

HOUSE No. 4882

The Commonwealth of Massachusetts

PRESENTED BY:

Susannah M. Whipps and Joanne M. Comerford

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 town of Orange to convey a certain parcel of land.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>7/8/2024</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>7/10/2024</i>

HOUSE No. 4882

By Representative Whipps of Athol and Senator Comerford, a joint petition (accompanied by bill, House, No. 4882) of Susannah M. Whipps and Joanne M. Comerford (by vote of the town) that the town of Orange be authorized to convey five parcels of land. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the town of Orange to convey a certain parcel of 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 Water Department of the Town of Orange may release from water supply
2 designation five (5) certain parcels of land totaling approximately .38 acres, more or less, located
3 at Lake Mattawa, in said Town to the Board of Selectmen of the Town of Orange for the purpose
4 of conveying such parcels, by lot or otherwise. The land was acquired by the Town of Orange
5 Water Department for water supply purposes as part of a 35-acre parcel by deed dated on or
6 about May 26, 1894, and recorded in the Franklin County Registry of Deeds in Book 433, Page
7 228, and the Water Department has determined that the approximately .38 acres more or less of
8 land at Lake Mattawa is surplus property no longer needed for water supply protection purposes.
9 Said parcels are more specifically shown as Parcel A, Parcel B, Parcel C, Parcel D, and Parcel E
10 on a plan of land entitled “Plan of Land Holtshire Road, Orange MA,” dated March 11, 2020,
11 and prepared by Edward T. Berry, PLS.

12 Said Town shall designate, as replacement land, a parcel of land on Lake Mattawa at 129
13 Lake Mattawa Road, more specifically shown as Lot 113 on a plan entitled “Plan of Land in
14 Orange, Massachusetts, owned by the Town of Orange,” dated June 9, 2006 and revised on
15 August 25, 2009, by Berry Engineering, Inc., more particularly bounded and described as
16 follows:

17 Beginning at a point on the shoreline of Lake Mattawa, said point marking the northwest
18 corner of the affected premises; thence N 53° 26’ 04” E a distance of 140.00 feet, more or less, to
19 a stake; thence turning and running N 73° 41’ 00” E a distance of 26.81 feet, more or less, to a
20 point, the last two courses being along Lot 114 as shown on the aforementioned plan; thence
21 turning and running S 08° 55’ 54” W a distance of 61.52 feet, more or less, to Pole 73-1; thence
22 proceeding S 08° 76’ 39” E a distance of 107.61 feet, more or less, to a point; thence turning and
23 running S 76° 02’ 17” W a distance of 15.46 feet, more or less, to an iron pin; thence proceeding
24 S 70° 27’ 04” W a distance of 69.00 feet, more or less, to a point on the shoreline of Lake
25 Mattawa, the last 2 courses being along Lot 111 as shown on the aforementioned plan; thence
26 turning and running northwesterly along the shoreline of Lake Mattawa a distance of 125.00 feet,
27 more or less, to the place of beginning. Containing 16,370 square feet, more or less.

28 Section 2. Notwithstanding chapter 30B of the General Laws, but subject to paragraphs
29 (a), (b) and (g) of Section 16 of Chapter 30B, the Town of Orange, acting by and through its
30 Board of Selectmen, may transfer or convey, by lot or otherwise, the property at Lake Mattawa
31 containing approximately .38 acres more or less for fair market value to the current occupants on
32 the land. The five subject parcels are more specifically shown as Parcel A, Parcel B, Parcel C,
33 Parcel D, and Parcel E on a plan of land entitled “Plan of Land Holtshire Road, Orange MA,”

34 dated March 11, 2020, and prepared by Edward T. Berry, PLS, more particularly bounded and
35 described as follows:

36 Parcel A

37 Beginning at a point on the easterly side of the 1896 Franklin County Layout, known as
38 Holtshire Road, concurrent with the high water mark of Lake Mattawa, said point marking the
39 northernmost point of the affected parcel; thence running southerly along the high water mark of
40 Lake Mattawa a distance of 88.00 feet, more or less, to a point on the high water mark; thence
41 turning and running S 71° 04' 00" W a distance of 36.00 feet, more or less, to a point on the
42 easterly side of Holtshire Road; thence turning and running N 32° 41' 00" W along Holtshire
43 Road a distance of 64.00 feet, more less, to the point of beginning. Containing 450 square feet,
44 more or less.

45 Parcel B

46 Beginning at a point on the easterly side of the 1896 Franklin County Layout, known as
47 Holtshire Road, said point marking the northwest corner of the affected parcel; thence turning
48 and running N 71° 04' 00" E a distance of 36.00 feet, more or less, to a point on the high water
49 mark of Lake Mattawa; thence turning and running southerly along the high water mark of Lake
50 Mattawa a distance of 127.00 feet, more or less, to a point on the high water mark; thence
51 turning and running S 69° 45' 52" W a distance of 13.00 feet, more or less, to a point on the
52 easterly side of Holtshire Road; thence turning and running N 32° 41' 00" W along Holtshire
53 Road a distance of 128.97 feet, more less, to the point of beginning. Containing 3,520 square
54 feet, more or less.

55 Parcel C

56 Beginning at a point on the easterly side of the 1896 Franklin County Layout, known as
57 Holtshire Road, said point marking the northwest corner of the affected parcel; thence turning
58 and running N 69° 45' 52" E a distance of 13.00 feet, more or less, to a point on the high water
59 mark of Lake Mattawa; thence turning and running southerly along the high water mark of Lake
60 Mattawa a distance of 64.00 feet, more or less, to a point on the high water mark; thence turning
61 and running S 71° 04' 22" W a distance of 10.00 feet, more or less, to a point on easterly side of
62 Holtshire Road; thence turning and running N 08° 22' 36" W along Holtshire Road a distance of
63 13.44 feet, more less, to a point on the easterly side of Holtshire Road; thence proceeding N 32°
64 41' 00" W along Holtshire Road a distance of 44.60 feet, more less, to the point of beginning.
65 Containing 660 square feet, more or less.

66 Parcel D

67 Beginning at a point on the easterly side of the 1896 Franklin County Layout, known as
68 Holtshire Road, said point marking the northwest corner of the affected parcel; thence turning
69 and running N 71° 04' 22" E a distance of 10.00 feet, more or less, to a point on the high water
70 mark of Lake Mattawa; thence turning and running southerly along the high water mark of Lake
71 Mattawa a distance of 67.00 feet, more or less, to a point on the high water mark; thence turning
72 and running S 69° 45' 52" W a distance of 48.00 feet, more or less, to a point on the easterly side
73 of Holtshire Road; thence turning and running N 08° 22' 36" W along Holtshire Road a distance
74 of 62.38 feet, more less, to the point of beginning. Containing 1,575 square feet, more or less.

75 Parcel E

76 Beginning at a point on the easterly side of the 1896 Franklin County Layout, known as
77 Holtshire Road, said point marking the northwest corner of the affected parcel; thence turning

78 and running N 69° 45' 52" E a distance of 48.00 feet, more or less, to a point on the high water
79 mark of Lake Mattawa; thence turning and running southerly along the high water mark of Lake
80 Mattawa a distance of 235.00 feet, more or less, to a point on the easterly side of Holtshire Road,
81 concurrent with the high water mark of Lake Mattawa; thence turning and running N 04° 08' 32"
82 W along Holtshire Road a distance of 95.00 feet, more less, to the point of beginning.
83 Containing 7,205 square feet, more or less.

84 Section 3. The proceeds of the disposition of the property in section 2 after expenses,
85 shall be allocated as follows: (i) 50 percent (50%) shall be deposited into the Town treasury, and
86 (ii) 50 percent (50%) shall be remitted to the Town of Orange Water Department Enterprise
87 Fund to be used generally for water supply purposes and other costs associated with the
88 development of water supply.

89 Section 4. This act shall take effect upon its passage.