## HOUSE <br> 

## $\mathbb{T h e} \mathbb{C o m m o n m e a l t h ~ o f ~} \mathfrak{f l a s s a c h u s e t t s}$

PRESENTED BY:
William M. Straus and Mark C. Montigny

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:
An Act relocating certain harbor lines in the Fairhaven and New Bedford Harbors.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
| :--- | :--- | :--- |
| William M. Straus | 10th Bristol | $1 / 20 / 2011$ |
| Mark C. Montigny |  | $2 / 4 / 2011$ |

## HOUSE <br> 

By Mr. Straus of Mattapoisett and Senator Montigny, a joint petition (subject to Joint Rule 9) (accompanied by bill, House, No. 3402) of Mark Montigny and William M. Straus for legislation to relocate certain harbor lines in the Fairhaven and New Bedford harbors. Environment, Natural Resources and Agriculture.

## $\mathbb{T h e} \mathbb{C o m m o n m e a l t h}$ of $\mathfrak{A l a s s a c h u s e t t s}$

In the Year Two Thousand Eleven

An Act relocating certain harbor lines in the Fairhaven and New Bedford Harbors.

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. Section 1 of chapter 80 of the acts of 1929 is hereby amended by striking out the second paragraph, as most recently amended by section 1 of chapter 341 of the acts of 2004, and inserting in place thereof the following paragraph:-

Beginning at a point A in latitude six hundred fifty-one and seventy-one hundredths feet north and longitude eight hundred sixty and thirty-seven hundredths feet west, said point A being north fifty-two degrees, fifty-one minutes, twenty-five seconds west, true bearing, one thousand seventy-nine and thirty-three hundredths feet from above described mark 1; thence north one degree, fifty minutes, seven seconds west, true bearing, one thousand, eight hundred twenty feet to point B in latitude, two thousand, four hundred seventy and seventy-seven hundredths feet north and longitude nine hundred eighteen and sixty-five hundredths feet west, said point B being located north twenty-two degrees, thirty-four minutes, thirty seconds west, true bearing, six hundred and fifty-one hundredths feet from mark 2 on the southwesterly corner of Atlas Tack

Company's wharf in Fairhaven; thence north thirty-six degrees, forty-four minutes, nineteen seconds west, true bearing, one thousand four hundred forty-four and ninety-three hundredths feet to point C 1 , in latitude three thousand, six hundred twenty-eight and seven tenths feet north and longitude one thousand, seven hundred eighty-two and ninety-six hundredths feet west, said point C 1 , being located north forty-nine degrees, fifty-four minutes, twelve seconds west, true bearing, three hundred seventy-two and eleven hundredths feet from mark 3 on the northwesterly corner of Central Wharf in Fairhaven; thence north four degrees, nineteen minutes, two seconds west, true bearing, along the westerly side of the battered pile of Rodman Candle Works LLC pier as shown on the hereinafter described plan, six hundred sixty-seven and ninety one hundredths feet to point D1 in latitude four thousand, three hundred three and thirty-nine hundredths feet north and longitude one thousand eight hundred thirty-three and twenty-four hundredths feet west; thence north seventy-eight degrees, thirty-two minutes, 45 seconds east, true bearing, sixty-one and six hundredths feet to point D2, in latitude four thousand three hundred fifteen and fifty-two hundredths feet north and longitude one thousand seven hundred seventy-three and thirty-nine hundredths feet west; thence north thirty six degrees, thirty minutes, thirty seconds, east, true bearing, five hundred sixty-three and thirty-one hundredths feet to point E in latitude four thousand seven hundred sixty-eight and twenty-nine one hundredths feet north and longitude one thousand four hundred thirty-eight and twenty-six one hundredths feet west, said point E being located north seventy-five degrees, forty-one minutes, forty-six seconds west, true bearing, three hundred sixty-eight and sixty-one one hundredths feet from a stone monument at the southeast corner of Washington street and Water street in Fairhaven; thence north twelve degrees, ten minutes, fifty-seven seconds west, true bearing, two hundred seventy-five feet to a point "El", in latitude five thousand thirty-seven and one tenth feet
north and longitude one thousand four hundred ninety-six and twenty-nine one hundredths feet west; thence south seventy-nine degrees, thirty-four minutes, fifteen seconds west, true bearing, two hundred seventy-five and thirteen one hundredths feet to point "E2" in latitude four thousand nine hundred eighty-seven and twenty-nine one hundredths feet north and longitude one thousand seven hundred sixty-six and eighty-eight one hundredths feet west; thence north twelve degrees, ten minutes, fifty-seven seconds west, true bearing, seven hundred twenty-four and twenty-six one hundredths feet to a point "E4" in latitude five thousand six hundred ninety-five and twenty-four one hundredths feet north and longitude one thousand nine hundred nineteen and seventy-one one hundredths feet west; thence south sixty-four degrees, twenty-four minutes, forty seconds, west, true bearing, one thousand five hundred fourteen and twenty-three one hundredths feet to a point "PG1" in latitude five thousand forty-one and ten one hundredths feet north and longitude three thousand two hundred eighty-five and sixty-nine one hundredths feet west; thence north eighty-one degrees, twenty-one minutes, seven seconds west, true bearing, four hundred thirty-two and fifty-two one hundredths feet to a point "PG2" in latitude five thousand one hundred six and thirteen one hundredths feet north and longitude three thousand seven hundred thirteen and twenty-nine one hundredths feet west; thence north thirty-nine degrees, nineteen minutes, one second west, true bearing, six hundred two and ninety-seven one hundredths feet to a point "PE2" in latitude five thousand five hundred seventy two and sixtytwo one hundredths feet north and longitude four thousand ninety-five and thirty-four one hundredths feet west; thence north twenty-four degrees, fifty-six minutes, twelve seconds west, true bearing, two hundred ninety-six and seventy-six one hundredths feet to a point "PE1" in latitude five thousand eight hundred forty-one and seventy-one one hundredths feet north and longitude four thousand two hundred twenty and forty-six one hundredths feet west; thence north
seventeen degrees, eleven minutes, twenty-three seconds west, true bearing, four hundred three and seventy one hundredths feet to a point "PE4" in latitude six thousand two hundred twentyseven and thirty-eight one hundredths feet north and longitude four thousand three hundred thirty-nine and seventy-seven one hundredths feet west; thence north fifteen degrees thirty-four minutes, eight seconds east, true bearing, one thousand twenty-two and thirty one hundredths feet to a point "PD1" in latitude seven thousand two hundred twelve and seventeen one hundredths feet north and longitude four thousand sixty-five and thirty-nine one hundredths feet west; thence north eighty-three degrees, forty-three minutes, nineteen seconds east, true bearing, five hundred eighty and eighty-six one hundredths feet to a point "PC" in latitude seven thousand two hundred seventy-five and sixty-nine one hundredths feet north and longitude three thousand four hundred eighty-eight and one one hundredth feet west, said point "PC" being north forty degrees, twenty-five minutes, five seconds east, true bearing, nine hundred two and thirty-five one hundredths feet from aforesaid "Mark 20"; thence south forty-six degrees, sixteen minutes, forty-one seconds east, true bearing, one thousand four hundred thirty-four and sixty-six one hundredths feet to point "PB" in latitude six thousand two hundred eighty-four and eleven one hundredths feet north and longitude two thousand four hundred fifty-one and eighteen one hundredths feet west; said point "PB" being located north fourteen degrees, fifty-one minutes, fifty-five seconds west, true bearing, seventy and four tenths feet from "Mark 19" on the southerly side of the New Bedford and Fairhaven bridge near the east end of Popes Island; thence north seventy-three degrees, twenty-three minutes, nineteen seconds east, true bearing, three hundred ninety-six and forty-two one hundredths feet to a point "F2" in latitude six thousand three hundred ninety-seven and forty-three feet north and longitude two thousand seventy-one and thirty-one one hundredths feet west; thence north twelve degrees, ten minutes,
fifty-seven seconds west, true bearing, three hundred ninety-nine and nine one hundredths feet to point " Fl " in latitude six thousand seven hundred eighty-seven and fifty-four one hundredths feet north and longitude two thousand one hundred fifty-five and fifty-three one hundredths feet west; thence north forty-six degrees, sixteen minutes, forty-one seconds west, true bearing, two thousand nine hundred fifteen and eight tenths feet to point $G$ in latitude eight thousand eight hundred two and eighty-two one hundredths feet north and longitude four thousand two hundred sixty-two and seventy-eight one hundredths feet west, said point $G$ being located south twelve degrees, twenty minutes, forty-one seconds west, true bearing, one thousand and five one hundredths feet from Mark 6 on Marsh island so-called in Fairhaven; thence north, ten degrees, twenty-three minutes, fifty-three seconds west, true bearing, one thousand two hundred sixteen and ninety-two one hundredths feet to point H in latitude nine thousand nine hundred ninety-nine and seventy-six one hundredths feet north and longitude four thousand four hundred eighty-two and forty-two one hundredths feet west, said point H being located north sixty-three degrees, five minutes, sixteen seconds west, true bearing, four hundred eighty-six and eight one hundredths feet from Mark 6 on Marsh island in Fairhaven; thence north twenty-four degrees east, true bearing, eighteen hundred feet to point I in latitude eleven thousand six hundred forty-four and fourteen one hundredths feet north and longitude three thousand seven . hundred fifty and twenty-nine one hundredths feet west, said point I being located south fourteen degrees, seven minutes, twenty-nine seconds west, true bearing, nine and ninety-eight one hundredths feet from Mark 7 on the southerly side of Coggeshall street bridge near the Fairhaven end; thence north two degrees, four minutes, thirty-nine seconds east, true bearing, two thousand seventy-seven and twenty-eight one hundredths feet to point J in latitude thirteen thousand seven hundred twenty and five one hundredths feet north and longitude three thousand six hundred seventy-four
and ninety-nine one hundredths feet west, said point J being located north fifty-four degrees, thirty-nine minutes, seventeen seconds west, true bearing, eight hundred sixty-four and twentyeight one hundredths feet from Mark 8 near the westerly end of Veranda street in Fairhaven; thence north eleven degrees, thirty-two minutes, twenty seconds west, true bearing, two thousand eight hundred twenty-five and twenty-two one hundredths feet to point K in latitude sixteen thousand four hundred eighty-eight and seventeen one hundredths feet north and longitude four thousand two hundred forty and thirteen one hundredths feet west, said point K being located north seventy degrees, thirty-six minutes, twenty-two seconds west, true bearing, five hundred ninety-two and thirty-three one hundredths feet from Mark 9, the above described point K being the northerly end of the harbor line hereby established in the easterly side of Acushnet river.

SECTION 2. The metes and bounds inserted by section one, being relocation of the harbor lines encompassing Popes Island in Fairhaven and New Bedford Harbors between harbor line points " C 1 " and " E " as shown on a plan dated August 12, 2010, LAST REVISED December 28, 2010, drafted by CLE Engineering, Inc., 15 Creek Road, Marion, MA 02738, shall be filed with the division of waterways within the department of environmental management, the division of wetlands and waterways within the department of environmental protection and with the engineer of the city of New Bedford.

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

