

# City of Northampton

MASSACHUSETTS

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In City Council, May 21, 2020

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Upon the recommendation of Mayor David J. Narkewicz and Office of Planning and Sustainability

**20.052 AN ORDER AUTHORIZING ACQUISITION OF EASEMENTS FOR DRAINAGE IMPROVEMENTS  
ON ROCKY HILL ROAD (ROUTE 66)**

WHEREAS, Rocky Hill Road (Rte. 66) east of the intersection of Ice Pond Drive needs significant drainage improvements; and

WHEREAS, the locus sufficiently threatens the highway to qualify for a FEMA Hazard Mitigation Grant,

WHEREAS, the City has been short-listed for the FEMA Grant to fund such drainage improvements; and

WHEREAS, in order to be eligible for such Grant and in order to perform such drainage improvements, the City must acquire an easement over certain property on the north side of Rocky Hill Road shown as "Lot 29 – Non Building Lot for Culvert Maintenance" on a plan of land entitled "Definitive Subdivision Plan Prepared for The Community Builders, Inc.," dated December 16, 2002, revised May 19, 2003 and May 21, 2003, and recorded in the Hampshire Registry of Deeds in Plan Book 196, Page 70; and

WHEREAS, Lot 29 is owned in fractional shares by 20 of the lot owners in the Ice Pond Subdivision and by the original developer, TCB Hospital Hill, LLC; and

WHEREAS, by securing the FEMA grant and performing drainage improvements, the City is undertaking improvements that will significantly limit the landowners' liability for potential damage to the highway.

**NOW, THEREFORE BE IT ORDERED,**

The City Council hereby authorizes the acquisition by purchase, gift, eminent domain, or otherwise of easements over that parcel of land shown as "Lot 29 – Non Building Lot for Culvert Maintenance" on a plan of land entitled "Definitive Subdivision Plan Prepared for The Community Builders, Inc.," dated December 16, 2002, revised May 19, 2003 and May 21, 2003, and recorded in the Hampshire Registry of Deeds in Plan Book 196, Page 70, for the purpose of drainage improvements on Rocky Hill Road (Rte. 66). No appropriation is needed for this acquisition. Nothing herein shall be deemed to otherwise relieve the fee holders of Lot 29 or other responsible parties from their obligation to maintain and repair drainage structures thereon so as to protect the integrity of the highway.