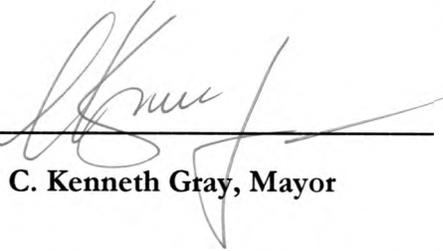




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AMESBURY CITY CLERK

CITY OF AMESBURY
IN THE YEAR TWO THOUSAND SEVENTEEN

Sponsored By: _____


C. Kenneth Gray, Mayor

Bill No. _____

2017-102

An Ordinance to request that the City Council vote to approve the grant of Quitclaim Deed to the Conservation Commission from **Richard Saba, Trustee of Amanda Lane Realty Trust** for four (4) certain parcels of land, located off Point Shore Meadows, Amesbury and to authorize the Mayor to accept said gift of Property.

Summary: This Ordinance will accept the Quitclaim Deed from **Richard Saba, Trustee of Amanda Lane Realty Trust**, for four (4) certain parcels of land, situated in the City of Amesbury, Essex County, Massachusetts, and being shown as **Parcel B (containing 293,405 +/- square feet), Parcel C (containing 30,373 +/- square feet), Parcel D (containing 18,421 +/- square feet), and Parcel E (containing 27,808 +/- square feet), (the "Property")**, on a plan of land entitled, "Definitive Cluster Subdivision Plan, Point Shore Meadows, Assessor's Map 91 parcels 18 & 17A, prepared for Amanda Lane Realty Trust, 1 Riverview Blvd., Methuen, MA 01844, Dated June 30, 2014, Revised to August 25, 2014", and recorded with the Essex South Registry of Deeds in Plan Book 445, Plan 100 (the "Plan").

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

That the City Council approve the acceptance by the Conservation Commission of a gift of property from **Richard Saba, Trustee of Amanda Lane Realty Trust**, for conservation purposes, four (4) certain parcels of land, situated in the City of Amesbury, Essex County, Massachusetts, and being shown as **Parcel B (containing 293,405 +/- square feet), Parcel C (containing 30,373 +/- square feet), Parcel D (containing 18,421 +/- square feet), and Parcel E (containing 27,808 +/- square feet), (the "Property")**, on a plan of land entitled, "Definitive Cluster Subdivision Plan, Point Shore Meadows, Assessor's Map 91 parcels 18 & 17A, prepared for Amanda Lane Realty Trust, 1 Riverview Blvd., Methuen, MA 01844, Dated June 30, 2014, Revised to August 25, 2014", and recorded with the Essex South Registry of Deeds in Plan Book 445, Plan 100 (the "Plan") and authorize the Mayor to sign, on behalf of the City Council, said approval.

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September 18, 2017

To: **CITY OF AMESBURY**
c/o **Nipun Jain, Director of Planning**
62 Friend Street
Amesbury, MA 01913

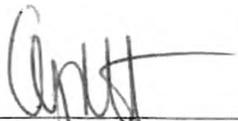
Re: *Point Shore Meadows* Real Estate development by **Amanda Lane Realty Trust**
(Richard Saba, Trustee)

As counsel for the above-referenced developer, I hereby submit this formal request that the City of Amesbury accept the transfer of the open space parcels identified in the Plan which has been approved by the City's Planning Board. Each and all of these open space parcels are duly referenced in the accompanying proposed Deed, the form of which has also been approved by the Planning Board after consultation with its legal counsel, Attorney Katharine L. Klein of *K P / Law* (formerly, *Kopelman & Paige*).

Upon confirmation that the City agrees to accept the conveyance by my client of all of the respective parcels identified in such proposed Deed, my client will promptly execute and deliver the instrument, along with a duly executed Trustee Certificate, for recording at the Essex County South District Registry of Deeds.

Please do not hesitate to contact me if there are any questions or concerns regarding the above.

Thank you.



Armand M. Hyatt

Enclosure, as indicated

MASSACHUSETTS QUITCLAIM DEED

I, **RICHARD SABA, Trustee of Amanda Lane Realty Trust**, u/d/t September 18, 2013, with an address of 1 Riverview Boulevard, Methuen, Massachusetts 01844, as evidenced by a Trustee Certificate to be recorded herewith, for consideration of One Dollar (\$1.00) paid,

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

WITH QUITCLAIM COVENANTS

Four (4) certain parcels of land, situated in the City of Amesbury, Essex County, Massachusetts, and being shown as ***Parcel B (containing 293,405 +/- square feet), Parcel C (containing 30,373 +/- square feet), Parcel D (containing 18,420 +/- square feet), and Parcel E (containing 27,808 +/- square feet)***, (the "Property"), on a plan of land entitled, "Definitive Cluster Subdivision Plan, Point Shore Meadows, Assessor's Map 91 Parcels 18 & 17A, Prepared for Amanda Lane Realty Trust, 1 Riverview Blvd., Methuen, MA 01844, Dated June 30, 2014, Revised to August 25, 2014" (Sheet 1), and recorded with the Essex South Registry of Deeds in Plan Book 445, Plan 100 (the "Plan").

Reserving all rights under, and subject to a "Drainage Easement" on Parcels B, as shown on said Plan.

Subject to the provisions of the Decision of the Amesbury Planning Board recorded with said Deeds at Book 33599 Page 373 and the Order of Conditions recorded with said Deeds at Book 33715 Page 416.

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 the improvements shown on the referenced Plans to be made by Amanda Lane Realty Trust in accordance with the Planning Board Decision, 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 the Property shall be submitted to the Amesbury Planning Board for review and approval. Any subsequent alterations to the size or use of the Property shall require review and approval by the Amesbury Planning Board.

Also granting an access easement to the public upon the roads located within the Point Shore Meadows Subdivision, and as shown on the Plan to the Property and upon the "Drainage Easement" located between Lots 5 and 6 and Lots 11 and 12, as shown the Plan, and along a path to be established by Amanda Lane Realty Trust as approved by the Conservation Commission, for pedestrian access for passive recreational purposes.

Subject to and with the benefit of easements and rights of record as shown on said Plan.

Subject to the restrictive covenants recorded as a condition of the Planning Board approval.

THIS IS NOT HOMESTEAD PROPERTY.

Being a portion of the premises conveyed to Amanda Lane Realty Trust by two (2) separate deeds, one (1) deed being from Mary E. Cherbinis dated December 2, 2014 and recorded at said Deeds on December 4, 2014 in Book 33715, Page 412, and the other deed being from Kimberly Brown, dated December 1, 2014 and recorded in said Deeds on December 4, 2014 in Book 33715, Page 403.

Executed as a sealed instrument this _____ day of _____, 2014.

AMANDA LANE REALTY TRUST

By:

Richard Saba, Trustee of the
Amanda Lane Realty Trust

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this 23rd day of November, 2016, before me, the undersigned notary public, personally appeared the above named Richard Saba, Trustee of Amanda Lane Realty Trust, and proved to me through satisfactory evidence of identification, which was a Massachusetts driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he 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, section 80C, hereby accepts the foregoing Quitclaim Deed from Amanda Lane Realty Trust, on _____.

CITY OF AMESBURY
By its Conservation Commission,

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this _____ day of _____, 201 , before me, the undersigned notary public, personally appeared the above named _____, member of the Amesbury Conservation Commission, as aforesaid, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose on behalf of the Amesbury Conservation Commission.

Notary Public
My Commission Expires:

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. _____, a certified copy of which is attached hereto, hereby approves the grant of the foregoing Quitclaim Deed from Amanda Lane Realty Trust to the Amesbury Conservation Commission, on this _____ day of _____, 201 .

**CITY OF AMESBURY,
By its Mayor,**

COMMONWEALTH OF MASSACHUSETTS

ESSEX, ss

On this _____ day of _____, 201 , before me, the undersigned notary public, personally appeared the above named Ken Gray, Mayor of the City of Amesbury, as aforesaid, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached 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: