

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

CONFIRMATORY ORDER OF TAKING
91 PEVEY STREET

To Take by Eminent Domain a certain parcel of Land in the City of Lowell for Municipal Purposes, pursuant to G.L.c.83, §1 so that the City may lay out, construct, maintain and operate a system of sewers and drains in public and/or private ways as it is necessary for public convenience and/or the public health and to comply with a federal Consent Decree.

The City of Lowell is upgrading its facilities with respect to its Combined Sewer System, whereby new underground sewer pipes and a storage facility will be installed in the area in order to prevent the discharge of raw sewerage during wet weather; and

The City of Lowell is making this taking, which is confirmatory in nature, to cure and hence remove any cloud on title to the Property that may have arisen or if any there be and to clarify the boundaries thereof in order to confirm title in the name of the City of Lowell and in furtherance of a sewer project as noted above.

1. That the City of Lowell, by right of eminent domain, pursuant to the applicable provisions of Massachusetts General Laws, Chapter 79 and Chapter 121B and also Chapter 610 of the Acts of 1967, and of any and every other power granted or implied, hereby takes a Confirmatory Order, in a parcel hereinafter specified, for the City of Lowell by eminent domain for municipal purposes; to wit, pursuant to G.L.c.83, §1 so that the City may lay out, construct, maintain and operate a system of sewers and drains in public and/or private ways as it is necessary for public convenience and/or the public health.
2. The Confirmatory Taking of said parcel, consisting of a portion of 91 Pevey Street consisting of 928± sq. ft., (Parcel 1) as herein specified and is shown on the plan entitled "Plan of Land in the City of Lowell Prepared by Hancock Associates, August 9, 2017", which plan shall be recorded with this Order of Taking at Middlesex North District Registry of Deeds, and a copy is attached hereto as Attachment "B". Said attachment is incorporated by reference and made a part of this Order. Further, said

parcel is described in Attachment "A". Said attachments are incorporated by reference and made a part of this Order. The Description is incorporated by reference and made a part of this Order.

3. IT IS FURTHER ORDERED that as compensation in full for all damages suffered by or caused to the owner of the said land, hereby taken, the following sum is hereby awarded for such damages incurred by reason of the taking herein of the permanent and temporary easements thereof, reserving the right to amend the award at any time prior to the payment thereof by reason of a change of ownership or for other good cause shown:
4. It is further Ordered that a copy of this Confirmatory Order of Taking and related plans, if any, be recorded at the Middlesex North Registry of Deeds, and the Land Registration Section thereof, if applicable, in compliance with M.G.L. Chapter 79.
5. IT IS FURTHER ORDERED that the total sum of ONE THOUSAND SIX HUNDRED EIGHTY EIGHT AND 96/100 DOLLARS (\$1,688.96.00) for the Taking herein of said parcel of land for all damages caused in connection with such Taking, plus the cost of recordings and other incidental charges related thereto, be charged against the appropriation entitled.

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