



CITY OF NEW BEDFORD

JONATHAN F. MITCHELL, MAYOR

December 15, 2020

Council President Joseph P. Lopes.
Members of the City Council
City Hall
133 William Street
New Bedford, MA 02740

Re: Public Safety Building

Dear Council President Lopes and Honorable Members:

I am submitting herewith for your consideration, a proposed Order authorizing the Mayor to execute a Release of Easement with Community Action for Better Housing, Inc. on behalf of the City of New Bedford. I have also enclosed a proposed Order authorizing the Mayor to execute an Easement with Community Action for Better Housing, Inc. The purpose of the Release of Easement and Easement is to relocate the existing parking easement in order to rectify access issues for the new public safety building.

Very truly yours,

Jonathan F. Mitchell
Mayor

JFM/lp
enc.



CITY OF NEW BEDFORD

CITY COUNCIL

January 14, 2021

Ordered, that the Mayor is hereby authorized on behalf of the City of New Bedford to execute a Release of Easement with Community Action for Better Housing Inc. in consideration of One Dollar (\$1.00) The easement to be discontinued is shown on a plan entitled, "EXISTING CONDITIONS 890 BROCK AVENUE & 45 SALISBURY STREET, NEW BEDFORD, MASSACHUSETTS PREPARED FOR THE GALANTE ARCHITECTURE STUDIO" prepared by Farland Corp. A copy of said Release of Easement is attached hereto and made a part thereof.

RELEASE OF EASEMENT

This RELEASE OF EASEMENT is made and entered into effective as of this ____ day of _____ 2020, by and between the **Community Action for Better Housing Inc.** (CABH) a Massachusetts non-profit corporation existing in accordance with 501(c)(3) of the Internal Revenue Code, having an address at 72 Eighth Street, New Bedford, Massachusetts 02740 (hereinafter called the "CABH") and The **CITY OF NEW BEDFORD**, a municipal corporation with offices at 133 William Street, New Bedford, Massachusetts 02740 (hereinafter called the "CITY").

R E C I T A L S

WHEREAS, the CABH is the owner of the land located at and commonly known as 116 Ruth Street, New Bedford, Massachusetts 02744 (the "Property");

WHEREAS, the Property has the benefit of a Parking Easement (the "Easement") as recited in the Quitclaim Deed dated June 2, 2006 and recorded in the Bristol County (S.D.) Registry of Deeds in Book **8167**, Page **223** (the "Deed"); and

WHEREAS, the CITY owns the property encumbered by the Easement; and

WHEREAS, the CABH and the CITY wish to relocate the easement and release the current Easement;

NOW THEREFORE, in consideration One (\$1.00) Dollar, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, CABH and the CITY, hereby covenants and agrees as follows:

CABH hereby releases and forever discharges the easement rights contained in the Quitclaim Deed dated June 2, 2006 and recorded in the Bristol County (S.D.) Registry of Deeds in Book **8167**, Page **223**.

SEE NEXT PAGE FOR SIGNATURES

IN WITNESS WHEREOF, the CABH has caused Release to be executed by its proper representative thereunto duly authorized, under seal, as of the date first above written.

Community Action for Better Housing, Inc.

Witness

By: _____
Name: _____
Title: _____

Commonwealth of Massachusetts

Bristol, ss.

On this ____ day of _____ 2020, before me, the undersigned notary public, personally appeared _____, and proved to me through satisfactory evidence of identification, which was _____ to be the person whose name is signed on the preceding document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as _____ of the Community Action for Better Housing, Inc.

Printed Name:
Notary Public

My Commission Expires: _____

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

March __, 2017

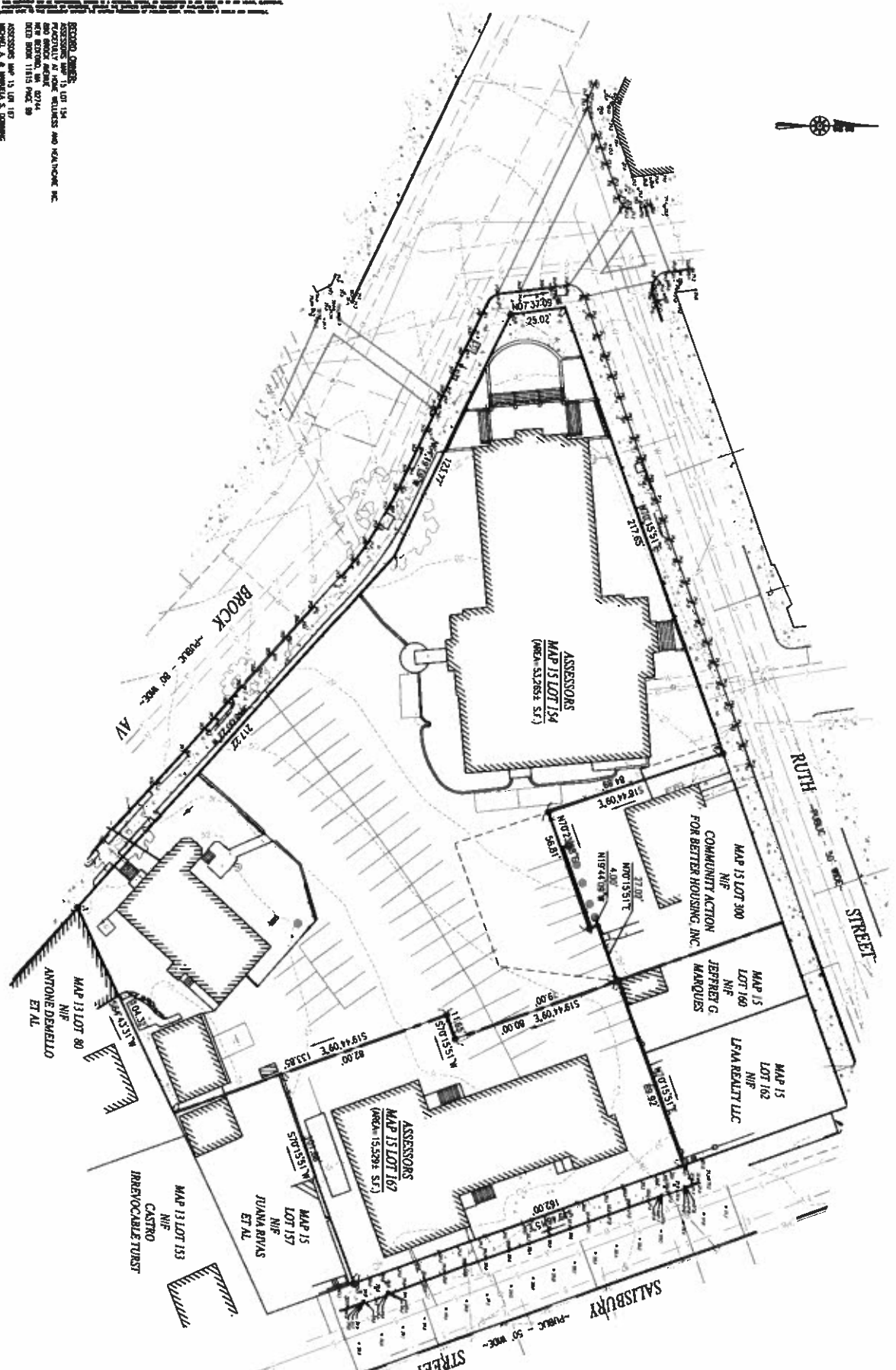
Before me, the undersigned notary public, personally appeared Jonathan F. Mitchell, Mayor of City of New Bedford, Massachusetts, proved to me through satisfactory evidence of identification which was a Massachusetts Drivers License, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose.

Printed Name:

Notary Public

My Commission Expires: _____

RECORD OWNERS:
 ASSASSORS MAP 15 LOT 154
 PLACED AT THE REGISTRY AND RECORDING
 OFFICE OF THE CLERK OF THE SUPERIOR COURT
 IN NEW BEDFORD, MA 02744
 DEED BOOK 11815 PAGE 89
 ASSASSORS MAP 15 LOT 167
 PLACED AT THE REGISTRY AND RECORDING
 OFFICE OF THE CLERK OF THE SUPERIOR COURT
 IN NEW BEDFORD, MA 02744
 DEED BOOK 8072 PAGE 20



EXISTING CONDITIONS
 890 BROCK AVENUE & 45 SALISBURY STREET
 ASSESSORS MAP 15 LOTS 154 & 167
 NEW BEDFORD, MASSACHUSETTS

PREPARED BY: THE GALANTE ARCHITECTURE STUDIO
 148 MT. ALBANY STREET
 CAMBRIDGE, MA 02138

DATE: 03/05/2013
 SCALE: 1"=20'
 SHEET NO. 17-000
 LATEST REVISION

401 COUNTRY STREET
 NEW BEDFORD, MA 02740
 P: 508.771.3419
 F: 508.771.3418
 WWW.FARLANDCORP.COM

FARLAND CORP.

REVISIONS

NO.	DATE	DESCRIPTION
1	03/05/2013	ISSUED FOR PERMIT



CITY OF NEW BEDFORD

CITY COUNCIL

January 14, 2021

Ordered, that the Mayor is hereby authorized on behalf of the City of New Bedford to execute a parking easement from the City of New Bedford to Community Action for Better Housing Inc. in consideration of One Dollar (\$1.00) The easement is shown on Parking Easement Plan, AS-102, Dated 6/24/2019, by The Galante Architecture Group, Inc. A copy of said Easement is attached hereto and made a part thereof.

PARKING EASEMENT

The **CITY OF NEW BEDFORD**, a municipal corporation with offices at 133 William Street, New Bedford, Massachusetts 02740 (hereinafter called the "Grantor") for consideration of One (\$1.00) Dollar paid, grants to **Community Action for Better Housing Inc. (CABH)** a Massachusetts non-profit corporation existing in accordance with 501(c)(3) of the Internal Revenue Code, having an address at 72 Eighth Street, New Bedford, Massachusetts 02740 (hereinafter called the "Grantee"), without covenants express or implied, as appurtenant to land owned by Grantee in New Bedford, Bristol County, Massachusetts, a parking easement, described as follows:

As shown on Parking Easement Plan, AS-102, Dated 6/24/2019, by The Galante Architecture Group, Inc. a copy of which is attached hereto as EXHIBIT "A" and incorporated herein by reference.

With respect to said right and easement hereby conveyed by the Grantor, and the Grantee by its acceptance hereof, hereby for itself and its successors and assigns hereby agrees as follows:

- (a) The Grantee and its successors and assigns shall have the right to use and enjoy the foregoing right and easement in perpetuity for the purposes stated;
- (b) The Grantee shall indemnify the Grantor from and against any loss, damage, or liability arising out of their exercise of said right and easement;
- © The Grantor shall bear the costs associated with permitting, construction and maintaining the easement areas.

For Grantor's title see deed dated September 12, 2018 and recorded on September 14, 2018 in the Bristol County (S.D.) Registry of Deeds in Book 12567, Page 243.

SEE NEXT PAGE FOR SIGNATURES

IN WITNESS WHEREOF, the said City of New Bedford, Massachusetts, has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged, and delivered in its name and behalf by Jonathan F. Mitchell, its Mayor, hereto duly authorized, this _____ day of _____ in the year two thousand twenty.

Signed and sealed in the presence of:

City of New Bedford, Massachusetts

Witness

By: _____

Jonathan F. Mitchell, Mayor

Approved as to form:

Mikaela A. McDermott, City Solicitor

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

_____, 2020

Before me, the undersigned notary public, personally appeared Jonathan F. Mitchell, Mayor of City of New Bedford, Massachusetts, proved to me through satisfactory evidence of identification which was a Massachusetts Drivers 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, on behalf of the City of New Bedford.

Printed Name:

Notary Public

My Commission Expires: _____

