

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

ORDER

To Vacate, Discontinue and Abandon Certain Public Interests, Rights and Easements in Lequin Avenue in the City of Lowell.

The City of Lowell desires to vacate, discontinue and abandon Lequin Avenue more fully hereinafter described; and

There is no further municipal need for said Lequin Avenue to be used as a street; and

The City of Lowell desires and finds common convenience and necessity to vacate and discontinue and abandon any and all public interests, rights and easements in Lequin Avenue, hereinafter described on Exhibit "A", annexed hereto made a part hereof; and

Upon abandonment of said public interest in said Lequin Avenue, title free of said public easements is in the abutting property owners to the mid-line of said abandoned area and shall henceforth be assessed to said abutters for real estate tax purposes.

BE IT ORDERED, ADJUDGED AND DECREED by the City Council of the City of Lowell as follows:

That common convenience and necessity require that the City of Lowell vacate, discontinue and abandon any and all public interests, rights and easements, if any, in Lequin Avenue hereinafter described on Exhibit "A", annexed hereto and made a part hereof, and shown on the plan hereinafter referred to as Exhibit "C", annexed hereto and made a part hereof and the same is hereby discontinued as a public street or way or other public right of way in the City of Lowell.

Also as a further condition and part of this Order, that upon the abandonment and discontinuance herein, that the City of Lowell and its designated utility company shall have the right of easement to maintain, repair, change or re-route all sewer lines, drains, water, electrical, telephone, cable and gas lines at or under said abandoned area, and that such work be performed under the supervision of the Department of Public Works, Engineering, Lowell Regional Water Utility and Lowell Regional Wastewater Utility.

Also, a further condition and part of this Order is that, upon the abandonment and discontinuance herein, the abutting owners to the mid-line of said abandoned area shall henceforth be picked up for assessment purposes by the City of Lowell Board of Assessors. The abutting owners as shown on the certified Abutters List hereinafter described on Exhibit "B", annexed hereto made a part hereof; and

Also as a further condition and part of this Order, said Order shall be recorded forthwith by and at the expense of the Petitioner at the Middlesex North District Registry of Deeds.

Order/abandonlequinave.

**DESCRIPTION
ABANDONMENT OF LEQUIN AVENUE**

The land in Lowell beginning at a point at the intersection of the town line of Lowell and Dracut and the westerly sideline of LeQuin Avenue and being shown on a plan entitled "Plan of Land in Lowell & Dracut Mass Belonging to J.A. LeQuin" recorded at the Middlesex North District Registry of Deeds in Plan Book 49 Plan 40.

Thence southerly along LeQuin Avenue to a point on the northerly sideline of Henry Avenue and the easterly sideline of LeQuin Avenue. Said point being the southeasterly corner of Lot 15;

Thence easterly across LeQuin Avenue to a stone bound on the northerly sideline of Henry Avenue and the easterly sideline of LeQuin Avenue:

Thence northerly along the easterly sideline of LeQuin Avenue to a point at intersection of the easterly sideline of LeQuin Avenue and the town line of Dracut and Lowell;

Thence westerly along the town line of Lowell and Dracut across LeQuin Avenue to the point of beginning.

EXHIBIT "A"



Susan A. LeMay, MAA
Chief Assessor

Joel H. Cohen
Assessor

Ryan E. Rondeau
Assessor

April 24, 2019

City of Lowell Law Department
375 Merrimack St
Lowell, MA 01852

RE: Abutters List

Dear Brian:

This is to attest that the individuals described on the attached listing are the certified list of parties interest in Lowell, MA relative to the abandonment of the portion of Lequin Ave Lowell, MA 01850

Very truly yours,

Susan A. LeMay, M.A.A.
Chief Assessor

Attachment(s) – 1 pages
cc: Assessor File

SAL/RF

EXHIBIT "B"

RE: 20 HENRY AVE

JARACZ CAROLYN A
20 HENRY AVE
LOWELL, MA 01850-1108

RE: 30 HENRY AVE

ROBARGE RICHARD J
ROBARGE JULIE L
40 HENRY AVE
DRACUT, MA 01826



PLAN OF LAND
 IN LOWELL, DECAT, MASS.
 BELONGING TO
J. A. LeQUIN.
 APRIL 14/1926

O. M. SNELL, C. E.
 NOV. 1910.
 Lowell, Mass. Sept. 29, 1921.
 Received and entered with Middlesex
 North Registry of Deeds
 Book of Plans 49, Plans 40
 Attest: *William C. B. [unclear]*
 Registrar.

EXHIBIT "C"



City of Lowell - Law Department

375 Merrimack Street, 3rd Floor • Lowell MA 01852-5909
Tel: 978.674.4050 • Fax: 978.453.1510 • www.lowellma.gov

Christine P. O'Connor
City Solicitor

Rachel M. Brown
1st Assistant City Solicitor

Gary D. Gordon
John Richard Hucksam, Jr.
Adam LaGrassa
Stacie M. Moeser
Elliott J. Veloso
Assistant City Solicitors

June 20, 2019

City Manager Eileen M. Donoghue
Mayor William Samaras
Members of the City Council

RE: Order to Abandon Lequin Avenue

Dear Manager Donoghue, Mayor Samaras and Members of the City Council:

Enclosed is an Order for Abandonment of Lequin Avenue.

The Order of Abandonment must follow the hearing process outlined below:

Procedure for Street Construction or Vacation, under Code of Ordinances of City of Lowell,
Article III §243-13, §243-14 and §243-15:

1. Proposed Order of Abandonment is submitted to City Council;
2. Refer Order to a Council Committee or as a Committee of the Whole;
3. City Council sitting as a Committee of the Whole shall hold a public hearing and give notice at least seven (7) days in advance thereof by:
 - (a) posting
 - (b) service by constable on the abutters
4. Committee hearing shall:
 - (a) hear parties
 - (b) view (if requested)
 - (c) report to full Council

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5. Report of the Council and the Order issued by the Council shall contain:
 - (a) recommendation to abandon, or not
 - (b) finding of common convenience and necessity
 - (c) report boundaries
6. Order then remains in City Clerk's office for seven (7) days before Council votes thereon; and
7. After seven (7) days Council to hear parties in interest and to vote on the Order of Abandonment.

Very truly yours,



Christine P. O'Connor
City Solicitor

CPO:order:abandonlequinave

Encls.

cc: C. Clancy-- City Engineer
D. Tradd -- DPD
P. Lucken -- DPD
Planning Board
S. Lemay-Assessor
Brian T. Akashian, Esq.