



# City of Waltham

Jeannette A. McCarthy  
Mayor

CITY OF WALTHAM  
CITY CLERK'S OFFICE

2018 08 - 9 P 3 02

RECORDED

August 9, 2018

TO: The City Council  
RE: 48 Woerd Avenue Gift Deed of One Temporary Easement and One Permanent Easement.

Dear Councillors:

In reference to the Woerd Avenue Bridge Project, I respectfully request approval of a Gift Deed for two easements, Parcel PUE-1 (yellow) (permanent) and Parcel TE-1 (pink) (temporary) on the enclosed plan. The owner is 48 Woerd Property, LLC.

Enclosed please find Gift Deed of two easements and Certificate of Donation.

The City Engineer, Steve Casazza is available to answer any questions you may have regarding this request.

Sincerely,

Jeannette A. McCarthy

JAM/dd

encl.

cc: Steve Casazza

# CERTIFICATE OF DONATION

Owner(s) of Record: <u>48 Woerd Property, LLC</u>	
City/Town: <u>Waltham</u>	Fed Aid Number: _____
Project: <u>Woerd Avenue Bridge Reconstruction Project</u>	
Parcel Number (ROW Plans) & Square Footage(s):	224 sf waterline easement in Tax Parcel ID R0760080025, shown as Parcel PUE-1 on the attached plan
In Fee: <u>N/A</u>	Permanent Easement(s): _____
Temporary Easement(s): <u>3-year temporary construction easement in 902 sf of Tax Parcel ID R0760080025, shown as Parcel TE-1 on the attached plan</u>	

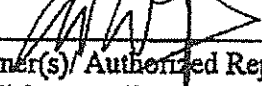
To: John DeLeire, Director  
Right of Way Bureau  
MassDOT/ Highway Division  
10 Park Plaza - Room 6160  
Boston, MA 02116-3973

This is to certify that the above referenced parcel(s) were donated by the owner(s) as provided for in the provisions of Title III, Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

The conveyance of these parcels will be accomplished by deed or Order of Taking and recorded in the Registry of Deeds.

**This donation is made of my/our free will. I/we waive my/our right(s) to an appraisal and compensation. I/we have been given the Federal Aid Acquisition Guide for Property Owners and have reviewed it.**

48 WOERD PROPERTY, LLC

By:  \_\_\_\_\_  
Owner(s)/ Authorized Representative Eric W. Kaup, Date  
\*\*All Owners of Records must sign\*\* Authorized Signatory

\_\_\_\_\_  
Authorized City/Town Official - Title Date

**Note:** If the subject parcel(s) is/are owned by a corporation, estate, trust, etc., then an appropriate document, authorizing this donation must be attached to this document.

**Note:** An executed Affidavit from the municipality must be attached for this document to be valid for ROW Certification.

Gift deed of two easements

48 Woerd Property, LLC, owner of the property known as and numbered 48 Woerd Avenue, Waltham, MA, (the Grantor) hereby donates to the City of Waltham, 610 Main Street, Waltham, MA (the Grantee) a municipal corporation, and the City of Waltham, acting by and through its Mayor, hereby accepts, the two below identified easements to be used for purposes of reconstruction of the Woerd Avenue bridge.

The first easement is a temporary easement over a portion of 48 Woerd Avenue, Waltham, MA, being granted for a period of three (3) years from the date this easement is accepted by the City of Waltham, as evidenced by the signature of the Mayor hereto. Said temporary easement is identified as PARCEL TE-1 on the plan captioned "Plan of Easements, Waltham, Massachusetts, Bridge W-04-006, Woerd Avenue over Charles River" by Green International Affiliates, Inc., dated June 13, 2018 to be recorded herewith and more particularly bounded and described as follows:

Beginning at a point on the southeasterly sideline of the 1929 City Location line of Woerd Avenue, being the northeasterly corner of the parcel hereinafter described;  
thence southeasterly a distance of about 3 feet;  
thence southwesterly a distance of about 64 feet;  
thence southerly a distance of about 36 feet;  
thence easterly a distance of about 14 feet;  
thence southerly a distance of about 4 feet;  
thence westerly a distance of about 49 feet;  
thence northeasterly a distance of about 42 feet;  
thence northwesterly a distance of about 5 feet;  
thence following said City Location Line northeasterly a distance of about 80 feet which is the point of beginning.

The above described parcel of land contains an area about 902 square feet, 0.021 acres in the City of Waltham, Massachusetts.

The second easement is a permanent easement over a portion of 48 Woerd Avenue, Waltham, MA, being granted to the City of Waltham, as evidenced by the aforementioned signature of the Mayor hereto. Said permanent easement is identified as PARCEL PUE-1 on the plan captioned "Plan of Easements, Waltham, Massachusetts, Bridge W-04-006, Woerd Avenue over Charles River" by Green International Affiliates, Inc., dated June 13, 2018 and more particularly bounded and described as follows:

Beginning at a point on the southeasterly sideline of the 1929 City Location line of Woerd Avenue being N 38°16'09" E a distance of 239.55 feet from a point of curvature with a radius of 20.00 feet and distance of 31.42 feet, being the northeasterly corner of the parcel hereinafter described;  
thence S 51° 43' 51" E a distance of 5.00 feet;  
thence S 38° 16' 09" W a distance of about 42 feet to a point on the property line dividing the land formerly of Woerd Sub, LLC (now 48 Woerd Property, LLC) and the land of Owner

Unknown;  
thence following said property line westerly a distance of about 10 feet to a point on said City Location line of Woerd Avenue;  
thence along said City Location line N 38° 16' 09" E a distance of about 50 feet which is the point of beginning.

The above described parcel of land contains an area about 224 square feet, 0.005 acres in the City of Waltham, Massachusetts.

In witness whereof the said 48 Woerd Property, LLC has caused this gift deed of easements to be signed, acknowledged and delivered on its behalf by \_\_\_\_\_, hereto duly authorized, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

48 Woerd Property, LLC, by

\_\_\_\_\_

Witness: \_\_\_\_\_

Its \_\_\_\_\_

Witness: \_\_\_\_\_

\_\_\_\_\_, ss.

Date: \_\_\_\_\_

Then personally appeared the above-named \_\_\_\_\_, proven to me to be said person by driver's license/personal knowledge/other identification, and acknowledged the foregoing to be the true act and deed of 48 Woerd Property, LLC, before me

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

I, Jeannette A. McCarthy, Mayor, hereby accept the above temporary and permanent easements on behalf of the City of Waltham.

\_\_\_\_\_  
Jeannette A. McCarthy, Mayor  
Pursuant to City Council Order # \_\_\_\_\_

Middlesex, ss.

Date: \_\_\_\_\_

Then personally appeared the above-named Jeannette A. McCarthy, Mayor of the City of Waltham, proven to me to be said person by driver's license/personal knowledge/other identification, and acknowledged the foregoing to be the true act and deed of the City of Waltham, before me

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_