

TOWN OF BRAINTREE IN COUNCIL

ORDER NO: 12 043

DATE: September 7, 2012

ORDERED: Grove Street Braintree LLC

Acceptance of Stone Crest Drive

AT THE REQUEST OF GROVE STREET BRAINTREE LLC THAT THE TOWN VOTE TO ACCEPT THE LAYOUT OF STONE CREST DRIVE AS A TOWN WAY, AS LAID OUT ON A PLAN ENTITLED "ROADWAY AS-BUILT IN BRAINTREE, MASSACHUSETTS, STONE CREST DRIVE," DATED JUNE 1, 2011, REVISED THROUGH JUNE 22, 2011, PREPARED BY BORDERLAND ENGINEERING, INC., AND FILED WITH THE OFFICE OF THE TOWN CLERK ON SEPTEMBER 11, 2012, AND AS DESCRIBED BY THE TOWN ENGINEER IN THE MEETS AND BOUNDS OF SAID ROAD, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE. TO THE EXTENT THAT SAID PLAN PREPARED BY BORDERLAND ENGINEERING, INC. AND SAID DESCRIPTION PREPARED BY THE TOWN ENGINEER DIFFER, THE PHYSICAL MEETS AND BOUNDS AS DESCRIBED BY THE TOWN ENGINEER SHALL PREVAIL. STONE CREST DRIVE IS ACCEPTED BY THE TOWN OF BRAINTREE AS A TOWN WAY, TOGETHER WITH ALL BENEFITS AND RESPONSIBILITIES CURRENTLY APPURTENANT TO THE STATUS OF "PUBLIC WAY" WITHIN THE COMMONWEALTH. ALL WATER AND SEWER LINES WITHIN THIS LAYOUT, ALL EASEMENTS SHOWN ON THE REFERENCED PLAN, AND OWNERSHIP OF THE DRAINAGE SYSTEM WITHIN THE ROADWAY AND TO ITS DISCHARGE POINT(S) ENTERING ANY DETENTION BASINS, RETENTION BASINS OR SIMILAR STORMWATER IMPOUNDMENTS ARE ALSO ACCEPTED WITH THIS ACCEPTANCE AS A PUBLIC WAY. OWNERSHIP AND MAINTENANCE OF DETENTION BASINS, RETENTION BASINS OR SIMILAR STORMWATER IMPOUNDMENTS IS SPECIFICALLY EXCLUDED FROM THIS ACCEPTANCE. THIS ACCEPTANCE SHALL NOT BE CONSIDERED A FEE TAKING. NO DAMAGES ARE AWARDED. FURTHER, THE MAYOR AND THE DEPARTMENT OF PUBLIC WORKS ARE AUTHORIZED TO TAKE ANY ACTION NECESSARY TO CARRY OUT THIS VOTE.

YEAS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

NAYS: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

ABSENT: Bowes, Clifford, DeNapoli, Dingee, Joyce, Kokoros, Mullaney, Powers, Ryan

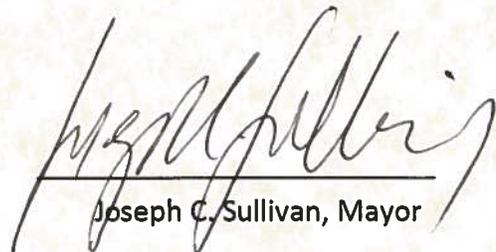
Passed in Council: October 16, 2012
Presented to Mayor: October 17, 2012
A True Copy, Attest:

October 18, 2012

Date Approved



Joseph F. Powers, Town Clerk



Joseph C. Sullivan, Mayor