



*City of New Bedford*  
**OFFICE OF THE CITY SOLICITOR**

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October 17, 2016

City Council President Linda Morad  
Honorable Members of the City Council  
City of New Bedford  
133 William Street  
New Bedford, MA 02740

2016 OCT 17 A 9:38  
CITY CLERKS OFFICE  
NEW BEDFORD, MA  
CITY CLERK

Re: Rivet Street at South Front Street and at terminus Layout Alteration Order

Dear Council President Morad and Members of the City Council:

Pursuant to an Order of the City Council dated September 8, 2016, please find enclosed a proposed Order for the alteration of Rivet Street at South Front Street and at terminus, for the purpose of improving the turn radius at the subject intersections.

I have also enclosed a copy of the Certificate of Vote by the New Bedford Board of Park Commissioners waiving its right to an appraisal and damages, pursuant to M.G.L. c. 79, § 7A.

Very truly yours,

Jane Medeiros Friedman  
First Assistant City Solicitor

JMF/lp  
enc.

# CITY OF NEW BEDFORD

## IN CITY COUNCIL

October 27, 2016

Resolved, that the common necessity and convenience of the inhabitants of the City of New Bedford require an alteration of the Rivet Street at South Front Street and at terminus.

This alteration requires the taking of publicly owned land more particularly described as follows:

Alteration #1 (a/k/a Permanent Easement PE 02):

Beginning at a point on the westerly sideline of Rivet Street, thence

S 76° 06' 39" W a distance of 7.81 feet to a point on the easterly sideline of JFK Highway, thence

By a curve turning to the left, having a radius of 2998.00 feet and a length of 24.01 feet, to a point, thence

By a curve turning to the right, having a radius of 12.00 feet and a length of 7.25 feet, to a point, thence

By a curve turning to the right, having a radius of 50.00 feet and a length of 17.83 feet, to the point of beginning.

The above described road alteration contains an area of 114 square feet, more or less, and is more particularly shown as "PE 02" on a plan entitled: "LAYOUT ALTERATIONS RIVET STREET AT SOUTH FRONT ST & AT TERMINUS NEW BEDFORD, MA", scale 1"=20', dated August 24, 2016, prepared by Kevin Hanley, PLS.

Alteration #2 (a/k/a Permanent Easement PE 04)

Beginning at a point on the westerly sideline of Front Street, at the intersection with the southerly sideline of Rivet Street, thence

By a curve turning to the left, having a radius of 1544.00 feet and a length of 32.49 feet to a point, thence

S 89° 39' 35" W a distance of 5.00 feet to a point, thence

N 0° 23' 39" W a distance of 9.08 feet to a point, thence

By a curve turning to the left, having a radius of 22.18 feet and a length of 15.17 feet to a point, thence

By a curve turning to the left, having a radius of 50.00 feet and a length of 8.79 feet to a point, thence

N 86° 04' 34" E a distance of 10.02 feet to the point of beginning.

The above described road alteration contains an area of 228 square feet, more or less, and is more particularly shown as "PE 04" on a plan entitled: "LAYOUT ALTERATIONS RIVET STREET AT SOUTH FRONT ST & AT TERMINUS NEW BEDFORD, MA", scale 1"=20', dated August 24, 2016.



No trees on the land taken and no structures affixed thereto are included in the taking, and the owners of property are allowed sixty (60) days from and after the recording of this instrument in the Registry of Deeds by the City in which to remove and take away from the land any trees or structures.

The damages sustained by the owners of property aforesaid is hereby estimated and awarded as compensation in full to them as follows:

<u>EASEMENT OR PARCEL #</u>	<u>NEW BEDFORD ASSESSOR'S PLAT &amp; LOT #</u>	<u>NAME OF SUPPOSED OWNER</u>	<u>AWARD OF DAMAGES</u>
PE 02	25/18	City of New Bedford	\$0
PE 04	25/18	Board of Park Commissioners 181 Hillman Street, Building 3 New Bedford, MA 02740	

IT IS FURTHER EXPRESSED AND STIPULATED that the order of taking and the award of damages does not relieve the owners of land taken from liability for taxes now uncollected for the fiscal year 2017 or any prior year.

WHEREAS, due notice has been given of the intention of the City to take said parcel of land for highway purposes, it is therefore

ORDERED, that the parcels of land heretofore described be and hereby are taken, interest being an easement in said land for highway purposes, under the provisions of General Laws Chapter 79, and accepted under the provisions of General Laws Chapter 82 as a public street or way of the City of New Bedford, said streets to be known as Rivet Street, according to a plan heretofore referred to in this order, on file in the office of the City Clerk.

AND BE IT FURTHER ORDERED, that the City Clerk cause a copy of this order, certified by him, to be recorded on behalf of the City of New Bedford in the Registry of Deeds for the Southern District of Bristol County, and to give such other notices as are required by General Laws.

## CERTIFICATE OF VOTE

September 21, 2016

A Meeting of the New Bedford Board of Park Commissioners was held on the 21<sup>st</sup> of September at the Buttonwood Park Community Center, 1 Oneida Street, New Bedford MA 02740.

At 6:05 p.m. the meeting was called to order.

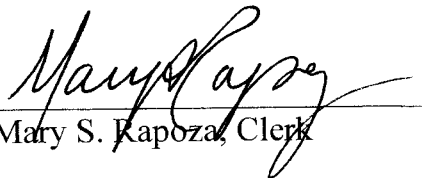
Commissioners Present: Peter Boswell, Charles Cotter, Elaine Safioleas, David Peixoto and Diane A. Berube

Chairman Peter Boswell presided and Secretary Elaine Safioleas kept the minutes.

A motion was made by David Peixoto and seconded by Diane A. Berube that pursuant to M.G.L. c. 79, § 7A, the New Bedford Park Board waive its rights to an appraisal and to damages, relating to the permanent easements shown as PE-02 and PE-04 on a plan entitled "Layout Alterations Plan for Rivet Street at South Front Street and at Terminus", scale 1"=20', dated August 24, 2016, prepared by Surveying and Mapping Consultants, Inc., 325 Wood Road, Braintree, MA.

Motion passed unanimously.

True copy: ATTEST

  
Mary S. Kapoza, Clerk