



BEVERLY J. DAVIS

OFFICE OF CITY CLERK

25 WEST STREET
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015588

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July 17, 1997

CERTIFICATE OF CITY CLERK

I, Beverly J. Davis, duly appointed and qualified City Clerk, hereby certify that at the regular meeting of the City Council, July 14, 1997, the following communication was granted by unanimous vote of 8/0. There are nine councillors, eight present, eight voting to grant.

C-182 Dean J. Mazzarella, Mayor: Grant permission to the Mayor to sign a Deed Restriction in regards to the Landfill Capping Grant.

Dated: July 17, 1997

Beverly J. Davis
Beverly J. Davis
City Clerk

MARGINAL REFERENCE
BOOK 216 PAGE 238
BOOK _____ PAGE _____

BK03059P6381

97 SEP 16 PM 2:47

DEED RESTRICTION

To Whom It May Concern:

I, Dorothy J. Davis, City Clerk of the City of Leominster hereby certify that according to the records in my custody, the following is a true and exact copy of the action taken on Petition No. C-182 at the duly called meeting of the City Council on July 14, 1997, wherein it was:

Petition No. C-182 APPROVAL OF AGREEMENT, EXISTING LANDFILL - Mechanic Street

MOVED and duly seconded:

That the City execute and deliver an instrument to declare and dedicate in accordance with MGL Chapter 44, Section 28C, and MGL Chapter 111, Section 150A, as amended, and any and all applicable general or special laws so empowering, and pursuant to Statute 1983, Chapter 723, Section 9H, as amended by Statute 1984, Chapter 233, Section 15, in consideration of the receipt of funds and/or assistance from the Commonwealth of Massachusetts, acting by and through its Department of Environmental Protection ("DEP") under the Landfill Capping Grant Program as established in 310 CMR 37.01, et. seq., and in satisfaction of the precondition requirement for receiving a Landfill Capping Grant set forth in 310 CMR 37.03 (1) (c) and 37.08 (3) (b); moved that the City declare and dedicate in perpetuity and exclusively for active and passive recreation and open space purposes, and consistent with and subject to the mandate and protection of Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts the following described property (hereinafter referred to as the "Premises"):

PARCEL 1:

Property shown as "Parcel B" on a plan entitled "Leominster Sanitary Landfill Property Survey, Land in Leominster, Mass. prepared for R. Bates & Sons, Inc.", dated June 6, 1997, prepared by Whitman & Bingham Associates, Inc., Scale 1" = 60', excepting therefrom the following areas described and bounded as follows:

EASEMENT AREA NO. 1:

The parking and utility easement area granted by the City of Leominster to the Longstone Limited Partnership as recorded with the Worcester Northern Registry of Deeds at Book 2985, Page 235 and as shown on a plan recorded with said deeds at Plan Book 387, Plan 10; and

EASEMENT AREA NO. 2:

The access, parking and utility easement area granted by the City of Leominster to the Longstone Limited Partnership as recorded with the Worcester Northern Registry of Deeds at Book 2985, Page 237 and as shown on a plan recorded with said deeds at Plan Book 387, Plan 10; and

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EASEMENT AREA NO. 3:

The easement area granted by the City of Leominster to Steven J. Whitman et.ux. and Longstone Limited Partnership as recorded with the Worcester Northern Registry of Deeds at Book 2985, Page 234.

Being a part of the same premises conveyed to the City of Leominster by deed recorded in the Land Records of said County, Northern District, in Book 216, Page 238.

The above description is recorded in the Worcester County (N.D.) Registry of Deeds in Book _____, Page _____, and also being shown on Leominster Assessors' Map 445, Lots 1, 29, and 29A; Map 572, Page 1 and 1A.

_____ 8 - 0 _____ voted July 14, 1997. (9 Councillors; 1 Councillor was absent.)

Attest:

Beverly J. Davis
City Clerk

ATTEST: NO. WORC REGISTRY OF DEEDS
JOHN B. McLAUGHLIN, REGISTER