

HOUSE No. 4304

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

AN ACT AUTHORIZING THE TOWN OF MANCHESTER-BY-THE-SEA TO GRANT AN EASEMENT ON CERTAIN WATER PROTECTION LAND..

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

1 SECTION 1. The town of Manchester- by- the- Sea, acting by and through its board of
2 selectmen, may grant a non-exclusive easement on a portion of land located on Lincoln street in
3 said town containing 6.03 acres, more or less, to the Essex County Club, for the purpose of
4 continuing the use of said land by the club as a golf course. The land on which the easement
5 may be granted was acquired by the town for water supply purposes and the town shall continue
6 to use the easement area for its water resources. The easement is shown on a plan entitled
7 “Easement Plan, Lincoln Avenue, Town of Manchester-by-the-Sea,” dated September 18, 2008
8 and prepared by North Shore Survey Corporation, which is on file in the office of the town clerk.

9 SECTION 2. In consideration for and as a condition of the conveyance of the easement
10 to the Essex County Club, the Club shall elect not to obtain any tax benefit from chapter 61B of
11 the General Laws for as long as the easement is in effect. As further good and valuable
12 consideration for the easement granted by the town to the Club, the Club shall grant an easement
13 to the town of Manchester-by-the-Sea on land located on Mill street in said town, containing

14 approximately .75 acres, shown on a plan entitled "Easement Plan, Mill Street, Town of
15 Manchester-by-the-Sea," dated September 18, 2008 and prepared by North Shore Survey
16 Corporation, which is on file in the office of the town clerk. The value of said easement
17 provided to the town is to link 2 water mains, currently dead-ended, for the benefit of residents
18 of the town, to improve Mill street and other traveled ways in said town and to provide direct
19 access to a main highway and for general municipal purposes.

20 SECTION 3. If the easement granted to the Essex County Club ceases to be used for the
21 purposes described in section 1, the easement shall terminate and the land shall revert to the town
22 for water resource purposes.

23 SECTION 4. This act shall take effect upon its passage.