

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Sarah K. Peake and Daniel A. Wolf

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 Nauset regional school district to grant a certain easement.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>1/16/2015</i>
<i>Daniel A. Wolf</i>	<i>Cape and Islands</i>	<i>1/29/2015</i>

HOUSE No.

By Representative Peake of Provincetown and Senator Wolf, a joint petition (subject to Joint Rule 7B) of Sarah K. Peake and Daniel A. Wolf that the Nauset Regional School District be authorized to grant to the town of Eastham a certain easement. Municipalities and Regional Government.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act authorizing the Nauset regional school district to grant a certain easement.

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 Nauset Regional School District (hereinafter, the "District") may grant
2 to the Town of Eastham (hereinafter, the "Town") a perpetual, assignable easement, to run with
3 the land, over a certain parcel of land which is a portion of the land owned by the District and
4 acquired for school purposes, located at 100 Cable Road, Eastham, Massachusetts and more
5 particularly described in a deed recorded with the Barnstable County Registry of Deeds at Book
6 1393, Page 881. The easement shall include the right in the Town to retain groundwater
7 monitoring well(s) and drinking water supply wells on said parcel for all purposes and uses
8 incidental thereto along with any necessary appurtenances, may grant to the Town the rights of
9 access, installation, operation, maintenance, repair, removal and control thereof, as well as rights
10 of entry upon and passage over the parcel from time to time for all purposes stated in the grant of
11 easement and uses incidental thereto, and may grant to the Town all reasonable rights of ingress
12 and egress across adjoining lands owned by the District as may be necessary for the exercise of

13 the rights granted. The Town shall indemnify and hold harmless the District from and against
14 any loss, damage or liability arising out of the Town's exercise of the rights and easement, and
15 shall provide to the District, potable water needs for ninety-nine (99) years at no additional cost.
16 The easement shall be subject to the right expressly reserved by the District to continue to use
17 the parcel for all purposes not adverse to the rights granted by this Act.

18 The easement is shown on a plan of land entitled "Plan of Utility Easement at Nauset
19 Regional High School" prepared by: Coastal Engineering Company, dated October 28, 2011 to
20 be recorded in the Barnstable County Registry of Deeds.

21 SECTION 2. This act shall take effect upon its passage.