, operate, repair, remove and replace drainage facilities of all types and kinds, including, but not limited to, pipes, culverts, manholes, catch basins, detention/retention basins, slopes, ditches and appurtenant structures for the surface and subsurface drainage of storm water. This easement also includes the right to enter upon the easement area to install, maintain, operate, repair, remove, and replace wires, cables, poles, pipes, manholes, and appurtenant structures for the provision of public and private utilities, including without limitation, sewer, water, gas, electric, telephone, fire protection, cable television, and the like.

Easement No. 3

The perpetual right and easement over, under and upon that portion of Open Space A-1, adjacent to E.U.A. 8A and E.U.A. 9A, shown as "Drainage & Utility Easement" on a plan entitled "Plan of Land on Alexandra Way in Acton, Massachusetts, Prepared For: Symes Associates, 50 Dodge Street, Beverly, MA 01915, Date: April 13, 2001, Acton Survey & Engineering, 97 Great Road, P.O. Box 666, Acton, Mass", and recorded in the Registry as Plan 605 of 2001. Said easement includes the right to enter upon the easement area to install, maintain, operate, repair, remove and replace drainage facilities of all types and kinds, including, but not limited to, pipes, culverts, manholes, catch basins, detention/retention basins, slopes, ditches and appurtenant structures for the surface and subsurface drainage of storm water. This easement also includes the right to enter upon the easement area to install, maintain, operate, repair, remove, and replace wires, cables, poles, pipes, manholes, and appurtenant structures for the provision of public and private utilities, including without limitation, sewer, water, gas, electric, telephone, fire protection, cable television, and the like.

Easement No. 4

The perpetual right and easement over, under and upon that portion of Open Space C, shown as "Drainage & Utility Easement" on the 1999 Plan. Said easement includes the right to enter upon the easement area to install, maintain, operate, repair, remove and replace drainage facilities of all types and kinds, including, but not limited to, pipes, culverts, manholes, catch basins, detention/retention basins, slopes, ditches and appurtenant structures for the surface and subsurface drainage of storm water. This easement also includes the right to enter upon the easement area to install, maintain, operate, repair, remove, and replace wires, cables, poles, pipes, manholes, and appurtenant structures for the provision of public and private utilities, including without limitation, sewer, water, gas, electric, telephone, fire protection, cable television, and the like.

Easement No. 5

The perpetual right and easement over, under and upon that portion of E.U.A. 12 at the intersection of Alexandra Way and Reeve Street, shown as "Drainage & Utility Easement" on the 1999 Plan. Said easement includes the right to enter upon the easement area to install, maintain, operate, repair, remove and replace drainage facilities of all types and kinds, including, but not limited to, pipes, culverts, manholes, catch basins, detention/retention basins, slopes, ditches and appurtenant structures for the surface and subsurface drainage of storm water. This easement also includes the right to enter upon the easement area to install, maintain, operate, repair, remove, and replace wires, cables, poles, pipes, manholes, and appurtenant structures for the provision of public and private utilities, including without limitation, sewer, water, gas, electric, telephone, fire protection, cable television, and the like.

Easement No. 6

The perpetual right and easement over, under and upon that portion of E.U.A. 12 and Open Space B, shown as "Drainage & Utility Easement" on the 1999 Plan. Said easement includes the right to enter upon the easement area to install, maintain, operate, repair, remove and replace drainage facilities of all types and kinds, including, but not limited to, pipes, culverts, manholes, catch basins, detention/retention basins, slopes, ditches and appurtenant structures for the surface and subsurface drainage of storm water. This easement also includes the right to enter upon the easement area to install, maintain, operate, repair, remove, and replace wires, cables, poles, pipes, manholes, and appurtenant structures for the provision of public and private utilities, including without limitation, sewer, water, gas, electric, telephone, fire protection, cable television, and the like.

Easement No. 7 (The drainage outfall easement south of Harris Street)

A perpetual easement over, under and upon that area shown as "Proposed Drainage Easement" on a plan entitled "Easement Plan of Land in Acton, MA, Prepared for Commons Development, Inc." dated April 26, 1996, Scale 1"=80', Lancewood Engineering, Inc. and recorded at the Registry as Plan No. 354 of 1996, subject to and with the benefit of the provisions of a Grant of Easement from John P. Bellantoni, Trustee of Village Arms Trust to Handley Woods Limited Partnership, dated April 12, 1996 and recorded at the Registry in Book 26268, Page 487. See also Easement No. 3 in a deed from Handley Woods, Limited Partnership to the Town of Acton dated March 16, 1999 and recorded at the Registry in Book 30087 Page 592, and the Order of Street Layout for Captain Handley Road dated March 2, 1999 and filed with the Town Clerk on March 3, 1999.

Without limiting the foregoing, all of the easements described herein include the right to enter upon said easement areas for the purpose of effectuating this layout, and to fully exercise any rights granted by said easements.

All installation, maintenance, use, repair, replacement and removal hereby authorized shall be done in such a manner as not to interfere unreasonably with the surface or aerial uses of said easement areas. Whenever any surface is disturbed by authority of this instrument, it shall be restored with reasonable promptness to substantially its condition prior to such disturbance.

Included in this layout are all trees, roadway improvements and all structures located thereon, but not including wires, cables, poles, towers, pipes, conduits and other appurtenances for the conveyance of gas, electricity, cable television or telephone communication located in or upon Alexandra Way, Reeve Street, Parcel A, or any of the easements herein described. The pipes, manholes, pump stations, gates, valves and fittings and other facilities of whatever description for the collection and treatment of sanitary sewerage located on, in or under Alexandra Way, Reeve Street, Parcel A or any of the easements described herein are also excluded from this layout. The areas shown as "20' Access & Utility Easement" and "Access & Utility Easement" on the 1999 Plan on portions of Open Space B, E.U.A. 15, E.U.A. 16, E.U.A. 17, and E.U.A. 18, (sometimes known as "Rocky Pass") are intentionally excluded from this layout. Rocky Pass is a private common driveway serving E.U.A. 15, E.U.A. 16, E.U.A. 17, and E.U.A. 18.

At the conclusion of the layout and acceptance of Alexandra Way, Reeve Street, Parcel A and the easements described herein, the Town of Acton's maintenance responsibilities will follow standard procedures for Town streets and ways and shall be limited to the improvements located within the street layouts and associated with their function as streets, and to any improvements associated with street drainage located within designated utility and drainage easements. All private utilities and services located within or outside the street layouts or said easements and any private drainage facilities feeding into drainage structures located within the street layouts or easements shall not be the responsibility of the Town of Acton.

No betterments are to be assessed and no damages are to be awarded.

This order and plan shall be filed forthwith in the Office of the Town Clerk and reported to the Annual Town Meeting for acceptance.

Witness our hands and seals this 8th day of March 2004.

BOARD OF SELECTMEN, TOWN OF ACTON

Walter M. Foster, Chairman

Peter K. Ashton, Vice Chairman

F. Dore Hunter, Clerk

William H. Shupert, III

Robert A. Johnson