

**ARTICLE 2 (2008/10)
APPROPRIATIONS**

COMMUNITY PRESERVATION FUND –

**FROM EXISTING OPEN SPACE SET-ASIDE (PIPER LANE
PARCELS)**

AND RELATED ACTIONS

To see if the Town will vote to:

(a) authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise, on

such terms and conditions as the Selectmen may determine, two parcels of land with the buildings

and improvements thereon depicted on Assessors' Map H3A as parcels 4 and 4-1, consisting respectively of approximately 5.51 acres of forested open space abutting the Great Hill Conservation Area and approximately 17,325 square feet of land with a 3-bedroom residential structure built *circa* 1840;

(b) transfer, appropriate and expend, pursuant to the favorable recommendation of the Community Preservation Committee from the existing Open Space Set Aside portion of the Community Preservation Fund balance a sum not to exceed \$730,000 toward the purchase and restriction thereof consistent with this article;

(c) raise, appropriate, transfer from available funds or accept gifts of such additional funds as are necessary to accomplish the purposes of this article;

(d) authorize the Board of Selectmen to reconfigure the area and lot lines of parcels 4 and 4-1 and

to take all other necessary actions so as to render reconfigured parcel 4-1 conforming to zoning or

otherwise lawful for continued single family residential use (the "House Lot");

(e) authorize the Board of Selectmen to impose a perpetual Historic Preservation Restriction and/or a perpetual Conservation Restriction on all or a portion of the land, buildings and improvements comprising the House Lot on such terms and conditions as the Selectmen may determine;

(f) authorize the Board of Selectmen to impose a perpetual Conservation Restriction on such terms

and conditions as the Selectmen may determine on the entire remainder of parcels 4 and 4-1 (if any) not made part of the House Lot so as to protect and preserve said land as part of the Great Hill conservation area in perpetuity, with said restriction to be enforceable (in addition to the Town) by the commonwealth or by a nonprofit, charitable corporation or foundation as determined

by the Selectmen (the "Conservation Land");

(g) transfer the restricted House Lot from the Board of Selectmen to Board of Selectmen for the purposes of sale and sell and convey the restricted House Lot on such terms and conditions and for

such consideration as the Selectmen may determine which consideration shall be no less than the appraised value of the restricted House Lot;

- (h) transfer the net proceeds of such sale of the restricted House Lot from the general fund to the Community Preservation Fund Open Space Set-Aside; and
 - (i) authorize the Board of Selectmen to delegate the management of the Conservation Land to the Conservation Commission subject to the perpetual Conservation Restriction as aforesaid;
- or take any other action relative thereto.

ARTICLE 26 (2010/04) LAND ACQUISITION – 6 PIPER ROAD

(Two-thirds vote)

To see if the Town will authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and accept the deed of a fee simple interest, on such terms and conditions as the Selectmen may determine, of the vacant land located at and known as 6 Piper Road in South Acton, shown as Parcel 18-1 on Acton Assessors' Map H-3A, containing 20,210 square feet of land, more or less, and being a portion of the land described in the deed recorded in the Middlesex South Registry of Deeds at Book 18551, Page 149, and further to see if the Town will (a) raise, appropriate or transfer from free cash or other available funds the sum of \$39,000, or accept gifts for this purpose; (b) combine all or a portion of the newly acquired land, as the Selectmen may determine, with Parcel 4-1 on Acton Assessors' Map H-3A, as such parcel may be reconfigured as provided in Article 2 of the October 2, 2008 Special Town Meeting, to create a lot that conforms to zoning for single family residential use (the "Reconfigured Lot"); (c) reserve a fee simple or easement interest in a portion of the newly acquired land, as the Selectmen may determine, to provide public access from Piper Road to the public conservation land in the area, including without limitation Parcel 4 on Acton Assessors' Map H-3A; (d) raise, appropriate or transfer from available funds the sum of up to \$6,000 to improve the Reconfigured Lot and repair the buildings and improvements thereon as necessary to prepare the property for sale, or accept gifts for this purpose; (e) impose a perpetual Historic Preservation Restriction on all or a portion of the land, buildings and improvements comprising the Reconfigured Lot on such terms and conditions as the Selectmen may determine; (f) transfer to the Board of Selectmen for purposes of resale and sell and convey the Reconfigured Lot on such terms and conditions and for such consideration as the Selectmen may determine; and (g) transfer up to \$45,000, but not less than \$39,000, of the net proceeds from the sale of the Reconfigured Lot to general revenues as reimbursement for the acquisition of Parcel 18-1 and any repairs and improvements to the Reconfigured Lot and the buildings and improvements thereon as contemplated herein or otherwise as required by M.G.L. c. 44, § 63, and transfer the balance of the net proceeds from the general fund to the Community Preservation Fund Open Space Set-Aside in conformance with Article 2 of the October 2, 2008 Special Town Meeting, or take any other action relative thereto.