



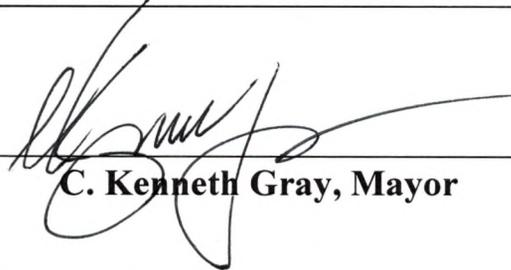
CITY OF AMESBURY  
IN THE YEAR TWO THOUSAND EIGHTEEN

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AMESBURY CITY CLERK

SPONSORED BY:

  
C. Kenneth Gray, Mayor

BILL No. 2018-064

**An Order** to appropriate \$183,000 from Receipts Reserved from Real Estate Proceeds (4193) for the purchase of portions of land located off of Elm Street, abutting Interstate 95, for general municipal purposes and for the purpose of disposition.

**Summary:** This order proposes to appropriate \$183,000 from Receipts Reserved from Real Estate Proceeds (4193) for the purchase of approximately 1.37 acres of land located off of Elm Street, abutting Interstate 95, for general municipal purposes and for the purpose of disposition. The land is currently owned by the Massachusetts Department of Transportation.

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

That \$183,000 is hereby appropriated from Receipts Reserved from Real Estate Proceeds (4193) for the purchase of portions of land located off of Elm Street, abutting Interstate 95, for general municipal purposes and for the purpose of disposition.



# Amesbury

William Scott  
Director Office of Community Development  
City Hall, 62 Friend Street  
Amesbury, MA 01913-2884

(978) 388-8110 - 313  
scottw@amesburyma.gov

## Memorandum

To: Mayor Gray  
From: William Scott  
RE: MassDOT Property at Elm and Macy  
Date: August 31, 2018

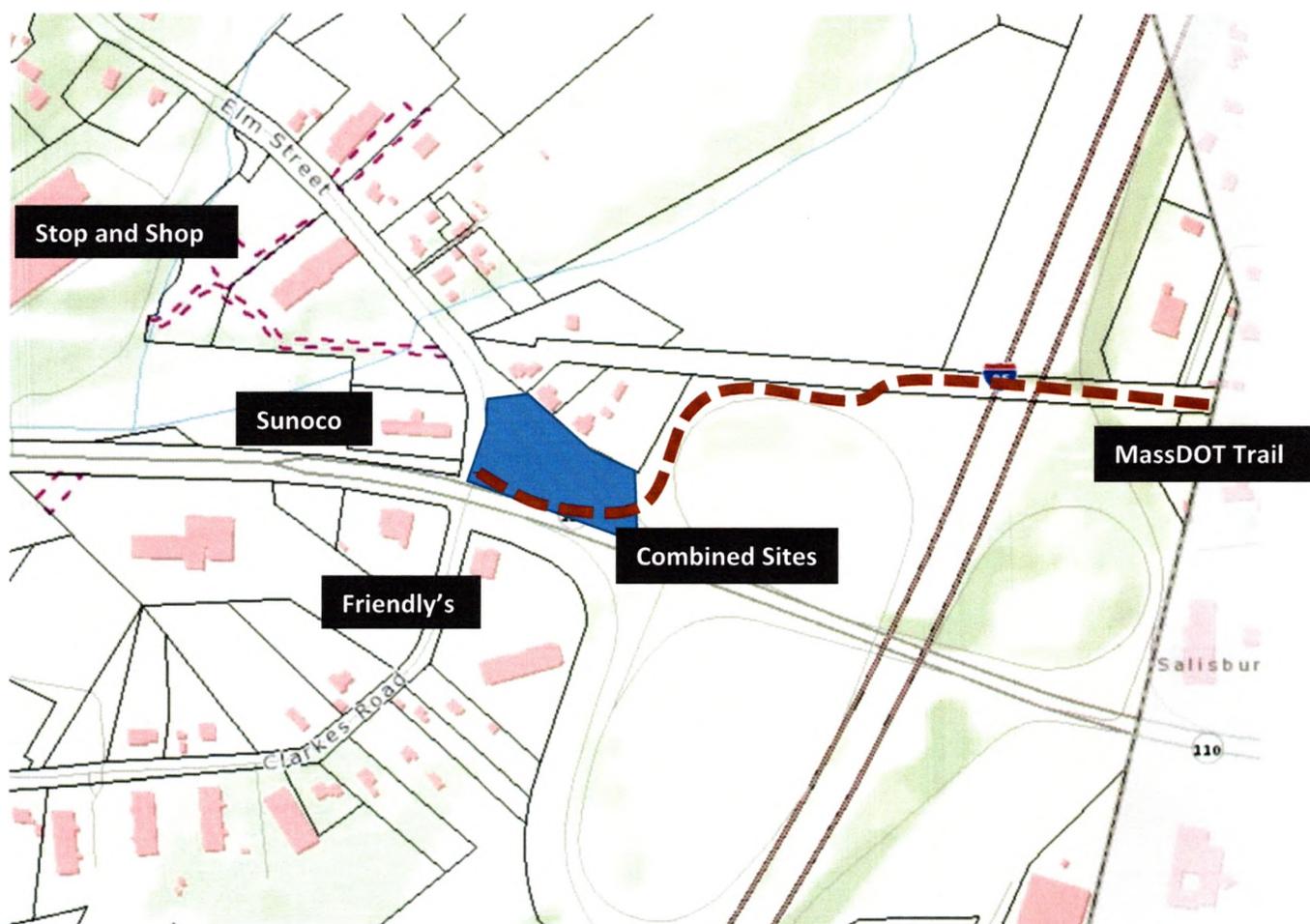
The collection of properties at the corner of Macy and Elm, both in the ownership of MassDOT and privately, have been at the forefront of possibilities as assets for economic development. These properties collectively have not been available to create greater opportunity necessary to attract a higher and better use. Individually the sites have only been considered for small retail opportunities. The unique and challenging aspect has been the integration of MassDOT properties and plans into a cohesive approach that creates dynamic growth potential. This involves the following three basic steps as they relate to the MassDOT and City Council:

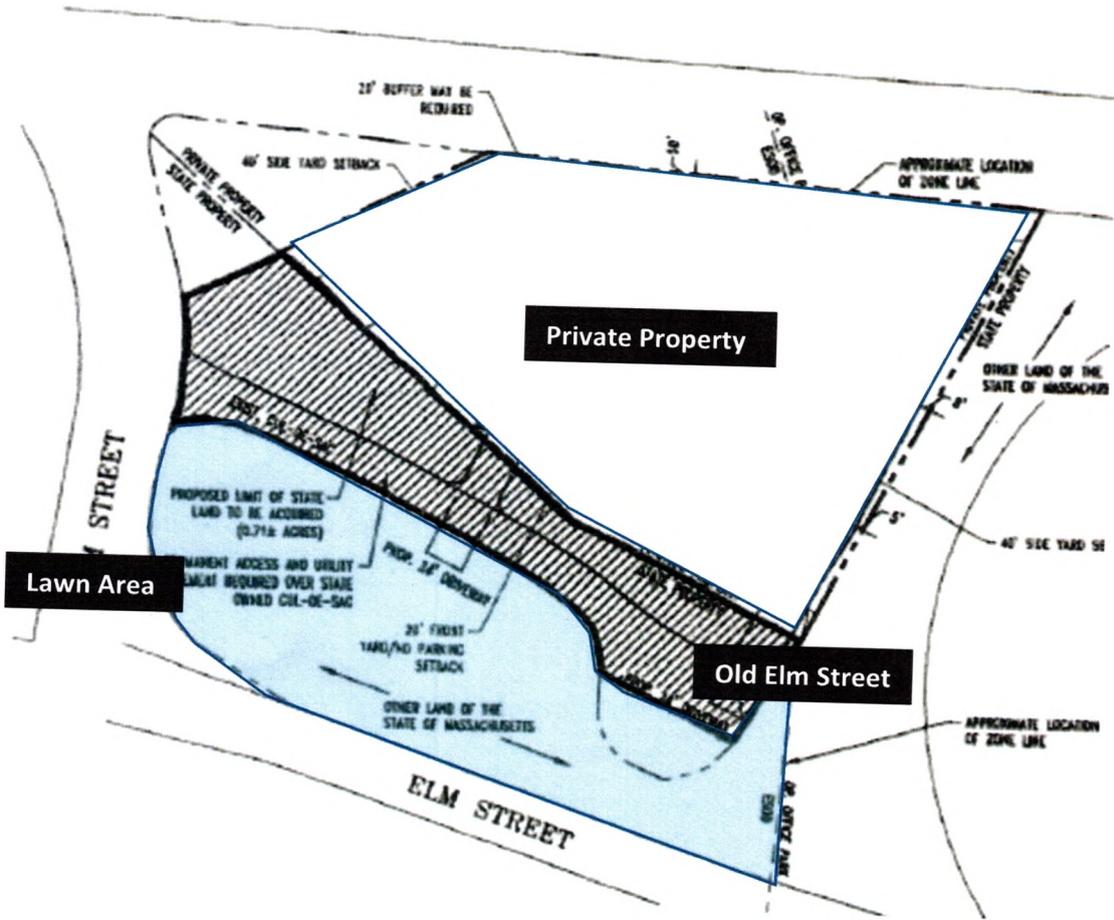
1. MassDOT Trail Plans: We have made considerable inroads in planning economic growth within the window of the trail plans, and will work with prospective developers to facilitate the trail plans via site restrictions.
2. Disposition of the "Lawn Area": The release of the Lawn area for disposition has already occurred by a City Council Order number 2017-104. MassDOT has already authorized the grant of the area to the City. The next step is raising and appropriating the funds, as outlined in the attached MassDOT correspondence, to purchase the property. In this regard, the attached Order regarding authorization of funds will address the matter.
3. Surplus and Disposition of "Old Elm Street": This step would have been more efficient together with the disposition of the "Lawn"; however, the timing of the release by MassDOT was not commensurate with the availability of the "Lawn" property. Given that Old Elm Street is a public roadway, there are more issues to address. While the "Lawn" property was released on December 12, 2017, the Old Elm Street property is now beginning that release process. There is no anticipated cost for the Old Elm Street land, therefore there will be no appropriation request at this time.

While the above separate steps make a more complex project that is the nature of dispositions across multiple parcels with State agencies. Given the complexity, we cannot speak more highly of MassDOT and their cooperation to facilitate this complex process toward achieving economic development objectives. Rather than waiting until all of the issues with each property were addressed, we wanted to take action on each item as they occurred to facilitate forward momentum and not move backwards in the process. Towards that end, the two orders currently before the City Council will wrap-up the MassDOT parcels so we can begin to create the combined parcel opportunities that will lead to a more optimum site for economic development.

As we get closer to a solution for all of the properties, we anticipate that more information on the total coordination outcomes will be available by the Finance Committee meeting.

## Locus Plan Combined Sites





- The Lawn Property in blue
- Old Elm in stripes

Property lines in photo are an approximation.





CITY OF AMESBURY  
IN THE YEAR TWO THOUSAND SEVENTEEN

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**SPONSORED BY:** C. Kenneth Gray, Mayor    **BILL No.** 2017-104

At the meeting of the Amesbury City Council held on December 12, 2017 in the City Hall Auditorium the following action was taken:

**An Order** 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.

Councilor Jonathan Sherwood motioned to accept 2017-104 as presented. Councilor Donna McClure seconded. A roll call vote was taken and it was unanimous.

Witness my hand and seal for the City of Amesbury this 14<sup>th</sup> day of December, 2017

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
Mayor

12/15/17  
\_\_\_\_\_  
Date