



CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR

OFFICE OF THE CITY CLERK
NEW BEDFORD, MA

2022 MAY -5 PM 3:36

CITY CLERK

May 4, 2022

City Council President Ian Abreu and
Honorable Members of the City Council
City of New Bedford
133 William Street
New Bedford, MA 02740

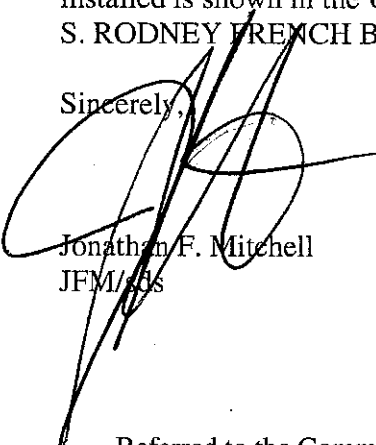
Dear Council President Abreu and Honorable Members of the City Council:

I am submitting for your consideration a proposed Home Rule Petition authorizing the City of New Bedford to grant a Utility Easement to the University of Massachusetts Dartmouth for the purpose of installing and maintaining underground utilities under a portion of the land owned by the City at Fort Taber Park.

The enclosed Home Rule Petition grants retroactive permission from the City to the University for alterations and improvements that have already been made, and for any future maintenance to be performed. My administration has been advised by the Commonwealth's Secretary of Energy and Environment that this ministerial exercise is necessary to comply with Chapter 45 of the Massachusetts General Laws and Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts. The City will not incur any cost, nor will it be required to relinquish any property by granting this easement.

The portion of the land over which an easement may be granted and under which utilities are installed is shown in the Utility as Built Plan entitled "UMASS DARTMOUTH SMAST, II 760 S. RODNEY FRENCH BLVD DARTMOUTH, MA" (copy attached).

Sincerely,

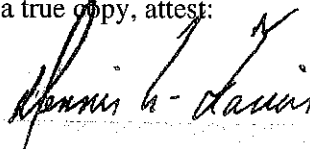

Jonathan F. Mitchell
JFM/JS

Referred to the Committee on Ordinances.

IN CITY COUNCIL, May 12, 2022

Dennis W. Farias, City Clerk

a true copy, attest:



City Clerk

The Commonwealth of Massachusetts

IN THE YEAR TWO THOUSAND TWENTY-TWO

AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO GRANT A UTILITY EASEMENT TO THE UNIVERSITY OF MASSACHUSETTS DARTMOUTH

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The City of New Bedford may grant an easement to the University of Massachusetts Dartmouth for the purpose of installing and maintaining underground utilities under a portion of the land owned by the City at Fort Taber Park. The portion of the land over which an easement may be granted and under which utilities are installed is shown on the Utility as Built Plan entitled, "UMASS DARTMOUTH SMAST ii, 760 S. RODNEY FRENCH BLVD DARTMOUTH, MA," prepared for Bond Brothers by Brennan Consulting and dated 03/09/2018.

SECTION 2. As a condition of granting the easement and allowing the installation and maintenance of underground utilities authorized by section 1 the University of Massachusetts Dartmouth shall restore the surface above the installed utilities, including all paths and other park infrastructure altered by the installation, and the land shall continue to be used for park purposes under Chapter 45 of the Massachusetts General

Laws and Article 97 of the Amendments to the Constitution of the Commonwealth of
Massachusetts.

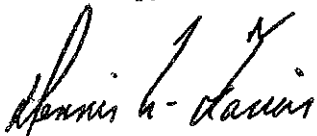
SECTION 3. This act shall take effect upon its passage.

Referred to the Committee on Ordinances.

IN CITY COUNCIL, May 12, 2022

Dennis W. Farias, City Clerk

a true copy, attest:


City Clerk