



CITY OF SPRINGFIELD

City Clerk's Office 7/10/2013 12:00:00 PM

Regular Meeting Agenda~

I hereby notify you that at twelve o'clock noon today the following items of business had been filed with this office and can be acted upon at the meeting in City Council Chambers, Room 200 at City Hall, 36 Court Street **Monday evening July 15, 2013** at 07:00 PM according to Section 12, Rules and Orders of the City Council.

City Clerk

Call to Order

7:00 PM Meeting called to order on July 15, 2013 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Committee Reports

- (1.) Public Health & Safety - Report of Committee - Pawnbrokers & Junk Dealers (At-Large Councilor Ashe)
- (2.) Special Committee on Residency - Report of Committee - Residency (Ward 2 Councilor Fenton)
- (3.) Maintenance & Development Report of Committee - Springfield Cultural District (At-Large Councilor Walsh)
- (4.) Planning & Economic Development - Report of Committee - 622 Cottage Street ()

Orders

- (1.) Order Authorizing Mayor to Execute Quitclaim Deed for Transfer of Title to WS Danaher Circle, Lot 100 (03615-0015) to Springfield Conservation Commission (Mayor Sarno)
- (2.) Order to Declare Two Parcels of Land on Allen Street Available for Disposition and Authorizing the Conveyance of Said Parcels to L.A. Realty Trust (Mayor Sarno)
L.A. Realty Trust will pay the City a total of \$8000.00 for the two parcels: \$7500 for Parcel 2 and \$500 for Parcel 3.
- (3.) Order of Taking of Easements for Boston Road Traffic Project (Mayor Sarno)
- (4.) Appropriation of \$104,130 for Eminent Domain Takings for Boston Road Project (Mayor Sarno)
The Order appropriates \$104,130 for damages for the eminent domain taking of easements for the Boston Road Traffic Project.
- (5.) Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Central St. (02560-0060), NS Central St. (02560-0061), NS Central St. (02560-0063), and NS Central St. (02560-0064) to Viva Development LLC (Mayor Sarno)

Ordinances

- (1.) ORD-2013-3 - Residency Requirements - Chapter 73
- (2.) (ID # 2123) - Pawnbrokers and Junk Dealers
- (3.) (ID # 2272) - Chapter 302 – STORMWATER MANAGEMENT

- (4.) (ID # 2273) - Chapter 301 – STORM DRAINS

Petitions

- (1.) From BPW re:Park Drive - Installing 2 New Poles & Guy Anchors (WMECO) –
<<Enter brief purpose>>
- (2.) From re:Petroleum Petition –
- (3.) For a Special Permit to Install a Digital, Non-Accessory Sign, at the Property Known as 6 Liberty Street (07770-0001), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article XVIII-A, Section 1803-A.
Request:
Owner: 6 Liberty Street, L.L.C.
By: Hansraj Gada, Manager
Petitioner: Lamar Central Outdoor, L.L.C.
By: Stephen E. Hebert, Vice President
- (4.) For a Special Permit to Install a Digital Non-Accessory Sign at the Property Known as 603 East Columbus Avenue (04303-0595), as Allowed by M.G.L. and the Springfield Zoning Ordinance, Article XVIII-A, Section 1803-A.
Request: See Above
Owner: Balise Automotive Realty/Lemar
By: James E. Balise/Stephen E. Hebert
Petitioner: Lemar Central Outdoor, LLC.
By: Stephen E. Hebert, Vice President
- (5.) For a Special Permit for Motor Vehicle Storage (Junk Yard) at the Property Known as 622 Cottage Street (03310-0110) as Allowed by M.G.L. and the Springfield Zoning Ordinance Article XIV, Section 1401.P.
Request: See Above
Owner: Lily Enterprises, Inc.
By: Fara Bahrehmand
Petitioner: Lily Enterprises, Inc.
By: Fara Bahrehmand

Resolutions

- (1.) Springfield Cultural District



City of Springfield

ADOPTED

Meeting: 07/15/13 07:00 PM

Initiator: Thomas M. Ashe

Sponsors: At-Large Councilor Thomas M. Ashe

DOC ID: 2271 C

2.1

Public Health & Safety - Report of Committee - Pawnbrokers & Junk Dealers (At-Large Councilor Ashe)

REPORT OF COMMITTEE

Committee: Public Health & Safety

Date: June 25, 2013

Time: 4:30 pm

SUBJECT: Pawnbrokers and Junk Dealers

Councilors in Attendance: Thomas Ashe, Timothy Allen

Synopsis(include pros/cons): Business owners, police officers and citizens gathered to discuss the current Pawnbrokers and Junk Dealers Ord. 10 day holding period. The majority of the business owners said any time longer than 10 days would cost them money. Police officers and citizens agree the time should be longer, 10 days is not enough time for police to check for stolen property and they would like to see the length of time changed to 30 days.

MOTIONS/RECOMMENDATIONS: Change the amount of time a pawnbroker has to hold an item before it sells from the current holding time of 10 days to 30 days.

Made By:

Seconded:

Vote:

RESULT: RECEIVE REPORT



Special Committee on Residency - Report of Committee - Residency (Ward 2 Councilor Fenton)

REPORT OF COMMITTEE

Committee: Special Committee on Residency

Date: July 10, 2013 Date of Meeting: June 21, 2013

Time: 1:30 P. M.

SUBJECT: Residency Ordinance

Councilors in Attendance:. Fenton, Luna

Synopsis(include pros/cons):

. Councilor Luna opened the meeting by explaining to the Committee that she asked that the Ordinance be sent to Committee to clarify of couple of her concerns. Councilor Luna said that the Ordinance was very complex and several changes were proposed and that the Ordinance had been amended a few times. Councilor Luna asked Councilor Fenton how waivers would be affected by the new Ordinance? Councilor Fenton responded by saying that if a city resident is not selected to fill a vacancy then the position has to be re-posted and that notification will be sent to the City Council. Councilor Luna asked Councilor Fenton if any employees were going to be penalized under the new Ordinance? Councilor Fenton responded by saying that none of the current employees would be penalized under the new Ordinance and that the Ordinance will be strictly enforced from the time it goes into effect. Councilor Fenton continued by saying that going forward Department Head and Deputies would not be eligible for waivers and any other non-residents selected for a position will sign that they will move onto the city within a year. Councilor Fenton concluded his response by saying that the Residency Ordinance is not discriminatory and is very open and transparent and will not affect any current employees or any employees that have waivers.

Councilor Fenton concluded the meeting by saying that the Committee is just awaiting the Rule 20 report.

MOTIONS/RECOMMENDATIONS:

Made By:

Seconded:

Vote:

RESULT:	RECEIVE REPORT
----------------	-----------------------



City of Springfield

ADOPTED

Meeting: 07/15/13 07:00 PM

Initiator: Kateri B. Walsh

Sponsors: At-Large Councilor Kateri B. Walsh

DOC ID: 2275 B

2.3

Maintenance & Development Report of Committee - Springfield Cultural District (At-Large Councilor Walsh)

REPORT OF COMMITTEE

Committee: Maintenance & Development Committee

Date: July 10, 2013

Time: 5:00 pm

Subject: Springfield Cultural District

Councilors in Attendance: Kateri Walsh, Melvin Edwards, Tim Rooke

Synopsis(include pros/cons):

The Maintenance and Development Committee met to discuss establishing a Cultural District in the City of Springfield. A power point presentation was presented which outlined the district. The Mass Cultural Council established Cultural Districts 3 years ago and there are 16 so far in Massachusetts. This is a great way to promote tourism, and preserve historic buildings and enhance property values throughout the city. Representatives from the Springfield Library & Museums, STCC, WGBY and members of the community were in attendance and everyone was in favor of creating a Cultural District. Although applications can be submitted anytime, the Mass Cultural District has to vote to accept and the next vote is in October. Because the process also needs support of the City Council, the application should be submitted by August 15, 2013.

Motions/Recommendations:

Made By:

Seconded:

Vote:

Order (ID # 2275)

Meeting of July 15, 2013

RESULT: RECEIVE REPORT



City of Springfield

ADOPTED

Meeting: 07/15/13 07:00 PM

Initiator: Wayman Lee

Sponsors:

DOC ID: 2280

2.4

Planning & Economic Development - Report of Committee - 622 Cottage Street ()

Councilor Williams gave a verbal report stating that the Special Permit is for motor vehicle storage facility not a junk yard as the owner will only be repairing his taxi vehicles and storing taxis taken off the road for short period of time.

RESULT: RECEIVE REPORT



June 14, 2013

VIA FACSIMILE AND
FIRST CLASS MAIL

Mr. Fara Bahrehmand
Lily Enterprises, Inc.
58 Timber Drive
East Longmeadow, MA 01028

Re: Special Permit Application for Motor Vehicle Storage
Agreement with Sinai Temple, Incorporated

Dear Mr. Bahrehmand:

Thank you for meeting with Dr. Cossin and me to discuss the application of Lily Enterprises, Inc. for a Special Permit for Motor Vehicle Storage for the Yellow Cab Company premises located at 622 Cottage Street, Springfield, MA. Dr. Cossin and I were impressed with your facility, and we are confident that the cab company and the Temple cemetery can continue to co-exist without unduly interfering with the operation of the other.

We understand that we agreed that the following conditions would be associated with the issuance of the Special Permit:

- The Permit shall be for the benefit of Lily Enterprises, Inc. only and it shall not be transferrable to any subsequent owner of the property.
- The storage area shall be contained within the fenced area located in the northwest corner of Lily's property, and it shall not be expanded, nor relocated or moved easterly of its existing location.
- The number of stored vehicles shall be limited to ten, and only vehicles formerly used as cabs in the Yellow Cab Company's operation shall be stored. We understand that there may on occasion be more than ten vehicles stored for short periods of time, but

BULKLEY, RICHARDSON AND GELINAS, LLP, Attorneys at Law
1500 Main Street, Suite 2700, P.O. Box 15507, Springfield, MA 01115-5507 phone: 413-781-2820 fax: 413-272-6805 www.bulkley.com

PARTNERS
Robert A. Gellinas
Ronald P. Weiss
Francis D. Dibble, Jr.
Hamilton Doherty, Jr.
Michael H. Burke
Peter H. Barry
David A. Parke
Felicity Hardee
George W. Marlon

Ellen M. Randle
Kevin C. Maynard
Mark D. Cress
Mary J. Kennedy
J. Michael Scully
James C. Duda
Kelly A. McCarthy
Daniel J. Finnegan
Melinda M. Phelps
Jeffrey E. Poindexter

Kathleen Leliao Bernardo
Donn A. Randall
Scott W. Foster
Elizabeth H. Sillin
J. Patrick Kennedy
Vanessa L. Smith
Jenelle C. Dodds
William E. Hart
John P. Pucci

ASSOCIATES
Matthew A. Kane
Michael D. Roundy
Kelly A. Koch
Christopher J. Visser
Gregory S. Bombard
Jamil L. Kessler
J. Lizette Richards
Joy C. Wu
H. Joseph Drapalski

COUNSEL
Jennifer K. Cannon
Carol E. Kamm
Andrew Levchuk
Mary Ellen Manganelli
Jodi K. Miller
Daniel M. Rothschild
Stephen W. Schupack

Robert B. Atkinson
1921-2012
Phillip J. Tarpey, Jr.
1933-2012

BULKLEY, RICHARDSON AND GELINAS, LLP
 Mr. Fara Bahrehmand
 June 14, 2013
 Page 2

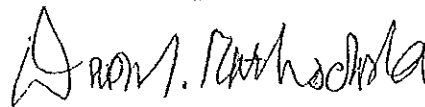
only those vehicles that are awaiting retrieval by your vehicle recycling contractor within ten days from the last day on which ten cars or less were stored.

- No repair, maintenance, or dismantling of vehicles shall occur within the storage area; such activities shall occur only inside of the garage on the premises.
- If Lily extends the current blacktop parking lot, it shall plant along the shared border with the Temple cemetery next to which such extension occurs additional evergreen shrubs of the same variety and size as are presently planted along the portion of such border that extends to Cottage Street. The extension, if undertaken, will have as its eastern border a continuation of the current parking lot on the side of the building.

The foregoing conditions are in addition to any such conditions that may be imposed by the City of Springfield in connection with the issuance of the Special Permit.

We appreciate your willingness to work with the Temple on this matter, and trust that we may in the future approach you to discuss any issues of concern that may result from the motor vehicle storage operation. If you agree with the foregoing conditions, please indicate your assent by signing below and return an executed copy of this letter to the undersigned. I will then submit this letter to the Springfield City Council and will ask that it be presented to the appropriate committee for consideration.

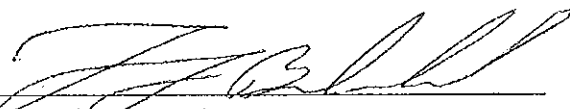
Very truly yours,
 Sinai Temple, Inc.



Daniel M. Rothschild

DMR/

The foregoing conditions are understood and accepted:
 Lily Enterprises, Inc.

By: 
 Fara Bahrehmand

1526651v1

Attachment: 622 COTTAGE (2280 : Report of Committee - 622 Cottage Street)



June 19, 2013

Bud L. Williams, Chairman
 City of Springfield Planning and Economic
 Development Committee
 City Hall
 36 Court Street
 Springfield, MA 01103

Re: Petition by Lily Enterprises, Inc. for Special Permit for Vehicle Storage Yard

Dear Chairman Williams:

This office represents the interest of Sinai Temple in connection with the application of Lily Enterprises, Inc. for a Special Permit for Vehicle Storage Yard to be operated at 622 Cottage Street, immediately adjacent to the Sinai Temple Cemetery. At the public hearing on the Petition that occurred on April 22, 2013, the City Council decided to send the Petition to the Planning and Economic Development Committee for consideration.

On May 29, 2013, the Temple's President, Dr. Jeffrey Cossin, and the undersigned met with the Petitioner's President, Mr. Fara Bahrehmand and his nephew, at the Petitioner's premises. We had a productive meeting, which resulted in a letter agreement dated June 14, 2013 about the special permit conditions. A copy of the letter is attached for your review. The parties have agreed that the itemized conditions should be incorporated into the special permit, together with such other conditions that the City Council may deem appropriate.

We appreciate the opportunity to participate in this process, and wish to inform you that Mr. Bahrehmand, Dr. Cossin, and the undersigned would be happy to address any concerns that Committee members or members of the City Council may have about this letter or the underlying special permit. Please inform me of the procedural step that occurs next, or if we can be of assistance to the Committee with the subject matter of this letter.

BULKLEY, RICHARDSON AND GELINAS, LLP, Attorneys at Law
 1500 Main Street, Suite 2700, P.O. Box 15507, Springfield, MA 01115-5507 phone: 413-781-2820 fax: 413-272-6805 www.bulkley.com

PARTNERS

Robert A. Gelinias
 Ronald P. Weiss
 Francis D. Dibble, Jr.
 Hamilton Doherty, Jr.
 Michael H. Burke
 Peter H. Barry
 David A. Parke
 Felicity Hardee
 George W. Marlon

Ellen M. Randle
 Kevin C. Maynard
 Mark D. Cress
 Mary J. Kennedy
 J. Michael Scully
 James C. Duda
 Kelly A. McCarthy
 Daniel J. Finnegan
 Melinda M. Phelps
 Jeffrey E. Polindexter

Kathleen Leitao Bernardo
 Donn A. Randall
 Scott W. Foster
 Elizabeth H. Sillin
 J. Patrick Kennedy
 Vanessa L. Smith
 Jenelle C. Dodds
 William E. Hart
 John P. Pucci

ASSOCIATES

Matthew A. Kane
 Michael D. Roundy
 Kelly A. Koch
 Christopher J. Visser
 Gregory S. Bombard
 Jamle L. Kessler
 J. Lizette Richards
 Joy C. Wu
 H. Joseph Drapalski

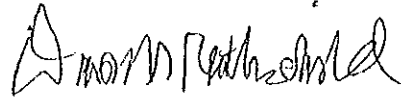
COUNSEL

Jennifer K. Cannon
 Carol E. Kamm
 Andrew Levchuk
 Mary Ellen Manganelli
 Jodi K. Miller
 Daniel M. Rothschild
 Stephen W. Schupack

Robert B. Atkinson
 1921-2012
 Philip J. Tarpey, Jr.
 1933-2012

BULKLEY, RICHARDSON AND GELINAS, LLP
Bud L. Williams, Chairman
June 19, 2013
Page 2

Very truly yours,

A handwritten signature in black ink, appearing to read "Daniel M. Rothschild". The signature is fluid and cursive, with the first name "Daniel" being more prominent and the last name "Rothschild" written in a more compact, cursive style.

Daniel M. Rothschild

Enclosure

Attachment: 622 COTTAGE (2280 : Report of Committee - 622 Cottage Street)



City of Springfield

ADOPTED

Meeting: 07/15/13 07:00 PM
Initiator: Melvyn Altman
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2264

3.1

Order Authorizing Mayor to Execute Quitclaim Deed for Transfer of Title to WS Danaher Circle, Lot 100 (03615-0015) to Springfield Conservation Commission (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to a vacant parcel of land in Springfield, Massachusetts containing about 9715 square feet known as West Side Danaher Circle, Lot 100 (Parcel-ID # 03615-0015) through tax title foreclosure proceedings in Land Court; and

WHEREAS, said parcel is classified as saleable land and is under the custody and control of the Tax Title Custodian; and

WHEREAS, the Tax Title Custodian determined that said parcel is not needed for general municipal purposes; and is suitable for conservation purposes since it is adjacent to or abuts conservation land; and

WHEREAS, the Conservation Commission of the City of Springfield is interested in acquiring title to said parcel for use as conservation land and open space; and voted at a meeting held on June 11, 2013 to accept a quitclaim deed from the City of Springfield transferring title.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed for the transfer of title to West Side Danaher Circle, Lot 100 (Parcel-ID # 03615-0015) for nominal consideration of One and 00/100 Dollars (\$1.00) in substantially the same form as the draft deed attached hereto.

RESULT:	ADOPTED [11 TO 0]
MOVER:	Melvin A. Edwards, Ward 3 Councilor
SECONDER:	Timothy J. Rooke, At-Large Councilor
AYES:	Twiggs, Rooke, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III
ABSENT:	Bud L. Williams, Zaida Luna



City of Springfield

ADOPTED

Meeting: 07/15/13 07:00 PM
Initiator: Stephen Reilly
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2267

3.2

Order to Declare Two Parcels of Land on Allen Street Available for Disposition and Authorizing the Conveyance of Said Parcels to L.A. Realty Trust (Mayor Sarno)

WHEREAS, the City of Springfield (hereinafter "City") is the owner of two parcels of land on Allen St. in Springfield, MA, identified in the attached plan (Exhibit A) and attached proposed deed (Exhibit B) as Parcel 2 which consists of approximately 18,609 square feet, and Parcel 3 which consists of approximately 302 square feet (hereinafter "Subject Parcels");

WHEREAS, the City, through its Department of Parks, Buildings, and Recreational Management, has determined both Subject Parcels are not needed for municipal purposes;

WHEREAS, the City Council must declare the Subject Parcels available for disposition under M.G.L. c. 30B, sec. 16, in order to convey the Subject Parcels;

WHEREAS, in November, 2011, the City obtained appraisals identifying the value for Parcel 2 at \$5,400.00 and Parcel 3 at \$450.00;

WHEREAS, L.A. Realty Trust is the owner of adjacent property to the Subject Parcels where Rousseau Bros. Inc. operates a construction business;

WHEREAS, Rousseau Bros. Inc. has a need to expand its business operations and is seeking to purchase the Subject Parcels through L.A. Realty Trust;

WHEREAS, in consideration of the transfer of Parcel 2, L.A. Realty Trust agrees to pay \$7,500.00, and in consideration of the transfer of Parcel 3, L.A. Realty Trust agrees to pay \$500.00 (see Purchase and Sale Agreement attached hereto as Exhibit C);

WHEREAS, the transfer of the Subject Parcels to L.A. Realty Trust, consistent with the terms and conditions stated herein and in the attached Exhibits, furthers the City's interest in assisting a Springfield businesses to expand in the City, and puts the Subject Parcels back on the tax rolls; and

WHEREAS, the City Council finds that it is in the best interests of the City to approve the transfer of the Subject Parcels to

L.A. Realty Trust as it will allow an existing Springfield business to expand, the consideration paid for the Subject Parcels exceeds the appraised values, and it will put the Subject Parcels back on the tax rolls;

NOW THEREFORE, BE IT ORDERED:

1. That pursuant to M.G.L. c. 30B, sec. 16, Parcels 2 and 3 as set forth on the attached plan entitled "Plan of Land in Springfield, Massachusetts, dated November 3, 2011, Surveyed for the City of Springfield and Prepared by Heritage Surveys, Inc., College Highway, Southamptn, Massachusetts," dated 11/3/11, as bounded and described on Exhibit A and as set forth in the attached proposed Deed (Exhibit B), are declared available for disposition; and
2. That pursuant to M.G.L. c. 40, sec. 3, the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield, to execute and deliver a Quitclaim Deed in substantially the same form as the attached Exhibit B to L.A. Realty Trust, consistent with the consideration totaling \$8,000.00 and the terms and conditions of the attached Purchase and Sale Agreement (Exhibit C), as the same may be amended, for the transfer of title of Parcels 2 and 3, as depicted on the Plan by Heritage Surveys, Inc., attached hereto as Exhibit A.

FINANCIAL IMPACT:

L.A. Realty Trust will pay the City a total of \$8000.00 for the two parcels: \$7500 for Parcel 2 and \$500 for Parcel 3.

RESULT:	ADOPTED [12 TO 0]
MOVER:	Timothy J. Rooke, At-Large Councilor
SECONDER:	John A. Lysak, Ward 8 Councilor
AYES:	Williams, Twiggs, Rooke, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III
ABSENT:	Zaida Luna



Order of Taking of Easements for Boston Road Traffic Project (Mayor Sarno)

IT IS ORDERED THAT the City Council, acting pursuant to Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, upon the request of the Department of Public Works, does hereby take by eminent domain in the name and on behalf of the said City of Springfield, forty-six (46) permanent easements at Boston Road, Fernbank Road described herein (E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-9, E-10, E-11, E-12, E-13, E-14, E-15, E-16, E-17, E-18, E-19, E-22, E-23, E-24, E-25, E-26, E-27, E-28, E-29, E-30, E-31, E-32, E-33, E-34, E-35, E-36, E-37, E-38, E-39, E-40, E-41, E-42, E-43, E-44, E-45, E-46, E-48, E-49 and E-50) and fifty-five (55) temporary construction easements described herein (TE-1, TE-2, TE-3, TE-4, TE-5, TE-6, TE-7, TE-8, TE-9, TE-10, TE-11, TE-12, TE-13, TE-14, TE-15, TE-16, TE-17, TE-18, TE-19, TE-20, TE-21, TE-22, TE-23, TE-24, TE-25, TE-26, TE-27, TE-28, TE-29, TE-30, TE-31, TE-32, TE-33, TE-34, TE-35, TE-36, TE-37, TE-38, TE-39, TE-40, TE-41, TE-42, TE-43, TE-44, TE-45, TE-46, TE-47, TE-48, TE-49, TE-50, TE-51, TE-52, TE-53, TE-54 and TE-55), for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, including driveway and slope modifications, clearing brush, and for site grading and improvements to the "Boston Road - Phase 1" ("Project").

An appropriation of money has been duly made for this purpose by an Order approved by the City Council on this date.

Such permanent and temporary easements are taken together with all rights therein, both legal and equitable, including all privileges, appurtenances, restrictions, conditions, and all estates and rights of reverter, together with all trees upon said land and improvements, but excluding commercial signs, affixed to said land, excepting easements, rights, and interests specifically reserved herein.

The permanent easements taken referred to as E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-9, E-10, E-11, E-12, E-13, E-14, E-15, E-16, E-17, E-18, E-19, E-22, E-23, E-24, E-25, E-26, E-27, E-28, E-29, E-30, E-31, E-32, E-33, E-34, E-35, E-36, E-37, E-38, E-39, E-40, E-41, E-42, E-43, E-44, E-45, E-46, E-48, E-49, E-50, are shown on plans entitled "Boston Road - Phase 1" ("Right of Way Plans"), on file with the Hampden County Registry of Deeds at Book of Plans at Book _____, Page _____, and the temporary construction easements referred to as TE-1, TE-2, TE-3, TE-4, TE-5, TE-6, TE-7, TE-8, TE-9, TE-10, TE-11, TE-12, TE-13, TE-14, TE-15, TE-16, TE-17, TE-18, TE-19, TE-20, TE-21, TE-22, TE-23, TE-24, TE-25, TE-26, TE-27, TE-28, TE-29, TE-30, TE-31, TE-32, TE-33, TE-34, TE-35, TE-36, TE-37, TE-38, TE-39, TE-40, TE-41, TE-42, TE-43, TE-44, TE-45, TE-46, TE-47, TE-48, TE-49, TE-50, TE-51, TE-52, TE-53, TE-54, and TE-55 are shown on the Right of Way Plans on file with the Engineering Department of the City of Springfield Department of Public Works, 70 Tapley Street, Springfield, MA.

PERMANENT EASEMENT - PARCEL E-1

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-1 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

That the permanent easement described below is shown on the aforementioned "Right of Way Plans" on file with the Hampden County Registry of Deeds and the Engineering Department of the City of Springfield Department of Public Works ("DPW"), 70 Tapley Street, Springfield, MA. The permanent easement is described as follows:

A portion of a parcel of land located at 1260 Boston Road, Springfield, Massachusetts, now or formerly of Tanners-Springfield Associates Trust, containing an area of 414 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying N 11°-12'-18" W, 31.45 feet from baseline station 13+26.19;

Thence N 11°-02'-45" W through land of the grantor, 6.14 feet to a point;

Thence N 78°-57'-15" E through land of the grantor, 30.67 feet to a point of curvature;

Thence generally northeasterly through land of the grantor on a curve to the left having a radius of 25.00 feet, a length of 32.50 feet to a point of tangency;

Thence N 04°-27'-33" E through land of the grantor, 20.55 feet to a point on the westerly side of said permanent easement;

Thence S 11°-51'-22" E along the westerly side of said permanent easement, 10.81 feet to a point of tangency;

Thence generally southwesterly on a curve to the right along the northwesterly side of said permanent easement having a radius of 33.00 feet, a length of 52.32 feet to a point of tangency;

Thence S 78°-58'-59" W along the northerly side of said permanent easement, 27.39 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-2

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-2 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1260 Boston Road, Springfield, Massachusetts, now or formerly of Tanners-Springfield Associates Trust, containing an area of 96 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southwesterly side of Pasco Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying S 75°-28'-43" W, 42.50 feet from baseline station 100+88.37;

Thence N 14°-31'-17" W through land of the grantor, 179.50 feet to a point;

Thence N 78°-15'-33" E bounded northwesterly by land now or formerly of Route 20 Color Tile, LLC, 0.93 feet to a point on the southwesterly side of said permanent easement;

Thence S 14°-16'-16" E along the southwesterly side of said permanent easement, 176.06 feet to a point;

Thence S 11°-51'-22" E along the southwesterly side of said permanent easement, 3.40 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-3

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-3 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1244 Boston Road, Springfield, Massachusetts, now or formerly of Route 20 Color Tile, LLC, containing an area of 32 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southwesterly side of Pasco Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying S 76°-19'-09" W, 41.75 feet from baseline station 102+67.19;

Thence S 78°-15'-33" W bounded southeasterly by land now or formerly of Tanners-Springfield Associates Trust, 0.93 feet to a point;

Thence N 13°-45'-03" W through land of the grantor, 39.89 feet to a point;

Thence N 75°-43'-44" E through land of the grantor, 0.56 feet to a point along the southwesterly side of said permanent easement;

Thence S 14°-16'-16" E along the southwesterly side of said permanent easement, 39.93 feet to the point of beginning. Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-4

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-4 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1257 Boston Road, Springfield, Massachusetts, now or formerly of Tony Vo, containing an area of 41 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying S 11°-12'-18" E, 46.77 feet from baseline station 13+41.43;

Thence N 78°-55'-00" E along the southeasterly side of said permanent easement, 9.66 feet to a point;

Thence S 10°-53'-42" E through land of the grantor, 4.21 feet to a point;

Thence S 78°-47'-42" W through land of the grantor, 9.64 feet to a point;

Thence N 11°-12'-18" W through land of the grantor, 4.23 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-5

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-5 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1267 Boston Road, Springfield, Massachusetts, now or formerly of K A Realty Trust, containing an area of 324 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying S 11°-12'-18" E, 46.92 feet from baseline station 14+05.28;

Thence N 78°-55'-51" E along the southeasterly side of said permanent easement, 61.25 feet to a point;

Thence S 14°-05'-55" E, along the westerly side of Wrentham Road, 5.73 feet to a point;

Thence S 79°-46'-26" W through land of the grantor, 61.63 feet to a point;

Thence N 10°-13'-34" W through land of the grantor, 4.82 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-6

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-6 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1284 Boston Road, Springfield, Massachusetts, now or formerly of Abdow Realty Trust, containing an area of 2,294 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northeasterly side of Pasco Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the

Hampden County Registry of Deeds, said point lying N 75°-28'-43" W, 25.83 feet from baseline station 100+86.69;

Thence N 75°-41'-25" E through land of the grantor, 3.53 feet to a point;

Thence S 27°-12'-04" E through land of the grantor, 10.84 feet to a point of curvature;

Thence generally southeasterly through land of the grantor on a curve to the left having a radius of 55.00 feet, a length of 70.90 feet to a point of tangency;

Thence N 78°-56'-40"E through land of the grantor, 112.57 feet to a point;

Thence S 12°-02'-50" E through land of the grantor, 6.18 feet to a point;

Thence N 78°-51'-33" E through land of the grantor, 49.81 feet to a point;

Thence S 11°-03'-20" E, bounded northeasterly by land now or formerly of FL Roberts and Company Incorporated, 3.30 feet to a point on the northwesterly side of said permanent easement;

Thence S 78°-55'-51" W along the northwesterly side of said permanent easement, 186.16 feet to a point of curvature;

Thence generally northwesterly along the northeasterly side of said permanent easement on a curve to the right having a radius of 33.00 feet, a length of 48.67 feet to a point of tangency;

Thence N 16°-33'-38" W, along the northeasterly side of said permanent easement, 29.67 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-7

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-7 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1285 Boston Road, Springfield, Massachusetts, now or formerly of DIBA, LLC, containing an area of 214 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road and the northeasterly side of Wrentham Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying S 11°-12'-18" E, 47.20 feet from baseline station 15+21.61;

Thence N 78°-55'-51" E along the southeasterly side of said permanent easement, 35.54 feet to a point;

Thence S 64°-21'-51" W through land of the grantor, 24.11 feet to a point;

Thence S 32°-22'-30" W through land of the grantor, 16.36 feet to a point on the northeasterly side of Wrentham Road;

Thence N 14°-05'-55" W along the northeasterly side of Wrentham Road, 17.97 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-9

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-9 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located on Boston Road, Springfield, Massachusetts, now or formerly of Boston Road/Pasco RT20 Retail, LLC, containing an area of 669 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying N 10°-56'-05" W, 28.20 feet from baseline station 16+76.33;

Thence N 11°-03'-20" W, bounded southwesterly by land now or formerly of Abdow Realty Trust, 3.30 feet to a point of non-tangent curvature;

Thence generally northeasterly on a curve to the right through land of the grantor having a radius of 5,020.50 feet, a length of 109.50 feet to a point of tangency;

Thence N 80°-18'-53" E through the land of the grantor, 108.76 feet to a point on the southwesterly side of land now or formerly of Mark R. Draymore & Murray Hendel Trustees;

Thence S 11°-03'-20" E bounded northeasterly by said land now or formerly of Mark R. Draymore & Murray Hendel Trustees, 3.14 feet to a point on the northwesterly side of said permanent easement;

Thence S 80°-21'-47" W along the northwesterly side of said permanent easement, 156.63 feet to a point;

Thence S 78°-55'-51" W, along the northwesterly side of said permanent easement, 61.64 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-10

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-10 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1315 Boston Road, Springfield, Massachusetts, now or formerly of FL Roberts and Company Incorporated, containing an area of 612 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road and the northeasterly side of Lucerne Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying S 09°-49'-34" E, 43.47 feet from baseline station 17+72.87;

Thence N 78°-01'-49" E along the southeasterly side of said permanent easement, 165.81 feet to a point;

Thence N 79°-17'-32" E, along the southeasterly side of said permanent easement, 78.26 feet to a point;

Thence S 11°-03'-20" E, along the southeasterly side of Boston Road, 4.11 feet to a point of non-tangency;

Thence generally southwesterly through land of the grantor on a curve to the left having a radius of 11,966.50 feet, a length of 217.37 feet to a point of tangency;

Thence S 78°-47'-42" W, through land of the grantor, 26.65 feet to a point on the northeasterly side of Lucerne Road;

Thence N 14°-05'-55" W, along the northeasterly side of Lucerne Road, 0.60 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-11

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-11 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1324 Boston Road, Springfield, Massachusetts, now or formerly of Mark R. Draymore & Murry Hendel Trustees, containing an area of 194 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road along a certain permanent easement for highway purposes recorded in Book 9629 Page 356 of the Hampden County Registry of Deeds, said point lying N 09°-41'-07" W, 28.36 feet from baseline station 18+93.97;

Thence N 11°-03'-20" W, bounded southwesterly by land now or formerly of F L Roberts and Company Incorporation, 3.14 feet to a point;

Thence N 80°-18'-53" E, through land of the grantor, 79.80 feet to a point on the southwest side of land now or formerly of East Street and Boston Road, LLC;

Thence S 11°-03'-20" E, bounded northeasterly by said land now or formerly of East Street and Boston Road, LLC, 1.49 feet to a point on the northwesterly side of Boston Road;

Thence S 78°-56'-40" W, along the northwesterly side of Boston Road, 69.22 feet to a point;

Thence S 80°-21'-47" W, along the northwesterly side of said permanent easement, 10.56 feet to the point of beginning.

PERMANENT EASEMENT - PARCEL E-12

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-12 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1340 Boston Road, Springfield, Massachusetts, now or formerly of East Street and Boston Road, LLC, containing an area of 100 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying N 09°-41'-07" W, 30.01'- feet from baseline station 19+73.72;

Thence N 11°-03'-20" W, bounded southwesterly by land now or formerly of Mark R. Draymore & Murray Hendel Trustees, 1.49 feet to a point;

Thence N 80°-18'-53" E, through land of the grantor, 52.35 feet to a point;

Thence N 09°-58'-05" W, through land of the grantor, 1.09 feet to a point;

Thence N 80°-42'-30" E, through land of the grantor, 30.45 feet to a point;

Thence N 78°-57'-33" E, through land of the grantor, 70.37 feet to a point;

Thence S 10°-55'-59" E, through land of the grantor, 0.38 feet to a point on the northwesterly side of Boston Road;

Thence S 78°-56'-40" W, along the northwesterly side of Boston Road, 153.16 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-13

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-13 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1387 Boston Road, Springfield, Massachusetts, now or formerly of HR-Twenty Corp., containing an area of 38 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying S 10°-55'-59" E, 58.92 feet from baseline station 26+37.85;

Thence N 78°-56'-40" E, along the southeasterly side of Boston Road, 10.34 feet to a point,;

Thence N 80°-13'-02" E, along the southeasterly side of Boston Road, 42.62 feet to a point, said point being the northwest corner of land now or formerly of Bassar-Kaufman Mass 312, LLC;

Thence S 11°-03'-20" E, bounded northeasterly by said land now or formerly of Bassar-Kaufman Mass 312, LLC, 1.25 feet to a point;

Thence S 81°-19'-13" W, through land of the grantor, 53.00 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-14

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-14 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 510 Parker Street, Springfield, Massachusetts, now or formerly of Bassar-Kaufman Mass 312, LLC, containing an area of 139 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying S 10°-55'-59" E, 59.75 feet from baseline station 26+90.80;

Thence N 80°-13'-02" E, along the southeasterly side of Boston Road, 47.40 feet to a point;

Thence N 78°-56'-40" E, along the southeasterly side of Boston Road, 111.48 feet to a point, said point being the northwest corner of land now or formerly of Harold Bassar & Myron L. Kaufman;

Thence S 36°-44'-28" E, bounded northeasterly by said land now or formerly of Harold Bassar & Myron L. Kaufman, 1.51 feet to a point;

Thence S 79°-17'-11" W, through land of the grantor, 98.27 feet to a point;

Thence S 81°-19'-13" W, through land of the grantor, 13.88 feet to a point on the northeast side of land now or formerly of HR-Twenty Corp.;

Thence N 11°-03'-20" W, bounded southwesterly by said land now or formerly of HR-Twenty Corp., 1.25 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-15

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-15 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1411 Boston Road, Springfield, Massachusetts, now or formerly of Harold Bassar & Myron L. Kaufman Mass 312, LLC, containing an area of 239 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying S 11°-26'-23" E, 60.86 feet from baseline station 28+01.74;

Thence N 78°-56'-40" E, along the southeasterly side of Boston Road, 37.93 feet to a point of curvature;

Thence generally southeasterly on a curve to the right having a radius of 80.00 feet, a length of 69.04 feet to a point of non-tangency on the southeasterly side of Boston Road in the vicinity of its intersection with the westerly side of Parker Street;

Thence S 34°-42'-34" W, through land of the grantor, 3.79 feet to a point;

Thence N 60°-57'-20" W, through land of the grantor, 37.54 feet to a point of non-tangent curvature;

Thence generally northwesterly through land of the grantor on a curve to the left having a radius of 84.50 feet, a length of 28.30 feet to a point of tangency;

Thence S 79°-17'-11" W, through land of the grantor, 38.89 feet to a point on the northeast side of land now or formerly of Bassar-Kaufman Mass 312, LLC;

Thence N 36°-44'-28" W, along the land now or formally of Bassar-Kaufman Mass 312, LLC, 1.51 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-16

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-16 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 493 Parker Street, Springfield, Massachusetts, now or formerly of City of Springfield, containing an area of 128 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road at its intersection with the easterly side of Parker Street, said point lying S 11°-54'-55" E, 79.12 feet from baseline station 30+91.08;

Thence S 69°-08'-41" E, along the southeasterly side of Boston Road, 3.22 feet to a point of non-tangent curvature;

Thence generally southwesterly through land of the grantor on a curve to the left having a radius of 134.50 feet, 83.73 feet to a point of non-tangent curvature on the easterly side of Parker Street;

Thence generally northeasterly along the easterly side of Parker Street on a curve to the right having a radius of 130.00 feet, 82.91 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-17

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-17 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1440 Boston Road, Springfield, Massachusetts, now or formerly of Marrewa Realty, Inc., containing an area of 125 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road at its intersection with the southeasterly side of Parker Street, said point lying N 11°-54'-55" W, 32.39 feet from baseline station 31+60.27;

Thence generally northwesterly along the southeasterly side of Parker Street on a curve to the right having a radius of 60.00 feet, 99.70 feet to a point of non-tangent curvature;

Thence generally southeasterly on a curve to the left having a radius of 64.50 feet, 97.69 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-18

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-18 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1465 Boston Road, Springfield, Massachusetts, now or formerly of Donald W. Obitz & Lynn R. Obitz, containing an area of 1,647 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying S 11°-54'-55" E, 63.43 feet from baseline station 32+89.24;

Thence N 77°-10'-00" E, along southeasterly side of Boston Road, 190.98 feet to a point of curvature at the intersection of the southeasterly side of Boston Road with the southwesterly side of Fernbank Road;

Thence generally southeasterly along the southwesterly side of Fernbank Road on a curve to the right having a radius of 40.00 feet, 10.14 feet to a point of non-tangency, said point being the northwest corner of land now or formerly of Sears Roebuck & Co.;

Thence S 04°-15'-58" W, bounded southeasterly by said land now or formerly of Sears Roebuck & Co., 7.36 feet to a point;

Thence S 75°-15'-05" W, through land of the grantor, 39.24 feet to a point;

Thence S 78°-05'-05" W, through land of the grantor, 148.08 feet to a point of non-tangent curvature;

Thence generally northwesterly on a curve to the left having a radius of 60.00 feet, 13.69 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-19

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-19 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1525 Boston Road, Springfield, Massachusetts, now or formerly of Sears, Roebuck & Co., containing an area of 62 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southwesterly side of Fernbank Road in the vicinity of its intersection with the southeasterly side of Boston Road, said point lying S 11°-54'-55" E, 61.49 feet from baseline station 34+90.25

Thence generally southeasterly along the southwesterly side of Fernbank Road on a curve to the right having a radius of 40.00 feet, a length of 15.24 feet to a point of non-tangency;

Thence S 75°-15'-05" W through land of the grantor, 15.85 feet to a point on the southeast side of land now or formerly of Donald W. Obitz & Lynn R. Obitz;

Thence N 04°15'-58" E, bounded northwesterly by said land now or formerly of Donald W. Obitz & Lynn R. Obitz, 7.36 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-22

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-22 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1525 Boston Road, Springfield, Massachusetts, now or formerly of Sears, Roebuck & Co., containing an area of 318 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northeasterly side of Fernbank Road in the vicinity of its intersection with the southeasterly side of Boston Road, said point lying S 11°-54'-55" E, 63.44 feet from baseline station 35+91.21;

Thence generally northeasterly along the northeasterly side of Fernbank Road on a curve to the right having a radius of 40.00 feet, a length of 19.89 feet to a point of tangency;

Thence N 77°-10'-00" E along the southeasterly side of Boston Road, 124.64 feet to a point;

Thence S 75°14'-10" W through land of the grantor, 143.80 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-23

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-23 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1522 Boston Road, Springfield, Massachusetts, now or formerly of Rehold Springfield LLC, containing an area of 309 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 11°-54'-55" W, 39.21 feet from baseline station 40+52.50;

Thence generally northeasterly through land of the grantor on a curve to the right having a radius of 25.50 feet, a length of 10.84 feet to a point of reverse curvature;

Thence generally northeasterly through land of the grantor on a curve to the left having a radius of 1,258.50 feet, a length of 28.63 feet to a point of non- tangency;

Thence N 13°-20'-46" W through land of the grantor, 5.00 feet to a point;

Thence N 76°-20'-31" E through land of the grantor, 13.65 feet to a point;

Thence S 13°-58'-12" E through land of the grantor, 5.00 feet to a point of non-tangent curvature;

Thence generally northeasterly through land of the grantor on a curve to the left having a radius of 1,258.50 feet, a length of 37.59 feet to a point of reverse curvature;

Thence generally southeasterly through land of the grantor on a curve to the right having a radius of 25.50 feet, a length of 13.41 feet to a point of curvature on the northwesterly side of Boston Road;

Thence generally southwesterly along the northwesterly side of Boston Road on a curve to the right having a radius of 1,200.00 feet, a length of 46.86 feet to a point of tangency;

Thence S 77°-17'-10" W, along the northwesterly side of Boston Road, 56.55 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-24

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-24 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1525 Boston Road, Springfield, Massachusetts, now or formerly of Sears, Roebuck & Co., containing an area of 4,050 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying

S 22°-59'-47" E, 60.11 feet from baseline station 43+11.39;

Thence N 63°-57'-30" E along the southeasterly side of Boston Road, 238.92 feet to a point;

Thence N 03°-25'-20" W along the southeasterly side of Boston Road, 11.14 feet to a point;

Thence N 63°-11'-23" E along the southeasterly side of Boston Road, 42.88 feet to a point;

Thence S 11°-48'-36" E along the southeasterly side of Boston Road, 50.00 feet to a point;

Thence N 78°-11'-24" E along the southeasterly side of Boston Road, 60.00 feet to a point;

Thence S 11°-02'-45" E through land of the grantor, 21.93 feet to a point;

Thence S 78°-57'-15" W through land of the grantor, 76.55 feet to a point;

Thence N 11°-02'-45" W through land of the grantor, 6.94 feet to a point of curvature;

Thence generally northwesterly through land of the grantor on a curve to the left having a radius of 34.77 feet, a length of 39.34 feet to a point of non-tangency;

Thence S 72°-53'-02" W through land of the grantor, 51.21 feet to a point;

Thence S 64°27'-27" W through land of the grantor, 126.36 feet to a point of curvature;

Thence generally southwesterly through land of the grantor on a curve to the right having a radius of 806.50 feet, a length of 66.09 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-25

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-25 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1525 Boston Road, Springfield, Massachusetts, now or formerly of Sears, Roebuck & Co., containing an area of 818 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying S 26°-36'-44" E, 49.19 feet from baseline station 46+55.94;

Thence N 63°-11'-23" E along the southerly side of Boston Road, 389.31 feet to a point, said point being the northwest corner of land now or formerly of The May Department Stores Company;

Thence S 12°-04'-29" E, along said land now or formerly of The May Department Stores Company, 1.71 feet to a point;

Thence S 63°-23'-16" W through land of the grantor, 336.32 feet to a point;

Thence S 26°-48'-37" E through land of the grantor, 4.50 feet to a point;

Thence S 63°-22'-55" W through land of the grantor, 34.28 feet to a point;

Thence S 27°-36'-35" W through land of the grantor, 23.56 feet to a point;

Thence S 01°-07'-19" W through land of the grantor, 17.73 feet to a point on the southeasterly side of Boston Road;

Thence N 11°-48'-36" W, along the southeasterly side of Boston Road, 35.45 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-26

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-26 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1560 Boston Road, Springfield, Massachusetts, now or formerly of Lowe's Home Centers, Inc., containing an area of 2,549 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 26°-36'-44" W, 45.63 feet from baseline station 45+74.56;

Thence N 01°-58'-06" W through land of the grantor, 63.54 feet to a point;

Thence N 87°-50'-46" E through land of the grantor, 32.35 feet to a point on the westerly side of land now or formerly of Windalier Springdale Mall LLC;

Thence S 05°-01'-35" E, bounded easterly by land now or formerly of Windalier Springdale Mall LLC and land now or formerly of City of Springfield, in part by each, 23.06 feet to a point;

Thence S 26°-49'-40" E, bounded northeasterly by said land now or formerly of City of Springfield, 40.00 feet to a point on the northwesterly side of Boston Road;

Thence S 63°-10'-20" W, along the northwesterly side of Boston Road, 38.00 feet to a point;

Thence N 03°-30'-58" W, along the northwesterly side of Boston Road, 21.64 feet to a point;

Thence S 54°-58'-47" W, along the northwesterly side of Boston Road, 18.29 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-27

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-27 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1686 Boston Road, Springfield, Massachusetts, now or formerly of Springsan Company, LLC, containing an area of 1,307 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-25'-48" W, 81.67 feet from baseline station 54+91.86;

Thence N 34°-24'-40" W through land of the grantor, 17.66 feet to a point;

Thence N 55°-35'-20" E through land of the grantor, 74.00 feet to a point on the southwesterly side of land now or formerly of Haymarket Square Associates Limited Partnership;

Thence S 34°-24'-40" E through land of the grantor, 17.66 feet to a point;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 74.00 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-28

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-28 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1600 Boston Road, Springfield, Massachusetts, now or formerly of Windalier Springdale Mall LLC, containing an area of 4,464 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 26°-36'-44" W, 28.66 feet from baseline station 46+53.16, said point being the southeast corner of land now or formerly of City of Springfield,

Thence N 26°-49'-40" W, bounded southwesterly by said land now or formerly of City of Springfield, 50.00 feet to a point;

Thence S 63°-10'-20" W, bounded southeasterly by land now or formerly of City of Springfield, 27.00 feet to a point;

Thence N 05°-01'-35" W, bounded westerly by land now or formerly of Lowe's Home Centers, Inc., 12.29 feet to a point;

Thence N 87°-50'-46" E through land of the grantor, 29.56 feet to a point;

Thence S 49°-59'-47" E through land of the grantor, 26.74 feet to a point;

Thence N 76°-54'-22" E through land of the grantor, 26.82 feet to a point;

Thence S 38°-25'-23" E through land of the grantor, 5.55 feet to a point;

Thence N 63°-23'-16" E through land of the grantor, 192.76 feet to a point;

Thence N 26°-36'-44" W through land of the grantor, 1.62 feet to a point;

Thence N 63°-19'-22" E through land of the grantor, 8.90 feet to a point;

Thence S 28°-05'-41" E through land of the grantor, 1.63 feet to a point of non-tangent curvature;

Thence generally northeasterly through land of the grantor on a curve to the right having a radius of 205.50 feet, a length of 18.36 feet to a point of tangency;

Thence N 68°-25'-25" E through land of the grantor, 46.51 feet to a point on the southwest side of land now or formerly of John Stanley Banas & Josephine Frances;

Thence S 15°-03'-35" E, bounded northeasterly by said land now or formerly of John Stanley Banas & Josephine Frances, 6.93 feet to a point on the northwesterly side of Boston Road;

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-29

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-29 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1685 Boston Road, Springfield, Massachusetts, now or formerly of The May Department Stores Company, containing an area of 2,647 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying

S 26°-36'-44" E, 47.84 feet from baseline station 50+45.25, said point being the northeast corner of land now or formerly of Sears, Roebuck & Co.;

Thence N 63°-11'-23" E along the southeasterly side of Boston Road, 70.12 feet to a point;

Thence N 55°-35'-20" E along the southeasterly side of Boston Road, 368.70 feet to a point;

Thence S 11°-49'-58" E along the southeasterly side of Boston Road, 13.97 feet to a point;

Thence S 59°-04'-46" W through land of the grantor, 101.28 feet to a point;

Thence S 56°-10'-40" W through land of the grantor, 235.40 feet to a point;

Thence S 60°-48'-50" W through land of the grantor, 98.66 feet to a point on the northeast side of land now or formerly of Sears, Roebuck & Co.;

Thence N 12°-04'-29" W, bounded southwesterly by said land now or formerly of Sears, Roebuck & Co., 4.98 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-30

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-30 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1630 Boston Road, Springfield, Massachusetts, now or formerly of Josephine Frances Banas, containing an area of 384 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying N 26°-36'-44" W, 29.82 feet from baseline station 49+60.21, said point being the southeast corner of land now or formerly of Windalier Springdale Mall LLC;

Thence N 15°-03'-35" W, bounded southwesterly by said land now or formerly of Windalier Springdale Mall LLC, 6.93 feet to a point;

Thence N 68°-13'-18" E through land of the grantor, 59.30 feet to a point;

Thence N 63°-32'-52" E through land of the grantor, 40.37 feet to a point of curvature;

Thence generally northeasterly through land of the grantor on a curve to the left having a radius of 866.50 feet, a length of 49.38 feet to a point of non-tangency on the southwest side of land now or formerly of BFS Retail & Commercial Operations, LLC;

Thence S 15°-03'-35" E, bounded northeasterly by said land now or formerly of BFS Retail & Commercial Operations, LLC, 2.58 feet to a point on the northwesterly side of Boston Road;

Thence S 63°-10'-20" W, along the northwesterly side of Boston Road, 149.70 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-31

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-31 below pursuant to and by virtue of Mass. General Laws

Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located on the northwest side of Boston Road between 1630 Boston Road and 1686 Boston Road, Springfield, Massachusetts, now or formerly of BFS Retail & Commercial Operations, LLC, containing an area of 48 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 29°-50'-03" W, 29.00 feet from baseline station 51+11.56, said point being the southeast corner of land now or formerly of John Stanley Banas & Josephine Frances;

Thence N 15°-03'-35" W, bounded northwesterly by said land now or formerly of John Stanley Banas & Josephine Frances, 2.58 feet to a point;

Thence generally northeasterly through land of the grantor on a curve to the left having a radius of 866.50 feet, a length of 46.69 feet to a point on the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 47.47 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-32

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-32 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1722 Boston Road, Springfield, Massachusetts, now or formerly of Haymarket Square Associates, Limited Partnership, containing an area of 1,050 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-25'-48" W, 41.64 feet from baseline station 55+95.85;

Thence generally northwesterly along the northwesterly side of Boston Road on a curve to the right having a radius of 30.00 feet, a length of 18.38 feet to a point of non-tangency;

Thence N 55°-34'-12" E through land of the grantor, 186.25 feet to a point;

Thence N 70°-16'-50" E through land of the grantor, 21.75 feet to a point on the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 190.04 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-33

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-33 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1719 Boston Road, Springfield, Massachusetts, now or formerly of JCP Partners, LLC, containing an area of 2,811 square feet, more or less, and bounded and described as follows but excluding commercial signs:

Beginning at a point on the southeasterly side of Boston Road, said point lying

S 34°-25'-48" E, 46.34 feet from baseline station 55+42.45;

Thence N 55°-35'-20" E along the southeasterly side of Boston Road, 535.17 feet to a point of non-tangent curvature;

Thence generally southwesterly through land of the grantor on a curve to the right having a radius of 15,020.50 feet, a length of 299.27 feet to a point of tangency;

Thence S 55°-34'-12" W through land of the grantor, 170.03 feet to a point;

Thence S 34°-25'-48" E through land of the grantor, 4.00 feet to a point;

Thence S 55°-34'-12" W through land of the grantor, 22.55 feet to a point;

Thence S 23°-15'-16" W through land of the grantor, 58.99 feet to a point;

Thence S 11°-58'-13" E through land of the grantor, 36.72 feet to a point;

Thence S 78°-09'-07" W through land of the grantor, 8.94 feet to a point on the southeasterly side of Boston Road;

Thence N 11°-49'-58" W along the southeasterly side of Boston Road, 74.95 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-34

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-34 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1750 Boston Road, Springfield, Massachusetts, now or formerly of Haymarket Square Associates Limited Partnership, containing an area of 248 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-48'-48" W, 31.05 feet from baseline station 60+90.10;

Thence N 21°-05'-00" W, along the northwesterly side of Boston Road, 0.98 feet to a point;

Thence N 55°-11'-12" E through land of the grantor, 162.70 feet to a point on the southwesterly side of land now or formerly of Susan A. Shapiro;

Thence S 31°-01'-40" E, bounded northeasterly by said land now or formerly of Susan A. Shapiro, 2.10 feet to a point on the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 162.80 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-35

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-35 below pursuant to and by virtue of Mass. General Laws

Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1755 Boston Road, Springfield, Massachusetts, now or formerly of 1755 Boston Road, Springfield, MA LLC, containing an area of 782 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying

S 34°-48'-48" E, 44.19 feet from baseline station 62+31.15;

Thence N 10°-34'-16" W, along the southeasterly side of Boston Road, 9.02 feet to a point;

Thence N 55°-35'-20" E along the southeasterly side of Boston Road, 121.18 feet to a point of curvature;

Thence generally southeasterly along the southeasterly side of Boston Road on a curve to the right having a radius of 15.00 feet, a length of 11.55 feet to a point of non-tangency;

Thence generally southwesterly through land of the grantor on a curve to the left having a radius of 2,966.50 feet, a length of 65.30 feet to a point of tangency;

Thence S 53°-35'-01" W through land of the grantor, 70.03 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-36

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-36 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1760 Boston Road, Springfield, Massachusetts, now or formerly of Susan A. Shapiro, containing an area of 298 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-48'-48" W, 29.90 feet from baseline station 62+52.90, said point being the southeast corner of land now or formerly of Haymarket Square Associates Limited Partnership;

Thence N 31°-01'-40" W, bounded southwesterly by said land now or formerly of Haymarket Square Associates Limited Partnership, 2.10 feet to a point;

Thence N 55°-11'-12" E through land of the grantor, 118.46 feet to a point on the southwest side of land now or formerly of Draymore Properties Limited Partnership;

Thence S 31°-01'-40" E, bounded northeasterly by said land now or formerly of Draymore Properties Limited Partnership, 2.93 feet to a point on the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 118.41 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-37

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-37 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1770 Boston Road, Springfield, Massachusetts, now or formerly of Draymore Properties Limited Partnership, containing an area of 406 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-48'-48" W, 29.07 feet from baseline station 63+71.31, said point being the southeast corner of land now or formerly of Susan A. Shapiro;

Thence N 31°-01'-40" W, bounded southwesterly by said land now or formerly of Susan A. Shapiro, 2.93 feet to a point;

Thence N 55°-11'-12" E through land of the grantor, 120.99 feet to a point on the southwest side of land now or formerly of L & L Food Service, Inc.;

Thence S 31°-01'-40" E, bounded northeasterly by said land now or formerly of L & L Food Service, Inc., 3.78 feet to a point on the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 120.94 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-38

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-38 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1780 Boston Road, Springfield, Massachusetts, now or formerly of L & L Food Service, Inc., containing an area of 418 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-48'-48" W, 28.22 feet from baseline station 64+92.24, said point being the southeast corner of land now or formerly of Draymore Properties Limited Partnership;

Thence N 31°-01'-40" W, bounded southwesterly by said land now or formerly of Draymore Properties Limited Partnership, 3.78 feet to a point;

Thence N 55°-11'-12" E through land of the grantor, 101.20 feet to a point on the southwesterly side of Hardy Street;

Thence S 31°-01'-40" E along the southwesterly side of Hardy Street, 4.50 feet to a point, said point lying at its intersection with the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 101.15 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-39

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-39 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1771 Boston Road, Springfield, Massachusetts, now or formerly of Edward P. Garabedian, containing an area of 439 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying

S 34°-48'-48" E, 37.37 feet from baseline station 64+34.76, at its intersection with the northeasterly side of Biddle Street;

Thence N 55°-35'-20" E along the southeasterly side of Boston Road, 151.35 feet to a point, said point being the northwest corner of land now or formerly of Armand J. Beaupre & Sharon M. Beaupre;

Thence S 34°-24'-40" E, bounded northeasterly by said land now or formerly of Armand J. Beaupre & Sharon M. Beaupre, 2.18 feet to a point;

Thence S 55°-03'-33" W through land of the grantor, 153.03 feet to a point on the northeasterly side of Biddle Street;

Thence N 09°-23'-50" W, along the northeasterly side of Biddle Street, 3.97 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-40

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-40 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1791 Boston Road, Springfield, Massachusetts, now or formerly of Armand J. Beaupre & Sharon M. Beaupre, containing an area of 348 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying

S 34°-48'-48" E, 38.44 feet from baseline station 65+86.11, said point being the northeast corner of land now or formerly of Edward P. Garabedian;

Thence N 55°-35'-20" E along the southeasterly side of Boston Road, 110.62 feet to a point at its intersection with the southwesterly side of Kent Road;

Thence S 20°-03'-19" E along the southwesterly side of Kent Road, 18.44 feet to a point;

Thence N 77°-22'-39" W through land of the grantor, 22.58 feet to a point;

Thence S 55°-03'-33" W through land of the grantor, 90.65 feet to a point on the northeasterly side of land now or formerly of Edward P. Garabedian;

Thence N 34°-24'-40" W, bounded southwesterly by said land now or formerly of Edward P. Garabedian, 2.18 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-41

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-41 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1800 Boston Road, Springfield, Massachusetts, now or formerly of TD BankNorth, containing an area of 411 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-10'-54" W, 27.35 feet from baseline station 66+43.18 at its intersection with the northeasterly side of Hardy Street;

Thence N 31°-01'-40" W, along the northeasterly side of Hardy Street, 4.63 feet to a point;

Thence N 56°-49'-41" E through land of the grantor, 125.92 feet to a point on the southwesterly side of land now or formerly of Family Bank FSB;

Thence S 31°-01'-40" E, bounded northeasterly by said land now or formerly of Family Bank FSB, 1.90 feet to a point on the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northerly side of Boston Road, 126.05 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-42

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-42 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located on the northwest side of Boston Road and the southwest side of Stocker Street, Springfield, Massachusetts, now or formerly of TD Bank North, containing an area of 387 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying N 33°-10'-19" W, 29.60 feet from baseline station 67+68.72, said point being the southeast corner of land now or formerly of Springfield Institution for Savings;

Thence N 31°-01'-40" W, bounded southwesterly by said land now or formerly of Springfield Institution for Savings, 5.09 feet to a point;

Thence N 55°-23'-14" E through land of the grantor, 74.30 feet to a point on the southwesterly side of Stocker Street;

Thence S 31°-01'-40" E along the southwesterly side of Stocker Street, 5.35 feet to a point at its intersection with the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 74.29 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-43

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-43 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1809 Boston Road, Springfield, Massachusetts, now or formerly of Realty Income Corporation, containing an area of 396 square feet, more or less, and bounded and described as follows:

Beginning at a point on the southeasterly side of Boston Road, said point lying

S 33°-10'-19" E, 36.21 feet from baseline station 67+78.00 at its intersection with the northeasterly side of Kent Road;

Thence N 55°-35'-20" E along the southeasterly side of Boston Road, 91.78 feet to a point;

Thence S 34°-24'-40" E through land of the grantor, 4.26 feet to a point;

Thence S 55°-35'-20" W through land of the grantor, 93.94 feet to a point on the northeasterly side of Kent Road;

Thence N 07°-35'-50" W, along the northeasterly side of Kent Road, 4.78 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-44

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-44 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 1828 Boston Road, Springfield, Massachusetts, now or formerly of 1828 Boston Road LLC, containing an area of 58 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 33°-10'-19" W, 32.29 feet from baseline station 68+93.07 at its intersection with the northeasterly side of Stocker Street;

Thence N 31°-01'-40" W, along the northeasterly side of Stocker Street, 2.99 feet to a point;

Thence N 56°-36'-35" E through land of the grantor, 20.79 feet to a point;

Thence S 34°-24'-40" E through land of the grantor, 2.61 feet to a point on the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 20.97 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-45

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-45 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon but excluding commercial signs;

A portion of a parcel of land located at 1722 Boston Road, Springfield, Massachusetts, now or formerly of Haymarket Square Associates Limited Partnership, containing an area of 745 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-25'-48" W, 31.57 feet from baseline station 58+20.15

Thence N 11°-58'-40" W, along land the northwesterly side of Boston Road, 10.82 feet to a point;

Thence N 55°-34'-12" E through land of the grantor, 25.48 feet to a point;

Thence S 34°-25'-48" E through land of the grantor, 7.06 feet to a point;

Thence N 55°-34'-12" E through land of the grantor, 155.14 feet to a point on the northwesterly side of Boston Road;

Thence S 34°-24'-40" E, along the northwesterly side of Boston Road, 2.99 feet to a point;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 184.75 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-46

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-46 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 510 Parker Street, Springfield, Massachusetts, now or formerly of Basser-Kaufman Mass 312, LLC, containing an area of 298 square feet, more or less, and bounded and described as follows:

Beginning at a point on the westerly side of Parker Street, said point lying

N 88°-55'-35" W, 31.50 feet from baseline station 202+33.43;

Thence generally northeasterly through land of the grantor on a curve to the right having a radius of 1,207.50 feet, a length of 68.82 feet to a point of tangency;

Thence N 04°-20'-21" E through land of the grantor, 150.72 feet to a point on the westerly side of Parker Street;

Thence S 01°-46'-42" E, along the westerly side of Parker Street, 14.29 feet to a point;

Thence S 04°-17'-40" W, along the westerly side of Parker Street, 171.33 feet to a point of curvature;

Thence generally southwesterly along the westerly side of Parker Street on a curve to the left having a radius of 2,080.00 feet, 33.98 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-48

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-48 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A parcel of land located between 1560 Boston Road and 1600 Boston Road, Springfield, Massachusetts, known depicted as Lot 14 on a plan of registered land recorded in the Hampden County Registry of Deeds as Plan 10690-H, now or formerly of City of Springfield, containing an area of 1,530 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying N 26°-36'-44" W, 28.55 feet from baseline station 46+22.16, said point being the southeast corner of land now or formerly of Lowe's Home Centers, Inc.;

Thence N 26°-49'-40" W, bounded southwesterly by said land now or formerly of Lowe's Home Centers, Inc, 40.00 feet to a point;

Thence N 05°-01'-35" W, bounded westerly by land now or formerly of Lowe's Home Centers, Inc, 10.77 feet to a point, said point being a southwest corner of land now or formerly of Windalier Springdale Mall LLC;

Thence N 63°-10'-20" E, bounded northwesterly by said land now or formerly of Windalier Springdale Mall LLC, 27.00 feet to a point;

Thence S 26°-49'-40"E bounded northeasterly by land now or formerly of Windalier Springdale Mall LLC, 50.00 feet to a point on the northwesterly side of Boston Road;

Thence S 63°-10'-20" W, along the northwesterly side of Boston Road, 31.00 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-49

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-49 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located on the northwest side of Boston Road between 1630 Boston Road and 1686 Boston Road, Springfield, Massachusetts, now or formerly of BFS Retail & Commercial Operations, LLC, containing an area of 15 square feet, more or less, and bounded and described as follows:

Beginning at a point on the northwesterly side of Boston Road, said point lying

N 34°-25'-48" W, 31.75 feet from baseline station 52+59.08;

Thence N 34°-24'-40" W through land of the grantor, 3.00 feet to a point;

Thence N 55°-35'-20" E through land of the grantor, 5.00 feet to a point;

Thence S 34°-24'-40" E through land of the grantor, 3.00 feet to a point on the northwesterly side of Boston Road;

Thence S 55°-35'-20" W, along the northwesterly side of Boston Road, 5.00 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

PERMANENT EASEMENT - PARCEL E-50

It is ORDERED, that a permanent easement for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1", is hereby taken in the parcel of land described as Parcel E-50 below pursuant to and by virtue of Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, of the Massachusetts General Laws; including any improvements, trees and shrubs located thereon;

A portion of a parcel of land located at 493 Parker Street, Springfield, Massachusetts, now or formerly of City of Springfield, containing an area of 80 square feet, more or less, and bounded and described as follows:

Beginning at a point on the easterly side of Parker Street, said point lying

S 85°-39'-39" E, 50.08 feet from baseline station 203+63.48;

Thence N 04°-17'-40" E along the easterly side of Parker Street, 6.20 feet to a point of curvature;

Thence generally northeasterly along the easterly side of Parker Street on a curve to the right having a radius of 141.00 feet, a length of 33.70 feet to a point of non-tangency;

Thence S 10°-04'-31" W through land of the grantor, 16.35 feet to a point;

Thence S 79°-55'-29" E through land of the grantor, 4.50 feet to a point;

Thence S 10°-04'-31" W through land of the grantor, 10.00 feet to a point;

Thence N 79°-55'-29" W through land of the grantor, 4.50 feet to a point;

Thence S 10°-04'-31" W through land of the grantor, 13.43 feet to the point of beginning.

Although said parcel is stated above as belonging to the named owner, the ownership of said parcel is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

TEMPORARY CONSTRUCTION EASEMENTS-

It is further ORDERED that the following temporary construction easements are hereby taken for purposes of constructing and maintaining improvements to certain ways in the City of Springfield, for the "Boston Road - Phase 1" project, pursuant to Mass. General Laws Chapter 43, Section 30, and Mass. General Laws Chapter 79, including any non-commercial sign

improvements, trees and shrubs located thereon, in the parcels of land described below within the limits of the Project as shown on the aforementioned "Right of Way Plans" on file with the Hampden County Registry of Deeds and the Engineering Department of the City of Springfield Department of Public Works ("DPW"), 70 Tapley Street, Springfield, MA, which plans are incorporated herein by reference;

Such temporary construction easements are acquired for the purposes of sidewalk and slope modifications, clearing brush, site grading and for improvements to the Project;

Such temporary construction easements are temporary in nature and are to be in effect only until five (5) years from the date of recording of this instrument;

That included within said temporary construction easements ("TE") are fifty-five (55) parcels of land which are described below and are shown on the aforementioned Right of Way plans which are generally described as follows:

Parcel TE-1: A portion of a parcel of land located at 1244 Boston Road, Springfield, Massachusetts, supposed to be owned by Route 20 Color Tile, LLC, consisting of approximately 209 square feet, from baseline station 11+75.20 to station 12+24.03, and depicted as **TE-1** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-2: A portion of a parcel of land located at 1260 Boston Road, Springfield, Massachusetts, supposed to be owned by Tanners-Springfield Associates Trust, consisting of approximately 622 square feet, from baseline station 12+24.03 to station 13+26.19, and depicted as **TE-2** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-3: A portion of a parcel of land located at 1244 Boston Road, Springfield, Massachusetts, supposed to be owned by Route 20 Color Tile, LLC, consisting of approximately 524 square feet, from the Pasco Road Construction Baseline Station 102+67.07 to station 103+41.65, and depicted as **TE-3** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-4: A portion of a parcel of land located at 1245 Boston Road, Springfield, Massachusetts, supposed to be owned by Mike W. Lee, consisting of approximately 196 square feet, from baseline station 11+74.79 to station 12+16.19, and depicted as **TE-4** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-5: A portion of a parcel of land located at 1257 Boston Road, Springfield, Massachusetts, supposed to be owned by Tony Vo, consisting of approximately 878 square feet, from baseline station 12+66.26 to station 13+66.40, and depicted as **TE-5** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-6: A portion of a parcel of land located at 1267 Boston Road, Springfield,

Massachusetts, supposed to be owned by K A Realty Trust, consisting of approximately 599 square feet, from baseline station 13+66.40 to station 14+66.82, and depicted as **TE-6** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-7: A portion of a parcel of land located on 1284 Boston Road, Springfield, Massachusetts, supposed to be owned by Abdow Realty Trust, consisting of approximately 2,696 square feet, from baseline station 14+54.40 to station 16+76.32, and depicted as **TE-7** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-8: A portion of a parcel of land located at 1285 Boston Road, Springfield, Massachusetts, supposed to be owned by DIBA, LLC, consisting of approximately 3,015 square feet, from baseline station 15+26.28 to station 16+22.19, and depicted as **TE-8** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-9: A portion of a parcel of land located at 1295 Boston Road, Springfield, Massachusetts, supposed to be owned by DIBA, LLC, consisting of approximately 834 square feet, from baseline station 16+22.19 to station 17+22.90, and depicted as **TE-9** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-10: A portion of a parcel of land located on Boston Road, Springfield, Massachusetts, supposed to be owned by Boston Road/Pasco RT20 Retail, LLC, consisting of approximately 3,083 square feet, from baseline station 16+76.32 to station 18+93.89, and depicted as **TE-10** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-11: A portion of a parcel of land located at 1315 Boston Road, Springfield, Massachusetts, supposed to be owned by F L Roberts and Company Incorporated, consisting of approximately 2,125 square feet, from baseline station 17+76.92 to station 20+17.06, and depicted as **TE-11** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-12: A portion of a parcel of land located at 1324 Boston Road, Springfield, Massachusetts, supposed to be owned by Mark R. Draymore & Murray Hendel Trustees, consisting of approximately 603 square feet, from baseline station 18+93.74 to station 19+73.49, and depicted as **TE-12** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-13: A portion of a parcel of land located at 1340 Boston Road, Springfield, Massachusetts, supposed to be owned by East Street and Boston Road, LLC, consisting of approximately 1,819 square feet, from baseline station 19+73.49 to station 21+71.44, and depicted as **TE-13** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-14: A portion of a parcel of land located at 1356 Boston Road, Springfield, Massachusetts, supposed to be owned by Parmar Enterprises, Inc., consisting of approximately 2,839 square feet, from baseline station 21+69.13 to station 24+80.56, and depicted as **TE-14** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-15: A portion of a parcel of land located at 1355 Boston Road, Springfield, Massachusetts, supposed to be owned by Thomas A. Cosenzi & Sandra J. Cosenzi, consisting of approximately 759 square feet, from baseline station 23+96.20 to station 25+24.64, and depicted as **TE-15** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-16: A portion of a parcel of land located at 1387 Boston Road, Springfield, Massachusetts, supposed to be owned by HR-Twenty Corp., consisting of approximately 1,414 square feet, from baseline station 25+24.64 to station 26+90.80, and depicted as **TE-16** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-17: A portion of a parcel of land located at 1380 Boston Road and Parker Street, Springfield, Massachusetts, supposed to be owned by Route 20-21 Associates, Inc., consisting of approximately 4,511 square feet, from baseline station 24+78.90 to the Parker Street Construction Baseline Station 209+66.21, and depicted as **TE-17** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-18: A portion of a parcel of land located at 510 Parker Street, Springfield, Massachusetts, supposed to be owned by Basser-Kaufman Mass 312, LLC, consisting of approximately 1,255 square feet, from baseline station 26+90.81 to station 28+07.38, and depicted as **TE-18** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-19: A portion of a parcel of land located at 1411 Boston Road, Springfield, Massachusetts, supposed to be owned by Basser-Kaufman Mass 312, LLC, consisting of approximately 1,445 square feet, from baseline station 28+02.39 to Parker Street Construction Baseline Station 204+76.99, and depicted as **TE-19** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-20: A portion of a parcel of land located at 510 Parker Street, Springfield, Massachusetts, supposed to be owned by Basser-Kaufman Mass 312, LLC, consisting of approximately 1570 square feet, from the Parker Street Construction Baseline Station 201+32.75 to station 204+76.99, and depicted as **TE-20** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-21: A portion of a parcel of land located at 493 Parker Street, Springfield, Massachusetts, supposed to be owned by City of Springfield, consisting of approximately 3,041 square feet, from the Parker Street Construction Baseline Station 201+94.14 to

station 206+43.45, and depicted as **TE-21** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-22: A portion of a parcel of land located at 1440 Boston Road, Springfield, Massachusetts, supposed to be owned by Marrewa Realty, Inc., consisting of approximately 3,082 square feet, from the Parker Street Construction Station 211+01.80, to the Boston Road Construction Baseline Station 33+65.98, and depicted as **TE-22** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-23: A portion of a parcel of land located at 14656 Boston Road, Springfield, Massachusetts, supposed to be owned by Donald W. Obitz & Lynn R. Obitz, consisting of approximately 2,883 square feet, from baseline station 33+00.94 to station 34+88.21, and depicted as **TE-23** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-24: A portion of a parcel of land located on Boston Road, Springfield, Massachusetts, supposed to be owned by Sears Roebuck & Co., consisting of approximately 395 square feet, from baseline station 34+88.21 to station 35+17.14, and depicted as **TE-24** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-25: A portion of a parcel of land located at 1472 Boston Road, Springfield, Massachusetts, supposed to be owned by Adam Springfield II, LLC, consisting of approximately 672 square feet, from baseline station 34+15.97 to station 34+75.40, and depicted as **TE-25** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-26: A portion of a parcel of land located at 1492 Boston Road, Springfield, Massachusetts, supposed to be owned by John S. Banas & Josephine Banas, consisting of approximately 2,888 square feet, from baseline station 34+75.40 to station 37+75.38, and depicted as **TE-26** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-27: A portion of a parcel of land located at 1525 Boston Road, Springfield, Massachusetts, supposed to be owned by Sears Roebuck & Co., consisting of approximately 14,115 square feet, from baseline station 35+70.84 to station 50+44.82, and depicted as **TE-27** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-28: A portion of a parcel of land located at 1514 Boston Road, Springfield, Massachusetts, supposed to be owned by M.H. Parsons & Sons, consisting of approximately 697 square feet, from baseline station 38+26.04 to station 39+27.09, and depicted as **TE-28** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-29: A portion of a parcel of land located at 1522 Boston Road, Springfield, Massachusetts, supposed to be owned by Rehold Springfield LLC, consisting of approximately 2,503 square feet, from baseline station 39+27.09 to station 42+82.28, and depicted as **TE-29** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-30: A portion of a parcel of land located at 1560 Boston Road, Springfield, Massachusetts, supposed to be owned by Lowe's Home Centers, Inc., consisting of approximately 5,211 square feet, from baseline station 42+82.28 to station 46+30.50, and depicted as **TE-30** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-31: A portion of a parcel of land located at 1600 Boston Road, Springfield, Massachusetts, supposed to be owned by Windalier Springdale Mall LLC, consisting of approximately 3,352 square feet, from baseline station 46+30.50 to station 49+61.60, and depicted as **TE-31** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-32: A portion of a parcel of land located at 1655 Boston Road, Springfield, Massachusetts, supposed to be owned by Eastfield Associates LLC, consisting of approximately 4,068 square feet, from baseline station 54+58.25 to station 55+06.26, and depicted as **TE-32** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-33: A portion of a parcel of land located at 1685 Boston Road, Springfield, Massachusetts, supposed to be owned by The May Department Stores Company, consisting of approximately 31,995 square feet, from baseline station 50+44.00 to station 54+72.10, and depicted as **TE-33** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-34: A portion of a parcel of land located at 1630 Boston Road, Springfield, Massachusetts, supposed to be owned by John Stanley Banas & Josephine Frances, consisting of approximately 1,315 square feet, from baseline station 49+61.60 to station 51+12.24, and depicted as **TE-34** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-35 A portion of a parcel of land located at 1666 Boston Road, Springfield, Massachusetts, supposed to be owned by BFS Retail & Commercial Operations, LLC, consisting of approximately 2,503 square feet, from baseline station 51+12.24 to station 54+15.85, and depicted as **TE-35** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-36 A portion of a parcel of land located at 1686 Boston Road, Springfield, Massachusetts, supposed to be owned by Springsan Company, LLC, consisting of approximately 1,511 square feet, from baseline station 54+91.87 to station 55+65.87, and

depicted as **TE-36** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-37 A portion of a parcel of land located at 1722 Boston Road, Springfield, Massachusetts, supposed to be owned by Haymarket Square Associates Limited Partnership, consisting of approximately 3,156 square feet, from baseline station 55+65.87 to station 57+97.92, and depicted as **TE-37** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-38 A portion of a parcel of land located at 1719 Boston Road, Springfield, Massachusetts, supposed to be owned by JCP Partners, LLC, consisting of approximately 10,693 square feet, from baseline station 54+76.23 to station 62+29.47, and depicted as **TE-38** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-39 A portion of a parcel of land located at 1750 Boston Road, Springfield, Massachusetts, supposed to be owned by Haymarket Square Associates Limited Partnership, consisting of approximately 6,722 square feet, from baseline station 60+69.88 to station 62+55.48, and depicted as **TE-39** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-40 A portion of a parcel of land located at 1755 Boston Road, Springfield, Massachusetts, supposed to be owned by 1755 Boston Road Springfield, MA LLC, consisting of approximately 3,018 square feet, from baseline station 62+27.79 to station 63+54.94, and depicted as **TE-40** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-41 A portion of a parcel of land located at 1760 Boston Road, Springfield, Massachusetts, supposed to be owned by Susan A. Shapiro, consisting of approximately 4,330 square feet, from baseline station 62+55.48 to station 63+73.89, and depicted as **TE-41** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-42 A portion of a parcel of land located at 1770 Boston Road, Springfield, Massachusetts, supposed to be owned by Draymore Properties Limited Partnership, consisting of approximately 1,515 square feet, from baseline station 63+72.16 to station 64+93.56, and depicted as **TE-42** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-43 A portion of a parcel of land located at 1780 Boston Road, Springfield, Massachusetts, supposed to be owned by L & L Food Service, Inc., consisting of approximately 1,768 square feet, from baseline station 64+93.56 to station 65+95.24, and depicted as **TE-43** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-44 A portion of a parcel of land located at 1771 Boston Road, Springfield,

Massachusetts, supposed to be owned by Edward P. Garabedian, consisting of approximately 1,000 square feet, from baseline station 64+30.32 to station 65+86.04, and depicted as **TE-44** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-45 A portion of a parcel of land located at 1791 Boston Road, Springfield, Massachusetts, supposed to be owned by Armand J. Beaupre & Sharon M. Beaupre, consisting of approximately 924 square feet, from baseline station 65+86.04 to station 66+93.59, and depicted as **TE-45** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-46 A portion of a parcel of land located at 1800 Boston Road, Springfield, Massachusetts, supposed to be owned by TD BankNorth, consisting of approximately 2,348 square feet, from baseline station 66+44.93 to station 67+69.30, and depicted as **TE-46** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-47 A portion of a parcel of land located at 1800 Boston Road, Springfield, Massachusetts, supposed to be owned by TD BankNorth, consisting of approximately 395 square feet, from baseline station 67+69.30 to station 68+43.40, and depicted as

TE-47 on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-48 A portion of a parcel of land located at 1809 Boston Road, Springfield, Massachusetts, supposed to be owned by Realty Income Corporation, consisting of approximately 1,440 square feet, from baseline station 67+62.88 to station 69+72.09, and depicted as **TE-48** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-49 A portion of a parcel of land located on Boston Road, Springfield, Massachusetts, supposed to be owned by O ICE, LLC, consisting of approximately 840 square feet, from baseline station 69+72.09 to station 70+90.76, and depicted as **TE-49** on the above-referenced right of way plans on file with the DPW Engineering Division

Parcel TE-50 A portion of a parcel of land located at 1828 Boston Road, Springfield, Massachusetts, supposed to be owned by 1828 Boston Road LLC, consisting of approximately 1,223 square feet, from baseline station 68+93.31 to station 70+95.40, and depicted as **TE-50** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-51: A portion of a parcel of land located at 513 Parker Street, Springfield, Massachusetts, supposed to be owned by Patricia L. Hayden & Todd A. Hayden, consisting of approximately 47 square feet, from the Parker Street Construction Baseline Station 201+04.29 to station 201+23.06, and depicted as **TE-51** on the above-referenced

right of way plans on file with the DPW Engineering Division;

Parcel TE-52: A portion of a parcel of land located at 511 Parker Street, Springfield, Massachusetts, supposed to be owned by Albert W. Johnston, consisting of approximately 312 square feet, from the Parker Street Construction Baseline Station 201+22.86 to station 201+94.14, and depicted as **TE-52** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-53 A portion of a parcel of land located at 1722 Boston Road, Springfield, Massachusetts, supposed to be owned by Haymarket Square Associates Limited Partnership, consisting of approximately 1090 square feet, from baseline station 58+49.76 to station 60+04.90, and depicted as **TE-53** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-54: A portion of a parcel of land located at 436 Parker Street, Springfield, Massachusetts, supposed to be owned by Northernstar Enterprises, LLC, consisting of approximately 271 square feet, from the Parker Street Construction Baseline Station 209+66.21 to Station 210+19.70, and depicted as **TE-54** on the above-referenced right of way plans on file with the DPW Engineering Division;

Parcel TE-55: A portion of a parcel of land located at 1260 Boston Road, Springfield, Massachusetts, supposed to be owned by Tanners-Springfield Associates Trust, consisting of approximately 1,458 square feet, from the Pasco Road Construction Baseline Station 100+58.73 to Station 102+67.07, and depicted as **TE-55** on the above-referenced right of way plans on file with the DPW Engineering Division;

Although said parcels are stated above as belonging to the named owner, the ownership of said parcels is stated herein only insofar as said ownership is known or has been determined by the City Council, and accordingly, is so stated and shown only as a matter of information and belief.

AWARD OF DAMAGES

It is ORDERED that the City of Springfield makes the following awards for damages sustained by the owner/owners, and mortgagees of record and others as required by law, having an interest in the area or areas hereinbefore described in the taking of or injury to his/their/its property by reason of the taking of the permanent easement and temporary construction easements taken for construction of the Project, including any improvements, trees or shrubs:

DAMAGES FOR PERMANENT EASEMENTS

PARCEL	SUPPOSED OWNER/MORTGAGEE OF RECORD		S.F. AREA	AWARD OF DAMAGES
E 1	1260 Boston Rd	Tanners-Springfield Associates Trust	414	\$1,240
E 2	1260 Boston Rd	Tanners-Springfield Associates Trust	96	\$290

E 3	1244 Boston Rd	Route 20 Color Tile LLC	32	\$100
E 4	1257 Boston Rd	Tony Vo	41	\$180
E 5	1267 Boston Rd	KA Realty Trust	324	\$1,170
E 6	1284 Boston Rd	G&R Realty Trust	2,294	\$5,510
E 7	1285 Boston Rd	DIBA LLC	214	\$960
E 9	North Side Boston Rd	Boston Road/Pasco RT20 Retail, LLC.	669	\$1,340
E 10	1315 Boston Rd	F.L. Roberts and Company Inc	612	\$1,840
E 11	1324 Boston Rd	McFc LLC	194	\$490
E 12	1340 Boston Rd	East Street & Boston Road LLC	100	\$200
E 13	1387 Boston Rd	HR Twenty Corporation	38	\$100
E 14	510 Parker St	Basser-Kaufman Mass 312, LLC	139	\$280
E 15	1411 Boston Rd	Basser Kaufman Mass 312, LLC	239	\$1,080
E 16	493 Parker St	Springfield City	128	\$0
E 17	1440 Boston Rd	Marrewa Realty Inc	125	\$380
E 18	1465 Boston Rd	Donald W & Lynn R Obitz	1,647	\$3,290
E 19	West Side Fernbank Rd	Sears Roebuck & Co	62	\$200
E 22	1525 Boston Rd	Sears Roebuck & Co	318	\$450
E 23	1522 Boston Rd	Rehold Springfield LLC	309	\$540
E 24	1525 Boston Rd	Sears Roebuck & Co	4,050	\$5,670
E 25	1525 Boston Rd	Sears Roebuck & Co	818	\$1,150
E 26	1560 Boston Rd	Lowes Home Centers Inc	2,549	\$3,570
E 27	1686 Boston Rd	Springsan Company LLC	1,307	\$2,090
E 28	1600 Boston Rd	TRT Springdale LLC	4,464	\$7,140
E 29	1685 Boston Rd	May Department Stores Co	2,647	\$4,240
E 30	1630 Boston Rd	Josephine Frances Banas	384	\$960
E 31	North Side Boston Rd	BFS Retail & Commercial Operations	48	\$120
E 32	1722-1724 Boston Rd	Haymarket Square Association LP	1,050	\$1,680
E 33	1719 Boston Rd	Boston Road Retail LLC	2,811	\$4,500
E 34	1750 Boston Rd	Haymarket Square Associates LP	248	\$500
E 35	1755 Boston Rd	1755 Boston Road, Springfield MA LLC	782	\$3,520
E 36	1760 Boston Rd	Susan A. Shapiro	298	\$750
E 37	1770 Boston Rd	Draymore Properties LP	406	\$1,020
E 38	1780 Boston Rd	Colonial Pacific Leasing Corporation	418	\$1,250
E 39	1771 Boston Rd	Edward P. Garabedian	439	\$1,320
E 40	1791 Boston Rd	Armand J & Sharon M Beaupre	348	\$1,570
E 41	1800 Boston Rd	TD BankNorth	411	\$1,230
E 42	North Side Boston Rd	TD BankNorth	387	\$1,220
E 43	1809-1821 Boston Rd	Realty Income Corporation	396	\$1,190
E 44	1828 Boston Rd	Yash & Rushil LLC	58	\$170
E 45	1722-1724 Boston Rd	Haymarket Square Association LP	745	\$1,490
E 46	510 Parker St	Basser-Kaufman Mass 312, LLC	298	\$670
E 48	North Side Boston Rd	Springfield City	1,530	\$0
E 49	0 Boston Rd	BFS Retail & Commercial Operations	15	\$100
E 50	493 Parker St	Springfield City	80	\$0

TOTAL FOR PERMANENT EASEMENTS: \$66,760.00

Such taking is subject only to such interests of mortgagees and others as are required by law, and is made subject to the prior payment of any unpaid taxes, water and sewer use charges, betterments, if any, to the City of Springfield, MA.

DAMAGES FOR TEMPORARY EASEMENTS

PARCEL	SUPPOSED OWNER/MORTGAGEE OF RECORD	S.F. AREA	AWARD OF DAMAGES
TE 1	1244 Boston Rd Route 20 Color Tile LLC	209	\$70
TE 2	1260 Boston Rd Tanners-Springfield Associates Trust	622	\$250
TE 3	1244 Boston Rd Route 20 Color Tile LLC	524	\$170
TE 4	1245 Boston Rd Mike W Lee	196	\$80
TE 5	1257 Boston Rd Tony Vo	878	\$520
TE 6	1267 Boston Rd KAREaltyTrust	599	\$240
TE 7	0 Boston Rd G&R Realty Trust	2,696	\$860
TE 8	1285 Boston Rd DIBA LLC	3,015	\$1,440
TE 9	1295 Boston Rd DIBA LLC	834	\$500
TE 10	0 Boston Rd Boston Road/Pasco RT20 Retail, LLC	3,083	\$650
TE 11	1315 Boston Rd FL Roberts & Company Inc	2,125	\$850
TE 12	1324 Boston Rd McFc LLC	603	\$200
TE 13	1340 Boston Rd East Street & Boston Road LLC	1,819	\$480
TE 14	1356 Boston Rd Parmar Enterprises, Inc.	2,839	\$750
TE 15	1355 Boston Rd Thomas A & Sandra J Cosenzi	759	\$200
TE 16	1387 Boston Rd HR Twenty Corporation	1,414	\$470
TE 17	1380 Boston Rd Route 20-21 Associates Inc	4,511	\$1,200
TE 18	510 Parker St Bassar-Kaufman Mass 312, LLC	1,255	\$330
TE 19	1411 Boston Rd Bassar-Kaufman Mass 312. LLC	1,445	\$860
TE 20	510 Parker St Bassar-Kaufman Mass 312, LLC	1,570	\$420
TE 21	493 Parker St Springfield City	3,041	\$0
TE 22	1440 Boston Rd Marrewa Realty Inc	3,082	\$980
TE 23	1465 Boston Rd Donald W & Lynn R Obitz	2,883	\$920
TE 24	0 Fernbank Rd Sears Roebuck & Co	395	\$140
TE 25	1472 Boston Rd Adam Springfield II, LLC	672	\$400
TE 26	1492 Boston Rd 1492 Boston Road, LLC	2,888	\$540
TE 27	1525 Boston Rd Sears Roebuck & Co	14,115	\$2,390
TE 28	1514 Boston Rd Union Street Realty NT	697	\$280
TE 29	1522 Boston Rd Rehold Springfield LLC	2,503	\$460
TE 30	1560 Boston Rd Lowes Home Centers Inc	5,211	\$970
TE 31	1600 Boston Rd TRT Springdale LLC	3,352	\$620
TE 32	1655 Boston Rd Eastfield Associates LLC	4,068	\$760
TE 33	1685 Boston Rd May Department Stores Co	31,995	\$5,090
TE 34	1630 Boston Rd Josephine Frances Banas	1,315	\$440
TE 35	0 Boston Rd BFS Retail & Commercial Operations	2,503	\$830
TE 36	1686 Boston Rd Springsan Company LLC	1,511	\$400
TE 37	1722-1724 Boston Rd Haymarket Square Association LP	3,156	\$840
TE 38	1719 Boston Rd Boston Road Retail LLC	10,693	\$1,700

TE	39	1750 Boston Rd	Haymarket Square Associates LP	6,722	\$1,070
TE	40	1755 Boston Rd	1755 Boston Road, Springfield MA LLC	3,018	\$1,200
TE	41	1760 Boston Rd	Susan A. Shapiro	4,330	\$1,150
TE	42	1770 Boston Rd	Draymore Properties LP	1,515	\$500
TE	43	1780 Boston Rd	Colonial Pacific Leasing Corporation	1,768	\$700
TE	44	1771 Boston Rd	Edward P. Garabedian	1,000	\$400
TE	45	1791 Boston Rd	Armand J & Sharon M Beaupre	924	\$550
TE	46	1800 Boston Rd	TD BankNorth	2,348	\$840
TE	47	0 Boston Rd	TD Banknorth	395	\$140
TE	48	1809-1821 Boston Rd	Realty Income Corporation	1,440	\$570
TE	49	0 Boston Rd	O Ice, LLC	840	\$280
TE	50	1828 Boston Rd	Yash & Rushil LLC	1,223	\$490
TE	51	513 Parker St	Todd A Hayden	47	\$50
TE	52	511 Parker St	Albert W Johnson	364	\$170
TE	53	1722-1724 Boston Rd	Haymarket Square Association LP	1090	\$290
TE	54	436 Parker St	Northernstar Enterprises LLC	271	\$90
TE	55	1260 Boston Rd	Tanners-Springfield Associates Trust	1,458	\$580

TOTAL FOR TEMPORARY EASEMENTS: \$37,370.00

Such temporary construction easements are taken subject only to such interests of mortgagees and others as are required by law, and are subject to the prior payment of any unpaid taxes, water and sewer use charges, betterments, if any, to the City of Springfield, MA.

It is further ORDERED: that the City Treasurer be and is hereby authorized to pay said sums to the owners of the land specified above, or to their heirs, successors, or assigns when the same shall become payable as above provided;

that no damages be awarded, other than those above mentioned, inasmuch as no other damages will be sustained by any person, firm, or corporation in their land abutting the public way by reason of laying out and construction of the project within the limits described herein;
that no assessments be levied;

that the City Clerk, in the name and on behalf of the City, is hereby directed to give notice in compliance with Chapter 79 of the Massachusetts General Laws;

that within 30 days after the adoption of this order, the City Clerk is hereby ordered to certify and record a copy hereof, together with the aforementioned Right of Way Plans, in the Hampden County Registry of Deeds.

Approved by the City Council on _____, 2013:

Wayman Lee, Esq.
City Clerk

Order (ID # 2268)

Meeting of July 15, 2013

Approved pursuant to Mass. Gen. Laws ch. 43, sec. 30:

Domenic J. Sarno, Mayor

Date signed:_____



City of Springfield

TABLED

Meeting: 07/15/13 07:00 PM
Initiator: Patrick Greenhalgh
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2270 A

3.4

Appropriation of \$104,130 for Eminent Domain Takings for Boston Road Project (Mayor Sarno)

WHEREAS, the Department of Public Works has requested that the Springfield City Council approve an Order of Taking authorizing the eminent domain takings of (i) forty-six (46) permanent easements over portions of Boston Road, Parker Street, and Fernbank Road and (ii) fifty-five (55) temporary easement over portions of properties located on Boston Road, Fernbank Road and Parker Street, all as more particularly described on the attached Exhibit A and in the Order of Taking; and

WHEREAS, such takings are necessary to obtain all "rights of way" necessary for the Transportation Improvement Project at Boston Road, to be constructed and undertaken by the City of Springfield Department of Public Works; and

WHEREAS, the City obtained appraisals of the value of the easements and requests the City Council to appropriate the funds necessary to compensate the property owners for the eminent domain takings of the easements; and

WHEREAS, the Department of Public Works will use Chapter 90 funds for the purpose of paying the awards of damages to the property owners; and

WHEREAS, the Chief Administrative and Financial Officer has certified to the Mayor and City Council, that in his professional opinion, after an evaluation of all pertinent financial information reasonably available, that the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the appropriation of funds described herein for purposes of compensating property owners for the proposed eminent domain takings of permanent and temporary easements as described in the Order of Taking, without a detrimental impact on the continuous provision of the existing level of municipal services, in accordance with Section 2(f) of Chapter 656 of the Acts of 1989, as added by Section 1 of Chapter 468 of the Acts of 2008;

IT IS ORDERED, that pursuant to its authority under Mass. Gen. Laws Chapter 43, Section 30, Mass. Gen. Laws Chapter 79, Mass. Gen. Laws Chapter 44, Section 32, and Chapter 468 of the Acts of 2008, the City Council hereby appropriates the sum of One Hundred Four Thousand One Hundred Thirty and 00/100 Dollars (\$104,130.00) for the payment of damages for the anticipated taking of forty-six (46) permanent easements and the taking of fifty-five (55) temporary construction easements over parcels of land on Boston Road, Fernbank Road and Parker Street, as described in the Order of Taking, for the purposes of constructing and maintaining the Transportation Improvement Project, on Boston Road, to be paid from the following account:

**Account # 23294000-576400-32913
Chapter 90 Appropriation Account - \$104,130.**

Order (ID # 2270)

Meeting of July 15, 2013

FINANCIAL IMPACT:

The Order appropriates \$104,130 for damages for the eminent domain taking of easements for the Boston Road Traffic Project.



Order Authorizing Mayor to Execute Quitclaim Deed for Sale of NS Central St. (02560-0060), NS Central St. (02560-0061), NS Central St. (02560-0063), and NS Central St. (02560-0064) to Viva Development LLC (Mayor Sarno)

WHEREAS, the City of Springfield acquired title to vacant land in Springfield, Massachusetts known as NS Central St. (02560-0060), NS Central St. (02560-0061), NS Central St. (02560-0063), and NS Central St. (02560-0064) through tax title foreclosure proceedings in Land Court and by purchase from the Springfield Redevelopment Authority; and;

WHEREAS, the said properties are further identified as Lot 1, Lot 2, Lot 3, and Lot 4 on an ANR Plan recorded June 6, 2013 at the Hampden County Registry of Deeds in Book of Plans 366, Page 46; and described on a deed recorded June 7, 2013 at said Registry of Deeds in Book 19859, Page 134; and

WHEREAS, the Tax Title Custodian determined that said properties are not needed for general municipal purposes; and

WHEREAS, the Office of Procurement solicited request for proposals for the purchase and redevelopment of said properties pursuant to RFP (Bid) Number SPG-13-412; and

WHEREAS, the Mayor upon the recommendation of the City's RFP Review Committee has accepted the proposal submitted by Viva Development LLC of 50 Clayton Street, Springfield, Massachusetts (Managers Alberto Ayala & Carmen Ayala) who will construct four new single family homes on said properties to be sold to owner occupants who will be required to live there for a period of not less three years.

NOW THEREFORE BE IT ORDERED, that the Mayor be and is hereby authorized in the name of and on behalf of the City of Springfield to execute and deliver a quitclaim deed to Viva Development LLC for the transfer of title to NS Central St. (02560-0060), NS Central St. (02560-0061), NS Central St. (02560-0063), and NS Central St. (02560-0064) for consideration of Thirty Thousand and 00/100 Dollars (\$30,000.00).



City of Springfield
36 Court Street
Springfield, MA 01103

Meeting: 07/15/13 07:00 PM
Department: Law
Category: Local Law
Prepared By: Anthony I. Wilson
Initiator: Anthony I. Wilson
Sponsors: Fenton, Williams, Allen, Twiggs, Walsh
DOC ID: 2124

ADOPTED

ORDINANCE 2013-3

Residency Requirements - Chapter 73

Residency Requirements

ORD. NO. ____

AN ORDINANCE (A LOCAL LAW) TO AMEND the Code of the City of Springfield, Article II of Chapter 73 thereof, entitled Residency Requirements, by deleting and repealing section 70.

Be it ordained by the Council of the City of Springfield, as follows:

Section 1. Section 13 of Article II of Chapter 73, Residency Requirements, of the Code of the City of Springfield, is hereby amended to read as follows:

WAIVER. The provisions of this chapter may be waived only in the manner described herein. All requests for waiver shall be submitted in writing to the Director of Labor Relations. The Director of Labor Relations shall forward the request to the Mayor and City Council. With the request, the Director of Labor Relations shall provide details about the job posting including, but not limited to: the date the job was posted, the date the posting was closed, the number of applicants who applied, and the number of Springfield residents who applied. After the request is forwarded to the Mayor and the City Council, the job posting will be opened for a second time for a period not less than seven days. The posting will be publicly posted on the City's website.

If a candidate, who meets the minimum qualifications for the posted position and who resided within the City of Springfield, does not apply for the position, then the Mayor, in his sole discretion, may grant the waiver. Any such waiver granted by the Mayor must be forwarded directly to the City Council for purposes of notification. Nothing in this Section shall be deemed to invalidate waivers granted by the Mayor or the Control Board prior to January 1, 2014 nor shall this Section restrict the Mayor to make reappointments to existing city employees.

A department head or deputy department head shall not be eligible for a waiver of the residency requirement.

HISTORY:

05/06/13	City Council	FIRST READING	Next: 06/03/13
06/03/13	City Council	SECOND READING	Next: 06/17/13
06/17/13	City Council	TABLED	Next: 07/15/13

RESULT:	ADOPTED [9 TO 3]
MOVER:	Michael A. Fenton, Ward 2 Councilor
SECONDER:	Timothy C. Allen, Ward 7 Councilor
AYES:	Twiggs, Rooke, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe
NAYS:	Bud L. Williams, Clodo Concepcion, James J. Ferrera III
ABSENT:	Zaida Luna


City of Springfield

36 Court Street
Springfield, MA 01103

Meeting: 07/15/13 07:00 PM

Department: Law

Category: Local Law

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: At-Large Councilor Ashe, Ward 8 Councilor Lysak

DOC ID: 2123 C

TABLED

ORDINANCE (ID # 2123)

Pawnbrokers and Junk Dealers

Pawnbrokers and Junk Dealers - Chapter 270

ORD. NO. ____

AN ORDINANCE TO AMEND the Code of the City of Springfield, Chapter 270 thereof, entitled Pawnbrokers and Junk Dealers, by deleting and repealing section 270-7.

Be it ordained by the Council of the City of Springfield, as follows:

Section 1. Section 270-7 of Chapter 270, Pawnbrokers and Junk Dealers, of the Code of the City of Springfield, is hereby amended to read as follows:

No article purchased or received by the keeper of a secondhand or junk shop shall be sold until at least twenty-three (23) days from the date of its purchase or receipt has elapsed. The article shall be kept in an unaltered condition for the required time period. For the purposes of this section, "unaltered condition" means that item or article shall be kept in the same condition it was in the time it was brought into the shop by the seller.

HISTORY:

05/06/13 City Council

TABLED

Next: 07/15/13

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**ORDINANCE (ID # 2272)**

Meeting: 07/15/13 07:00 PM

Department: Law

Category: Local Law

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2272 A

Chapter 302 – STORMWATER MANAGEMENT

ORD. NO. ____302

AN ORDINANCE (A LOCAL LAW) TO AMEND the Code of the City of Springfield, to add Chapter 302, entitled “Stormwater Management”.

Be it ordained (enacted) by the Council of the City of Springfield, as follows:

Section 1:

Chapter 302: Stormwater Management

1. The purpose of this chapter is to protect, maintain, and enhance the public health, safety, and general welfare of the citizens of the City of Springfield by establishing minimum requirements and procedures to control adverse impacts associated with stormwater runoff from new development and redevelopment.
2. The objectives of this chapter are:
 - A. Establish regulations for land development activities that preserve the health of water resources by reducing the adverse impacts to water quality from stormwater discharge to rivers, lakes, reservoirs and streams in order to attain federal water quality standards;
 - B. Require that new development, redevelopment and all land conversion activities maintain the natural hydrologic characteristics of the land in order to reduce flooding, stream bank erosion, siltation, nonpoint source pollution, property damage and to protect the integrity of aquatic habitats and stream channels;
 - C. Prevent the discharge of pollutants, including hazardous chemicals, into stormwater runoff;
 - D. Minimize the volume and rate of stormwater which is discharged to rivers, streams, reservoirs, lakes and combined sewers that flow from any site during construction and following development;
 - E. Prevent erosion and sedimentation from land development, and reduce stream channel erosion caused by increased runoff;

- F. Require post-development runoff volume and quality to be equivalent to or an improvement on pre-development runoff conditions by reducing runoff volumes, increasing infiltration, and improving runoff water quality;
 - G. Provide for the recharge of groundwater aquifers and maintain the base flow of streams;
 - H. Encourage the use of Low Impact Development (LID) practices such as reducing impervious cover, treating and infiltrating stormwater at the source, utilizing environmentally sensitive site design and, the preservation of open space and natural areas, to the maximum extent practicable;
 - I. Provide stormwater facilities that are functional, attractive, maintain the natural integrity of the environment, and are designed to protect public safety;
 - J. Minimize damage to public and private property from flooding;
 - K. Require maintenance provisions to ensure the stormwater treatment devices and facilities will continue to function as designed;
 - L. Establish procedures for the City's review of stormwater management plans, and for the City's inspection of approved stormwater controls; and
 - M. Comply with state and federal statutes and regulations relating to stormwater discharges.
3. **Compatibility with other permit and ordinance requirements**
This chapter is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute or other provision of law. The requirements of this chapter should be considered minimum requirements, and where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

4. **Definitions**

The following definitions shall apply in the interpretation and implementation of this chapter.
Additional definitions may be adopted by separate regulation:

A. **CLEAN WATER ACT:** the Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereinafter amended.

B. **CONSTRUCTION ACTIVITY:** disturbance of a site by removal or moving of vegetative surface cover or topsoil, grading, excavation, clearing or filling.

C. **IMPERVIOUS SURFACES:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surfaces include, without limitation, roads, paved parking lots, sidewalk, and rooftops.

D. **LAND DEVELOPMENT:** any construction activity or land disturbance of a site that is currently in a natural vegetated state or does not contain alteration by man-made activities.

E. **LAND DISTURBANCE:** any land clearing, grading, bulldozing, digging or similar activities.

F. **LOW IMPACT DEVELOPMENT (LID):** a set of approaches that seeks to mimic a site's pre-development hydrology by using design techniques that infiltrate, filter, store, evaporate and detain runoff close to its source. Instead of conveying, managing and/or treating stormwater in large, end-of-pipe facilities, LID utilizes small-scale, decentralized practices that infiltrate, treat, evaporate, and transpire rain water and snow melt including bioretention areas, grassed swales, reducing impervious areas, preservation of open space, development density, lot size and configuration, street design, parking design, and other structural stormwater treatment methods.

G. **MASSACHUSETTS STORMWATER MANAGEMENT POLICY:** the Policy issued by the Massachusetts Department of Environmental Protection, and as amended, that coordinates the requirements prescribed by state regulations promulgated under the

authority of the Massachusetts Wetlands Protection Act [M.G.L. c. 131 § 40] and Massachusetts Clean Waters Act [M.G.L. c. 21 § 23-56]. The Policy addresses stormwater impacts through implementation of performance standards to reduce or prevent pollutants from reaching water bodies and control the quantity of runoff from a site.

H. OWNER: every person who alone, jointly or severally with others: (a) has legal title to any building, structure or parcel of land; or (b) has care, charge or control of any building, structure, or parcel of land in any capacity including but not limited to, an agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or (c) a lessee under a written lease agreement; or, (d) a mortgagee in possession; or, (e) an agent, trustee or other person appointed by the courts.

I. PERSON: any individual, association, partnership, corporation, company, business, organization, trust, estate, administrative agency, public or quasi-public corporation or body, the Commonwealth or political subdivision thereof, the federal government, and any other legal entity, its legal representatives, agents, or assigns, to the extent permitted by law.

J. POST-DEVELOPMENT: the conditions that reasonably may be expected or anticipated to exist after completion of the land development activity on a specific site or tract of land. Post-development refers to the phase of a new development or redevelopment project after completion, and does not refer to the construction phase of a project.

K. PRE-DEVELOPMENT: the conditions that exist at the time that plans for the land development of a site are submitted to the Stormwater Authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first plan submission shall establish pre-development conditions.

L. REDEVELOPMENT: any construction, alteration, or improvement exceeding land disturbance of [5,000] square feet, where the existing land use is commercial, industrial, institutional, or multi-family residential.

M. SITE: the parcel of land being developed, or a designated planning area in which the land development or redevelopment project is located.

N. STORMWATER AUTHORITY: the Stormwater Authority shall be the Department of Public Works of the City of Springfield. The Stormwater Authority is responsible for coordinating the review, approval and permit process as defined in this chapter. Other boards and/or departments participate in the review process as defined in the Stormwater Regulations adopted in accordance with this chapter.

O. STORMWATER MANAGEMENT: the use of structural or non-structural practices that are designed to reduce stormwater runoff pollutant loads, discharge volumes, and/or peak flow discharge rates. Stormwater management includes the use of LID management practices.

P. STORMWATER MANAGEMENT PERMIT (SMP): a permit issued by the Stormwater Authority after review of an application, plans, calculations, and other supporting documents, which is designed to protect the environment of the City from the deleterious affects of uncontrolled and untreated stormwater runoff.

5. Administration

-
- A. Stormwater Authority. The Department of Public Works of the City of Springfield is hereby designated as the Stormwater Authority. The Stormwater Authority shall administer, implement and enforce this chapter. Any powers granted to or duties imposed upon the Stormwater Authority may be delegated in writing by the Stormwater Authority to its employees and agents.
-
- B. Stormwater Regulations. The Stormwater Authority may adopt, and periodically amend, rules and regulations relating to the terms, conditions, definitions, enforcement, fees (including application, inspection, and/or consultant fees), procedures and administration of this chapter after conducting a public hearing to receive comments on any proposed regulations or revisions. Such hearing dates shall be advertised in a newspaper of general local circulation at least seven (7) days prior to the hearing date. After public notice and public hearing, the Stormwater Authority may promulgate rules and regulations to effectuate the purposes of this chapter. Failure by the Stormwater Authority to promulgate such rules and regulations or a legal declaration of their invalidity by a court shall not act to suspend or invalidate the effect of this chapter.
-
- C. Stormwater Management Manual: The Stormwater Authority will utilize the policy, criteria and information including specifications and standards of the latest edition of the Massachusetts Stormwater Management Handbook, for execution of the provisions of this chapter. This Policy includes a list of acceptable stormwater treatment practices, including the specific design criteria for each stormwater practice. The Policy may be updated and expanded periodically, based on improvements in engineering, science, monitoring, and local maintenance experience. Unless specifically altered in the Stormwater Regulations, stormwater management practices that are designed, constructed, and maintained in accordance with these design and sizing criteria will be presumed to be protective of Massachusetts water quality standards.
-
- D. Actions by the Stormwater Authority. The Stormwater Authority may take any of the following actions as a result of an application for a Stormwater Management Permit as more specifically defined as part of the Stormwater Regulations promulgated as a result

of this chapter: Approval, Approval with Conditions, Disapproval, or Disapproval without Prejudice.

-
- E. Appeals of Action by the Stormwater Authority. A decision of the Stormwater Authority shall be final. Further relief of a decision by the Stormwater Authority made under this chapter shall be to a court of competent jurisdiction.
-

6. Applicability

A. Permit or Waiver Required

Prior to the commencement of construction for any proposed development listed below, a Stormwater Management Permit, or a waiver of the requirement for a Stormwater Management Permit, must be issued by the Stormwater Authority. No person shall, on or after the effective date of this chapter, initiate any land clearing and grubbing, land grading, earth moving or development activities without first complying with this chapter.

i. Multi-family residential developments involving *[four]* or more units;

ii. Any new commercial, industrial, institutional structures under the same ownership, with at least *[5,000]* square feet of gross floor area, *[10,000]* square feet of impervious surface, or that require *[ten]* or more parking spaces;

iii. Redevelopment or additions to existing commercial, industrial, and institutional uses which result in an additional impervious surface area or gross floor area of greater than *[5,000]* square feet, or which results in an increase of *[ten]* or more parking spaces;

iv. Construction activities and subdivisions disturbing greater than or equal to *[one acre]*;

v. Development or redevelopment involving multiple separate activities in discontinuous locations or on different schedules if the activities are part of a larger common plan of development or redevelopment that together disturbs *[one or more acres]*.

B. Exemptions

The following uses and activities are exempt from the requirements for Stormwater Management Permit:

- i. Any agricultural activity which is consistent with an approved soil conservation plan prepared or approved by the Natural Resources Conservation Service;
- ii. Any logging which is consistent with a timber management plan approved under the Forest Cutting Practices Act by Massachusetts Department of Environmental Management;
- iii. Developments that do not disturb more than *[one acre]* of land, provided that they are not part of a larger common development plan;
- iv. Repairs to any stormwater or sewage treatment or collection systems and/or drinking water transmission or distribution systems deemed necessary by the Springfield Department of Public Works or the Springfield Water and Sewer Commission;
- v. Any emergency activity that is immediately necessary for the protection of life, property or the environment, as determined by the Springfield Department of Public Works; and
- vi. Any other uses and activities not specified in Section A.

7. **Permit Procedures and Performance Standards**

- A. Procedures, requirements and fee schedules for Stormwater Management Permits, and stormwater and LID performance standards shall be defined and included as part of any rules and regulations promulgated as permitted under this chapter.
- B. Issuance of a Stormwater Management Permit shall not be construed as a guarantee by the City of Springfield, the Stormwater Authority or its employees or agents, of the design or efficiency of the approved stormwater management system.

8. **Enforcement**

The Stormwater Authority, or an authorized agent of the Stormwater Authority shall enforce this chapter, regulations adopted hereunder, orders, and violation notices and enforcement orders issued hereunder, and may pursue all civil and criminal remedies for such violations. Enforcement shall be further defined and included as part of any rules and regulations promulgated as permitted under this chapter.

9. **Severability**

The invalidity of any section, provision, paragraph, sentence or clause of this chapter shall not invalidate any section, provision, paragraph, sentence or clause thereof, nor shall it invalidate any permit or determination that previously has been issued.



City of Springfield

36 Court Street
Springfield, MA 01103

SCHEDULED

ORDINANCE (ID # 2273)

Meeting: 07/15/13 07:00 PM

Department: Law

Category: Local Law

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2273

Chapter 301 – STORM DRAINS

ORD. NO. ____301

AN ORDINANCE (A LOCAL LAW) TO AMEND the Code of the City of Springfield, to add Chapter 301, entitled “Storm Drains”.

Be it ordained (enacted) by the Council of the City of Springfield, as follows:

Section 1:

Chapter 301: Storm Drains

1. Purpose

- A. Regulation of illicit connections and discharges to the municipal storm drain system is required by federal and state law, and is necessary for the protection of the city’s water bodies and groundwater, and to safeguard the public health, safety, welfare and the environment.
- B. The objectives of this chapter are:
 - i. to prevent pollutants from entering the city's municipal separate storm sewer system (MS4);
 - ii. to prohibit illicit connections and unauthorized discharges to the MS4;
 - iii. to require the removal of all such illicit connections;
 - iv. to comply with state and federal statutes and regulations relating to stormwater discharges; and
 - v. to establish the legal authority to ensure compliance with the provisions of this chapter through inspection, monitoring, and enforcement.

2. Definitions

A. For the purposes of this chapter, the following shall mean:

- i. **AUTHORIZED ENFORCEMENT AGENCY:** The Department of Public Works of the City of Springfield (hereinafter the “Department”), its employees or agents designated to enforce this chapter.

- ii. **BEST MANAGEMENT PRACTICE (BMP):** An activity, procedure, restraint, or structural improvement that helps to reduce the quantity or improve the quality of stormwater runoff.
- iii. **CLEAN WATER ACT:** The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.) as hereafter amended.
- iv. **DISCHARGE OF POLLUTANTS:** The addition from any source of any pollutant or combination of pollutants into the municipal storm drain system or into the waters of the United States or the Commonwealth from any source.
- v. **GROUNDWATER:** Water beneath the surface of the ground.
- vi. **ILLICIT CONNECTION:** A surface or subsurface drain or conveyance, which allows an unlawful discharge into the municipal storm drain system, including without limitation sewage, process wastewater, or wash water and any connections from indoor drains, sinks, or toilets, regardless of whether said connection was previously allowed, permitted, or approved before the effective date of this chapter.
- vii. **ILLICIT DISCHARGE:** A direct or indirect discharge to the municipal storm drain system that is not composed entirely of stormwater, except as exempted in Section 11.16.070. The term does not include a discharge in compliance with an NPDES Storm Water Discharge Permit or a Surface Water Discharge Permit, or resulting from fire fighting activities exempted pursuant to Section 11.16.070 of this chapter.
- viii. **IMPERVIOUS SURFACE:** Any material or structure on or above the ground that prevents water infiltrating the underlying soil. Impervious surface includes without limitation roads, paved parking lots, sidewalks, and rooftops.
- ix. **MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) or MUNICIPAL STORM DRAIN SYSTEM:** The system of conveyances designed or used for collecting or conveying stormwater, including any road with a drainage system, street, gutter, curb, inlet, piped storm drain, pumping facility, retention or detention basin, natural or man-made or altered drainage channel, reservoir, and other drainage structure that together comprise the storm drainage system owned or operated by the city.
- x. **NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORM WATER DISCHARGE PERMIT:** A permit issued by United States Environmental Protection Agency, or jointly with the Commonwealth, that authorizes the discharge of pollutants to waters of the United States.

- xi. **NON-STORMWATER DISCHARGE:** A discharge to the municipal storm drain system not composed entirely of stormwater.
- xii. **PERSON:** An individual, partnership, association, firm, company, trust, corporation, agency, authority, department or political subdivision of the Commonwealth or the federal government, to the extent permitted by law, and any officer, employee, or agent of such person.
- xiii. **POLLUTANT:** Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source, that is or may be introduced into the municipal storm drain system or any waters of the Commonwealth. Pollutants shall include without limitation:
 - 1. paints, varnishes, and solvents;
 - 2. oil and other automotive fluids;
 - 3. non-hazardous liquid and solid wastes and yard wastes;
 - 4. refuse, rubbish, garbage, litter, or other discarded or abandoned objects, articles, accumulations and floatables;
 - 5. pesticides, herbicides, and fertilizers;
 - 6. hazardous materials and wastes; sewage, fecal coliform and pathogens;
 - 7. dissolved and particulate metals;
 - 8. animal wastes;
 - 9. rock, sand, salt, soils;
 - 10. construction wastes and residues; and
 - 11. noxious or offensive matter of any kind.
- B. **PROCESS WASTEWATER:** Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any material, intermediate product, finished product, or waste product.
- C. **RECHARGE:** The process by which groundwater is replenished by precipitation through the percolation of runoff and surface water through the soil.

- D. **STORMWATER:** Any surface flow, runoff, or drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.
- E. **SURFACE WATER DISCHARGE PERMIT.** A permit issued by the Department of Environmental Protection (DEP) pursuant to 314 CMR 3.00 that authorizes the discharge of pollutants to waters of the Commonwealth of Massachusetts.
- F. **TOXIC OR HAZARDOUS MATERIAL or WASTE:** Any material, which because of its quantity, concentration, chemical, corrosive, flammable, reactive, toxic, infectious or radioactive characteristics, either separately or in combination with any substance or substances, constitutes a present or potential threat to human health, safety, welfare, or to the environment. Toxic or hazardous materials include any synthetic organic chemical, petroleum product, heavy metal, radioactive or infectious waste, acid and alkali, and any substance defined as Toxic or Hazardous under M.G.L. Ch.21C and Ch.21E, and the regulations at 310 CMR 30.000 and 310 CMR 40.0000.
- G. **WATERCOURSE:** A natural or man-made channel through which water flows or a stream of water, including, without limitation, a river, brook or underground stream.
- H. **WATERS OF THE COMMONWEALTH:** All waters within the jurisdiction of the Commonwealth of Massachusetts, including, without limitation, rivers, streams, lakes, ponds, springs, impoundments, estuaries, wetlands, costal waters, and groundwater.
- I. **WASTEWATER:** Any sanitary waste, sludge, or septic tank or cesspool overflow, and water that during manufacturing, cleaning or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, byproduct or waste product.

3. Applicability

This chapter shall apply to flows entering the municipally owned storm drainage system.

4. Responsibility for Administration

The Department shall administer, implement and enforce this chapter. Any powers granted to or duties imposed upon the Department may be delegated in writing by the Director of the Department to employees or agents of the Department.

5. Regulations

The Department may promulgate rules and regulations to effectuate the purposes of this chapter. Failure by the Department to promulgate such rules and regulations shall not have the effect of suspending or invalidating this chapter.

6. Prohibited Activities

- A. Illicit Discharges. No person shall dump, discharge, cause or allow to be discharged any pollutant or non-stormwater discharge into the municipal separate storm sewer system (MS4), into a watercourse, or into the waters of the Commonwealth.
- B. Illicit Connections. No person shall construct, use, allow, maintain or continue any illicit connection to the municipal storm drain system, regardless of whether the connection was permissible under applicable law, regulation or custom at the time of connection.
- C. Obstruction of Municipal Storm Drain System. No person shall obstruct or interfere with the normal flow of stormwater into or out of the municipal storm drain system without prior written approval from the Department.

7. Exemptions

- A. Discharge or flow resulting from fire fighting activities.
- B. The following non-stormwater discharges or flows are exempt from the prohibition of non-stormwaters provided that the source is not a significant contributor of a pollutant to the municipal storm drain system:
 - i. Waterline flushing;
 - ii. Flow from potable water sources;
 - iii. Springs;
 - iv. Natural flow from riparian habitats and wetlands;
 - v. Diverted stream flow;
 - vi. Rising groundwater;
 - vii. Uncontaminated groundwater infiltration as defined in 40 CFR 35.2005(20), or uncontaminated pumped groundwater;
 - viii. Water from exterior foundation drains, footing drains (not including active groundwater dewatering systems), crawl space pumps, or air conditioning condensation;
 - ix. Discharge from landscape irrigation or lawn watering;
 - x. Water from individual residential car washing, or temporary fund-raising car wash events;

- xi. Discharge from dechlorinated swimming pool water (less than one ppm chlorine) provided the water is allowed to stand for one week prior to draining or tested for chlorine levels with a pool test kit prior to draining, and the pool is drained in such a way as not to cause a nuisance;
- xii. Discharge from street sweeping;
- xiii. Dye testing, provided verbal notification is given to the Department prior to the time of the test;
- xiv. Non-stormwater discharge permitted under an NPDES permit or a Surface Water Discharge Permit, waiver, or waste discharge order administered under the authority of the United States Environmental Protection Agency or the Department of Environmental Protection, provided that the discharge is in full compliance with the requirements of the permit, waiver, or order and applicable laws and regulations; and
- xv. Discharge for which advanced written approval is received from the Department.

8. Suspension of Storm Drainage System Access

- A. The Department may suspend municipal storm drain system access to any person or property without prior written notice when such suspension is necessary to stop an actual or threatened discharge of pollutants that presents imminent risk of harm to the public health, safety, welfare or the environment. In the event any person fails to comply with an emergency suspension order, the Authorized Enforcement Agency may take all reasonable steps to prevent or minimize harm to the public health, safety, welfare or the environment.
- B. Any person discharging to a municipal storm drain system in violation of this chapter may have their municipal storm drain system access terminated if such termination would abate or reduce an illicit discharge. The department will notify a violator of the proposed termination of municipal storm drain system access. The violator may petition the Department for reconsideration and hearing. A person commits an offense if the person reinstates municipal storm drain system access to premises terminated pursuant to this section, without prior approval from the Department.

9. Notification of Spills

Notwithstanding other requirements of local, state or federal law, as soon as a person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of or suspects a release of materials at that facility or operation

resulting in or which may result in discharge of pollutants to the municipal storm drainage system or waters of the Commonwealth, the person shall take all necessary steps to ensure containment, and cleanup of the release. In the event of a release of oil or hazardous materials, the person shall immediately notify the municipal fire and police departments, Department of Public Works, and the Board of Health. In the event of a release of non-hazardous material, the reporting person shall notify the Authorized Enforcement Agency no later than the next business day. The reporting person shall provide to the Authorized Enforcement Agency written confirmation of all telephone, facsimile or in-person notifications within three (3) business days thereafter. If the discharge of prohibited materials is from a commercial or industrial facility, the facility owner or operator of the facility shall retain on-site a written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three (3) years.

10. Enforcement

- A. The Department or an authorized agent of the Department shall enforce this chapter, and any regulations, orders, violation notices, and enforcement orders issued thereunder, and may pursue all civil and criminal remedies for such violations.
- B. Civil Relief. If a person violates the provisions of this chapter, or any regulation, permit, notice, or order issued thereunder, the Department may seek injunctive relief in a court of competent jurisdiction to restrain the person from activities that would create further violations or to compel the person to abate or remediate the violation.
- C. Orders. The Department or an authorized agent of the Department may issue a written order to enforce the provisions of this chapter or the regulations thereunder, which may include:
 - i. elimination of illicit connections or discharges to the MS4;
 - ii. termination of access to the MS4;
 - iii. performance of monitoring, analyses, and reporting;
 - iv. that unlawful discharges, practices, or operations shall cease and desist; and
 - v. remediation of contamination in connection therewith.
- D. If the enforcing person determines that abatement or remediation of contamination is required, the order shall set forth a deadline by which such abatement or remediation must be completed. Said order shall further advise that, should the violator or property owner fail to abate or perform remediation within the specified deadline, the city may, at its option, undertake such work, and expenses thereof shall be charged to the violator or property owner.

- E. Within thirty (30) days after completing all measures necessary to abate the violation or to perform remediation, the violator and the property owner will be notified of the costs incurred by the city, including administrative costs. The violator or property owner may file a written protest objecting to the amount or basis of costs with the Department within thirty (30) days of receipt of the notification of the costs incurred. If the amount due is not received by the expiration of the time in which to file a protest or within thirty (30) days following a decision of the Department affirming or reducing the costs, or from a final decision of a court of competent jurisdiction, the costs shall become a special assessment against the property owner and shall constitute a lien on the owner's property for the amount of said costs. Interest shall begin to accrue on any unpaid costs at the statutory rate provided in G.L. Ch. 59, 57 after the thirty-first day at which the costs first become due.
- F. Criminal Penalty. Any person who violates any provision of this chapter, regulation, order or permit issued thereunder, shall be punished by a fine of not more than \$ [_____]. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- G. Non-Criminal Disposition. As an alternative to criminal prosecution or civil action, the city may elect to utilize the non-criminal disposition procedure set forth in G.L. Ch. 40, 21D. The Director of the Department, or the Director's designee shall be the enforcing person. The penalty for the 1st violation shall be \$[_____]. The penalty for the 2nd violation shall be \$[_____]. The penalty for the 3rd and subsequent violations shall be \$[_____]. Each day or part thereof that such violation occurs or continues shall constitute a separate offense.
- H. Entry to Perform Duties Under this Chapter. To the extent permitted by state law, or if authorized by the owner or other party in control of the property, the Department, its agents, officers, and employees may enter upon privately owned property for the purpose of performing their duties under this chapter and regulations and may make or cause to be made such examinations, surveys or sampling as the Department deems reasonably necessary.
- I. Appeals. The decisions or orders of the Department shall be final. Further relief shall be to a court of competent jurisdiction.
- J. Remedies Not Exclusive The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state or local law.

11. Severability

The provisions of this chapter are hereby declared to be severable. If any provision, paragraph, sentence, or clause, of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

12. Transitional Provisions

Residential property owners shall have sixty (60) days from the effective date of this chapter to comply with its provisions provided good cause is shown for the failure to comply with the chapter during that period.



City of Springfield

ADOPTED

5.1

Meeting: 07/15/13 07:00 PM

Initiator: Lou DiCarlo

Sponsors: Mayor Domenic J. Sarno

DOC ID: 2253

Order of Location for the Installation and Maintenance of Underground Utilities

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the WESTERN MASSACHUSETTS ELECTRIC COMPANY, be and it is hereby granted a location for and permission to
<<Insert proper utility template>>

Park Drive - Installing 2 New Poles & Guy Anchors (WMECO)

<<Enter brief purpose>>

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on July 15, 2013

City Clerk

We hereby certify that on June 19, 2013, at 5:00 PM, at Park Drive at Colony Road a public hearing was held on the petition of the WESTERN MASSACHUSETTS ELECTRIC COMPANY for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the July 15, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



City of Springfield

ADOPTED

Meeting: 07/15/13 07:00 PM

Initiator: Linda Fitzpatrick

Sponsors:

DOC ID: 2254

5.2

Petroleum Petition - 603 Hendee Street

By the City Council of the City of Springfield, Massachusetts:
Notice having been given and a public hearing held, as provided by law,

IT IS HEREBY ORDERED:

That the , be and it is hereby granted a location for and permission to

Petroleum Petition

Also that permission be and hereby granted said {ResUserUserLookup1} to complete the above request.

I hereby certify that the foregoing order was adopted at a meeting of the City Council of the City of Springfield, Massachusetts held on July 15, 2013

City Clerk

We hereby certify that on , at , at a public hearing was held on the petition of the for permission to complete the above mentioned request.

City Clerk

I hereby certify that the foregoing is a true copy of a location order and certificate of hearing with notice adopted by the City Council of the City of Springfield, Massachusetts, on the July 15, 2013, and recorded with the records of location orders of said city. This certified copy is made under the provision of Chapter 166 of the General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk

CITY OF SPRINGFIELD

City Clerk's Office, Springfield, Massachusetts

TO THE CITY COUNCIL OF THE CITY OF SPRINGFIELD:

Date

The undersigned respectfully petition your honorable body for a license to keep, store, us
and sell petroleum and its products in quantities not exceeding 10,000 Gallons

in _____ (Addition + 4)
(Underground or Aboveground) (New or Existing)

Location of Land: Springfield MA. (Number & Street) 603 Hendee Street
(E END HENDEE ST)

Nearest Cross Street: Page Blvd, St. James Blvd

Owner of Land: Titel Flex Commercial Inc. Address:

Number of Buildings or Other Structures to Which this Application Applies: One Building

Occupancy or Use of Such Buildings: Manufacturing

Total Current Capacity of Tanks: ABOVEGROUND: 10,000 UNDERGROUND:

Kind of Fluid to be Stored in Tanks: Isopar

20-200-82916565
per VICTOR

Victor Leite
Signature of Apploicant

Victor Leite
Mailing Address

Approved--Disapproved

Chief of Fire Department

Petition Fee: \$ 250.00

Lic. Fee: \$ 44.00

Adv Fee: \$ 60.00

Total: \$ 354.00

Received Time Apr. 8. 2013-10:14AM No. 1795

603 Hendee Street
Springfield MA. 0110

271-8233

Cell 205-7488

Springfield Fire Department - Headquarters
605 Worthington Street
Springfield, MA 01105-1112
413-787-6411 (Voice) / 413-787-6400 TTY
413-787-6432 (FAX)

Joseph A. Conant
Commissioner

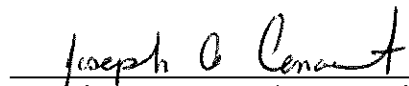
April 11, 2013

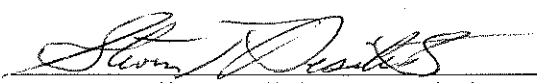
To: City Council

License to keep, store and use petroleum products in quantities not exceeding 10,000 gallons with the installation of (1) aboveground storage tank at 603 Hendee Street, Titeflex. Kind of fluid to be stored in Tanks: Isopar.

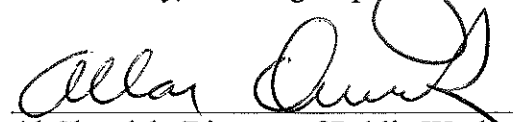
Application is outlined above:

Investigated by Joseph A. Conant, Commissioner
Steven Desilets, Building Commissioner
Phil Dromey, Planning Department
Al Chwalek, Director of Public Works


Joseph A. Conant, Fire Commissioner


Steven Desilets, Building Commissioner


Phil Dromey, Planning Department


Al Chwalek, Director of Public Works

Attachment: titeflex 2 (2254 : Petroleum Petition)

**DEPARTMENTAL AND INTER-DEPARTMENTAL CORRESPONDENCE
CITY OF SPRINGFIELD
MASSACHUSETTS**

TO: Steven Desilets DEPARTMENT: Building Commissioner COPIES TO: Phil Dromey, Planning Dir. Al Chwalek, D.P.W. Dir.	DATE: April 11, 2013 FROM: Comm. Joseph A. Conant DEPARTMENT: Fire SUBJECT: Titeflex Commercial Inc. 603 Hendee Street
---	--

As a member of the Fire Prevention Committee, you are requested to investigate the enclosed petition for a license to keep, store, and use petroleum and its products in quantities not exceeding **10,000 gallons** in an aboveground tank (new) at **603 Hendee Street**.

If you approve the petition, please sign the enclosed letter to the City Council and forward to the next committee member.

When all committee members have made their investigation, please return the petition and the letter to my office as soon as possible.

RECEIVED
APR 13 2013
BUILDING DIVISION
SPRINGFIELD, MA 01104

Attachment: titeflex 2 (2254 : Petroleum Petition)

PETROLEUM STORAGE HEARING

**CITY OF SPRINGFIELD
CITY CLERK'S OFFICE
CITY HALL
36 COURT STREET
413-787-6096**

July 1, 2013

Notice is hereby given that the City Council will give a hearing in the Council Chambers, City Hall, 36 Court Street, Springfield, MA., **Monday evening, July 15, 2013 at 7:00 o'clock P.M.** to all parties interested in the petition of:

Titeflex Commercial Inc. for permission to keep, use and store petroleum and its products in quantities not exceeding **10,000 gallons (Additional)** in aboveground tanks at **(E end) 603 Hendee Street.**

By Order of the City Council
Wayman Lee, Esquire
City Clerk

July 1, 2013

Attachment: titeflex 2 (2254 : Petroleum Petition)

**City of Springfield**

36 Court Street
Springfield, MA 01103

WITHDRAWN**PETITION (ID # 2265)**

Meeting: 07/15/13 07:00 PM

Department: City Clerk

Category: Special Permit

Prepared By: Wayman Lee

Initiator: Wayman Lee

Sponsors: Ward 2 Councilor Michael A. Fenton

DOC ID: 2265

**For a Special Permit to Install a Digital, Non-Accessory Sign,
at the Property Known as 6 Liberty Street (07770-0001), as
Allowed by M.G.L. and the Springfield Zoning Ordinance,
Article XVIII-A, Section 1803-A.**

Request:

Owner: 6 Liberty Street, L.L.C.

By: Hansraj Gada, Manager

Petitioner: Lamar Central Outdoor, L.L.C.

By: Stephen E. Hebert, Vice President

RESULT: WITHDRAWN



32 Midland Street ♦ Windsor, CT 06095-4334
Telephone: 860.246.6546 ♦ Facsimile: 860.522.2352
pkeough@lamar.com

July 15, 2013

City of Springfield Clerk/ City Council President
36 Court Street
Springfield, MA 01103

RECEIVED
2013 JUL 15 P 2:04
CITY CLERK'S OFFICE
SPRINGFIELD, MA

Re: Special Permit 6 Liberty Street, Digital Non-Accessory Sign

To whom it may concern:

Lamar Central Outdoor, LLC is formally withdrawing without prejudice, its Special Permit Application for 6 Liberty Street, to erect a Digital Non-Accessory Sign

Sincerely,

Patrick B. Keough
Real Estate Manager
Lamar Central Outdoor, LLC

Attachment: 6 LIBERTY SP PERMIT (2265 : 6 Liberty Street)

**City of Springfield**

36 Court Street
Springfield, MA 01103

WITHDRAWN**PETITION (ID # 2266)**

Meeting: 07/15/13 07:00 PM

Department: City Clerk

Category: Special Permit

Prepared By: Wayman Lee

Initiator: Wayman Lee

Sponsors: Ward 2 Councilor Michael A. Fenton

DOC ID: 2266

**For a Special Permit to Install a Digital Non-Accessory Sign
at the Property Known as 603 East Columbus Avenue
(04303-0595), as Allowed by M.G.L. and the Springfield
Zoning Ordinance, Article XVIII-A, Section 1803-A.**

Request: See Above
Owner: Balise Automotive Realty/Lemar
By: James E. Balise/Stephen E. Hebert
Petitioner: Lemar Central Outdoor, LLC.
By: Stephen E. Hebert, Vice President

RESULT: WITHDRAWN



32 Midland Street ♦ Windsor, CT 06095-4334
 Telephone: 860.246.6546 ♦ Facsimile: 860.522.2352
 pkeough@lamar.com

July 15, 2013

City of Springfield Clerk/ City Council President
 36 Court Street
 Springfield, MA 01103

RECEIVED
 2013 JUL 15 PM 2:04
 CITY OF SPRINGFIELD, MA

Re: Special Permit 603 East Columbus Avenue, Digital Non-Accessory Signs

To whom it may concern:

Lamar Central Outdoor, LLC is formally with-drawing with out prejudice, it's Special Permit Application for 603 East Columbus Avenue, to erect Digital Non-Accessory Signs.

Sincerely,

Patrick B. Keough
 Real Estate Manager
 Lamar Central Outdoor, LLC

Attachment: 603 EAST COLUMBUS SP PERMIT (2266 : 603 E Columbus Avenue)


City of Springfield

 36 Court Street
 Springfield, MA 01103

Meeting: 07/15/13 07:00 PM

Department: Planning and Economic Development

Category: Special Permit

Prepared By: Phil Dromey

Initiator: Phil Dromey

Sponsors:

DOC ID: 2106

ADOPTED
PETITION (ID # 2106)

**For a Special Permit for Motor Vehicle Storage (Junk Yard) at
 the Property Known as 622 Cottage Street (03310-0110) as
 Allowed by M.G.L. and the Springfield Zoning Ordinance
 Article XIV, Section 1401.P.**

Request:	See Above
Owner:	Lily Enterprises, Inc.
By:	Fara Bahrehmand
Petitioner:	Lily Enterprises, Inc.
By:	Fara Bahrehmand

HISTORY:

04/22/13 City Council

REFER TO COMMITTEE

Next: 07/15/13

RESULT:	ADOPTED [12 TO 0]
MOVER:	Bud L. Williams, Vice President At-Large Councilor
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Williams, Twiggs, Rooke, Shea, Fenton, Lysak, Walsh, Allen, Edwards, Ashe, Concepcion, Ferrera III
ABSENT:	Zaida Luna

To The City Council of the City of Springfield:
The undersigned respectfully petition your honorable body

for a special permit for motor vehicle storage (junk yard) at the property known as 622 Cottage Street (03310-0110) as allowed by M.G.L. and the Springfield Zoning Ordinance Article XIV, Section 1401.p.

Mailing Address:

58 Timber Drive
 East Longmeadow, MA 01028

Owner:

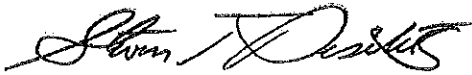
Lily Enterprises, Inc.

I hereby certify that I am the owner and petitioner or acting on behalf of the owner and petitioner.

IN VIOLATION
 OF ZONING ORDINANCE

until approved by the City Council
 on accordance with the provisions of
 of the Zoning Ordinance

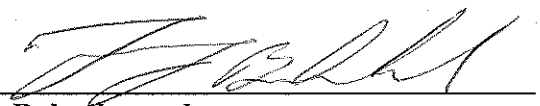
BUILDING COMMISSIONER



ZONED: IND A

NEIGHBORHOOD: EAST SPRINGFIELD

BLOCK PLAN: 796

BY: 

Fara Bahrehmand

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

12/14/2012

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: 622 Cottage Street: 03310-0110

Petitioner: Lily Enterprises Inc.

Landlord: Lily Enterprises Inc.

A handwritten signature in cursive script, appearing to read "Stephen J. Lonergan", is written over a horizontal line.

Stephen J. Lonergan: Treasurer/Collector

Attachment: Cottage_St_622_Formal_Tax_2013 (2106 : 622 Cottage Street)

OFFICE OF PLANNING & ECONOMIC DEVELOPMENT
ANALYSIS FOR A SPECIAL PERMIT

622 Cottage Street (03310-0110)
MOTOR VEHICLE STORAGE (JUNK YARD)

General Information

Petitioner:	Lily Enterprises, Inc.
Request:	For a special permit for motor vehicle storage (junk yard).
Proposed use of the property:	Taxi Service/Junk Yard
Size:	76,232 s.f.
Compatibility with current planning documents:	The East Springfield Neighborhood Plan does not show any changes to this area.
Neighborhood council notification:	East Springfield Neighborhood Council: 3-28-13
Tax Status:	SEE ATTACHED
Site Visit:	4-4-13
Hearing Date:	4-22-13

Staff Analysis

Neighborhood characteristics:

The parcel is currently zoned Industrial A and is located within an industrial park.

To the north is a research and development facility zoned Industrial A.

To the south are an animal shelter and truck leasing company zoned Industrial A.

To the west is a warehouse zoned Industrial A.

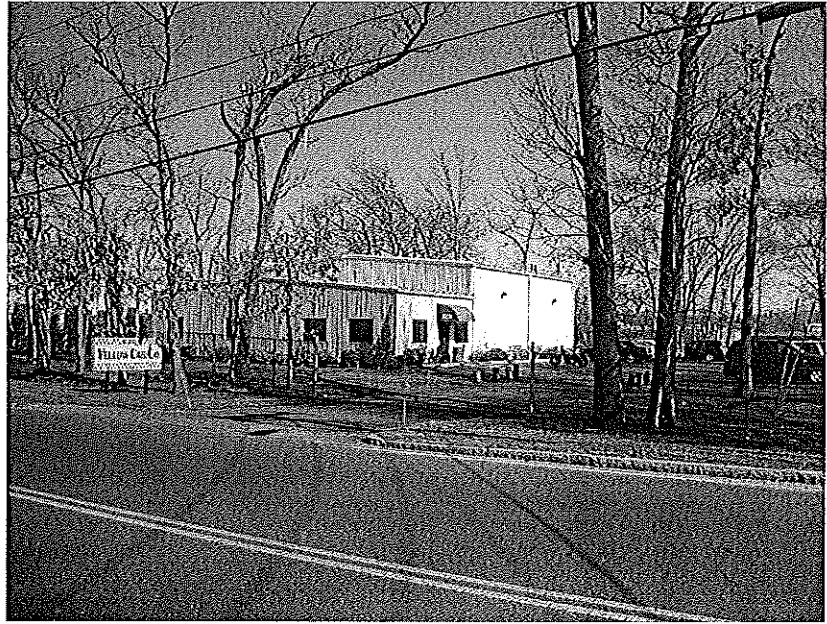
To the east is a cemetery zoned Industrial A.

Site Plan Review:

The petitioner has requested a special permit for motor vehicle storage (junk yard) at the property located at 622 Cottage Street. The property is located within the Cottage Street Industrial Park and had been part of the adjacent cemetery land. A new 4,500 square foot building has been constructed and is the current location of the Yellow Cab Company. The proposed storage yard will be used in conjunction with this existing use.

After visiting the site and reviewing the submitted plan, the staff does not object to the proposed request. The site is currently being maintained in very good condition and currently has a significant landscape buffer along Cottage Street. The proposed motor vehicle storage area will be located in the rear of the building and cannot be easily seen from the public way. As noted above, the site is currently being used as a taxi dispatch center but in addition, motor vehicle repairs of the taxis are also completed on site. The proposed storage yard would be used in conjunction with this repair part of the business.

As noted above, the staff does not object to the proposed use. The staff would strongly recommend that, if approved, a condition be placed on the special permit indicating that all storage of inoperable vehicles and/or parts shall be located at the rear of the building and shall be completely enclosed by opaque fencing.



Recommendation

Approve, with conditions.

Recommended Conditions

1. This special permit is granted to this petitioner only.
2. This special permit is granted solely for motor vehicle storage (junk yard) at the property known as 622 Cottage Street (03310-0110).
3. All storage of inoperable vehicles and/or vehicle parts shall be located to the rear of the building.
4. The area used for the storage of inoperable vehicles and/or parts shall be completely enclosed by an opaque fence.
5. Compliance with these conditions, as well as any and all zoning regulations, is required. Failure to comply may result in enforcement by the Code Enforcement Department punishable by fine of up to \$50 per day for each day a violation exists.

Stephen J. Lonergan
Collector/Treasurer



THE CITY OF
SPRINGFIELD, MASSACHUSETTS

12/14/2012

Special Permit Tax Certification

I certify that all identifiable real estate, personal property and excise taxes have been paid by the petitioner and/or landlord associated with the special permit request shown below:

Special Permit: 622 Cottage Street: 03310-0110

Petitioner: Lily Enterprises Inc.

Landlord: Lily Enterprises Inc.

A handwritten signature in cursive script, reading "Stephen J. Lonergan", is written over a horizontal line.

Stephen J. Lonergan: Treasurer/Collector

Attachment: Cottage_St_622_2013 (2106 : 622 Cottage Street)

Proposed Location

Cottage St



SPRINGFIELD
GIS

City of Springfield, Massachusetts



DATA SOURCE:

622 Cottage Street



City of Springfield

36 Court Street
Springfield, MA 01103

Meeting: 07/15/13 07:00 PM

Department: City Council

Category: Council Request

Prepared By: Kelley Mickiewicz

Initiator: Kelley Mickiewicz

Sponsors: Walsh, Rooke, Williams, Twiggs, Ferrera III

DOC ID: 2262 C

ADOPTED

RESOLUTION (ID # 2262)

Springfield Cultural District

WHEREAS, the City of Springfield wishes to pursue a state-authorized cultural district through the enabling legislation, MGL, Chapter 10, Section 58A, and

WHEREAS, the City of Springfield has a mixed-use geographical area that has a concentration of cultural facilities and assets, and

WHEREAS, the city has held a public hearing and adopted a resolution proclaiming its interest in establishing a state-designated cultural district, and

WHEREAS, the city has created a broad and diverse partnership of stakeholders committed to cultural, community and economic development to provide oversight of the district, and

WHEREAS, the Massachusetts Cultural Council will be petitioned in accordance with its guidelines and criteria to designate said cultural district,

NOW, THEREFORE, BE IT ORDERED by the City Council of Springfield, Massachusetts that the city:

Article 1: Endorses the submission of the application and agrees to foster the development of a cultural district, and

Article 2: Endorses the state-sponsored cultural district goals; attracting artists and cultural enterprises, encouraging business and job development, establishing tourist destinations, preserving and reusing historic buildings, enhancing property values and fostering local cultural development, and

Article 3: Will appoint a city official to represent the city within the district partnership of said cultural district, and

Article 4: Encourages all who own property or businesses within said cultural district to involve themselves and participate in the full development of the cultural district, and

Article 5: Directs city agencies to identify programs and services that could support and enhance the development of the cultural district and ensure that those programs and services are accessible to the cultural district.

RESULT: PASSED BY VOICE VOTE