

RECEIVED

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AMESBURY CITY CLERK



**CITY OF AMESBURY**  
IN THE YEAR TWO THOUSAND SIXTEEN

Sponsored By: \_\_\_\_\_

**C. Kenneth Gray, Mayor**

Bill No. \_\_\_\_\_

2016-085

**An Ordinance** to request that the Municipal Council vote to accept certain road and easements within Quimby Lane Subdivision for ownership by the public as a public way said road being Quimby Lane.

**Summary:** to accept Quimby Lane as a public way.

**Be it Ordained by the Municipal Council of the City of Amesbury assembled, and by the authority of the same name as follows:**

That the Municipal Council vote to

1. Refer to the Planning Board for recommendation, pursuant to G.L. c.41, Sec 81G, the layout of certain road said road being Quimby Lane as shown on plans entitled "Definitive Subdivision Plan for Quimby Lane, Amesbury, MA," Applicant: D.E.C.M., LLC, 9 Merrimack Street, Seabrook NH, dated 11/15/2010 and last revised on 02/10/2011, said plans recorded with the Essex South Registry of Deeds in Book 429, Page 16; and subject to Covenants and Easements, recorded with the Essex South Registry of Deeds in Book 30517, Page 404; Book 30863, Page 146; and Book 31108, Page 94.
2. Layout as a public way said road shown as Quimby Lane on a Plan prepared by Christiansen & Sergi, Inc., entitled "Acceptance Plan of Quimby Lane in Amesbury MA, Scale: 1"=40', dated 10/18/2013".

3. Acquire for public purposes the fee ownership interest in the land within the layout of Quimby Lane, as described above, and authorize the Mayor to accept deeds of such land on such terms and conditions as he shall deem appropriate.
4. Accept the layout of Quimby Lane, as described above, as a public way and the easement pursuant to the Easement Agreement as recorded.
5. Authorize the Mayor to execute all documents and to take all related actions necessary or appropriate to effectuate the foregoing layout and acceptance, and land and easements acquisition.

\*\*\*\*\*



# Amesbury

PLANNING-ZONING-CONSERVATION  
Tel: (978) 388-8110  
Fax: (978) 388-6727

62 Friend Street  
Second Floor  
Amesbury, MA 01913

July 8, 2016

City Council  
AMESBURY CITY HALL  
62 Friend Street  
Amesbury, MA 01913

**SUBJECT: QUIMBY LANE STREET ACCEPTANCE**

Dear City Council:

At their duly posted Planning Board meeting on Monday, June 27, 2016 the Planning Board made the following motion regarding Quimby Lane Street Acceptance:

***First Motion by Scott Mandeville to recommend City Council to accept Quimby Lane.  
Seconded Motion by Lorri Krebs. All in favor.***

Regards,

Barbara Foley  
Permit Coordinator

c: File - Quimby Lane  
Roland Couillard, D.E.C.M., LLC, 9 Merrimac Street, Seabrook, NH 03874

D.E.C.M., LLC  
9 Merrimac Street  
Seabrook, NH 03874  
[buzmair@comcast.net](mailto:buzmair@comcast.net) (978)479-1718

April 17, 2016

Mr. Nipun Jain  
City Planner  
City of Amesbury  
62 Friend Street  
Amesbury, MA 01913

Re: Quimby Lane Acceptance

Dear Nipun:

I am in receipt of your correspondence dated 3/24/16 regarding the acceptance of Quimby Lane as a public way. You have requested a list of plans, deeds, etc. I would like to address them by item number on "Attachments".

1. Street Acceptance Plan was emailed to you on 10/23/13 by Mike Sergi in PDF Form.
2. Final As-built Plan was emailed to you on 10/2/13 by Dan O'Connell.
3. Description of Road and Easement was emailed to you on 1/4/13 by Helen Arthur. Metes and bounds are on plan.
4. Certificate of Title for road – will be forthcoming.
5. Quitclaim Deed – Attached
6.
  - a. Parcel A – Deed recorded at Book 30453, Page 379.
  - b. Parcel B – Deed recorded at Book 33011, Page 125
  - c. Certificate of compliance recorded at Book 32877, Page 392.
  - d. Easements recorded at Book 30517, Page 404, Book 30863, Page 146, Book 31108, Page 94.
  - e. Drainage Easements shown on Plan Book 429, Plan 16.
  - f. Stormwater O&M Plan recorded at Book 32749, Page 339
  - g. Open Space Use and Management Plan recorded at Book 32749, Page 339.

I am enclosing copies of all documents for your convenience. Thank you,

Very truly yours,



Buz Couillard

BC/mc  
Enc.

**MASSACHUSETTS QUITCLAIM DEED**

D.E.C.M., LLC, A Massachusetts Limited Liability Company, with its principal office located at 6 Merrimack Street, Seabrook, Rockingham County, New Hampshire

for consideration paid, and in full consideration of One Dollar

grants to the City known as the Town of Amesbury, a municipal corporation, with an office at 62 Friend Street, Amesbury, Essex County, Massachusetts

**WITH QUITCLAIM COVENANTS**

That certain parcel of land shown as Quimby Lane on an "Acceptance Plan of Quimby Lane Located in Amesbury, MA, Record Owner D.E.C.M., LLC, 9 Merrimack Street, Seabrook, NH, Date: October 18, 2013, Scale 1" = 40', Professional Engineers & Land Surveyors, Christiansen & Sergi, Inc. 160 Summer Street, Haverhill, Massachusetts 01830", said plan to be recorded with Essex South District Registry of Deeds prior hereto, for all purposes for which a public way is used.

Being a portion of the premises conveyed to D.E.C.M., LLC, by deed of Cynthia Rice Appleton dated June 2, 2011, and recorded with Essex South District Registry of Deeds at Book 30453, Page 377.

This conveyance does not constitute a sale of all of the assets of D.E.C.M., LLC.

Executed as a sealed instrument this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

D.E.C.M., LLC

By \_\_\_\_\_  
Mary Couillard, Manager

STATE OF NEW HAMPSHIRE

Rockingham, ss.

On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, before me, the undersigned Notary Public, personally appeared Mary Couillard, Manager of D.E.C.M., LLC, proved to me through satisfactory evidence of identification, which was ( ) NH driver's license or ( ) \_\_\_\_\_, to be the person whose name is signed on the within document, and who acknowledged that she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Notary Public

My commission expires:

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS

DATE: \_\_\_\_\_

APPROVAL AS A PUBLIC WAY  
AMESBURY CITY CLERK

DATE: \_\_\_\_\_

APPROVAL AS A PUBLIC WAY  
AMESBURY PLANNING BOARD

DATE: \_\_\_\_\_

### ACCEPTANCE PLAN

#### OF QUIMBY LANE

LOCATED IN  
AMESBURY, MA.

RECORD OWNER

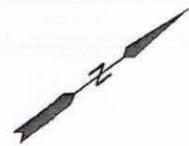
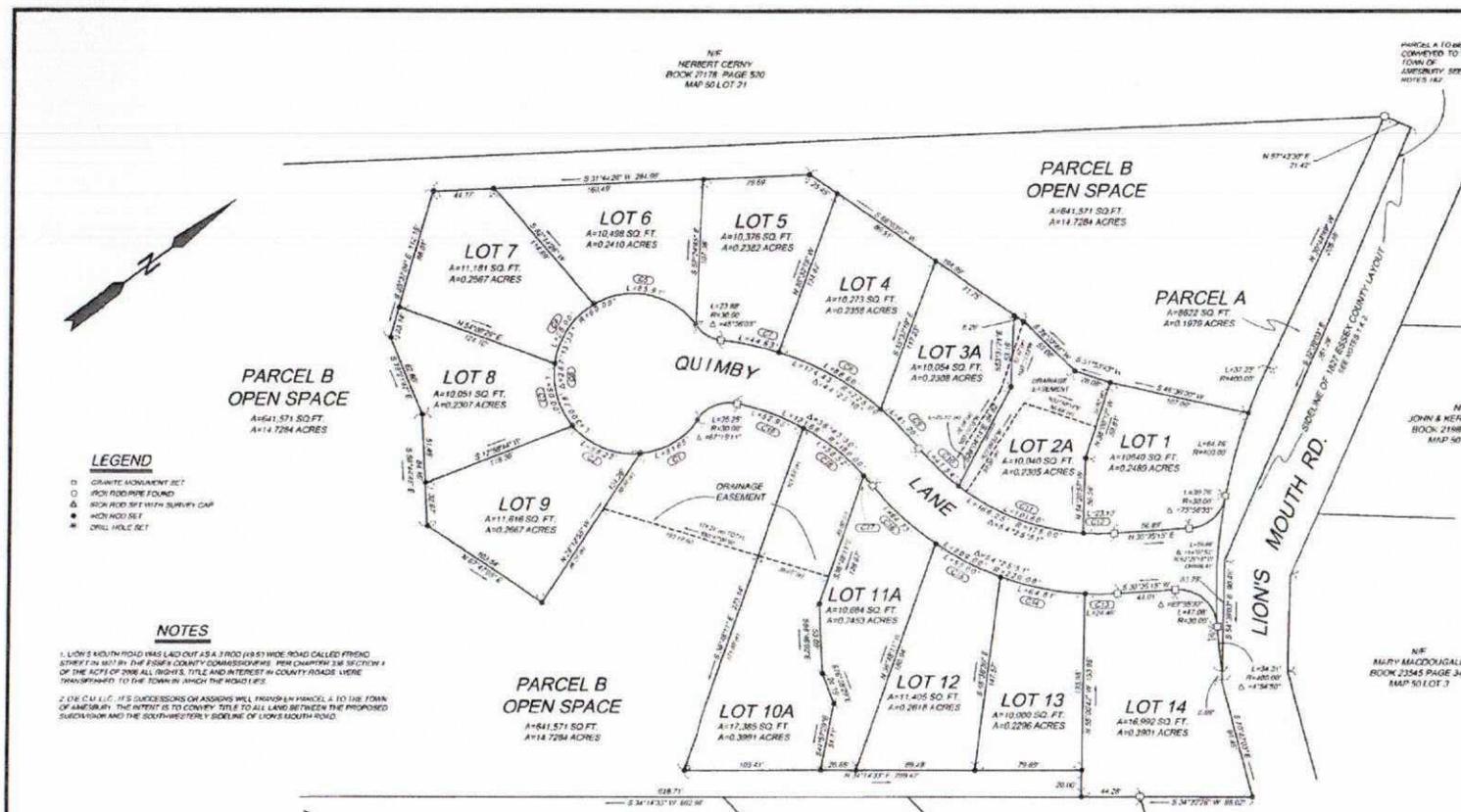
**D.E.C.M., LLC**

5 MERRIMACK STREET  
SEABROOK, MA 01932

DATE: OCTOBER 18, 2013 SCALE: 1"=40'

PROFESSIONAL ENGINEERS & LAND SURVEYORS  
**CHRISTIANSEN & SERGI, INC.**  
110 NUMBER STREET, HAVERHILL, MASSACHUSETTS 01830  
WWW.CS&SENGINEERS.COM TEL: 978-375-0210 FAX: 978-375-0661

DWG. NO. 08064\_001\_017



- LEGEND**
- CONCRETE MONUMENT SET
  - IRON ROD FOUND
  - ▲ IRON ROD SET WITH SURVEY CAP
  - IRON ROD SET
  - ⊙ DRILL HOLE SET

#### NOTES

1. LION'S MOUTH ROAD WAS Laid OUT AS A 3 ROAD (18.5) WIDE 19540 CALLED YTHRO STREET IN 1857 BY THE ESSEX COUNTY COMMISSIONERS PER CHAPTER 336 SECTION 4 OF THE ACTS OF 2006 ALL RIGHTS, TITLE AND INTEREST IN COUNTY ROADS WERE TRANSFERRED TO THE TOWN BY WHICH THE ROADS LIE.
2. IN CASE OF ANY DISCREPANCIES OR AMBIGUOUS INFORMATION HEREON, & TO THE TOWN OF AMESBURY, THE INTENT IS TO CONVEY TITLE TO ALL LAND BETWEEN THE PROPOSED SUBDIVISION AND THE SOUTH-WESTERLY BOUNDARY OF LION'S MOUTH ROAD.

#### CURVE TABLE

CURVE	CHORD BEARING	CHORD LENGTH	ARC LENGTH	ANGLE	PIVOT POINT
C1	S 89° 19' 30" W	86.00	51.83	S 63° 30' 12" W	50.00'
C2	S 62° 35' 14" W	86.00	52.25	S 14° 30' 34" W	50.00'
C3	S 72° 34' 47" W	86.00	50.80	S 72° 34' 47" E	48.25'
C4	S 73° 31' 18" W	86.00	50.90	S 73° 31' 18" E	50.00'
C5	S 63° 30' 34" W	86.00	52.25	S 63° 30' 34" W	78.75'
C6	S 67° 34' 32" W	86.00	50.70	S 67° 34' 32" E	71.19'
C7	S 71° 31' 58" W	228.00	147.83	S 48° 18' 51" W	144.00'
C8	S 75° 31' 48" W	228.00	148.00	N 61° 14' 08" E	160.00'
C9	S 72° 34' 47" W	228.00	147.80	N 67° 04' 32" E	144.14'
C10	S 73° 31' 18" W	228.00	147.85	S 73° 31' 18" W	144.43'
C11	S 63° 30' 34" W	176.00	109.60	N 61° 14' 08" E	160.12'
C12	S 67° 34' 32" W	176.00	109.60	N 67° 04' 32" E	144.19'
C13	S 71° 31' 58" W	228.00	147.83	N 61° 14' 08" E	144.00'
C14	S 75° 31' 48" W	228.00	148.00	N 61° 14' 08" E	160.00'
C15	S 72° 34' 47" W	228.00	147.80	S 69° 36' 54" W	144.14'
C16	S 73° 31' 18" W	228.00	147.85	S 73° 31' 18" W	144.43'
C17	S 63° 30' 34" W	176.00	109.60	N 61° 14' 08" E	160.12'
C18	S 67° 34' 32" W	176.00	109.60	S 67° 34' 32" E	144.19'
C19	S 71° 31' 58" W	144.00	91.88	S 64° 47' 19" W	132.00'

#### REFERENCE PLAN

1. SEE PLAN BY CHRISTIANSEN & SERGI INC. RECORDED AT THE SOUTH ESSEX REGISTERY OF DEEDS AS PLAN 14M PLAN 18.
2. SEE PLAN BY CHRISTIANSEN & SERGI INC. RECORDED AT THE SOUTH ESSEX REGISTERY OF DEEDS AS PLAN 14M PLAN 37.
3. SEE PLAN BY CHRISTIANSEN & SERGI INC. TO BE RECORDED AT THE SOUTH ESSEX REGISTERY OF DEEDS ENTITLED PLAN OF LAND PREPARED FOR CHRISTIANSEN & TANNEN & HERETON P.B. & DENISE MOORE S.

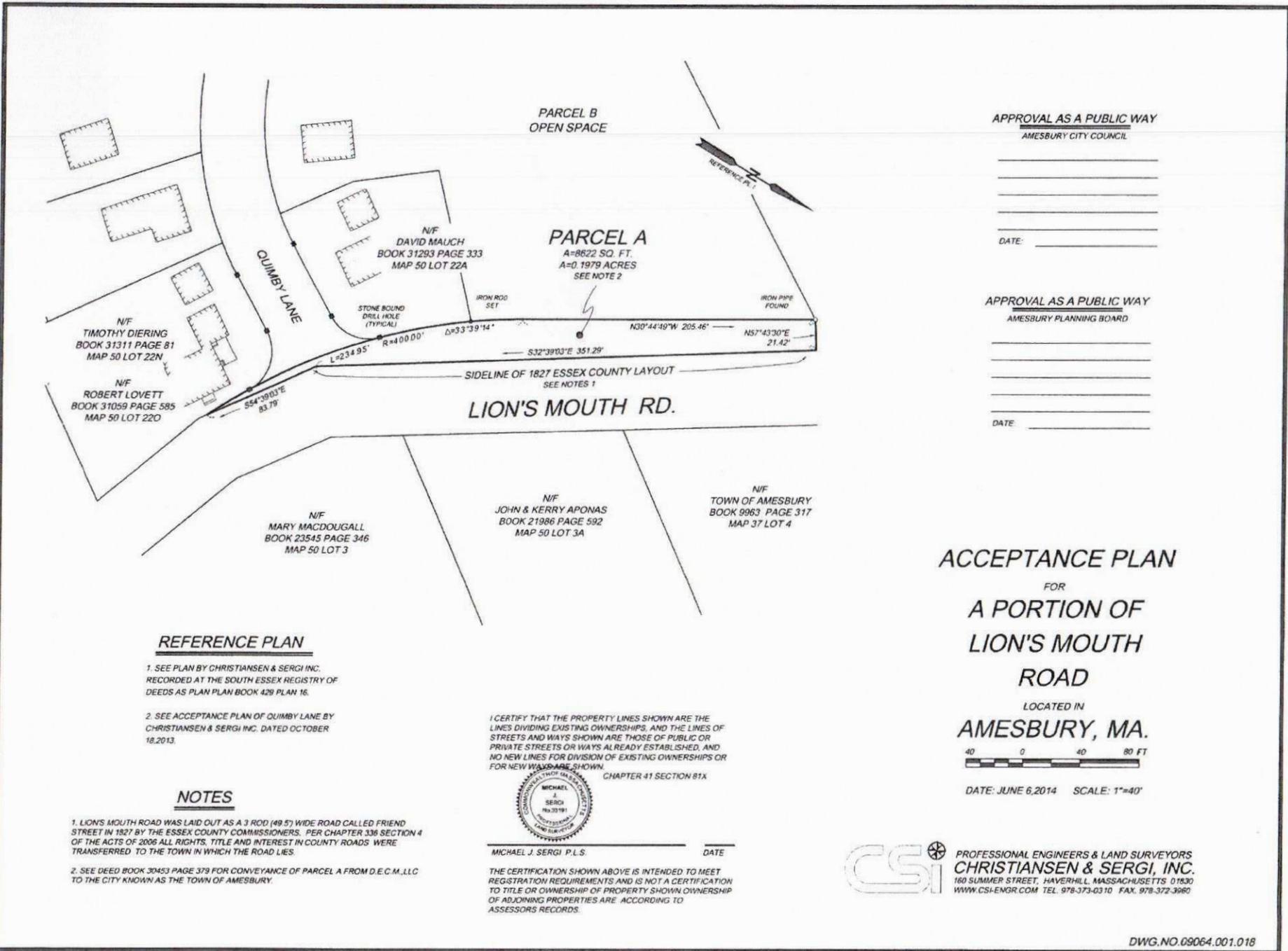
I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES INDICED EXISTING ON RECORDS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING COMMONWEALTH OR NEW WAYS ARE SHOWN.

CHAPTER 41 SECTION 61A



MICHAEL J. SERGI, P.E. DATE: \_\_\_\_\_

THE CERTIFICATION SHOWN ABOVE IS INTENDED TO MEET REGISTRATION REQUIREMENTS AND IS NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY. SHOWING OWNERSHIP OF ADJACENT PROPERTIES ARE ACCORDING TO ASSASSORS RECORDS.



APPROVAL AS A PUBLIC WAY  
AMESBURY CITY COUNCIL

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 DATE: \_\_\_\_\_

APPROVAL AS A PUBLIC WAY  
AMESBURY PLANNING BOARD

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 DATE: \_\_\_\_\_

**REFERENCE PLAN**

1. SEE PLAN BY CHRISTIANSEN & SERGI INC. RECORDED AT THE SOUTH ESSEX REGISTRY OF DEEDS AS PLAN BOOK 429 PLAN 16.
2. SEE ACCEPTANCE PLAN OF QUIMBY LANE BY CHRISTIANSEN & SERGI INC. DATED OCTOBER 18, 2013.

**NOTES**

1. LION'S MOUTH ROAD WAS LAID OUT AS A 3 ROD (49.5') WIDE ROAD CALLED FRIEND STREET IN 1827 BY THE ESSEX COUNTY COMMISSIONERS. PER CHAPTER 336 SECTION 4 OF THE ACTS OF 2006 ALL RIGHTS, TITLE AND INTEREST IN COUNTY ROADS WERE TRANSFERRED TO THE TOWN IN WHICH THE ROAD LIES.
2. SEE DEED BOOK 30453 PAGE 379 FOR CONVEYANCE OF PARCEL A FROM D.E.C.M., LLC TO THE CITY KNOWN AS THE TOWN OF AMESBURY.

I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.



MICHAEL J. SERGI P.L.S. \_\_\_\_\_ DATE \_\_\_\_\_

THE CERTIFICATION SHOWN ABOVE IS INTENDED TO MEET REGISTRATION REQUIREMENTS, AND IS NOT A CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN OWNERSHIP OF ADJOINING PROPERTIES ARE ACCORDING TO ASSESSORS RECORDS.

**ACCEPTANCE PLAN**  
 FOR  
**A PORTION OF**  
**LION'S MOUTH**  
**ROAD**  
 LOCATED IN  
**AMESBURY, MA.**



DATE: JUNE 6, 2014 SCALE: 1"=40'

**CSI** PROFESSIONAL ENGINEERS & LAND SURVEYORS  
**CHRISTIANSEN & SERGI, INC.**  
 160 SUMMER STREET, HAVERHILL, MASSACHUSETTS 01830  
 WWW.CSI-ENGR.COM TEL. 978-373-0310 FAX. 978-372-3680

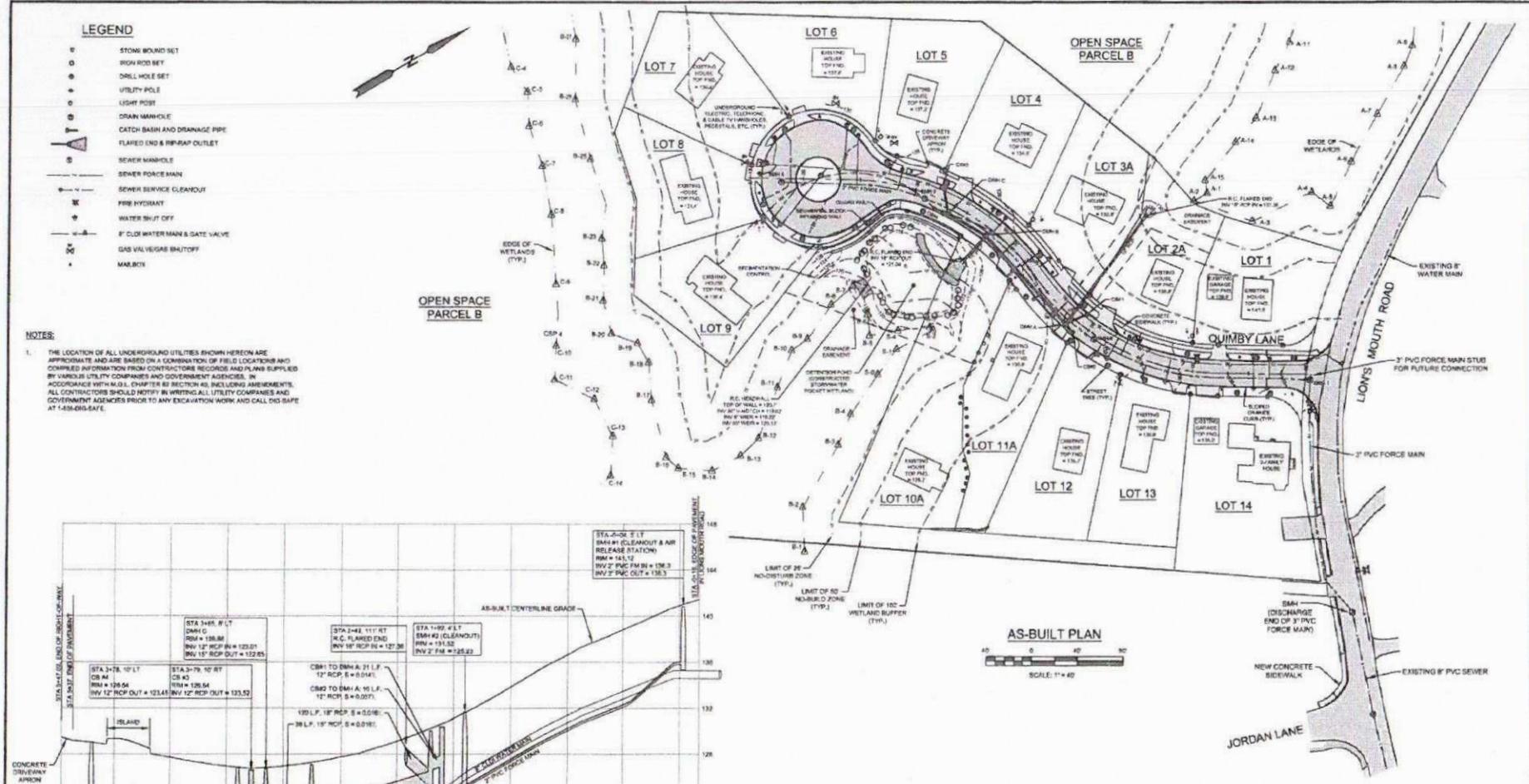
**LEGEND**

- STONE BOUND SET
- WOOD ROD SET
- DRILL HOLE SET
- UTILITY POLE
- LIGHT POLE
- DRAIN MANHOLE
- CATCH BASIN AND DRAINAGE PIPE
- FLARED END & RIB-RAP OUTLET
- SEWER MANHOLE
- SEWER FORCE MAIN
- SEWER SERVICE CLEANOUT
- FIRE HYDRANT
- WATER SHUT OFF
- 6" COLD WATER MAIN & GATE VALVE
- GAS VALVE/GAS SHUTOFF
- MAILBOX

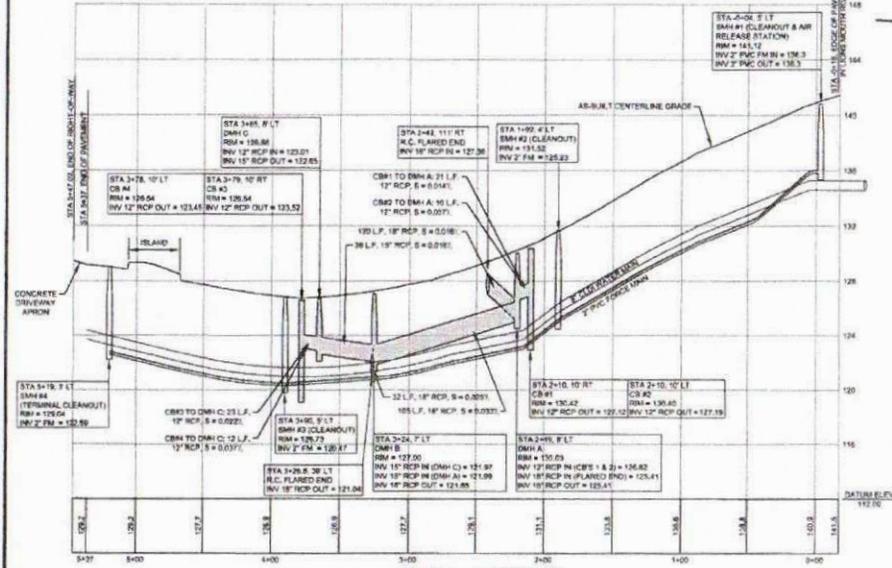


**NOTES:**

1. THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON ARE APPROXIMATE AND ARE BASED ON A COMBINATION OF FIELD LOCATIONS AND COMPILED INFORMATION FROM CONTRACTOR RECORDS AND PLANS SUPPLIED BY VARIOUS UTILITY COMPANIES AND GOVERNMENT AGENCIES. IN ACCORDANCE WITH M.G.L. CHAPTER 88 SECTION 45, INCLUDING AGREEMENTS, ALL CONTRACTORS SHOULD NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL 800-SAFE AT 1-888-684-SAFE.



**AS-BUILT PLAN**  
SCALE: 1" = 40'



**PROFILE - QUIMBY LANE**  
HORIZONTAL SCALE: 1" = 40'  
VERTICAL SCALE: 1" = 4'

I HEREBY CERTIFY THAT THE COMPLETED CONSTRUCTION CONFORMS WITH THE APPROVED SITE PLANS & CONDITIONS OF APPROVAL, INCLUDING DRAINAGE & UTILITY PLANS, & THAT THIS AS-BUILT PLAN COMPLES IN ALL SUBSTANTIVE RESPECTS WITH THE PLANNING BOARD'S DECISION & ALL OTHER APPROVALS & ORDERS ISSUED BY ANY FEDERAL, STATE, OR LOCAL AGENCY.

PHILIP G. CHRISTIANSEN DATE

PROFESSIONAL ENGINEER

PHILIP G. CHRISTIANSEN

DEP FILE #002-1029

<b>AS-BUILT PLAN</b> FOR <b>QUIMBY LANE</b> IN <b>AMESBURY, MASS.</b>		<b>AS-BUILT PLAN</b>
PREPARED FOR: D & M LLC 2 LAUREL STREET SEABROOK, MA 01974	DATE: SEPTEMBER 18, 2013 REV: 001/2013	© 2013 Christian & Sergi, Inc. SHEET 1 OF 1 PROJ NO: 0064013
<b>PROFESSIONAL ENGINEERS &amp; LAND SURVEYORS</b> <b>CHRISTIANSEN &amp; SERGI, INC.</b> 101 SUMNER STREET, HAVERHILL, MASSACHUSETTS 01830 WWW.CS-ENG.COM TEL: 978-375-0170 FAX: 978-372-9800		

**MASSACHUSETTS QUITCLAIM DEED**

ALBERT COUILLARD, a married man, of Groveland, Essex County, Massachusetts, and  
ROLAND A. COUILLARD, a married man, of Seabrook, Rockingham County, New Hampshire

for consideration paid, and in full consideration of One Dollar (\$1.00)

grant to

CITY OF AMESBURY, by and through its Conservation Commission, having an address of 62  
Friend Street, Amesbury, Essex County, Massachusetts 01913, pursuant to M.G.L. c.40, §8C

**WITH QUITCLAIM COVENANTS**

That certain parcel of land, situated in the City of Amesbury, Essex County,  
Massachusetts, and being shown as "Parcel B, Open Space," containing 641,571 square feet  
(14.7284 acres), more or less (the "Property"), on a plan of land entitled "Definitive Subdivision  
Plan for Quimby Lane Located in Amesbury, MA," dated November 15, 2010, prepared by  
Christiansen & Sergi, Inc., and recorded with the Essex South Registry of Deeds in Plan Book  
429, Plan 16 (containing 11 pp.) (the "Plan"), to which Plan reference may be had for a more  
particular description.

Reserving all rights under, and subject to, a "Drainage Easement" between Lots 9 and 10  
as shown on said Plan.

Subject to the provisions of the Planning Board Decision of the Amesbury Planning  
Board recorded with said Deeds at Book 30396, Page 198.

The Property is a non-disturbance zone in which no alteration of land or vegetation may  
occur. The Property is to be left in its natural vegetative state with no provisions for site  
alteration, including but not limited to, a prohibition on tree removal, land clearing and site  
grading, except for forestry management purposes, pedestrian access for passive recreational  
uses, as described below, storm water management maintenance or for approved agricultural  
uses. Documentation for management and maintenance of such area shall be submitted to the  
Amesbury Planning Board for review and approval. Any subsequent alterations to the size or  
use of this area shall require review and approval by the Amesbury Planning Board.

*LION'S MOUTH AMESBURY, MA*

*JSB*

*6  
E*

Public access to the Property is permitted, from Quimby Lane, upon the "Drainage Easement" located between Lot 9 and Lot 10, as shown on the Plan, along a path to be established and marked by the Conservation Commission, for pedestrian access for passive recreational purposes.

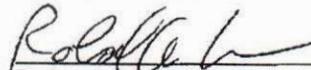
Subject to and with the benefit of easements and rights of record.

This is not homestead property.

Being those premises conveyed by deed of Cynthia Rice Appleton, dated June 2, 2011, recorded with the Essex South Registry of Deeds in Book 30456, Page 561.

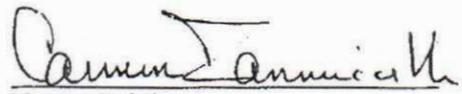
Executed as a sealed instrument this 12<sup>th</sup> day of NOV., 2013.

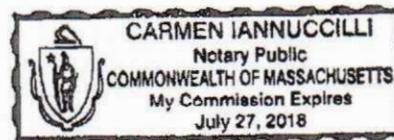
  
\_\_\_\_\_  
Albert Couillard

  
\_\_\_\_\_  
Roland A. Couillard

COMMONWEALTH OF MASSACHUSETTS  
Essex, ss.

On this 12<sup>th</sup> day of NOV., 2013, before me, the undersigned Notary Public, personally appeared Albert Couillard and Roland A. Couillard, proved to me through satisfactory evidence of identification, which were driver's licenses or ( ) \_\_\_\_\_, to be the persons whose names are signed on the within document, and who acknowledged to me that they signed it voluntarily for its stated purpose.

  
\_\_\_\_\_  
Notary Public  
My commission expires:



ACCEPTANCE OF QUITCLAIM DEED

The City of Amesbury, acting by and through its Conservation Commission, pursuant to the provisions of G.L. c. 40, § 8C, hereby accepts the foregoing Quitclaim Deed from Albert Couillard and Roland A. Couillard, on this 2<sup>nd</sup> day of December, 2013.

CITY OF AMESBURY,  
By its Conservation Commission

Mel Fick  
Steve Sawyer  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 2<sup>nd</sup> day of December, 2013, before me, the undersigned notary public, personally appeared Steven Langlais, member of the Amesbury Conservation Commission, as aforesaid, proved to me through satisfactory evidence of identification which was known to me, to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Amesbury Conservation Commission.

Joan E. Baptiste  
Notary Public  
My Commission Expires: March 18, 2016

479217/AMES/00712/0001

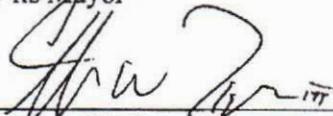


APPROVAL OF ACCEPTANCE OF DEED

The City of Amesbury, acting by and through its Mayor, pursuant to authorization of the City Council as set forth in Bill No. 2013-088, a certified copy of which is attached hereto, hereby approves the grant of the foregoing Quitclaim Deed from Albert Couillard and Roland A. Couillard to the Amesbury Conservation Commission, on this 3rd of December, 2013.

CITY OF AMESBURY,

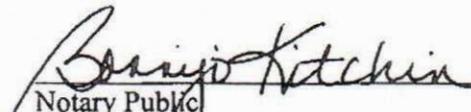
By its Mayor

  
\_\_\_\_\_  
Thatcher W. Kezer III

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this 3rd day of December, 2013, before me, the undersigned notary public, personally appeared Thatcher W. Kezer III, Mayor of the City of Amesbury, as aforesaid, proved to me through satisfactory evidence of identification which was Known to me, to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of the City of Amesbury.

  
Notary Public  
My Commission Expires:

479217/AMES/00712/0001





**CITY OF AMESBURY  
IN THE YEAR TWO THOUSAND THIRTEEN**

**Sponsored By: Thatcher W. Kezer III, Mayor      Bill No. 2013-088**

**At the meeting of the Amesbury City Council held on October 8, 2013, in the City Hall Auditorium the following action was taken:**

**An Order to request that the City Council vote to approve the grant of Quitclaim Deed to the Conservation Commission from Albert Couillard and Roland A. Couillard for Parcel B located off Quimby Lane, Amesbury and to authorize the Mayor to accept said gift of Property**

**Be it Ordained by the City Council of the City of Amesbury assembled, and by the authority of the same as follows:** the City Council hereby approves the acceptance by the Conservation Commission of a gift of property from Albert Couillard and Roland A. Couillard, for conservation purposes, a parcel of land known as Parcel B, consisting of 641,571 square feet (14.7284 acres), more or less (the "Property"), on a plan of land entitled "Definitive Subdivision Plan for Quimby Lane Located in Amesbury, MA," dated November 15, 2010, prepared by Christiansen & Sergi, Inc., and recorded with the Essex South Registry of Deeds in Plan Book 429, Plan 16 (containing 11 pp.) (the "Plan") and authorizes the Mayor to sign, on behalf of the City Council, said approval.

Councilor Robert Lavoie moved the Finance and Ordinance Committee recommendations to approve the grant of the Quitclaim Deed to the Conservation Commission from Albert Couillard and Roland A. Couillard for Parcel B located off Quimby Lane, Amesbury and to authorize the Mayor to accept said gift of property. Councilor Neale seconded.

Roll Call Vote - 8 Yes, Scorzoni, Gilday, Kelcourse, Kimball, Lavoie, McMilleon, Neale, Ferguson, 1-No, McClure

Witness my hand and seal for the City of Amesbury this 9th day of October, 2013

  
City Clerk

  
Thatcher W. Kezer III, Mayor

OCTOBER 10, 2013  
Date

3 NE

AK-4

EASEMENT AND RIGHT OF WAY

2012022300207 Bk:31108 Pg:94  
02/23/2012 11:59 AMT Pg 1/3

D.E.C.M., LLC, (hereinafter called the Grantor) owner of a certain parcel of land situated at 1-13 Quimby Lane, Amesbury, Essex County, Massachusetts 01913, in consideration of One Dollar and No/100 (\$1.00) dollar, the receipt and sufficiency of which is hereby acknowledged, hereby grant to Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont LLC, ( hereinafter called the Grantee ) of 55 Concord St, North Reading, MA. 01864, and its successors and assigns forever with quitclaim covenants, the perpetual right and easement to lay, construct, reconstruct, operate, maintain, repair, replace and remove lines for the transmission of telecommunications services, consisting of cables, wires or conducts and other such necessary facilities and equipment (hereinafter referred to as the system), across, over and on the said described property. The location of said easement to be established by the mutual consent of the Grantor and the Grantee and to become permanent by the construction and erection of said lines and made an integral part hereof.

The Grantee shall have the right to connect such system with the conduits and wires that are located, or which may be placed upon and adjacent or contiguous to said described lot. Grantor's land known as, 1-13 Quimby Lane, Amesbury, Essex County, Massachusetts, 01913 as shown on plan recorded with the Southern Essex County Registry of Deeds, Book 429 Page 16. Grantor's deed to said premises recorded at said Registry of Deeds in Book 429, Page 16.

\* 30453 - 379

The Grantee shall have the right at all reasonable times and in a reasonable manner to enter upon said property as may be reasonably necessary for the purpose of operating, maintaining, repairing, relocating, removing, and replacing said system or any part thereof. In the event the aforesaid property is excavated or disturbed in the aforementioned processes, the Grantee further agrees to restore said property to its original condition and Grantee shall be responsible for the payment or damages to property of Grantor caused by the negligence or intentional wrong doing of its employees or agents in erecting and maintaining said system, and the repairing thereof. It is agreed that the system shall remain the property of the Grantee its successor and assigns, and the Grantee shall pay all taxes assessed thereon.

Executed as a sealed instrument as of the 19<sup>th</sup> day of December, 20 11

GRANTOR:

Signature: [Signature]  
Roland Couillard

Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/  
New York/North Carolina/ Virginia/Vermont LLC.

Signature: [Signature]  
MARY Couillard

Signature: [Signature]

Signature: \_\_\_\_\_

Title: VP TECH OPS.

STATE OF Massachusetts )  
 ) ss.  
COUNTY OF Essex )

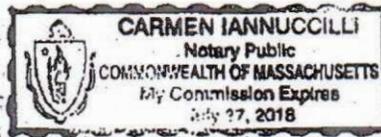
The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of December, 2011 by Roland Couillard, of Deem LLC, on behalf of the corporation. He/she is (personally known to me) or (has presented drivers license (type of identification) as identification and did/did not take an oath.

Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

(Print Name)

My commission expires: \_\_\_\_\_



STATE OF Massachusetts )  
 ) ss.  
COUNTY OF Essex )

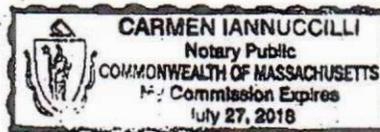
The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of December, 2011 by Mary Couillard, of Deem LLC, on behalf of the corporation. He/She is personally known to me and did not take an oath.

Witness my hand and official seal.

  
\_\_\_\_\_  
Notary Public

(Print Name)

My Commission expires: \_\_\_\_\_

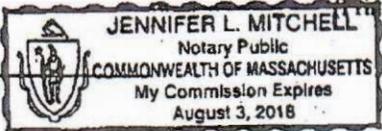


STATE OF Massachusetts )  
COUNTY OF Northern Essex ) ss.

The foregoing instrument was acknowledged before me this 15<sup>th</sup> day of February, 2012 by Joseph Guariglia of Comcast, on behalf of the corporation. He/she is (personally known to me) or (has presented \_\_\_\_\_ (type of identification) as identification and did/did not take an oath.

Witness my hand and official seal.

Jennifer L Mitchell  
Notary Public

My commission expires: \_\_\_\_\_ (Print Name)  


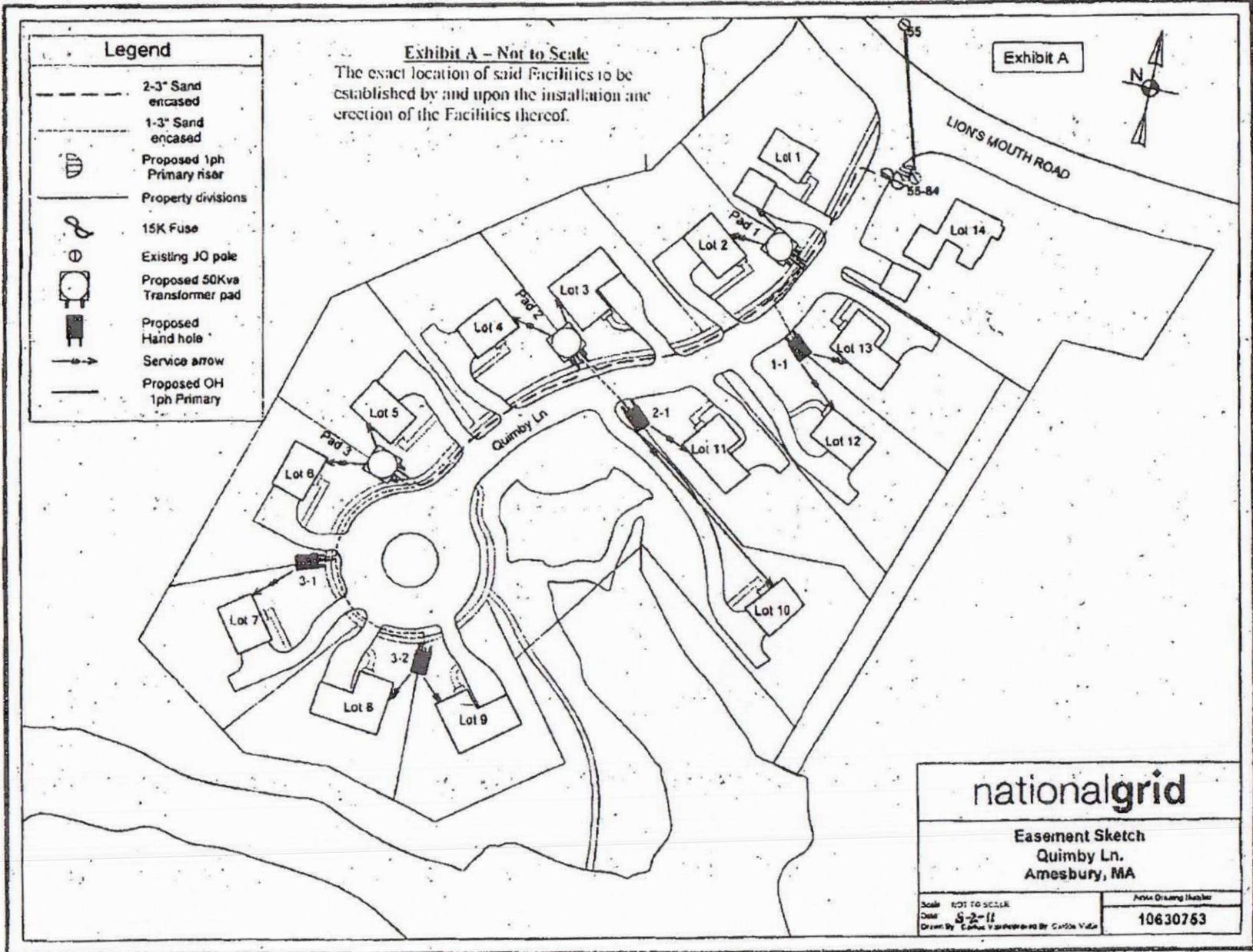
STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_, of \_\_\_\_\_, on behalf of the corporation. He/She is personally known to me and did not take an oath.

Witness my hand and official seal.

\_\_\_\_\_  
(Print Name) Notary Public

My Commission expires: \_\_\_\_\_



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07/08/2011 02:44 EMNT Pg 1/2

## EASEMENT

KNOW ALL MEN BY THESE PRESENTS that, D. E. C. M., LLC, a New Hampshire limited liability company, authorized to do business within the Commonwealth of Massachusetts with a usual place of business at 9 Merrimack Street, Seabrook, New Hampshire 03874, hereinafter referred to as "Grantor" by and through its managers, for consideration of One Dollar (\$1.00) and other good and valuable considerations paid, grant to VERIZON NEW ENGLAND INC. (Formerly known as NEW ENGLAND TELEPHONE & TELEGRAPH) and MASSACHUSETTS ELECTRIC COMPANY, hereinafter referred to as "Grantees", having their principal places of business at 125 High Street - Oliver Tower, 07 Floor, Boston, Massachusetts 02110 and 40 Sylvan Road, Waltham, Massachusetts 02451, corporations duly established by law and their successors and assigns forever with quitclaim covenants the right and easement to erect, operate, maintain, replace and remove ONE (1) POLE, with the necessary cables, wires, anchors, guys, supports and fixtures appurtenant thereto for the transmission of electricity and the transmission of intelligence and telecommunications, upon, over and across a parcel of land and a Private Way to be known as QUIMBY LANE situated on the westerly side of LION'S MOUTH ROAD on property currently known as 206 LION'S MOUTH ROAD, private way and parcel as now laid out or as may be laid out in the future in the town of AMESBURY, Essex County, Massachusetts. Said private way and parcel of land are shown as Parcel A, Lots 1-14 and Quimby Lane, on a plan entitled, "Definitive Subdivision Plan for Quimby Lane, located in Amesbury, MASS., Applicant: D.E.C.M., LLC, 9 Merrimack Street, Seabrook, NH 03874, By CSi Christiansen & Sergi, Inc., Professional Engineers & Land Surveyors, 160 Summer Street, Haverhill, Massachusetts, 01830, 978-373-0310, Dated: 11/15/10, Last Revision: 02/10/11," and recorded in Plan Book 429, Plan 16, at the Essex South District Registry of Deeds Salem, Massachusetts. Grantor grants the rights for service and lamp connections, with the right to cut down and keep trimmed all trees and bushes as the Grantees may from time to time desire, also the right and easement from time to time to renew, replace, and to otherwise change said pole and each and every part thereof and the location thereof with the right to place anchors and guys to support said pole in said private way and parcel of land and on land adjacent thereto.

D. E. C. M., LLC also grants to VERIZON NEW ENGLAND INC., its successors and assigns forever with quitclaim covenants, the perpetual right privilege and authority within said private way and parcel of land known as the "property", to lay, construct, reconstruct, operate, repair, maintain, replace and at its discretion remove the following facilities: UNDERGROUND cables, pipes, conduits, manholes, and such surface testing terminals, pedestals, repeaters, markers and other appurtenances, for the transmission of telecommunications and intelligence,

now or in the future, Fiber-To-The-Premises network facilities for the provision of communications services, including but not limited to: Fiber cables, fiber drops, fiber jumpers, fiber splice enclosures, fiber distribution hubs, fiber distribution terminals, optical network terminals, power supply units, battery backup units, inner ducts, wall plates, moldings, CAT3 and CAT5 copper cables/wires, coaxial cables/wires, jacks, interconnection devices, interface modules, optical network equipment cabinets, and associated communications equipment and facilities upon, over, under and across mutually agreed to location(s) within the property, to and within buildings constructed or to be constructed, which the undersigned owns or in which the undersigned has an interest therein as the Grantee may from time to time desire with the right to cut down and keep trimmed all trees, bushes, underbrush and growth including the foliage thereon as the Grantee may from time to time deem necessary for the safe operation of said lines.

The Grantee shall have the right to connect such conduits, manholes, cables and wires with the poles, conduits, cables and wires which are located or which may be placed in parcels of land, private, public ways or streets within, adjacent or contiguous to the aforesaid premises. Permission is herein granted to enter said property and premises for all the above purposes.

For Grantors Title see Book 30456, Page 561.

By signing this easement, Mary Couillard and Roland Couillard, certify that they are signing in the name of D. E. C. M., LLC, and that they are the incumbent managers and are empowered to grant the within easement on the terms and conditions stated herein.

IN WITNESS WHEREOF, the said D. E. C. M., LLC, has caused these presents to be signed and its seal to be hereto affixed by and through its managers, thereon duly authorized: this 21<sup>st</sup> day of June, 2011.

D. E. C. M., LLC  
By Mary Couillard  
Mary Couillard, Manager  
By Roland Couillard  
Roland Couillard, Manager

Commonwealth of Massachusetts

County of Essex

On this the 21<sup>st</sup> day of June, 2011, before me, the undersigned Notary Public, personally appeared Mary C. Couillard, Roland Couillard, manager(s) of D. E. C. M., LLC, and proved to me through satisfactory evidence of identity, which was/were driver licenses to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.



Carmen Iannucci  
Signature of Notary Public  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires August 18, 2011  
CARMEN IANNUCILLI  
Printed Name of Notary

Place Notary Seal and/or any Stamp Above

My Commission Expires: AUGUST 18, 2011

9ADV7M  
9ADQSN

Mail To: Robert Grassia, Manager - ROW, Verizon, 28 Diana Lane, Dracut, Ma. 01826

2 JULY

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06/08/2011 10:49 DEED Pg 1/2

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**MASSACHUSETTS QUITCLAIM DEED**

D.E.C.M., LLC, A Massachusetts Limited Liability Company, with its principal office located at 6 Merrimack Street, Seabrook, Rockingham County, New Hampshire

for consideration paid, and in full consideration of One Dollar

grants to the City known as the Town of Amesbury, a municipal corporation, with an office at 62 Friend Street, Amesbury, Essex County, Massachusetts

**WITH QUITCLAIM COVENANTS**

A certain parcel of land located off Lions's Mouth Road in the Town of Amesbury, Essex County, Massachusetts, and being shown as "Parcel A", containing 8,622 square feet, .1979 acres on a "Definitive Subdivision Plan for Quimby Lane Located in Amesbury, Mass., Record Owner: Margaret S. Rice Life Estate, c/o Cynthia Rice Appleton, 3 Storeybrook Dr., Newburyport, MA 01950, Applicant: D.E.C.M. LLC, 9 Merrimack Street, Seabrook, NH 03874, Date: 11/15/10, Revisions: 2/4/11, 2/10/11, Professional Engineers & Land Surveyors, Christiansen & Sergi, Inc. 160 Summer Street, Haverhill, Massachusetts 01830", said Parcel being more particularly bounded and described as shown on said plan.

Being a portion of the premises conveyed to D.E.C.M., LLC, by deed of Cynthia Rice Appleton dated June 2, 2011, and recorded with Essex South District Registry of Deeds prior hereto.

Executed as a sealed instrument this 2nd day of June, 2011.

D.E.C.M., LLC

By Mary Couillard, Manager  
Mary Couillard, Manager

Property Address: 206 Lion's Mouth Road, Amesbury, MA

*[Handwritten initials]*

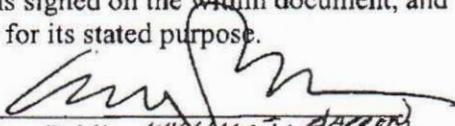
**ATTORNEYS  
AT LAW**

LAFLAMME, BARRON & CHABOT  
978/921-4737

114 KENOZA AVENUE, HAVERHILL, MA 01830

COMMONWEALTH OF MASSACHUSETTS  
Essex, ss.

On this 2nd day of June, 2011, before me, the undersigned Notary Public, personally appeared Mary Couillard, Manager of D.E.C.M., LLC, proved to me through satisfactory evidence of identification, which was () Mass. driver's license or () \_\_\_\_\_, to be the person whose name is signed on the within document, and who acknowledged that she signed it voluntarily for its stated purpose.

  
Notary Public *WILLIAM T. GARCON*

My commission expires: 11/23/12



May 17, 2016

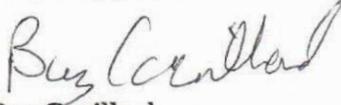
Mayor Ken Gray  
City of Amesbury  
City Hall  
62 Friend Street  
Amesbury, MA 01913

Re: Quimby Lane

Dear Mayor Gray:

This letter will serve as a formal request for the City of Amesbury to accept Quimby Lane as a City street.

Very truly yours,

  
Buz Couillard

BC/mc