MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

Order of Taking M.B.T.A. 74

City of Lynn
City of Salem
City of Haverhill
Towns of Peabody, Lynnfield, Danvers, Wenham, Topsfield, Middleton, Carltonville, Swampscott, Beverly, Saugus, Hamilton, Ipswich, Rowley, Newbury, Salisbury, Rockport, Newburyport, Manchester, Gloucester, Cliftondale

County of Essex - South

WHEREAS, the Massachusetts Bay Transportation Authority, a body politic and corporate, and a political subdivision of the Commonwealth of Massachusetts, established by and acting pursuant to the provisions of Chapter 161A of the General Laws, as amended, for the purpose of providing and extending mass transportation facilities for public use under the power granted to it by Section 3(o) thereof, hereby adjudges that public necessity and convenience require that the Authority lay out and construct Rapid Transit Extension, and in order to carry out the mandate of Chapter 161A as amended, and to insure this availability of lands for that purpose, the lands located in the Cities of Lynn, Salem and Haverhill and the Towns of Peabody, Lynnfield, Danvers, Wenham, Topsfield, Middleton, Carltonville, Swampscott, Beverly, Hamilton, Ipswich, Rowley,

Newbury, Salisbury, Newburyport, Manchester, Gloucester, Saugus, Rockport and Cliftondale hereinafter referred to are hereby taken in fee simple.

This lay out is in seven sections.

SECTION 1. (Main Line West Route) Beginning at station 1588+84.45 as shown on railroad Val plan V2M/28 thence continuing generally in a northerly direction to station 1633+60 as shown on said plan; thence continuing generally in a northeasterly direction from station 1633+60 as shown on railroad Val plan V2M/29 to station 1679+20 as shown on said plan; thence continuing generally in a northerly direction from station 1679+20 as shown on railroad Val plan V2M/30 to station 1732+00 as shown on said plan; thence continuing generally in a northerly direction from station 1732+00 as shown on railroad Val plan V2M/SL31 to station 1784+80 as shown on said plan; thence continuing generally in a northwesterly direction from station 1784+80 as shown on railroad Val plan V2M/32 to station 1837+60 as shown on said plan; thence continuing generally in a northwesterly direction from station 1837+60 as shown on railroad Val plan V2M/33 to station 1890+40 as shown on said plan; thence continuing generally in a northerly direction from station 1890+40 as shown on railroad Val plan V2M/34 to the Massachusetts/New Hampshire state line or station 1921+14.73 as shown on said plan.

SECTION 2. (Main Line East Route) Beginning at Revere/

Saugus town line as shown on railroad Val plan V3M/6 and continuing generally in a northeasterly direction to station 459+84 as shown on said plan; thence continuing generally in a northeasterly direction from station 459+84 as shown on railroad Val plan V3M/7 to station 512+64 as shown on said plan; thence continuing generally in an easterly direction from station 512+64 as shown on railroad Val plan V3M/SL8 to station 565+44 as shown on said plan; thence continuing generally in a north easterly direction from station 565+44 as shown on railroad Val plan V3M/SL9 to the southwesterly side of Central Square, Lynn at station 608+75 as shown on said plan; then beginning again at the northeasterly sideline of Silsbee Street at station 616+85 and continuing generally in a northeasterly direction to station 618+24 as shown on said plan; thence continuing generally in a northeasterly direction from station 618+24 as shown on railroad Val plan V3M/SL10 to station 671+00.4 as shown on said plan; thence continuing generally in a northeasterly direction from station 671+00.4 as shown on railroad Val plan V3M/SL11 to station 723+84 as shown on said plan; thence continuing generally in a northeasterly direction from station 723+84 as shown on railroad Val plan V3M/12 to station 776+64 as shown on said plan; thence continuing generally in a northeasterly direction from station 776+64 as shown on railroad Val plan V3M/13 to station 829+44 as shown on said plan and including an irregular parcel of land abutting the westerly side of the right of way not

heretofore described on said plan; thence continuing generally in a northerly direction from station 829+44 as shown on railroad Val plan V3M/14 to approximately the northerly side of Federal Street and including a large parcel of land to the westerly side of the right of way not heretofore described in the aforementioned plan; thence beginning at the northerly side of Bridge Street as shown on said plan and continuing generally in a northerly directic to station 882+24 and including an irregular shaped parcel of land westerly of the right of way not heretofore described in the aforementioned plan; thence continuing generally in a northerly direction from station 882+24 as shown on railroad Val plan V3M/SL15 to station 935+04 and including an irregular shaped parcel of land to the westerly side of the right of way not heretofore described in the aforementioned plan; thence continuing generally in a northerly direction from station 935+04 as shown on railroad Val plan V3M/SL16 to station 987+84 as shown on said plan; thence continuing generally in a northerly direction from station 1040+64 as shown on said plan; thence continuing generally in a northerly direction from station 1040+64 as shown on railroad Val plan V3M/18 to station 1071+10 and commencing again in a northerly direction from station 1073+10 to station 1093+44 as shown on said plan; thence continuing generally in a northerly direction from station 1093+44 as shown on railroad Val plan V3M/19 to station 1146+24 as shown on said plan; thence continuing generally in a northerly direction from station 1146+24 as shown on railroad Val plan V3M/20 to station 1199+04 as shown on said plan; thence continuing

generally in a northerly direction from station 1199+04 as shown on railroad Val plan V3M/21 to station 1251+84 as shown on said plan; thence continuing generally in a northerly direction from station 1251+84 as shown on railroad Val plan V3M/22 to station 1304+64 as shown on said plan; thenc continuing generally in a northerly direction from station 1304+64 as shown on railroad Val plan V3M/23 to station 1357+44 as shown on said plan; thence continuing generally in a norther direction from station 1357+44 as shown on railroad Val plan V3M/24 to station 1410+24 as shown on said plan; thence contin generally in a northerly direction from station 1410+24 as sho on railroad Val plan V3M/25 to station 1463+04 as shown on sai plan; thence continuing generally in a northerly direction fro station 1463+04 as shown on railroad Val plan V3M/SL26 to stat 1515+84 as shown on said plan; thence continuing generally in northerly direction from station 1515+84 as shown on railroad Val plan V3M/27 to station 1568+64 as shown on said plan; then continuing generally in a northerly direction from station 1568+64 as shown on railroad Val plan V3M/28 to station 1621+4 as shown on said plan; thence continuing generally in a northe direction from station 1621+44 as shown on railroad Val plan V3M/29 to station 1674+24 as shown on said plan; thence contin generally in a northerly direction from station 1674+24 as sh on railroad Val plan V3M/30 to station 1727+04 as shown on sai

plan; thence continiuing generally in a northerly direction from station 1727+04 as shown on railroad Val plan V3M/31 to station 1779+84 as shown on said plan; thence continuing generally in a northerly direction from station 1779+84 as shown on railroad Val plan V3M/32 to station 1832+64 as shown on said plan; thence continuing generally in a northerly direction from station 1832+64 as shown on railroad Val plan V3M/33 to station 1885+44 as shown on said plan; thence continuing generally in a northerly direction from station 1885+44 as shown on railroad Val plan V3M/34 to station 1938+24 as shown on said plan; thence continuing generally in a northerly direction from station 1938+24 as shown on railroad Val plan V3M/35 to station 1991+04 as shown on said plan and including an irregular shaped parcel of land easterly of the right of way not heretofore described in the aforementioned plan; thence continuing generally in a northerly direction from station 1991+04 as shown on railroad Val plan V3M/36 to station 2043+84 as shown on said plan; thence continuing generally in a northerly direction from station 2043+84 as shown on railroad Val plan V3M/37 to station 2096+64 as shown on said plan; thence continuing generally in a northerly direction from station 2096+64 as shown on railroad Val plan V3M/38 to station 2149+44 as shown on said plan; thence continuing generally in a northerly direction from station 2149+44 as shown on railroad Val plan V3M/39 to the Massachusetts/New Hampshire state line as shown on said plan.

SECTION 3. (Newburyport Branch) Beginning at the Middlesex/Essex County line or station 111+41.6 as shown on railroad Val plan V7.3/3 and continuing generally in a north easterly direction to station 158+40 as shown on said plan; thence continuing generally in an easterly direction from station 158+40 as shown on railroad Val plan V7.3/4 to station 211+20 as shown on said plan; thence continuing generally in a north easterly direction from station 211+20 as shown on railroad Val plan V7.3/5 to station 264+04 as shown on said plan; thence continuing generally in an easterly direction from station 264+04 as shown on railroad Val plan V7.3/6 to station 314+00 as shown on said plan; thence continuing generally in a northeasterly direction from station 314+00 as shown on railroad Val plan V7.3/7 to station 366+80 as shown on said plan; thence continuing generally in an easterly direction from station 366+80 as shown on railroad Val plan V7.3/8 to station 419+60 as shown on said plan; thence continuing generally in a northeasterly direction from station 419+60 as shown on railroad Val plan V7.3/9 to station 472+40 as shown on said plan; thence continuing generally in a northerly direction from station 472+40 as shown on railroad Val plan V7.3/10 to station 525+20 as shown on said plan; thence continuing generally in a northerly direction from station

525+20 as shown on railroad Val plan V7.3/11 to station 578+00 as shown on said plan; thence continuing generally in a northerly direction from station 578+00 as shown on railroad Val plan V7.3/12 to station 630+80 as shown on said plan; thence continuing generally in a northerly direction from station 630+80 as shown on railroad Val plan V7.3/13 to station 683+60 as shown on said plan; thence continuing generally in a northwesterly direction from station 683+60 as shown on railroad Val plan V7.3/14 to station 736+40 as shown on said plan; thence continuing generally in a northwesterly direction from station 736+40 as shown on railroad Val plan V7.3/15 to station 790+95.7 as shown on said plan.

SECTION 4. (Danvers Branch) Beginning at the westerly side of North Street as shown on railroad Val plan V7.12/SL1 thence continuing generally in a southwesterly direction to station 45+00 as shown on said plan; thence continuing generally in a northwesterly direction from station 45+00 as shown on railroad Val plan V7.12/SL2 to station 95+00 as shown on said plan; thence continuing generally in a northerly direction from station 95+00 as shown on railroad Val plan V7.12/3 to station 147+80 as shown on said plan; thence continuing generally in a northerly direction from station 147+80 as shown on railroad Val plan V7.12/4 to station 200+60 as shown on said plan; thence continuing generally

in a northwesterly direction from station 200+60 as shown on railroad Val plan V7.12/5 to station 252+40 as shown on said plan; thence continuing generally in a northwesterly direction from station 252+40 as shown on railroad Val plan V7.12/6 to the southeasterly side of Hobart Street in Danvers as shown on said plan.

SECTION 5. (Gloucester Branch) Beginning at station 987+69 as shown on railroad Val plan V7.13/1 and continuing generally in a northeasterly direction to station 1040+00 as shown on said plan; thence continuing generally in a northeasterly direction from station 1040+00 as shown on railroad Val plan V7.13/2 to station 1092+80 as shown on said plan; thence continuing generally in a southeasterly direction from station 1092+80 as shown on railroad Val plan V7.13/3 to station 1145+60 as shown on said plan; thence continuing generally in an easterly direction from station 1145+60 as shown on railroad Val plan V7.13/4 to station 1198+40 as shown on said plan; thence continuing generally in an easterly direction from station 1190+40 as shown on railroad Val plan V7.13/5 to station 1251+20 as shown on said plan; thence continuing generally in an easterly direction from station 1251+20 as shown on railroad Val plan V7.13/6 to station 1304+00 as shown on said plan; thence continuing generally in a northeasterly direction from station 1304+00 as shown on railroad Val plan V7.13/7 to station 1356+80 as shown

on said plan; thence continuing generally in a northeasterly direction from station 1356+80 as shown on railroad Val plan V7.13/8 to station 1409+60 as shown on said plan; thence continuing generally in a northeasterly direction from station 1409+60 as shown on railroad Val plan V7.13/9 to station 1462+40 as shown on said plan; thence continuing generally in a north easterly direction from station 1462+40 as shown on railroad Val plan V7.13/10 to station 1515+20 as shown on said plan; thence continuing generally in a northeasterly direction from station 1515+20 as shown on railroad Val plan V7.13/11 to station 1568+00 as shown on said plan and including an irregular shaped parcel on the northwesterly sideline of the right of way not heretofore described on the aforementioned plan; thence continuing generally in an easterly direction from station 1568+00 as shown on railroad Val plan V7.13/12 to station 1620+80 as shown on said plan; thence continuing generally in an easterly direction from station 1620+80 as shown on railroad Val plan V7.13/13 to station 1673+60 as shown on said plan; thence continuing generally in a northerly direction from station 1673+60 as shown on railroad Val plan V7.13/14 to station 1726+40 as shown on said plan; thence continuing generally in a northeasterly direction from station 1726+40 as shown on railroad Val plan V7.13/15 to station 1779+20 as shown on said plan; thence continuing generally in a northeasterly direction from station 1779+20 as shown on railroad Val plan V7.13/16 to station 1832+00 as shown on said plan; thence

continuing generally in a northeasterly direction from station 1832+00 as shown on railroad Val plan V7.13/17 to station 1868+45 as shown on said plan and including a small rectangular parcel northwesterly of the right of way not heretofore described in the aforementioned plan.

SECTION 6. (Salem and Lowell Branch) Beginning at the westerly side of the Newburyport turnpike as shown on railroad Val plan V13.7/4 and continuing generally in a westerly direction to station 206+40 as shown on railroad Val plan V13.7/5 to station 259+20 as shown on said plan; thence continuing generally in a northwesterly direction from station 259+20 as shownoon railroad Val plan V13.7/6 to station 312+00 as shown on said plan; thence continuing generally in a westerly direction from station 312+00 as shown on railroad Val plan V13.7/7 to station 364+80 as shown on said plan; thence continuing generally in a westerly direction from station 364+80 as shown on railroad Val plan V13.7/8 to station 369+76.3 as shown on said plan.

SECTION 8. (Saugus Branch) Beginning at station 435+40 as shown on railroad Val plan V7.7/6 and continuing generally in a northerly direction to station 464+15 as shown on said plan; thence continuing generally in a northeasterly direction from station 464+15 as shown on railroad Val plan V7.7/7 to station 516+95 as shown on said plan; thence continuing generally in an easterly direction from station 516+95 as shown on railroad

Val plan V7.7/8 to station 569+75 as shown on said plan; thence continuing generally in an easterly direction from station 569+75 as shown on railroad Val plan V7.7/9 to station 622+55 as shown on railroad Val plan V7.7/10 to station (approximately) 659+12.92 as shown on said plan.

The above mentioned section hereby taken is shown on plans entitled "Land in Massachusetts, Robert W. Meserve and Benjamin H. Lacey, Trustees of the property of the Boston & Maine Corporation to the Massachusetts Bay Transportation Authority, scale 1" equals 100 feet dated December 1, 1975" and recorded with the Essex County South Registry of Deeds in plan Book 141 as plan 20.

The locations of the parcels for the takings hereinbefore described are more particularly shown on the plan hereinbefore referred to by a legend showing property lines of the areas conveyed to the Massachusetts Bay Transportation Authority; which areas are the subject of this taking.

For the purpose of laying out, constructing and maintaining said mass transportation extension and facilities, the Massachusetts Bay Transportation Authority, having first complied with all the preliminary requirements of the law, does hereby take, under the provisions of Chapter 79 of the General Laws and of Section 3(o) of Chapter 161A of the General Laws, and by virtue of every other power enabling, all of the land within the

limits of the layout hereinbefore described, including all trees and structures, except buildings, located thereon, including poles, towers, wires, cables, and other appurtenances for the conveyance of electricity and telephone communication, said land being taken in fee simple, as shown on the plan hereinbefore referred to, excepting from the rights herein taken all easements for wires, pipes, conduits, poles, and other appurtenances for the conveyance of water, sewerage, gas, oil, and electricity, and for telephone communication now lawfully in or upon said premises hereby taken, (but with the provision that said facilities shall be relocated, when, in the opinion of the Massachusetts Bay Transportation Authority, said relocation is deemed necessary), and all lawful rights of the public to use those parts of the public way or ways which are included in the foregoing description, subject also to an agreement between the Massachusetts Bay Transportation Authority, and Robert W. Meserve and Benjamin H. Lacey, Trustees of the property of the Boston & Maine Corporation recorded December 27, 1976.

For damages sustained by persons in their properties by reason of the aforesaid takings, and in accordance with the provisions of General Laws, Chapter 79, Section 6, as amended, an award of the sum of one dollar ($1.00) is made to persons "Unknown".

The names of owners on said plan, although supposed to be correct, are such only as matters of opinion and belief.

WHEREFORE, the Board of Directors of the Massachusetts Bay Transportation Authority, at a meeting held this day at its usual place of business in Boston, after examination of the within taking, layout, and plan for the Essex County Extension has hereby:

VOTED:

That the mass transportation extension and facilities for the Essex County Extension, as located and described by the aforesaid takings, consisting of all of the land as described and shown on the aforesaid plan, be taken in fee simple on behalf of the Authority, under the authority of General Laws, Chapter 79, and Section 3(o) of Chapter 161A of the General Laws, and by virtue of every other power enabling, subject to such exceptions and exclusions therein stated; that said takings, layout, and plan be recorded in the appropriate Registries of Deeds for the respective counties where the land lies, and copies of said plan thereof be filed with the Bureau of Transportation, Planning, and Development of the Massachusetts Department of Public Works, the Railroad Division of the Massachusetts Department of Public Utilities, the Essex County Commissioners and the City Clerks of the Cities of Lynn, Salem and Haverhill and the Towns listed on page one.

IN WITNESS WHEREOF, WE, the undersigned Directors of the Massachusetts Bay Transportation Authority, hereto set our hands this 16th day of February in the year nineteen hundred seventy-seven.

Executed as a sealed instrument.

MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

Robert R. Kiley, Chairman

Forrest I. Neal, Jr.

Richard D. Buck

John J. McCarthy

Guido Perera, Jr.

Board of Directors of the
MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

ESSEX SS. RECORDED Mar. 24, 1977 8 M. PAST 11 A M. INST.# 91