



RECEIVED
CITY CLERK

2022 APR -4 P 2:48

CITY OF AMESBURY
IN THE YEAR TWO THOUSAND TWENTY-TWO

CITY OF AMESBURY, MA

SPONSORED BY: *Kassandra Gove* **BILL No. 2022-045**
Kassandra Gove, Mayor

An Order to establish an *Amesbury Street Acceptance Process*.

Summary: When the City approves a subdivision, the roads in the subdivision are commonly accepted by the City. Until now, the City has been using an informal process to guide us in acceptance of streets, ^{that} and has been shepherded by various departments. This proposed process outlines the specific steps, departments involved and conditions that need to be met before the City Council accepts new streets into the municipal road infrastructure.

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

That the City of Amesbury establish the *Amesbury Street Acceptance Process*.

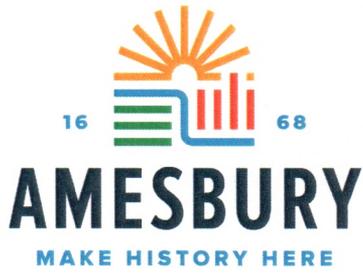
The purpose of this document is to outline the procedures to be followed by those applicants wishing to submit subdivision streets to the City of Amesbury for acceptance by the Amesbury City Council.

It is imperative that applicants, attorneys, and engineers review, understand and follow these procedures, especially the documents required, in order to eliminate confusion and delay to all parties.

Final approval of the Form C plan does not constitute the laying out or acceptance by the City of a street within a subdivision, nor does it entitle the street to such acceptance. Only the City Council has the authority to lay out and accept public ways. Street acceptances within a subdivision are the financial and legal responsibility of the applicant.

CONDITIONS TO BE MET **PRIOR TO SUBMITTING A REQUEST FOR STREET ACCEPTANCE**

1. All subdivision improvements shall have been installed and inspected according to the recorded approved plans and decisions of the Planning Board and any Order(s) of Conditions of the Conservation Commission.
2. A certified as-built plan showing all site features, improvements, and infrastructure must be submitted to the Planning Board. Upon receipt by the Planning Board, the Board will request an inspection by the Department of Public Works and the Fire Department. These Departments shall inspect all assets to be acquired by the City and report any deficiencies to the Planning Board. All improvements shall be in like new condition and have been maintained according to the applicable operation and maintenance procedures.
3. A Certificate(s) of Compliance from the Conservation Commission, if applicable, must be obtained and recorded with the Registry of Deeds.
4. Any fines and costs associated with emergency snow plowing, trash pickup service, or any other municipal service assessed by the City on the subdivision street(s) prior to street acceptance shall be paid in full as per latest schedule established by the Department of Public Works.
5. All property taxes owed to the City for the Open Space lot(s), if any, must be paid before the City will recommend the street for acceptance. Proof of this payment



CITY OF AMESBURY
STREET ACCEPTANCE PROCEDURES

must be provided by the applicant to the Planning Department by a receipt from the Treasurer's Office.

6. Upon a determination that these Conditions have been met, the applicant may petition the Mayor for Street Acceptance.

STREET ACCEPTANCE PROCEDURE

1. Upon meeting the Conditions outlined above, the applicant shall submit to the Mayor's Office all required documents and materials as outlined in *Attachment A-Street Acceptance Documentation*.
2. The documents shall be reviewed by the Department of Public Works and the City Solicitor. Any deficiencies shall be reported to the Mayor's Office and the applicant. Inaccurate or incomplete documents shall be returned to the applicant for revisions.
3. Revised documents and additional information, if requested, should be submitted to the Mayor's Office. One (1) copy of revised documents or additional information shall also be sent to the Planning Department.
4. Once all documents have been approved, the applicant shall be notified and shall then provide the Mayor's Office final documents including mylars.
5. The Mayor shall, as deemed appropriate, sponsor a bill for street acceptance before the City Council.
6. The City Clerk shall send out notices to all landowners whose property will be acquired and appropriate abutter notices to all parties in the submitted list (see Attachment A #1)
7. The bill shall then be acted upon in accordance with the Rules and Procedures of the City Council for action on a bill.
8. Upon approval and endorsement by the City Council, the applicant shall obtain signatures of all parties on the Quitclaim Deeds and the subordinations and releases from mortgagees and submit these to the Mayor's Office.
9. The City Solicitor shall cause all necessary documents to be recorded at the Registry of Deeds, at the cost of the applicant.



CITY OF AMESBURY
STREET ACCEPTANCE PROCEDURES

Attachment A

STREET ACCEPTANCE DOCUMENTATION

The applicant shall submit the following documents and materials to the Mayor's Office with the petition seeking acceptance of the street:

1. Name and addresses of each property owner and mortgagee having rights or interests in the streets, easements, and open space, and the names and addresses of each abutter thereto.
2. A Letter of Request for a Public Hearing by the City Council for Street Acceptance pursuant to Massachusetts General Laws, Chapter 82, Section 22.
3. Memoranda from Department of Public Works and Fire Department to the Planning Board stating the infrastructure to be acquired by the City is in satisfactory condition.
4. Copy of the stone bound certification.
5. Mylar of as-built plans showing the street or streets and parcels to be accepted.
6. Mylar of the layout plans (not to be confused with the as-built plans) showing the streets, all appurtenant easements and open spaces by metes and bounds certified by a registered land surveyor. The City Council and the Planning Board will endorse the layout plans, therefore a signature block must be provided for each of them to endorse the plans.
7. A copy of the recorded Certificate(s) of Compliance including any conditions imposed on the street.
8. Quitclaim Deed running to the "City of Amesbury" for the street and all easements which are not a part of the street or streets (drainage, sewer, water).
9. Quitclaim Deed for the "open space" parcels (if applicable) running to the "City of Amesbury" in a form acceptable to the Planning Board.
10. Subordinations and/or releases from all mortgagees or lienholders with an interest in the street, appurtenant easements and/or open space parcels.



CITY OF AMESBURY
STREET ACCEPTANCE PROCEDURES

11. Certificate(s) of title signed by the applicant's attorney certifying title to the street, easements and open space parcels.

C. SPECIAL REQUIREMENTS

For streets and ways within a subdivision of land, title to which or any portion of which has been registered under Massachusetts General Laws, Chapter 185 by the Land Court, the applicant shall submit to the Board an easement reading the following: "an easement running to the 'City of Amesbury' for all purposes of a public way or street including the right to install, repair, maintain, alter, and operate sanitary sewerage, drainage, water lines and other appurtenant utilities in, into, upon, over, or across said land as shown on Land Court Plan No. (sheets) filed in the Essex South District Registry of the Land Court in Land Court Book No. _____, drawn by _____, dated _____, as modified and approved by the Land Court, filed in the Essex South District Registry of the Land Court, a copy of which is filed with Certificate of Title No. _____."