



City of Springfield

Special Meeting

~ Minutes ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Linda Fitzpatrick
413-787-6559

Monday, August 19, 2013

6:00 PM

Springfield City Hall -- Council Chambers

I. Call to Order

Attendee Name	Title	Status	Arrived
Bud L. Williams	Vice President At-Large Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Present	
Timothy J. Rooke	At-Large Councilor	Absent	
Zaida Luna	Ward 1 Councilor	Present	
Kenneth E. Shea	Ward 6 Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
John A. Lysak	Ward 8 Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Present	
Clodo Concepcion	Ward 5 Councilor	Present	
James J. Ferrera III	President At-Large Councilor	Present	

II. Resolve

1. Order (ID # 2292)

Cathedral High School Resolve

COMMENTS - Current Meeting:

Read and Councilor President Ferrera after he had left the Chair and Vice President Williams took the Chair spoke urging the Diocese of Springfield to public announce their commitment to rebuild Cathedral High School in Springfield at 260 Surrey Road as it is important to the East Springfield neighborhood that the school be rebuild on that site. Councilors Walsh, Fenton, Shea, Ashe, Allen, Twiggs and Williams after he had left the Chair and Councilor Walsh had to the Chair all urged the Diocese to return the School to Springfield and expressed their memories of going to the School or some family member going to the School. President of the Board of Trustees Dr. Ann Southworth and Principal Jon Miller spoke saying that Board wants the School to come back to Springfield from Wilbraham because the building is too small but it depend on the money received from the insurance company as result of June, 2011 tornado. The Resolve passed by a majority with Councilor Rooke absent and Councilor Fenton abstaining.

2. Ordinance

3. Ordinance (ID # 2297)

Chapter 73-8 Residency Requirements – Condition of Employment

COMMENTS - Current Meeting:

Read and explanation with given by Councilor Fenton that this is an attempt to strengthen the current Residency Ordinance by allowing new hires 12 months to move into the City or if they cease to live in the City they would be terminated. Councilor Ferrera left the Chair and Councilor Williams moved to the Chair and Councilor Ferrera objected saying that the Ordinance did not go far enough as it still allows current waivers to stay in effect for non-bargaining employees and department heads and deputy directors. Councilor Ferrera questioned HR Director Bill Mahoney about recruitment and how a person is granted waivers. Mr. Mahoney responded by saying that the Mayor's grants the waivers based conditions he deems necessary and that recruitment is done on the City's website, a trade website and thru the Equal Opportunity Director contacts with local agencies and said Ordinance passed 1st step and on a requested roll call vote as follows: Yes, Ten (10) Councilors Bud L. Williams, E. Henry Twiggs, Timothy J. Rooke, Zaida Luna, Kenneth E. Shea, Esq., Michael A. Fenton, Esq. John A. Lysak, Kateri B. Walsh, Timothy C. Allen, Melvin A. Edwards, Thomas M. Ashe, ; No, Two (2) Councilors Clodo Concepcion, James J. Ferrera, III; Absent: One (1) Councilor Timothy J. Rooke and was referred to the Committee of Ordinance.

RESULT: FIRST READING**Next: 9/9/2013 7:00 PM****4. Ordinance 2013-3**

Veto Override - Residency Requirements - Chapter 73

HISTORY:

05/06/13 Next: 06/03/13	City Council	FIRST READING
06/03/13 Next: 06/17/13	City Council	SECOND READING
06/17/13 Next: 07/15/13	City Council	TABLED
07/15/13 Next: 08/19/13	City Council	TABLED

COMMENTS - Current Meeting:

Read and explanation with given by Councilor Fenton that the Mayor had issued a Veto of the Chapter 73 Residency Ordinance dealing with Waivers and he hope the Council would override the Mayor's Veto (which would take 9 votes) improving the Residency Ordinance by setting-up a new procedure for hiring, posting and re-posting of employment opportunity in the City and how he Mayor issued waivers for employees and department heads with notice to the City Council. Councilor Ferrera left the Chair and Councilor Williams moved to the Chair and Councilor Ferrera objected saying that the Ordinance did not go far enough as it still allows current waivers to stay in effect for non-bargaining employees and department heads and deputy directors. The Override failed for lack of a 2/3 vote.

ATTACHMENTS:

- VETO RESIDENCY MAYOR (PDF)

RESULT:	DEFEATED [8 TO 4]
MOVER:	Michael A. Fenton, Ward 2 Councilor
SECONDER:	John A. Lysak, Ward 8 Councilor
AYES:	Williams, Twiggs, Shea, Fenton, Lysak, Walsh, Allen, Edwards
NAYS:	Zaida Luna, Thomas M. Ashe, Clodo Concepcion, James J. Ferrera III
ABSENT:	Timothy J. Rooke

5. Motion To: Motion to Reconsider**COMMENTS - Current Meeting:**

Councilor Twiggs pursuant to Council Rule 33 served notice of reconsideration at the next regular meeting.

RESULT:	ADOPTED VOICE
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III. Orders**1. Order (ID # 2270)**

Appropriation of \$104,130 for Eminent Domain Takings for Boston Road Project

HISTORY:

07/15/13	City Council	REFERRED TO COMMITTEE
Next: 08/19/13		

FINANCIAL IMPACT:

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

COMMENTS - Current Meeting:

Read and an explanation was given by Chris Cignoli, City Engineer stating that the Order is for the “taking” of permanent and temporary easements along Boston Road for the Boston Road Improvement Project to compensation the owners of the easements in the amount of \$104,130 thousand dollars but he found that DPW had notified the wrong owner of an easement and was asking that the matter to committee. Councilor Williams expressed concerns if all the land owners had been notified and Mr. Cignoli said that all land owners had been contacted and he had met with land owners and also showed them what pieces of their land would be taken. Councilor Lysak said the Boston Road Project has been a priority for the businesses near the Eastfield Mall and are 1st and 3rd worse intersection in City. Councilor Walsh made a Motion to refer to the Maintenance & Development Committee and was seconded by Councilor Rooke and said Motion passed by a majority voice vote with Councilor Zaida Luna absent.

The City Council Maintenance and Development Committee met on July 24, 2013 (Councilors Walsh, Concepcion, Williams and Lysak) and Councilor Walsh gave a verbal and written report stating the Committee has met with Chris Cignoli, City Engineer to discuss the appropriation of \$104,130 for the takings for the Boston

Road Improvement Project and the State will pay \$6.5 million and no work will be done after November 1st in the area of the Eastfield Mall and the project will take about 14 months and the "Takings" were found to be in order now. The Council received the report by a majority voice vote with Councilor Timothy J. Rooke absent.

Read and explanation was given by Associate City Solicitor Patrick Greenhalgh that all issues with the "Taking" had been resolved and the Council can now approve the Appropriation Order.

ATTACHMENTS:

- Boston Road Order of Appropriation - Exhibit A (PDF)

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

2. Order (ID # 2268)

Order of Taking of Easements for Boston Road Traffic Project

HISTORY:

07/15/13

City Council

REFERRED TO COMMITTEE

Next: 08/19/13

COMMENTS - Current Meeting:

Read and an explanation was given by Chris Cignoli, City Engineer stating that the Order is for the "taking" of permanent and temporary easements along Boston Road for the Boston Road Improvement Project to compensate the owners of the easements in the amount of \$104,130 thousand dollars but he found that DPW had notified the wrong owner of an easement and was asking that the matter to committee. Councilor Williams expressed concerns if all the land owners had been notified and Mr. Cignoli said that all land owners had been contacted and he had met with land owners and also showed them what pieces of their land would be taken. Councilor Lysak said the Boston Road Project has been a priority for the businesses near the Eastfield Mall and are 1st and 3rd worst intersection in City. Councilor Walsh made a Motion to refer to the Maintenance & Development Committee and was seconded by Councilor Rooke and said Motion passed by a majority voice vote with Councilor Zaida Luna absent.

The City Council Maintenance and Development Committee met on July 24, 2013 (Councilors Walsh and Lysak) and Councilor Walsh gave a verbal report stating the Committee has met with Chris Cignoli, City Engineer to discuss the appropriation of \$14,130 for the takings for the Boston Road Improvement Project and the "Takings" found everything to be in order now. The Council received the report by a majority voice vote with Councilor Timothy J. Rooke absent.

Read and explanation was given by Associate City Solicitor Patrick Greenhalgh that all issues with the "Taking" had been resolved and the Council can now approve the Order of Taking.

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

3. Motion To: Motion to refer to General Government Committee

COMMENTS - Current Meeting:

Councilor Walsh said she had some questions all the changes and made a Motion and seconded by Councilor Luna to refer to the General Government Committee and said Motion passed by a majority voice vote with Councilor Timothy J. Rooke absent.

RESULT:	ADOPTED VOICE
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4. Order (ID # 2293)

Order Amending Ordinance Chapter 82- Purchasing and Contracts to Reflect Amendments to Chapter 30B

COMMENTS - Current Meeting:

Read and an explanation was given by Deputy City Solicitor Kathy Breck stating that the Ordinance was to bring the City Ordinance inline with State law regarding M.G.L. c. 30B by adjusting dollars amounts so that they are same as State law and any future changes to State law. Councilor Walsh said she had some questions about all the changes and made a Motion and seconded by Councilor Luna to refer to the General Government Committee and said Motion passed by a majority voice vote with Councilor Timothy J. Rooke absent.

RESULT:	REFERRED TO COMMITTEE	Next: 9/9/2013 7:00 PM
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5. Order (ID # 2294)

Order Authorizing Expenditure of Chapter 90 Funds - \$3,624,412.00

COMMENTS - Current Meeting:

Read and explanation was given by Mario Mazza, Deputy Director DPW that the \$3,624,412 is the City share of Chapter 90 money from the State for FY14 street reconstructions, design work, roadway maintenance and traffic signal improvements. Councilor Walsh said her Committee Maintenance and Development had not has a meeting and this was last minute item to the agenda and made a Motion to refer to the Maintenance and Development Committee and was seconded by Councilor Williams said Motion to committee passed by a majority voice vote with Councilor Rooke absent.

ATTACHMENTS:

- 201308131729 (PDF)

RESULT: REFERRED TO COMMITTEE**Next: 8/29/2013 5:30 PM****6. Motion To:** Motion to refer to the Maintenance and Development Committee**COMMENTS - Current Meeting:**

Councilor Walsh said her Committee Maintenance and Development had not has a meeting and this was last minute item to the agenda and made a Motion to refer to the Maintenance and Development Committee and was seconded by Councilor Williams said Motion to committee passed by a majority voice vote with Councilor Rooke absent.

RESULT: ADOPTED VOICE**IV. Special Acts****1. Special Act (ID # 2295)**

An Act Filling Vacancies in Ward Seats of the City Council by Special Election

COMMENTS - Current Meeting:

Read and explanation was given by Councilor Fenton who spoke in favor of filling a vacancy in a ward seat by holding a special election if the term has more than 210 days left before the next regular election and also made an amendment to add School Committee members elected by Ward. Councilors Williams, Twiggs and Councilor Allen questioned the cost of the special election and numbers of days before the next regular election. After further discussion Councilor Twiggs made a made a Motion to refer to General Government Committee and was seconded by Councilor Williams said Motion to committee passed by a majority voice vote with Councilors Fenton, Edwards, Ashe and Concepcion voting no and Councilor Rooke absent.

ATTACHMENTS:

- succession memo (DOC)

RESULT: REFERRED TO COMMITTEE**Next: 9/9/2013 7:00 PM****2. Motion To:** Motion to Refer to General Govenment Committee**COMMENTS - Current Meeting:**

Councilor Twiggs made a made a Motion to refer to General Government Committee and was seconded by Councilor Williams said Motion to committee passed by a majority voice vote with Councilors Fenton, Edwards, Ashe and Concepcion voting no and Councilor Rooke absent.

RESULT: ADOPTED VOICE**V. Petitions****1. Petition (ID # 2126)**

For a Special Permit to Renovate and Reopen a Pre-Existing, Non-Conforming Commercial Structure (Convenience Store) at the Property Known as 418 Liberty Street (07770-0106), as Allowed by M.G.L. and the Springfield Zoning Ordinance Article XV, Section 1500.4A.

Request: See Above
Owner: RAK Realty Associates, LLC
By: Fred Basile
Petitioner: Gulam Kagzi
By: Gulam Kagzi

HISTORY:**05/28/13****City Council****REFER TO COMMITTEE****Next: 08/19/13****COMMENTS - Current Meeting:**

Hearing held at which Councilor Kenneth Shea recused himself and left the chambers and Fred Basile appeared on behalf of the Petitioner Gulam Kagzi spoke in favor stating that the Petitioner is requesting a Special Permit to renovate and reopen a pre-existing, non-conforming retail use as a convenience store to serve the Liberty Street residents. Councilors Fenton and Allen asked questions about parking and dumpster because the planning department analysis questioned the number of parking spaces on the property and where the dumpster would be located and Mr. Basile said that this is a convenience store and people can park on the street but most of the traffic for the store would come on foot and there is space for a dumpster at the side and back of the property and property is across the street from the police substation. Tom Hamblin spoke in opposition saying that he owns property next to the store and there is no parking and he is concerned about trash, loitering and drug selling. Philippe Tejada spoke in opposition saying there are 4 stores in the area and don't need another store and no one appeared in rebuttal and the hearing was closed. Councilor Walsh made a Motion to refer to committee and was seconded by Councilor Lysak and the Motion to committee passed by the following roll call vote; Yes, Seven (7) Councilors Bud L. Williams, E. Henry Twiggs, Timothy J. Rooke, John A. Lysak, Kateri B. Walsh, Timothy C. Allen, James J. Ferrera, III; No, Five (5) Councilor Zaida Luna, Michael A. Fenton, Melvin A. Edwards, Thomas M. Ashe; Clodo Concepcion; Abstained, One (1) Kenneth E. Shea, Esq. And was referred to the Planning and Economic Development Committee.

The City Council Planning and Economic Development Committee met on July 30 (meeting) and August 6, 2013 (tour of site) (Councilors Williams, Rooke and Allen) and Councilor Williams gave a verbal report that the Committee has met with Petitioner Gulam Kagzi and Fred Basile owner of property and with neighbors and the Planning Department regarding the re-opening and renovate of a pre-existing, non conforming commercial convenience store. Mr. Kagzi indicated that he would file a new plan with the Planning Department, however, Deputy Planning Director Phil Dromey said Mr. Kagzi had not filed any new plan as of the tonight's hearing. Councilor Williams said given those circumstances he could not recommend passage. The Council received the report by a majority voice vote with Councilors Timothy J. Rooke absent.

ATTACHMENTS:

- Liberty_St_418_Formal_Tax_2013 (PDF)
- Liberty_St_418_2013 (PDF)

RESULT:	FAILED [5 TO 6]
MOVER:	Bud L. Williams, Vice President At-Large Councilor
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Twiggs, Luna, Lysak, Allen, Ashe
NAYS:	Williams, Fenton, Walsh, Edwards, Concepcion, Ferrera III
ABSTAIN:	Kenneth E. Shea
ABSENT:	Timothy J. Rooke



City of Springfield

SCHEDULED

Sponsors: President At-Large Councilor James J. Ferrera III
DOC ID: 2292 A

2.1

Meeting: 08/19/13 06:00 PM

Initiator: Kelley Mickiewicz

Cathedral High School Resolve (President At-Large Councilor Ferrera III)

CITY OF SPRINGFIELD

In the City Council August 19, 2013

- WHEREAS, Cathedral High School has been located on 260 Surrey Road in the East Forest Park section of Springfield, Massachusetts since 1959, and
- WHEREAS, Cathedral High School has a long tradition of providing a first class Catholic education for all its' students, and
- WHEREAS, Cathedral has been a cornerstone in East Forest Park for over fifty years, and
- WHEREAS, the tragic events of June 1, 2011 destroyed the structure of Cathedral High School but not the spirit or the pride of the school, and
- WHEREAS, the lengthy insurance process required Cathedral High School to relocate temporarily to Wilbraham, Massachusetts, and
- WHEREAS, the long delay has caused concern for the residents of East Forest Park, Cathedral Alumni, and most importantly current and future students of the school,
- NOW, THEREFORE, BE IT RESOLVED that the Springfield City Council strongly urges the Diocese of Springfield to publicly announce and commit to rebuilding and opening Cathedral High School at its current location of 260 Surrey Road in Springfield, Massachusetts so that the residents of East Forest Park are assured that the school will be rebuilt and that all current and future students can continue to enjoy a first class Catholic education.

**City of Springfield**

36 Court Street
Springfield, MA 01103

SCHEDULED**ORDINANCE (ID # 2297)**

Meeting: 08/19/13 06:00 PM

Department: Law

Category: Local Law

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Ward 2 Councilor Michael A. Fenton

DOC ID: 2297

Chapter 73-8 Residency Requirements – Condition of Employment

ORD. NO. ____73-8

AN ORDINANCE (A LOCAL LAW) TO AMEND the Code of the City of Springfield, Chapter 73 thereof, entitled Residency Requirements, by deleting and repealing section 8.

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

Section 1. Section 8 of Chapter 73, Residency Requirements, of the Code of the City of Springfield, is hereby amended to read as follows:

- A. Except as provided for in this article, every person first employed by the City of Springfield on or after March 17, 1995, shall, within twelve (12) months of the start of employment, be a resident of the City of Springfield and shall not cease to be a resident during his employment by the City.
- B. For the purpose of this article, an employee shall be any person receiving monies from the City or any City department subject to withholding taxes by the state or federal government.
- C. Notwithstanding the provisions of this article, all employees employed by the City of Springfield on March 17, 1995, shall be considered to have fully complied with the residency provisions of this article.



City of Springfield

36 Court Street
Springfield, MA 01103

DEFEATED

ORDINANCE 2013-3

Meeting: 08/19/13 06:00 PM

Department: Law

Category: Local Law

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Ward 2 Councilor Michael A. Fenton

DOC ID: 2124 A

Veto Override - 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
07/15/13	City Council	TABLED	Next: 08/19/13

RESULT:	DEFEATED [8 TO 4]
MOVER:	Michael A. Fenton, Ward 2 Councilor
SECONDER:	John A. Lysak, Ward 8 Councilor
AYES:	Williams, Twiggs, Shea, Fenton, Lysak, Walsh, Allen, Edwards
NAYS:	Zaida Luna, Thomas M. Ashe, Clodo Concepcion, James J. Ferrera III
ABSENT:	Timothy J. Rooke



City of Springfield

ADOPTED

Meeting: 08/19/13 06:00 PM
Initiator: Patrick Greenhalgh
Sponsors: Mayor Domenic J. Sarno
DOC ID: 2270 A

3.1

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.**

FINANCIAL IMPACT:

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

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



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 Bassar-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	Lowe's 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

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

Domenic J. Sarno, Mayor

Date signed:_____

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



Order Amending Ordinance Chapter 82- Purchasing and Contracts to Reflect Amendments to Chapter 30B (Mayor Sarno)

WHEREAS, in July, 2013, the General Court amended portions of Massachusetts General Laws Chapter 30B ("Chapter 30B"), which is known as the Uniform Procurement Act; and

WHEREAS, Chapter 30B provides the scope, procedure, limits and rules governing procurement procedures for municipalities and other entities, which the City of Springfield is required to follow; and

WHEREAS, sections of City of Springfield Ordinance Chapter 82 -Purchasing and Contracts, originally enacted in 1990, need to be immediately amended to reflect various amendments to Chapter 30B, in order for the City to take advantage of the efficiencies and streamlined procurement procedures approved the Legislature;

NOW THEREFORE, BE IT ORDERED, that the City Council of the City of Springfield, with the approval of the Mayor, hereby amends City of Springfield Ordinance Chapter 82 -Purchasing and Contracts, to reflect the amendments to Chapter 30B, as follows:

1. Section 82-11, paragraph (A), is hereby deleted and replaced with the following new Section 82-11(A):

"A. Contracts made by any department, board or commission where the amount involved exceeds the threshold set forth in Mass. Gen. Laws ch. 43, sec. 29 (the City Charter), shall be in writing, and must be approved by the Mayor and the head of the department. A Chief Procurement Officer who awards a contract shall maintain a file on each such contract and shall include in such file a copy of all written documents for at least six years from the date of the final payment, as required by Chapter 30B, section 3, as it may be amended from time to time. Contracts awarded under Chapter 30B, section 4, shall be procured and awarded in compliance with the terms of Massachusetts General Laws Chapter 30B, as it may be amended from time to time."

2. Section 82-12, paragraph (A), is hereby deleted and replaced with the following new Section 82-12(A):

"A. The purchase of services and supplies at amounts greater than those set forth in Chapter 30B, section 4, shall be made pursuant to the applicable sections of Chapter 30B, as they may be amended from time to time. "

3. Section 82-12, paragraphs (B) and (C), are hereby deleted and replaced with the following new Section 12(B):

"B. Purchases of supplies or services under Chapter 30B, section 4(a) shall be made by seeking written or oral quotations from no fewer than three (3) persons customarily providing such supplies or services. The procurement officer shall award the contract to the responsible person offering the needed quality of supply or service at the lowest quotation, pursuant to Chapter 30B, section 4(b), as it may be amended from time to time. A purchase of supplies or services in an amount less than the amount set forth in Chapter 30B, section 4(a) shall be obtained through the exercise of sound business practices pursuant to Chapter 30B, section 4(c), as it may be amended from time to time."

4. Section 82-12, paragraph (E), is hereby amended as follows:

The first sentence of paragraph (E) is amended to read: "Whenever the Chief Procurement Officer, after reasonable investigation, determines in writing that only one practicable source for the required supply or service exists, the Procurement Officer may award such a contract without competition, but only to the extent consistent with the provisions of Chapter 30B, section 7, as it may be amended from time to time."

5. Section 82-16, paragraphs (E), (F), and (I), are amended as follows:

a) In paragraphs (E) and (I), wherever the words "more than \$500" or "\$500 or more" appear, the words "at or over the threshold set forth in Chapter 30B, section 15(f), as it may be amended from time to time", shall be substituted.

b) In paragraph (F), wherever the words "less than \$500" appear, the words "less than the threshold set forth in Chapter 30B, section 15(f), as it may be amended from time to time", shall be substituted.

6. Section 82-23, paragraph (A), is amended as follows:

In the first sentence, the words "in the amount of \$10,000 or more" are deleted and the words "in an amount at or above the threshold set forth in Chapter 30B, section 6(a), as it may be amended from time to time" are substituted.



**Order Authorizing Expenditure of Chapter 90 Funds -
\$3,624,412.00 (Mayor Sarno)**

**ORDER AUTHORIZING EXPENDITURE OF CHAPTER 90 FUNDS
(\$3,624,412.00)**

WHEREAS, the Commonwealth of Massachusetts has appropriated Chapter 90 local transportation aid funding for Fiscal Year 2014 in the amount of \$3,624,412.00, to be incorporated into the City of Springfield 10-year Chapter 90 Contract (City Contract #0615), see attached letter from Mass DOT Secretary and CEO (Exhibit A), and

WHEREAS, this appropriation provides for the payment of funds to the City of Springfield in order to continue efforts to maintain and upgrade the roadway systems of the City; and

WHEREAS, the Commonwealth of Massachusetts will reimburse the City of Springfield for costs associated with these roadway improvements through disbursements made pursuant to Mass. Gen. Laws Ch. 90, sec. 34(2)(a); and

WHEREAS, after reviewing this order, the Chief Administrative and Financial Officer certifies to the Mayor and City Council, that in his professional opinion, after an evaluation of all pertinent financial information reasonably available, the City's financial resources and revenues are and will continue to be adequate to support the proposed expenditures and obligations involved in the expenditure of these grant funds, 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;

NOW THEREFORE BE IT ORDERED, acting pursuant to Mass. Gen. Laws ch. 44, sec. 53A, that the City Council approves the expenditure by the Department of Public Works of the Chapter 90 grant funds for the purposes listed below subject to the approval of the Mayor, and the grant funds received shall be deposited with the City Treasurer and held as a separate account and may be expended for these purposes without further appropriation:

Chapter 90 Funds - \$3,624,412.00

1. Arterial and Residential Reconstruction: \$2,600,000.00
2. Design: \$ 724,412.00
3. Roadway Maintenance: \$ 200,000.00
4. Traffic Signal Improvements: \$ 100,000.00

A true copy of an Order passed by the City Council on
And approved by the Mayor on

Order (ID # 2294)

Meeting of August 19, 2013

Attest: City Clerk


City of Springfield

36 Court Street
Springfield, MA 01103

TABLED

SPECIAL ACT (ID # 2295)

Meeting: 08/19/13 06:00 PM

Department: Law

Category: General

Prepared By: Anthony I. Wilson

Initiator: Anthony I. Wilson

Sponsors: Ward 2 Councilor Michael A. Fenton

DOC ID: 2295

An Act Filling Vacancies in Ward Seats of the City Council by Special Election

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

AN ACT FILLING VACANCIES IN WARD SEATS OF THE CITY COUNCIL BY SPECIAL ELECTION

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 1: Section two of chapter three hundred and eight of the Acts of nineteen hundred and ninety-two will have no force and effect upon ward seats of the Springfield City Council.

Section 2: Notwithstanding the provisions of section fifty A of chapter forty-three of the general laws or any other general or special law to the contrary, if a vacancy occurs, for any reason, in a ward seat of the city council more than two hundred and ten (210) days prior to the expiration of that term, the city clerk shall notify the city council prior to the next city council meeting.

At the first meeting, following notice from the clerk, the city council shall adopt an order calling for a special preliminary election, on a Tuesday, not less than sixty-two and not more than seventy-six days after the adoption of such order and a special election, on a Tuesday, not more that twenty-eight days after the preliminary election. The special election shall be conducted consistent with the Charter of the City of Springfield.

If the number of candidates, certified by the elections office, is less than double the

number plus one of the vacant seats then the Board of Election Commissioners shall cancel the preliminary election.

The ward seat shall remain vacant until such time as it has been filled by election. If the vacancy shall occur less than 210 days prior to the expiration of the term of that seat, but at least ten days before the regularly scheduled general election to fill that seat, the candidates in that general election shall be notified by the Election Commission of the vacancy.

Section 3: Notwithstanding the provisions of any general or special law to the contrary, to ascertain the will of the people of the city of Springfield, the board of election commissioners shall cause the following binding public opinion question to be placed on the official ballot to be used in the city at the next regular municipal election to be held on the fifth day of November in the year two thousand and thirteen:

THIS QUESTION IS BINDING.

Shall the vacancies in ward seats of the city council of the city of Springfield be filled by special election?

SECTION 4. If a majority of the voters casting a ballot on this binding question shall vote in the affirmative, the provisions of said act shall take effect January 1, 2014.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts In the General Court Assembled.

The undersigned, Domenic J. Sarno, Mayor of the City of Springfield, respectfully in the name and on behalf of said City, and in the pursuance of an order, a duly attested copy of which is hereto annexed, petition the General Court for legislation entitled “**AN ACT FILLING VACANCIES IN WARD SEATS OF THE CITY COUNCIL BY SPECIAL ELECTION**”, in substantially the same form as a draft Act attached hereto.

Respectfully submitted,

Domenic J. Sarno, Mayor

City of Springfield
36 Court Street
Springfield, MA 01103


City of Springfield

 36 Court Street
 Springfield, MA 01103

DEFEATED
PETITION (ID # 2126)

Meeting: 08/19/13 06:00 PM

Department: Planning and Economic Development

Category: Special Permit

Prepared By: Phil Dromey

Initiator: Phil Dromey

Sponsors:

DOC ID: 2126

**For a Special Permit to Renovate and Reopen a Pre-Existing,
 Non-Conforming Commercial Structure (Convenience Store)
 at the Property Known as 418 Liberty Street (07770-0106), as
 Allowed by M.G.L. and the Springfield Zoning Ordinance
 Article XV, Section 1500.4A.**

Request:	See Above
Owner:	RAK Realty Associates, LLC
By:	Fred Basile
Petitioner:	Gulam Kagzi
By:	Gulam Kagzi

HISTORY:

05/28/13 City Council

REFER TO COMMITTEE

Next: 08/19/13

RESULT:	FAILED [5 TO 6]
MOVER:	Bud L. Williams, Vice President At-Large Councilor
SECONDER:	E. Henry Twiggs, Ward 4 Councilor
AYES:	Twiggs, Luna, Lysak, Allen, Ashe
NAYS:	Williams, Fenton, Walsh, Edwards, Concepcion, Ferrera III
ABSTAIN:	Kenneth E. Shea
ABSENT:	Timothy J. Rooke