

**City of Northampton**  
MASSACHUSETTS

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*In City Council, November 20, 2014*

Upon recommendation of the Mayor.

*Ordered, that*

WHEREAS, a petition has been duly filed to layout and accept Cooke Avenue as a public way;  
and

WHEREAS, the petition has been referred to the Planning Board and to the Board of Public  
Works; and

WHEREAS, the Board of Public Works has held a duly noticed public hearing on the petition  
to layout and accept the public way; and

WHEREAS, both the Planning Board and the Board of Public Works have recommended  
laying out and accepting Cooke Avenue as a public way;

NOW, THEREFORE, BE IT ORDERED

That the City Council authorizes the acquisition by gift, purchase, eminent domain or otherwise,  
an easement in and over the parcels of land shown as shown as "Cooke Avenue" on a plan  
entitled, "Plan of Land in Northampton, Massachusetts; Hampshire County, Surveyed for the  
City of Northampton," dated June 12, 2014, for the purpose of laying out, establishing and  
accepting public ways thereon.

Further, that the City Council hereby lays out, establishes and accepts as a public way the parcels  
to be acquired hereunder.

And further, that no damages shall be payable as a result of any taking authorized herein and no  
betterments shall be assessed as a result of the laying out, establishing and accepting such public  
way.

## ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

The parcels hereby taken are shown as "Cooke Avenue" on a plan entitled, "Plan of Land in Northampton, Massachusetts, Hampshire County, Surveyed for the City of Northampton," dated June 12, 2014, to be recorded herewith. The parcels are more particularly bounded and described as set forth on Exhibit A, attached hereto.

No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

[THE REMAINDER OF THIS PAGE INTENTIONALL LEFT BLANK]

IN WITNESS WHEREOF, We, the City Council of the City of Northampton, have executed this Order of Taking this            day of            , 2014.

WITNESS TO ALL:

CITY COUNCIL, CITY OF NORTHAMPTON, MA

\_\_\_\_\_  
William H. Dwight  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Jesse M. Adams  
AT-LARGE COUNCILOR

\_\_\_\_\_  
Maureen T. Carney  
WARD 1 COUNCILOR

\_\_\_\_\_  
Paul D. Spector  
WARD 2 COUNCILOR

\_\_\_\_\_  
Ryan R. O'Donnell  
WARD 3 COUNCILOR

\_\_\_\_\_  
Gina-Louise Sciarra  
WARD 4 COUNCILOR

\_\_\_\_\_  
David A. Murphy  
WARD 5 COUNCILOR

\_\_\_\_\_  
Marianne L. LaBarge  
WARD 6 COUNCILOR

\_\_\_\_\_  
Alisa Klein  
WARD 7 COUNCILOR

CERTIFICATE OF THE CLERK  
CITY COUNCIL, CITY OF NORTHAMPTON, MA

I, Pamela L. Powers, the Clerk of the City Council of the City of Northampton, MA, hereby certify that the attached Order of Taking of certain easements located in Northampton, Hampshire County, Massachusetts, was executed on            2014, by William H. Dwight, Jesse M. Adams, Maureen T. Carney, Paul D. Spector, Ryan R. O'Donnell, Gina-Louise Sciarra, David A. Murphy, Marianne L. LaBarge, and Alisa Klein, who as of that day, were and are the duly elected members of the City Council of the City of Northampton, MA.

Signed this            day of            , 2014.

\_\_\_\_\_  
Pamela L. Powers  
Clerk to City Council  
City of Northampton, Massachusetts

EXHIBIT A

Beginning at a point, said point being the southwesterly corner of a parcel, now or formerly Laurel Ridge Realty Associates Limited Partnership as described in a deed recorded in Book 4577 Page 304 of the Hampshire Registry District, said point being marked by a concrete bound found, said point being located on the northerly sideline of Hatfield Street, said point being the southeasterly corner of the parcel herein described, thence;

S 44°34'04" W along said Hatfield Street, a distance of 51.08 feet, to a point, said point being marked by a concrete bound found, said point being the southeasterly corner of land now or formerly Christopher Bakker & Rebecca Scandura as described in a deed recorded in Book 10162 Page 258, said point being located on the northerly sideline of Hatfield Street, said point being the southwesterly corner of the parcel herein described, thence;

N 34°01'08" W along said Bakker & Scandura, a distance of 143.50 feet to a point, said point being marked by a concrete bound found, said point being the southeasterly corner of land now or formerly Tharen A. Pawloski as described in a deed recorded in Book 4050 Page 229, said point being on the westerly sideline of the parcel herein described, thence;

N 25°18'19" W along said Pawloski, a distance of 150.05 feet to a point, said point being marked by a concrete bound found, said point being the northeasterly corner of said Pawloski, said point being located on the southerly sideline of Emily Lane, said point being on the westerly sideline of the parcel herein described, thence;

N 19°53'20" W along the eastern terminus of said Emily Lane, a distance of 60.00 feet to a point, said point being marked by a concrete bound found, said point being the northeasterly corner of said Emily Lane, said point being the southeasterly corner of land now or formerly Julie Abramson as described in a deed recorded in Book 7275 Page 215, said point being on the westerly sideline of the parcel herein described, thence;

N 17°14'54" W along said Abramson, land now or formerly Mary A. Senuta & Ellen Dubois, as described in a deed recorded in Book 11590 Page 228, a distance of 320.00 feet to a point, said point being marked by a concrete bound found, said point marks the southeasterly corner of a parcel, now or formerly Sandra & Richard Ciach as described in a deed recorded in Land Court Book 21 Page 92 as Document No. 18252, point being on the westerly sideline of the parcel herein described, thence;

N 17°27'28" W along said Ciach, a distance of 33.77 feet to a point, said point being marked by a concrete bound found, said point being on the westerly sideline of the parcel herein described, thence;

N 33°44'51" W along said Ciach, land now or formerly Michele Turner Bernhard & Geoffrey T. Friedman, as described in a deed recorded in Land Court Book 20 Page 81 as Document No. 17662, a distance of 334.84 feet to a point, said point being marked by an iron pipe found, said

point being the southeasterly corner of land now or formerly Jeremy T. Kochapski, as described in a deed recorded in Land Court Book 20 Page 70 as Document No. 16201, said point being on the westerly sideline of the parcel herein described, thence;

N 48°14'39" W along said Kochapski, a distance of 30.00 feet to a point, said point being on the easterly sideline of said Kochapski, said point being the southwesterly corner of land now or formerly Pines Edge Condominium Trust, as described in a deed recorded in Book 3661 Page 250, said point being on the northwesterly corner of the parcel herein described, thence;

N 41°45'21" E along said Pines Edge Condominium Trust, a distance of 50.00 feet to a point, said point being marked by a concrete bound found, said point being on the northeasterly corner of the parcel herein described, thence;

S 48°14'39" E along said Pines Edge Condominium Trust, a distance of 10.86 feet to a point, said point being marked by a concrete bound found, said point being the northerly sideline of Pines Edge Drive, said point being on the easterly line of the parcel herein described, thence;

S 48°14'39" E along said Pines Edge Drive, a distance of 25.50 feet to a point, said point being marked by a concrete bound found, said point being the being the westerly terminus of said Pines Edge Drive, said point being on the easterly line of the parcel herein described, thence;

S 33°44'51" E along said Pines Edge Drive, a distance of 88.24 feet to a point, said point being marked by a concrete bound found, said point being the southerly sideline of Pines Edge Drive, said point being a westerly corner of said Pines Edge Condominium Trust, said point being on the easterly line of the parcel herein described, thence;

S 33°44'51" E along said Pines Edge Condominium Trust, a distance of 184.38 feet to a point, said point being marked by a concrete bound found, said point being the southwesterly corner of said Pines Edge Condominium Trust, said point being the northwesterly corner of land now or formerly Mary A. Skibiski, as described in a deed recorded in Book 9765 Page 314, said point being on the easterly line of the parcel herein described, thence;

S 33°21'35" E along said Skibiski, a distance of 78.47 feet to a point, said point being marked by a concrete bound found, said point being the northwesterly corner of said Laurel Ridge Realty Associates Limited Partnership, said point being on the easterly line of the parcel herein described, thence;

S 17°41'51" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 281.21 feet to a point, said point being on the easterly line of the parcel herein described, thence;

S 15°56'51" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 78.77 feet to a point, said point being marked by a concrete bound found, said point being on the easterly line of the parcel herein described, thence;

S 20°12'41" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of  
14.318

58.05 feet to a point, said point being marked by a concrete bound found, said point being on the easterly line of the parcel herein described, thence;

S 25°57'01" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 141.88 feet to a point, said point being on the easterly line of the parcel herein described, thence;

S 33°40'41" E along said Laurel Ridge Realty Associates Limited Partnership, a distance of 126.78 feet to the point of beginning.

The above described parcel contains 54,444 square feet more or less, being depicted as Cooke Avenue on a plan entitled, "Street Acceptance Plan, Plan of Land in Northampton MA, Hampshire County, prepared for The City of Northampton ", dated 06-12-2014. Prepared by Northeast Survey Consultants.

The basis of bearing being the Massachusetts Coordinate System NAD 83

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: Book 10162, Page 258, Book 4050, Page 229, Book 7275, Page 215, Book 11590, Page 228, Book 3661, Page 250 (Master Deed), Book 9765, Page 314, Book 4577, Page 304.

ORDER OF TAKING

The undersigned, being the duly elected and sitting members of the City Council of the City of Northampton, in the Commonwealth of Massachusetts, acting under the authority of and in accordance with the provisions of General Laws of the Commonwealth, as from time to time amended, and more particularly Chapter 79, and pursuant to the Order of the Northampton City Council, a true copy of which is attached hereto, does hereby take a perpetual easement for and on behalf of the Inhabitants of the City of Northampton over the parcels referenced below. The purpose of the taking hereunder is the laying out, establishing and accepting of a public way in and for the City of Northampton in accordance with Mass. Gen Laws ch. 82, and Northampton Code of Ordinances, § 285-31, et seq.

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No damages shall be payable as a result of this taking and no betterment shall be assessed as a result of the laying out and acceptance of the public way herein.

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The basis of bearing being the Massachusetts Coordinate System NAD 83

Being a portion of the premises conveyed in the following deeds recorded in the Hampshire Registry of Deeds: LC Book 21, Page 92 (Cert # 2318, Doc #18252), LC Book 20, Page 80 (Cert # 2183, Doc # 17662), LC Book 20, Page 70 (Cert # 2172, Doc # 16201).

