

NEW BUSINESS

2-9-09



Town of Middleborough
Massachusetts

BOARD OF SELECTMEN

Patrick E. Rogers
Steven P. Spataro
Muriel C. Duphily
Marsha L. Brunelle

ORDER OF TAKING

The BOARD OF SELECTMEN of the TOWN OF MIDDLEBOROUGH in the name of and on behalf of the TOWN OF MIDDLEBOROUGH, a municipal corporation situated in the County of Plymouth and Commonwealth of Massachusetts, pursuant to a vote taken under Article 26 of the warrant for the October 20, 2008 Special Town Meeting, pursuant to Massachusetts General Laws, Chapter 79, as amended, and pursuant to every other power hereto enabling, do hereby take by eminent domain the fee and all rights and easements in and to the way known as Indian Meadow Road in the Town of Middleborough, and also do hereby take by eminent domain

Drainage easements on Lots 16, 17, 19 and 20 (two easements) and Parcel A on the plan hereafter described and twenty foot wide grading easements extending along the frontage of Lots 14 through 26 inclusive as those lots abut Indian Meadow Road as shown on said plan. Taken hereby in connection with said drainage easements is the right to flow road drainage in, under, over and through the easement areas, to maintain and store water in the easement areas and to enter, construct, maintain and repair drainage ditches, pipes, culverts and other drainage facilities in the drainage easement areas. Taken hereby in connection with said twenty foot wide grading easements is the right to plant trees and to maintain and replace trees in the easement areas and to construct, maintain, repair and replace slopes and grades in the easement areas.

The takings of the way and easements as provided herein shall be for municipal purposes, to wit, for public way purposes of the Town of Middleborough, to be used for all purposes for which public ways are used in the Town of Middleborough.

The way hereby taken is known as Indian Meadow Road, said way being situated in Middleborough, Plymouth County, Massachusetts and shown on a plan entitled "Road Layout for Pine Meadows II - Indian Meadow Road in Middleboro Massachusetts" **dated June 12, 2007**, drawn by SITEC Civil Environmental Engineering, 449 Faunce Corner Road, Dartmouth MA 02747, to be recorded herewith. The easements hereby taken are as shown on said plan.

The structures and trees in or within the way hereby taken and in or within the easements hereby taken are included in this Order of Taking, excepting however from this Order of Taking electric, telephone and cable transmission structures and facilities and any existing easements for electric, telephone and cable transmission structures and facilities.

The supposed owners of the above described way and easements and the holders of any other interests therein are set forth below together with the damages which are hereby determined to have been caused by this taking and are hereby awarded:

<u>LOT</u>	<u>SUPPOSED PROPERTY OWNER(S) AND OTHER PARTIES</u>	<u>DAMAGES</u>
1.	096-4426 Quequechan Builders, Inc. P.O. Box 2365 Attleboro, MA 02703	None
2.	096-6167 Quequechan Builders, Inc. P.O. Box 2365 Middleboro, MA 02346	None
3.	096-5266 Robert & Donna McCarthy 78 Indian Meadow Road Middleboro, MA 02346	None
4.	096-5225 Mark D. Cohen 64 Indian Meadow Road Middleboro, MA 02346	None
5.	096-4455 Charles J. Jr. & Melissa Hasenfus 44 Indian Meadow Road Middleboro, MA 02346	None
6.	096-4465 Michael J. Kane 30 Indian Meadow Road Middleboro, MA 02346	None
7.	096-4571 Charles D. Still 18 Indian Meadow Road Middleboro, MA 02346	None
8.	096-4567 Brian S. Kowalski & Juli R. Gould 14 Indian Meadow Road Middleboro, MA 02346	None
9.	096-4567 Brian S. Kowalski & Juli R. Gould 14 Indian Meadow Road Middleboro, MA 02346	None
10.	096-3784 Brian & Jennifer Jope 25 Indian Meadow Road Middleboro, MA 02346	None

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| 11. | 096-3639 | Scott E. & Jasmin Tower
37 Indian Meadow Road
Middleboro, MA 02346 | None |
| 12. | 096-4413 | Shaun & Nasrene M. Pimental
45 Indian Meadow Road
Middleboro, MA 02346 | None |
| 13. | 096-4368 | Paul E. & Martha A. Chapin
P.O. Box 788
West Wareham, MA 02578 | None |
| 14. | 096-5136 | John D. & Nichole S. Devine
63 Indian Meadow Road
Middleboro, MA 02346 | None |
| 15. | 096-5237 | Jason J. & Erin M. Haglund
69 Indian Meadow Road
Middleboro, MA 02346 | None |
| 16. | 096-5286 | Scott M. O'Bark & Dawn Holmes
83 Indian Meadow Road
Middleboro, MA 02346 | None |
| 17. | | Parties Unknown | None |

This order was adopted and is dated this 9th day of February, 2009.

TOWN OF MIDDLEBOROUGH
BY:

BOARD OF SELECTMEN

Commonwealth of Massachusetts
County of Plymouth

On this _____ day of _____, _____, before me the undersigned Notary Public,
personally appeared _____, proved to me through satisfactory
evidence of identification which was/were _____, to be the person whose
name is signed on the preceding or attached document, and acknowledged to me that he/she
signed it voluntarily for its stated purpose(s).

(Seal)

My commission expires _____

Signature of Notary

