

CITY OF NEWTON

IN CITY COUNCIL

September 18, 2023

ORDER FOR MAIN DRAIN EXTENSION

ACCEPTANCE OF EASEMENT ON KEMPTON PLACE

ORDERED:

WHEREAS, a petition for extension of a water main has been presented to the City Council, and

WHEREAS, said Council has appointed a time for a public hearing and has caused a notice thereof and of its intention in the matter to be given, and

WHEREAS, said public hearing has been held before the Public Facilities Committee of the City Council, and it is the opinion of the City Council of the City of Newton that it is necessary for the public convenience and the public health that such water main be extended; it is hereby

ORDERED: that a water main shall be laid, made, repaired and maintained in the following location:

From WASHINGTON STREET, the water main will extend from an existing water main in Washington Street approximately 620' ± northwesterly through KEMPTON PLACE, a private way, to the existing water main in DUNSTAN STREET.

ORDERED: that the Mayor is authorized to accept a grant of Easement, in a form approved by the City Solicitor, for all purposes necessary to operate and maintain a water main in Kempton Place, in that portion of land shown as "Proposed Water Line Easement 11,948 Saw. Ft." on a plan titled "Easement Plan of Land Mark Development, LLC" dated August 15, 2023 prepared by Control Point Associates, Inc.

This order is granted upon the condition that the petitioner, Mark Kempton, LLC, 275 Grove Street, Suite 2-150, Newton, MA 02466, shall pay the full cost of said water main installation and the restoration of WASHINGTON STREET, KEMPTON PLACE, and DUNSTAN STREET and that the petitioner shall complete all such work by his contractors, under the terms of a water main construction license issued by the Public Works Commissioner; or by use of the City forces, at the option of the Public Works Commissioner, and that all such work shall comply with the standards and specifications of the City Engineer, and be completed under his inspection, and all such work shall comply with the terms of a memorandum from John Daghlian, Associate City Engineer, dated August 21, 2023, including but not limited to the "Conditions and Special Provisions" contained therein, and that the petitioner, its successors and assigns, shall prepare and deliver to the City an easement plan, in a form approved by the City Engineer, for recording

at the Registry of Deeds. All costs for the recording the Easement, easement plan, and any associated documents shall be borne by the petitioner. There shall be no expense to the City of Newton nor the abutters for the installation of this water main extension and associated street repair, with the exception of the petitioner and its successors and assigns. No betterments shall be assessed.

Under Suspension of Rules
Readings Waived and Item
22 yeas 0 nays 2 absent (Councilors Markiewicz and Norton)



(SGD) CAROL MOORE
City Clerk



(SGD) RUTHANNE FULLER
Mayor

Date: 9/21/2023