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CITY OF AMESBURY
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SPONSORED BY: Kassandra Gove **BILL No. 2021-129**
Kassandra Gove, Mayor

Nicholas Wheeler
Nicholas Wheeler, Councilor, District 4

An Order to Conserve a Certain Property Formerly known as the “Quinn Farm”

Summary: A measure to protect a certain City-owned property, in order to preserve open space and provide for passive recreational use that promotes the quality of life of Amesbury residents and for the preservation of natural resources, under the provisions of M.G.L. c. 40, §8C, as it may hereafter be amended; M.G.L c. 45, §3, as it may hereafter be amended; and Article 97 of the Amendments to the Massachusetts Constitution, as amended. Land would be placed under the care and custody of the Conservation Commission and would be reserved for conservation and passive recreation purposes.

WHEREAS, a certain property located at 116 Whitehall Road in Amesbury, formerly known as the “Quinn Farm”, was purchased by the City of Amesbury in 2015 (pursuant to City Council Bill # 2014-124); and

WHEREAS, the noted purchase is recorded at the Essex South Registry of Deeds at Book 33857, Page 84; and

WHEREAS, the property in question is shown on Amesbury Assessor’s Map 38 as Lots 38-1 and 38-1A, totaling approximately 7.72 acres and 40,075 SF in area, respectively ; and

WHEREAS, the property in question was acquired by the City of Amesbury pursuant to a right of first refusal granted through MGL Chapter 61A, Section 14; and

WHEREAS, the property in question is located either directly adjacent to or in close proximity to other existing open-space resources belonging to the City of Amesbury; and

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WHEREAS, the proximity of the property in question to other existing open space and conservation resources serves to enhance its own continued viability for open space and passive recreational use; now, therefore:

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

1. Conservation Land

- a. That the City of Amesbury shall transfer the care, custody, management and control of the parcels formerly known as the "Quinn Farm", shown collectively on Amesbury Assessor's Map 38 as Lots 38-1 and 38-1A to the Conservation Commission for conservation and passive recreation purposes.
- b. These parcels shall be preserved for conservation purposes, for the promotion and development of natural resources and for passive recreation under the provisions of M.G.L. c. 40, §8C; M.G.L. c. 45, §3 and of Article 97 of the Massachusetts Constitution;
- c. Activities requiring the use of motorized vehicles are hereby prohibited except as appropriate for persons with disabilities or unless otherwise specifically authorized under separate City ordinances/legislation. The previous sentence shall not be construed so as to prohibit the use of authorized municipal maintenance or emergency response vehicles; and
- d. Upon acceptance, that a true copy attest of this Order shall be recorded by the City Clerk with the Essex South District Registry of Deeds.

References:

1. <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVIII/Chapter40/Section8C>
2. <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleVIII/Chapter45/Section3>
3. <https://malegislature.gov/Laws/Constitution#partTheFirst>
4. <https://malegislature.gov/Laws/Constitution#amendmentArticleXCVII>
5. *Deed Reference:*
<https://sailemdeeds.com/sailemdeeds/ImageDetail.aspx?stype=recdoc&machine=&year=2015&month=2&day=17&docnum=363&seqnum=+&book=33857&page=084&homebk=33857&homepg=084>
6. *Assessor's Maps:*
https://www.amesburyma.gov/sites/g/files/vyh1if6891/f/pages/amesburyassessormaps38_74.pdf
7. *Newburyport Daily News Article: "Amesbury councilors to decide on buying farmland Tuesday" dated 12-04-2014*
https://www.newburyportnews.com/news/local_news/amesbury-councilors-to-decide-on-buying-farmland-tuesday/article_81767089-401c-5bb2-9e69-90a3760960a9.html