

CITY OF NEW BEDFORD

IN CITY COUNCIL

December 17, 2015

Resolved, that the common necessity and convenience of the inhabitants of the City of New Bedford require that **BISMARK MEADOWS ROAD**, variable width, from Bismark Street 637.37 feet easterly to end of cul-de-sac be laid out and accepted.

The area taken for this layout of **BISMARK MEADOWS ROAD**, variable width, from Bismark Street 637.37 feet easterly to end of cul-de-sac is bounded and described as follows:

Beginning at a granite bound point in the eastern sideline of Bismark Street and being the southwest corner of the subject parcel that is 274.87 feet on a bearing of N 13°-20'-45" W, and 40.00 feet on a bearing of N 76°-39'-15" E from a stone bound on the southeast corner of Manila Street;

Thence, on a bearing of N 13°-20'-45" W for a distance of 50.25 feet to a granite bound point;

Thence, on a bearing of N 80°-17'-50" E for a distance of 125.00 feet to a granite bound point;

Thence, on a bearing of S 13°-20'-45" E for a distance of 6.34 feet to a granite bound point;

Thence, on a bearing of N 80°-51'-00" E for a distance of 381.63 feet to a granite bound point;

Thence, on a curve to the left having a radius of 30.00 feet for a length of 37.59 feet to a granite bound point;

Thence, on a curve to the right having a radius of 50.00 feet for a length of 237.49 feet to a granite bound point;

Thence, on a curve to the left having a radius of 30.00 feet for a length of 10.66 feet to a granite bound point;

Thence, on a bearing of S 80°-51'-00" W for a distance of 351.93 feet to a granite bound point;

Thence, on a bearing of S 13°-20'-45" E for a distance of 5.01 feet to a granite bound point;

Thence, on a bearing of S 80°-51'-00" W for a distance of 200.00 feet to a granite bound point and point of beginning.

Said road being the same right-of-way for Bismark Meadows Road as shown on the definitive subdivision plans of Bismark Meadows.

The above-described road contains an area of approximately 31,300 square feet and is more particularly shown on a plan entitled: "PLAN AND PROFILE OF THE LAYOUT OF BISMARK MEADOWS ROAD VARIABLE WIDTH 637.37' EASTERLY TO END OF CUL DE SAC," at a scale of 1"=40' Horizontal and 1"=4' Vertical, dated September 16, 2013, prepared by Edwin H. Gless, P.L.S. and approved by David J. Fredette, City Engineer.

Bismark Meadows Road-Drainage Parcels

PARCEL ONE:

BEING shown as **(DRAINAGE LOT)** N/F Bismark Meadows Realty Trust, 8463/137, 12/21/06, on a plan of land entitled: "Plan of Land, at Bismark Meadows Road, New Bedford, MA, for Bismark Meadows Realty Trust and Sassaquin Highlands, LLC", prepared by James F. Greene, P.L.S., date: 10/15/10, rev. 11/3/10, and recorded in the Bristol County (S.D.) Registry of Deeds in Plan Book 167, Page 2.

PARCEL TWO:

BEING shown as **EASEMENT AREA** over **Lot 10** containing 352 S.F., on a plan of land entitled: "Plan of Land, at Bismark Meadows Road, New Bedford, MA, for Bismark Meadows Realty Trust and Sassaquin Highlands, LLC", prepared by James F. Greene, P.L.S., date: 10/15/10, rev. 11/3/10, and recorded in the Bristol County (S.D.) Registry of Deeds in Plan Book 167, Page 2.

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: To all persons: No damages.

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 2016 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 street to be known as

BISMARK MEADOWS ROAD, and the grade therefor is established 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.