

COMMONWEALTH OF MASSACHUSETTS

Middlesex: SS

Town of Sudbury

BOARD OF SELECTMEN  
OF THE TOWN OF SUDBURY

ORDER OF TAKING

WHEREAS, the TOWN OF SUDBURY, a Municipal corporation located in Middlesex County, Massachusetts, may take by eminent domain under General Laws, Chapter 79, any land within the Town not already appropriated to public use for municipal purposes;

WHEREAS, the TOWN OF SUDBURY, at an Annual Town Meeting, held in April, 1975, voted, by a vote in excess of a two-thirds vote in favor of the action, to authorize and empower the Selectmen of the Town of Sudbury to acquire, for public park purposes and for preservation as an historic landmark, the following described land, situated on the westerly side of Water Row Road, in said Sudbury;

WHEREAS, it is determined and adjudged that it is necessary to acquire the following described land for the aforesaid municipal purpose;

WHEREAS, all claims for damages have been estimated, based upon appraisals, as required by law;

WHEREAS, the Selectmen of the Town of Sudbury are meeting at a Special and duly called and posted meeting of the Board of Selectmen, being held on this seventh (7th) day of April, 1976, at the Lincoln-Sudbury Regional High School Building, in said Sudbury, and at the meeting it was properly moved, seconded, voted and ordered to acquire the following described land by a taking in fee simple, by eminent domain, for public park purposes and for preservation as an historic landmark;

WHEREAS, the Town of Sudbury has provided funding for the payment of damages;

NOW, THEREFORE, we, the undersigned, being all the duly elected and qualified members of the BOARD OF SELECTMEN of the TOWN OF SUDBURY, a Municipal corporation located in Middlesex County, Massachusetts, acting as such and by virtue of the power and authority vested in us by General Laws, Chapters 79 and 40, and all acts in amendment thereof and in addition thereto, and on every other power and authority vested in us and hereto enabling, do adjudge and determine that common convenience and necessity and the public interest requires us to take, and we do hereby take, in fee simple, by eminent domain, together with all privileges and

appurtenances thereto belonging, on behalf of the TOWN OF SUDBURY, for public park purposes and for preservation as an historic landmark, the areas, including all parcels of land therein and all trees and other structures standing upon or affixed thereto, bounded and described as follows:

Situated on the WESTERLY side of WATER ROW ROAD,  
bounded:

EASTERLY by Water Row Road;  
NORTHERLY by land now or formerly of Dickson;  
WESTERLY by land now or formerly of Dickson;  
SOUTHERLY by land now or formerly of Dickson;

Containing 1.69 acres, more or less, and shown on a plan entitled: "HAYNES GARRISON HOUSE", by the Town of Sudbury Engineering Department, dated: November 10, 1973, the original of which will be recorded herewith, which plan is incorporated herein by reference and made a part of this Order of Taking. The exact measurements, boundaries and description of said land are all as shown on said plan. A copy of said plan is attached to the unrecorded copies of this Order of Taking.

All property owners are required to remove all property from the land taken hereby, except the buidings, fences, and other structures and trees on the land taken hereby, on or before the seventh (7th) day of May, 1976.

No betterments are to be assessed for any improvements and benefits for which this taking is made.

If in any instance the name of any abutting owner or the name of a former owner is not correctly stated, the names of the supposed owners being given as of the date of this Order of Taking, it is to be understood that in each such instance the land referred to is owned by an owner or owners unknown.

The Selectmen hereby make the following awards for damages sustained by the owners and all other persons, including all mortgagees of record, having any or all interest in the area or areas hereinbefore described in the taking of or injury to his or her or their property or entitled to any damages by reason of this Order of Taking, upon proof of title:

<u>Parcel</u> 1.69 acres	<u>Supposed Owners:</u> Ruth Bennett Dickson, Brenton H. Dickson, 3rd, Edward M. Dickson, William A. Dickson, Anna D. Ela and Ruth W.D. Orcutt	<u>Award:</u> \$10,000.00
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With reference to the foregoing awards, the following sum is included as the amount estimated with respect to the parcel, under General Laws, Chapter 79, Section 12, as the portion of the tax assessed and allocable to the tax year days remaining in the current tax year:

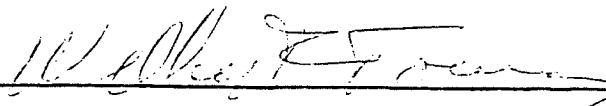
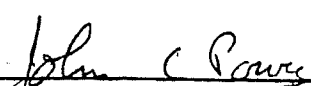
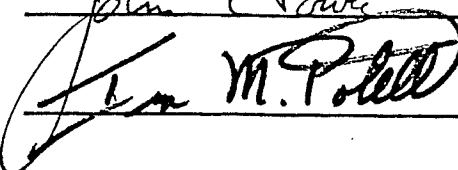
Parcel: 1.69 acres      The sum allocable to the days remaining  
in the current tax year: \$10.00.

The amounts estimated as damages are based upon appraisals made in accordance with General Laws, Chapter 79.

Meaning and intending to take, in fee simple, and hereby taking in fee simple, by eminent domain, the parcel containing 1.69 acres shown on the above referenced plan.

WITNESS our hands and seals as SELECTMEN, this seventh (7th) day of April, 1976.

BOARD OF SELECTMEN OF THE  
TOWN OF SUDBURY

  
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