HOUSE DOCKET, NO. 508 FILED ON: 1/18/2011

HOUSE . . . . . No. 912

The Commonwealth of Massachusetts

PRESENTED BY:

James J. Dwyer

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 relative to the acceptance of streets as public ways in the city of Woburn.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James J. Dwyer	*30th Middlesex*
Jay R. Kaufman	*15th Middlesex*

HOUSE DOCKET, NO. 508 FILED ON: 1/18/2011

HOUSE . . . . . No. 912

By Mr. Dwyer of Woburn, a petition (accompanied by bill, House, No. 912) of James J. Dwyer and Jay R. Kaufman (with the approval of the mayor and city council) relative to the acceptance of certain streets as public ways in the city of Woburn. Transportation. [Local Approval Received.]

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. *5097* OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the acceptance of streets as public ways in the city of Woburn.

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. Notwithstanding sections 1 to13, inclusive, of chapter 82 of the General Laws, or any other general or special law to the contrary, the city of Woburn may accept as public ways, in accordance with the terms hereof, any one or more of the streets and ways listed in this act; provided, however, that acceptance as a public way shall become final only after:

(a)The layout of the way has been ordered and approved by the city council after a duly called public hearing of which 14 days prior notice in a newspaper of general circulation in the

city has been given, and of which notice is sent by mail, postage prepaid, to the owners of record, as determined by assessors' records, who abut said street or way; and

(b)An order of layout has been filed in the office of the city clerk, containing a description of, or reference to a plan showing the boundaries and measurements of the way, which may be an existing approved and recorded definitive subdivision plan; and

(c)Either (1) the city council has determined that the city already holds land or easements for the purposes of the public way and has filed that determination with the city clerk; provided, however, that there shall be a presumption that the city already holds said easements or land for these purposes with respect to any way that has been opened to public use and maintained by the city for 20 years or more; or (2) the city council has determined it is necessary to acquire land or easements for the purposes of the public way and the city council has acquired said land or easements by gift, purchase or eminent domain; provided, further, that notwithstanding chapter 79 of the General Laws, no appraisal of damages shall be required prior to any taking for the purposes of this act.

The streets and ways for consideration of acceptance are as follows: Adele Road, Albert Drive, Altavesta Circle, Anthony Drive, Arrow Drive, Atlantic Avenue, Battlemarch Way, Belford Circle, Birchwood Lane, Blueberry Hill Road, Bonnie Way, Bradford Road, Briarwood Road, Burlwood Land, Cabot Road, Carmen Terrace, Cedarwood Road, Chandler Street, Columbus Road, Commonwealth Avenue, Emeline Street, Everberg Road, Fox Road, Henry Avenue, Heritage Drive, Katie Way, Kosciusko Circle, Lake Circle, Lake Terrace, Laurel Street, Loker Lane, Lydon Court, Manny Terrace, McDevitt Drive, Morningside Circle, Morningside Drive, Nason Circle, New Industrial Road, New Village Road, Oakknoll Road, Oregon Avenue,

Pigeon Road, Rag Rock Drive, Ridgewood Lane, Sonar Drive, Spartan Circle, State Street, Stephanie Circle, Stevin Drive, Strawberry Lane, Sylvan Road, Sylvanus Wood Lane, Tedesco Drive, Tory Row, Westview Terrace, William Avenue, and Windsor Drive.

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