

SENATE No. 1851

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

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 authorizing the city of Fall River to use certain park land for combined sewer overflow control.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>

SENATE No. 1851

By Mr. Rodrigues, a petition (accompanied by bill, Senate, No. 1851) of Michael J. Rodrigues, Paul A. Schmid, III and Alan Silvia (with the approval of the Mayor and City Council) for legislation to authorize the city of Fall River to use certain park land for combined sewer overflow control. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen
—————

An Act authorizing the city of Fall River to use certain park land for combined sewer overflow control.

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 city of Fall River may use portions of the land known as Bicentennial
2 park in said city for combined sewer overflow control, including the construction, installation,
3 repair, maintenance and operation of a treatment facility and pipelines for the purpose of treating,
4 transporting and storing wastewater and storm water. The parcel of land is further described as
5 follows:

6 Being a portion of the Land on Davol Street in the City of Fall River, the County of
7 Bristol, and the Commonwealth of Massachusetts, described in Deed book 1134 Page 87;

8 Beginning at a point on the westerly side line of Davol Street, said point being eighty-five
9 and sixty-one hundredths feet (85.61) northeasterly from the north west corner of Davol Street
10 and President Avenue, thence turning and running;

11 Southwesterly along a curve to the right having a radius of six-thousand three and zero
12 hundredths feet (6003.00) with a length of seventy-seven and sixty-four hundredths feet (77.64)
13 to a point at the northwest corner of Davol Street and President Avenue, thence turning and
14 running;

15 Southwesterly along a curve to the right having a radius of twenty-four and zero
16 hundredths feet (24.00) with a length of seven and ninety-seven hundredths feet (7.97) to a point
17 at the northwest corner of Davol Street and President Avenue, thence turning and running;

18 N 76° 58' 20" W for a distance of twenty-nine and thirty hundredths feet (29.30) by the
19 side line of President Avenue, thence turning and running;

20 N 76° 58' 20" W for a distance of one hundred seventy-six and ninety-six hundredths feet
21 (176.96), by the side line of President Avenue, thence turning and running;

22 N 21° 39' 10" E for a distance of eighty and twenty-one hundredths feet (80.21) to a
23 point, thence turning and running;

24 S 70° 13' 20" E for a distance of sixty-four and ninety-seven hundredths feet (64.97) to a
25 point, thence turning and running;

26 N19° 38' 54" E for a distance of fifty-seven and sixty-five hundredths feet (57.65) to a
27 point, thence turning and running;

28 S 70° 21' 06" E for a distance of twenty-seven and fifty hundredths feet (27.50) to a
29 point, thence turning and running;

30 S 19° 38' 54" W for a distance of twenty-eight and forty-one hundredths feet (28.41) to a
31 point, thence turning and running;

32 S 70° 21' 06" E for a distance of one hundred eleven and fifty-four hundredths feet
33 (111.54) to the point of beginning.

34 The parcel being described has an area of eighteen thousand seven hundred and fifty-nine
35 square feet (18,759) more or less.

36 SECTION 2. In consideration for the change of use of the parcel described in section 1,
37 the city of Fall River shall dedicate 10,136 square feet, more or less, of land in Fall River to be
38 acquired from the Roman Catholic Bishop of Fall River which shall be added to Maplewood
39 Park as remediation for the 3,326 square feet, more or less, of land that the public will not have
40 access to at Bicentennial Park due to the combined sewer overflow control authorized in said
41 section 1. The remediation land is further described as follows:

42 Being a portion of land in the City of Fall River, the County of Bristol, and the
43 Commonwealth of Massachusetts more fully described as follows:

44

45 Beginning at a point on the northwesterly corner of the parcel described herein; thence

46 S 62° 01' 19" E for a distance of two hundred and 01/100 feet (200.01) to a point; thence

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48 S 27° 58' 41" W for a distance of fifty and 00/100 feet (50.00) to a point; thence

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50 N 62° 26' 15" W for a distance of one hundred ninety nine and 64/100 feet (199.64) to a
51 point; thence

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53 N 27° 33' 45" W for a distance of fifty one and 45/100 feet (51.45) to the point of
54 beginning.

55

56 The parcel being described has an area of ten thousand one hundred thirty six square feet
57 (10,136) more or less.

58

59 The parcel being described is also shown as Parcel D as shown on that certain plan of
60 land entitled "Approval Not Required Plan of Land, Map E-22, Lots 3 & 28 in Fall River, MA"
61 prepared for the Roman Catholic Bishop of Fall River dated April 2, 2013 by SITEC, Inc.

62 For the grantor's title see: a deed dated April 27, 1961 and recorded with the Bristol
63 county, Fall River district registry of deeds in book 753, page 71; a deed dated April 27, 1961
64 and recorded with the Bristol county, Fall river district registry of deeds in book 753, page 73; a
65 deed dated April 27, 1961 and recorded with the Bristol county, Fall river district registry of
66 deeds in book 753, page 74; a deed dated October 25, 1962 and recorded with the Bristol county,
67 Fall river district registry of deeds in book 788, page 266; and a deed dated November 19, 1962
68 and recorded with the Bristol county, Fall river district registry of deeds in book 789, page 446.