



CITY OF AMESBURY
IN THE YEAR TWO THOUSAND TWENTY-THREE

SPONSORED BY: Kassandra Gove **BILL No. 2023- 111**
Kassandra Gove, Mayor

An Order to: Lay Out and Accept Point Shore Drive and Point Shore Overlook as Public Ways

Summary: The City Council shall lay out and accept Point Shore Drive and Point Shore Overlook as public ways.

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

The City Council of the City of Amesbury, acting pursuant to G.L. c. 82, §§21 - 24, having deemed that common convenience and necessity require the layout as public ways of Point Shore Drive and Point Shore Overlook, hereby lays out and accepts Point Shore Drive and Point Shore Overlook as public ways, all as shown on a plan entitled "Street Acceptance Plan Point Shore Meadows Prepared for Amanda Lane Realty Trust," dated September 21, 2023, prepared by Ranger Engineering Group, Inc., which plan was referred to the Planning Board and which plan is hereby adopted as a part of this Order, and all land lying within the layout of Point Shore Drive and Point Shore Overlook is hereby laid out and accepted as public ways; and further votes to accept four drainage easements located upon "Open Space Parcel A," "Open Space Parcel B," Lots 5 and 6, and Lots 11 and 12, all as shown on the aforementioned plan; and further votes to authorize the Mayor to sign the plan on behalf of the City Council and to accept a deed of such land and easements on such terms and conditions as she shall deem appropriate, and to execute all documents and take all related actions necessary or appropriate to effectuate the foregoing layout, acceptance and land acquisition.

The aforementioned plan is hereby forwarded to the City Clerk for filing.

October 25, 2023

Katharine Lord Klein
kklein@k-plaw.comMs. Ann Marie Casey
Chief of Staff
Office of the Mayor
City of Amesbury
62 Friend Street
Amesbury, MA 01913Re: Roads in Point Shore Meadows

Dear Ms. Casey:

Per your request, I certify that Richard Saba, Trustee of Amanda Lane Realty Trust and Joan E. Baptiste (collectively, the "Owners") have good and clear record and marketable title to the parcels of land located off Evans Place, Amesbury, and shown as Point Shore Drive and Point Shore Overlook (the "Property"), shown on a plan entitled "Street Acceptance Plan Point Shore Meadows Prepared for Amanda Lane Realty Trust," dated September 21, 2023, prepared by Ranger Engineering Group, Inc. (the "Plan").

Title to the Property will be conveyed to the City of Amesbury upon recording with the Essex South District Registry of Deeds of the Plan, a Quitclaim Deed from the Owners to the City of Amesbury and a Trustee Certificate for Amanda Lane Realty Trust.

This certificate is based on a review of the opinion of Hyatt & Hyatt, dated December 22, 2022 and the opinion of Marsh, Moriarty, Ontell & Golder, P.C. dated April 20, 2022 relative to the Property. KP Law, P.C. has not performed the title examination.

No certification is made to the following, which are not matters of record at the Essex South District Registry of Deeds:

1. Those encumbrances referred to in General Laws Chapter 185, Section 46, whether or not title to the Property is registered, if record notice of such encumbrance is not recorded or filed with the Registry.
2. Any matter preceding a title examination of the record title, of the nature referred to and required by the statute, any irregularity not readily apparent within the foregoing records.
3. Any facts, rights, interests or claims which are not duly shown by the public records at the Registry.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts, rights or interest which a correct and complete survey would disclose.

Ms. Ann Marie Casey
Chief of Staff
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5. Any lien, or right to a lien, for services, labor or materials theretofore or hereafter furnished, imposed by law and not duly shown by the public records at the Registry.
6. Any law, ordinance, by-laws or other governmental regulations affecting, restricting, prohibiting or otherwise regulating the occupancy, use or enjoyment of the Property, the character, dimensions or location of any present or future improvement now existing or hereafter planned for the Property, or a separation in ownership or change in the dimensions or area of the Property (including, without limiting the generality of the foregoing, zoning laws, state building code, wetlands protection act, subdivision control laws, lead paint laws, health laws, sewage disposal laws, historic districts, and pollution control laws).
7. Such facts as may be revealed by a personal inspection.

This certificate is intended for the use of the party to whom addressed only and no use may be made of the same by any other person or entity without the express written permission of the undersigned. The representations made herein are intended only for the benefit of the transaction contemplated hereby and do not extend to further transfers, mortgages, sales or other transactions.

Very truly yours,



Katharine Lord Klein

KLK/caa

QUITCLAIM DEED

We, **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 pursuant to M.G.L. Chapter 184, Section 35 recorded with the Essex South District Registry of Deeds in Book ____, Page ____, and **Joan E. Baptiste**, widow, with an address of 4 Point Shore Drive, Amesbury, Massachusetts 01913, as owners of Open Space Parcel A, as shown on the Plan, as hereinafter defined (together, the “Grantor”), in consideration of one dollar (\$1.00) paid,

grant to the **City of Amesbury**, having an address of 62 Friend Street, Amesbury, Massachusetts 01913 (“City”),

WITH QUITCLAIM COVENANTS

The perpetual right and non-exclusive easement to use, in common with Grantor, its successors and assigns, those roads known as Point Shore Drive and Point Shore Overlook shown on a plan entitled “Street Acceptance Plan Point Shore Meadows Prepared for Amanda Lane Realty Trust,” dated June 20, 2021, revised through September 21, 2023, prepared by Ranger Engineering Group, Inc., recorded with the Essex South District Registry of Deeds (the “Registry”) in Plan Book ____, Plan ____ (the “Plan”), to which Plan reference is made for a more particular description of said roads, for all purposes for which public ways are commonly used in the City of Amesbury, together with the attendant customary uses, including, but not limited to, the construction, operation, maintenance, repair and replacement of the right-of-way, drainage and utilities in, over, under, through, across, upon and along said roadways.

Together with non-exclusive perpetual easements in the Drain Easements, as shown on the Plan, as they appear, on Open Space Parcel A, Open Space Parcel B, Lot 5, Lot 6, Lot 11 and Lot 12, to which Plan reference is made for a more particular description of said Drain Easements, including all improvements and infrastructure therein, and the right of ingress and egress by foot, vehicle and heavy equipment for such purposes and correlated appurtenances in, over, through, under and across such easement areas, together with the road easements, the “Easement Areas.”

Grantor agrees not to grant any other easements, leases or licenses in or to the Easement Areas which will interfere with the City’s perpetual easements without the prior written

approval of the City. Any easements, leases or licenses granted in violation of this provision shall be null and void.

The Easement Areas are conveyed subject to all easements, restrictions, liens and encumbrances of record to the extent the same are in force and effect.

Subject to the provisions of the Decision of the Amesbury Planning Board recorded with the Registry at Book 33599, Page 373 (the "Decision").

THIS IS NOT HOMESTEAD PROPERTY.

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

As to Joan E. Baptiste: Being a portion of the premises conveyed to Randall E. Baptiste and Joan E. Baptiste by a deed from Richard Saba, Trustee of Amanda Lane Realty Trust dated July 10, 2015 and recorded at the Registry on July 15, 2015 in Book 34216, Page 392. See Death Certificate for Randall E. Baptiste recorded at the Registry in Book 35254, Page 318.

[Remainder of Page Intentionally Blank; Signature Pages Follow]

Executed as a sealed instrument this ____ day of _____, 2023.

AMANDA LANE REALTY TRUST

By: _____
Richard Saba, Trustee of the
Amanda Lane Realty Trust

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this ____ day of _____, 2023, 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:

Executed as a sealed instrument this _____ day of _____, 2023.

Joan E. Baptiste

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this _____ day of _____, 2023, before me, the undersigned notary public, personally appeared the above named Joan E. Baptiste, 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 she signed it voluntarily for its stated purpose.

Notary Public
My Commission Expires:

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 within Deed from Amanda Lane Realty Trust and Joan E. Baptiste to the City of Amesbury on this _____ day of _____, 2023.

CITY OF AMESBURY,
By its Mayor,

Kassandra Gove

COMMONWEALTH OF MASSACHUSETTS

Essex, ss.

On this _____ day of _____, 2023, before me, the undersigned notary public, personally appeared the above named Kassandra Gove, Mayor of the City of Amesbury, known to me as the person whose name is signed above and acknowledged to me that she signed it voluntarily for its stated purpose on behalf of the City of Amesbury.

Notary Public
My Commission Expires:

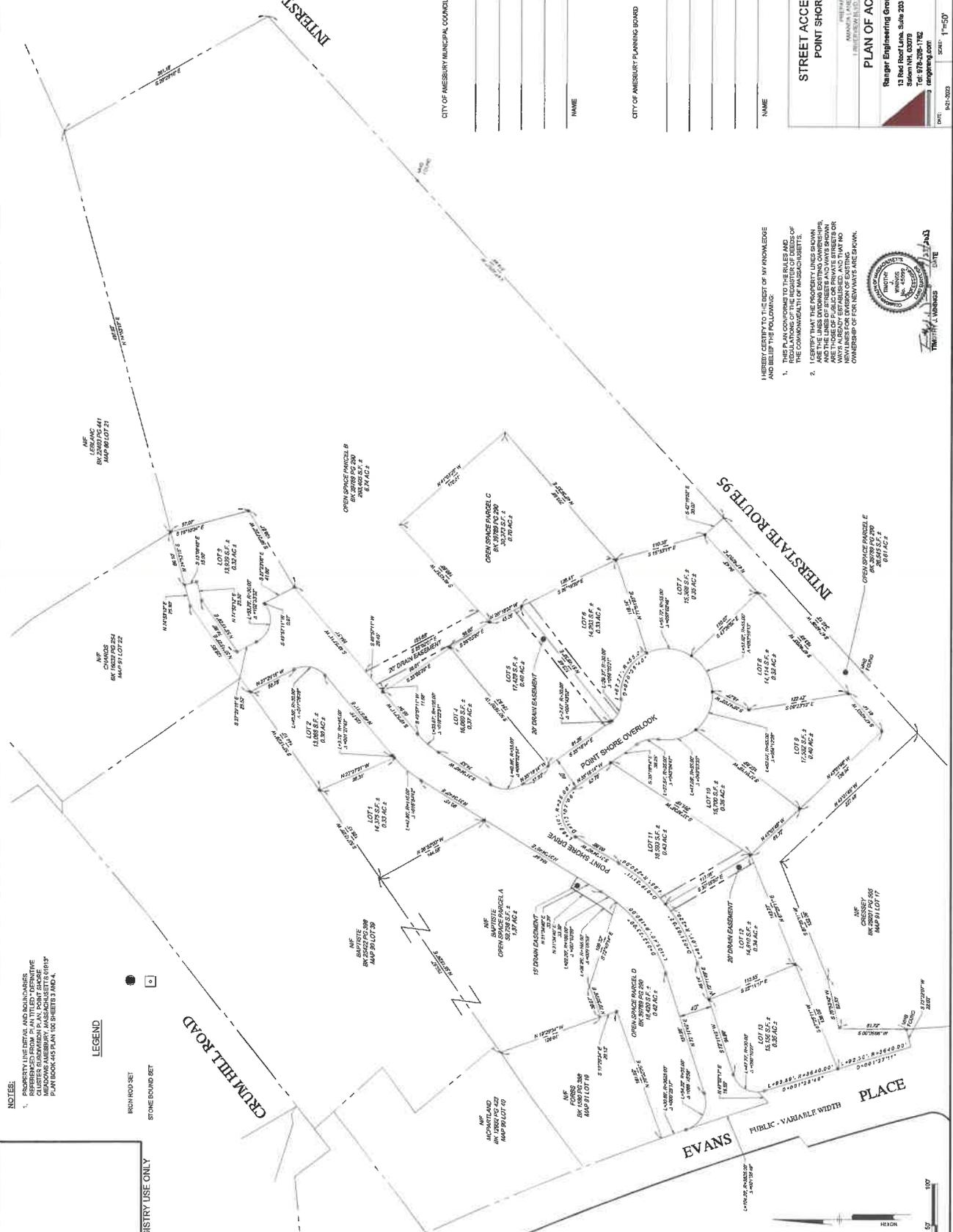
NOTES:

1. PROPERTY LINES, DEPT. AND BOUNDARIES ARE SHOWN FOR INFORMATION ONLY. THE CLARIFIED SUBDIVISION PLAN, POINT SHORE OVERLOOK, IS THE ONLY PLAN TO BE USED FOR RECORD. THIS PLAN BOOK HAS 3 PLAN SHEETS 3 AND 4.

LEGEND

- IRON NAIL SET
- STONE BOUND SET

FOR REGISTRY USE ONLY



CITY OF AMESBURY MUNICIPAL COUNCIL

NAME _____ DATE _____

CITY OF AMESBURY PLANNING BOARD

NAME _____ DATE _____

STREET ACCEPTANCE PLAN
POINT SHORE MEADOWS

AMESBURY PLANNING BOARD
111 STATE STREET, 2ND FLOOR
AMESBURY, MASSACHUSETTS 01844

PLAN OF ACCEPTANCE

Ranger Engineering Group, Inc.
13 Reed Street Lane, Suite 200
Amesbury, MA 01844
Tel: 978-338-1782
rangereng.com

- I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF THE FOLLOWING:
1. THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE COMMONWEALTH OF MASSACHUSETTS.
 2. I CERTIFY THAT THE PROPERTY LINES SHOWN ARE THE LINES DIVIDING EXISTING OWNERSHIP, ARE THOSE OF PUBLIC OR PRIVATE STREETS OR HIGHWAYS, OR ARE THOSE OF ANY NEW LINES FOR REVISION OF EXISTING OWNERSHIP OR FOR NEWWAYS ARE SHOWN.



THOMAS J. WINNERS
PLANNING BOARD



