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AMESBURY CITY CLERK

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

SPONSORED BY:


C. Kenneth Gray, Mayor

BILL No. 2017-104

An Order to: To Authorize the Mayor to Enter into an Agreement with the Massachusetts Department of Transportation to Acquire a Portion of Land Located off of Elm Street, abutting Interstate 95, for General Municipal Purposes and for the Purpose of Disposition.

Summary: The City Council shall vote to authorize the Mayor to acquire from the Massachusetts Department of Transportation a portion of land located off of Elm Street, abutting Interstate 95, for general municipal purposes and the purpose of disposition, and to dispose of such property pursuant to the provisions of Massachusetts General Laws Chapter 30B, Section 16 for the benefit of economic development within the City.

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

Whereas, the Massachusetts Department of Transportation ("MassDOT") owns a certain parcel of property (the "Property") located off of Elm Street, abutting Interstate 95, in the City (not listed with the City Assessor's Office as an independent parcel), containing approximately twenty-nine thousand (29,000 ±) square feet of land included within Layout Number 4039 recorded with the Essex South Registry of Deeds (the "Registry of Deeds") in Book 393, Page 250, as altered by Layout Number 5551 recorded with the Registry of Deeds in Book 5343, Page 474; and

Whereas, the Property represents a parcel that is no longer needed for highway purposes and has been declared surplus by the MassDOT Acting Highway Administrator on September 15, 2017; and

Whereas, MassDOT is agreeable to entering into an agreement with the City for the sale of the Property to the City subject to specific conditions, including the retention of an easement to construct, maintain, and use a pedestrian/bicycle path thereon; and

Whereas, the Mayor seeks to acquire the Property for the general benefit of the City, in particular with respect to the economic development of the area within which the Property is located; and

Whereas, such economic development opportunities would benefit from the acquisition of the Property by the City and its subsequent disposition in accordance with the requirements of G.L. c. 30B, §16.

Now, therefore, the City Council votes, pursuant to the provisions of G.L. c. 40, §4A, to authorize the Mayor to enter into an agreement with MassDOT for the acquisition of the Property; and further authorizes the Mayor to acquire the Property pursuant to the provisions of G.L. c. 40, §14, for general municipal purposes and the purpose of disposition;

And further, to authorize the Mayor to dispose of the Property in accordance with the requirements of G.L. c. 30B, §16;

And further, to authorize the Mayor to execute any and all documents and take any and all actions reasonably necessary to effectuate the purposes of this Order in the best interest of the City.