

City of Framingham
The City Council of Framingham



ORDER NO. 2023-048-001
REQUEST OF THE FINANCE SUBCOMMITTEE

UPON THE REQUEST OF THE FINANCE SUBCOMMITTEE, THE CITY OF FRAMINGHAM, THROUGH THE FRAMINGHAM CITY COUNCIL, IT IS SO ORDERED:

That the City Council votes to authorize easements, order of taking, and dedication of City of Framingham land related to the Edgell Road and Central Street Roadway Reconstruction and Intersection Improvements for the Massachusetts Department of Transportation (MassDOT) Project 608889.

AUTHORIZATION FOR RECONSTRUCTION OF EDGELL ROAD AND CENTRAL STREET AND
INSTALLATION OF TRAFFIC SIGNALIZATION AND AUTHORIZATION FOR AQUASITION OF
EASEMENTS FOR PURPOSES OF EDGELL ROAD AND CENTRAL STREET RECONSTRUCTION

YEAS: Alexander, Bryant, Cannon, King, Leombruno, Long, Mallach, Ottaviani,
Stefanini, Steiner, Stewart-Morales
NAYS: None
ABSTAIN: None
ABSENT: All members were present in person or via teleconference
PASSED IN COUNCIL: May 30, 2023

ORDER OF TAKING MASSDOT PROJECT 608889

YEAS: Alexander, Bryant, Cannon, King, Leombruno, Long, Mallach, Ottaviani,
Stefanini, Steiner, Stewart-Morales
NAYS: None
ABSTAIN: None
ABSENT: All members were present in person or via teleconference
PASSED IN COUNCIL: May 30, 2023

City of Framingham

The City Council of Framingham



DEDICATION OF CITY OF FRAMINGHAM LAND FOR USE FOR ROADWAY IMPROVEMENTS EDGELL ROAD AND CENTRAL STREET RECONSTRUCTION PROJECT

YEAS: Alexander, Bryant, Cannon, King, Leombruno, Long, Mallach, Ottaviani,
Stefanini, Steiner, Stewart-Morales
NAYS: None
ABSTAIN: None
ABSENT: All members were present in person or via teleconference
PASSED IN COUNCIL: May 30, 2023

A True Record, Attest:

6/12/2023

Date Approved

Lisa A. Ferguson, City Clerk
Emily Butler, Assistant City Clerk

6/12/23

Date Approved

Charlie Sisitsky, Mayor

A TRUE COPY ATTEST

**LISA FERGUSON, CITY CLERK
FRAMINGHAM, MA**

CITY COUNCIL ORDER NO. 2023-048-001

**AUTHORIZATION FOR RECONSTRUCTION OF EDGELL ROAD AND CENTRAL STREET AND INSTALLATION OF TRAFFIC SIGNALIZATION
AND
AUTHORIZATION FOR ACQUISITION OF EASEMENTS FOR PURPOSES OF EDGELL ROAD AND CENTRAL STREET RECONSTRUCTION**

On this 30th day of May, 2023, the City Council of Framingham, upon consideration of the matter, does hereby adjudge that public convenience and necessity require the reconstruction and alteration of Edgell Road and Central Street, and installation of traffic signalization at the intersection of Edgell Road and Central Street, for improved public safety and traffic safety along said public ways, as more particularly described in Massachusetts Department of Transportation ("MassDOT") Project No. 608889 and the plan titled "Plan and Profile of Traffic Signal Installation Edgell Road At Central Street In The City Of Framingham Middlesex County, Federal Aid Project No. TBD Preliminary Right Of Way Plan", Scale 1" = 600', prepared by VHB, Inc., which plan is dated April 21, 2023, ("ROW Plan"), a copy of which is on file with the City of Framingham,

and further does hereby adjudge that public convenience and necessity require the acquisition of temporary and permanent easements in certain parcels of land identified on the Order of Taking for MassDOT Project No. 608889, as more particularly described in the plan titled "Plan Of Easements Owned By The City of Framingham, Framingham, Massachusetts, Middlesex County, Showing Location Of Easements For The Purpose Of Reconstructing Edgell Road And Central Street", Scale: 20 Feet To The Inch, prepared for the City of Framingham by Russell Bousquet, PLS, VHB, Inc., dated April 21, 2023, ("Plan of Easements"), a copy of which is on file with the City of Framingham,

and further hereby authorizes the Mayor to acquire by gift, donation, purchase, grant, eminent domain or otherwise, such rights in those parcels of land identified in said Plan of Easements and on the Order of Taking for MassDOT Project No. 608889, or modifications of said parcels of land, or other required parcels of land in the City of Framingham upon such terms and conditions as the Mayor shall determine to be appropriate for the purpose of obtaining temporary and permanent easements and licenses required for the reconstruction, alteration and roadway safety improvements on Edgell Road and Central Street and traffic signal installation at the intersection of Edgell Road and Central Street, including payment of just compensation to property owners associated therewith, and to take any and all related actions necessary or appropriate to carry out the purposes of this City Council Order No. 2023-048-001.

**Commonwealth of Massachusetts
Middlesex County**

THE CITY OF FRAMINGHAM

**ORDER OF TAKING
MassDOT Project No. 608889**

**Reconstruction of Edgell Road and Central Street for Traffic and Safety Improvements
and Traffic Signal Installation at Intersection of Edgell Road and Central Street**

At a meeting of the City Council for City of Framingham, Massachusetts, held this 30th day of May, 2023 pursuant to M.G.L. c. 82, §§ 1, 21, 24, and M.G.L. c. 79, as amended, and any and every other power and authority which is hereunto in any way enabling, the City Council so ordered:

WHEREAS, the said City Council, on behalf of the City of Framingham has determined and adjudged that public necessity and public welfare require the reconstruction and alteration of Edgell Road and Central Street, being public ways in the City of Framingham, for traffic and safety improvements and traffic signal installation at the intersection of Edgell Road and Central Street, in accordance with the plan titled "Plan and Profile of Traffic Signal Installation Edgell Road At Central Street In The City Of Framingham Middlesex County, Federal Aid Project No. TBD Preliminary Right Of Way Plan", Scale 1" = 600', prepared by VHB, Inc., which plan is dated April 21, 2023, ("ROW Plan"), a copy of which is on file with the City of Framingham; and

WHEREAS, the said City Council has determined that it is necessary and essential as a matter of public necessity and public welfare to **acquire temporary and permanent easements for roadway purposes** in certain parcels of land and certain properties abutting Edgell Road and Central Street in said City of Framingham, for the purpose of the reconstruction and alteration of Edgell Road and Central Street, including roadway improvements for traffic and pedestrian safety, geometric improvements, installation of Americans With Disabilities Act compliant sidewalks and crosswalks, and installation of a traffic signal at the intersection of Edgell Road and Central Street in accordance with the ROW Plan; and

WHEREAS, the said City Council did give notice, according to the requirements of law, to all persons known to it to be interested in the reconstruction and alteration of Edgell Road and Central Street and the roadway improvements and traffic signal installation at the intersection of Edgell Road and Central Street, of the City Council's intention to do so, and did give notice of a public hearing to be held thereon and did meet on May 30, 2023 at the time and place

appointed for said hearing and did hear all persons who desired to be heard, on the reconstruction and alteration of the said City ways and of the temporary and permanent easements to be acquired for roadway purposes as particularly described in the plan titled "Plan of Easements Owned by the City of Framingham, Framingham, Massachusetts, Middlesex County, Showing Location of Easements For the Purpose of Reconstructing Edgell Road and Central Street", prepared for the City of Framingham, Scale 20 Feet to the Inch, prepared by Russell Bousquet PLS, VHB, Inc., which plan is dated April 21, 2023, and recorded with the Middlesex Southern District Registry of Deeds herewith, the "Easement Plan", a copy of which is on file with the City of Framingham; and

WHEREAS, by vote of the City Council on May 30, 2023 pursuant to City Council Order No. 2023-048-001, the City Council voted to authorize reconstruction of Edgell Road and Central Street and Traffic Signal Installation at the Intersection of Edgell Road and Central Street; and further voted to authorize acquisition of any temporary easements, permanent easements, licenses and other interests in land for purposes of reconstruction, alteration and intersection improvements on Edgell Road and Central Street and traffic signal installation at the intersection of Edgell Road and Central Street under the Edgell Road and Central Street Construction Project,

NOW, THEREFORE, IT IS ORDERED that acting through and under the authority of the City Council, and pursuant to the powers set forth in M.G.L. c. 82, §§ 1, 21-24 and M.G.L. c. 79 and all other authority thereunto enabling, and of any and every power and authority granted to it, express or implied, the City of Framingham acting through its Mayor, does hereby adjudge that the common convenience and necessity requires and does hereby take on behalf of the City of Framingham, specifically for public way purposes, those temporary and permanent easements for roadway purposes in **Edgell Road and Central Street** as shown on the Plan, which land is owned or supposed to be owned by the abutters on said way, as follows.

The City Council determines therefore that damages by reason of this taking shall be awarded as shown on the schedule below. **The sum of damages for taking of permanent and temporary easements and for direct damages to site improvements or damage to the remainder property if any, for each street address is shown in the column titled "Sum of Damages Awarded".**

Supposed Owner(s)	Street Address	Assessors ID	Title Reference	Taking Plan ID	Area	Purpose	Allocation of Damages	Sum of Damages Awarded
City of Framingham	Edgell Road	090-45-0594-000	LC Bk. 00141, Pg. 537, Cf. No. 22924	E-1	2,039 sq. ft.	Permanent easement for roadway widening, fiber optic conduit installation, drainage installation, sidewalk reconstruction, driveway reconstruction, reset sign, tree removal	\$0	\$0.00
				TE-1	1690 sq. ft.	Temporary construction easement	\$0	\$0
Marissa Downey and Michael Downey	122 Edgell Road	079-46-0015-000	Book 78247 Page 185 and LC Bk. 1576, Pg. 27, Cf. No. 276810	TE-2	179 sq. ft.	Temporary construction easement	\$350	\$400 (Rounded)
Fernando Fialho and Marcylyne A. Fialho	156 Edgell Road	079-36-9253-000	Book 68539, Page 513	TE-3	703 sq. ft.	Temporary construction easement	\$1,376	\$1,400 (Rounded)
The Mackin Family Trust, Andrew W. Mackin And Juliana L. Mackin, Trustees	151 Edgell Road	079-46-4055-000 and 079-46-4183-000	Book 65169, Page 360 and Book 72813, Page 466	E-2	539 sq. ft.	Permanent easement for roadway widening, fiber optic conduit installation, drainage installation, sidewalk reconstruction, driveway reconstruction, granite post removal, and clearing and thinning	\$4,039	\$11,100 (Rounded)
						Direct damages for fence and tree removal	\$4,252	
				TE-4	1,439 sq. ft.	Temporary construction easement	\$2,816	

Supposed Owner(s)	Street Address	Assessors ID	Title Reference	Taking Plan ID	Area	Purpose	Allocation Of Damages	Sum of Damages Awarded
Harjinder Kaur and Gurcharan Singh	158 Edgell Road	079-46-0311-000	Book 68509, Page 429	TE-5	455 sq. ft.	Temporary construction easement	\$890	\$900 (Rounded)
Edgell Road Trust, Amy D. Johnson, Trustee	936 Central Street	079-46-7129-000	Book 65113, Page 590	GR-1	253 sq. ft.	Permanent easement for the installation of highway guard rail, remove existing guard rail, install pavement millings	\$1,532	\$4,900(Rounded)
				TE-7	1,643 sq.ft.	Temporary construction easement	\$3,215	
				TE-15	73 sq. ft	Temporary construction easement	\$143	
James E. Tsiantoulas and Christofile Tsiantoulas	160 Edgell Road	079-46-0490-000	Book 68536, Page 335	TE-8	15 sq. ft.	Temporary construction easement	\$29	\$100 (Rounded)
St. Demetrios of Thessaloniki Monastery Of the Russian Orthodox Church, Inc.	162 Edgell Road	079-46-1522-000	Book 51197, Page 224 and LC Bk. 01354, Pg. 3, Cf. No. 241859	E-4	8 sq. ft.	Permanent easement for driveway reconstruction, sidewalk reconstruction sloping and grading and loam and seed	\$48	\$1,000 (Rounded)
				TE-9	371 sq. ft.	Temporary construction easement	\$726	
				TE-16	102 sq. ft	Temporary construction easement	\$200	
St. Demetrios of Thessaloniki Monastery Of the Russian Orthodox Church, Inc.	196 Edgell Road	079-46-1752-000	Book 71172, Page 384 and LC Bk. 1528, Pg. 96, Cf. No. 267930	TE-14	1,072 sq. ft.	Temporary construction easement	\$2,098	\$2,100 (Rounded)

Supposed Owner(s)	Street Address	Assessors ID	Title Reference	Taking Plan ID	Area	Purpose	Allocation Of Damages	Sum of Damages Awarded
Sudbury Valley Trustees	175 Edgell Road	079-46-5603-000	Book 26959, Page180	PUE-2	570 sq. ft.	Permanent easement for the relocation of overhead wires	\$3,452	\$18,800 (Rounded)
				PUE-3	663 sq. ft.	Permanent easement for the installation of utility pole, guy wires and overhead wires	\$4,015	
				GR-2	564 sq. ft.	Permanent easement for the installation of highway guard rail, remove existing guard rail, install pavement millings	\$3,416	
				TE-10	2,773 sq. ft.	Temporary construction easement	\$5,426	
				TE-11	809 sq. ft.	Temporary construction easement	\$1,583	
				TE-12	471 sq. ft.	Temporary construction easement	\$922	

Said temporary and permanent easements are for all purposes of reconstruction of the public ways and installation of traffic signalization, together with all attendant customary uses, including but not limited to, rights of public passage, and the right of the City to enter upon the easement premises for the construction, operation, re-construction, inspection, repair and maintenance and grading of the rights-of-way, and for the placement, installation, construction, operation, re-construction, location and relocation, repair, replacement, alteration, inspection and maintenance of walls, traffic signals, pipes, conduits, manholes, swales, culverts and other appurtenances for traffic controls and for the transmission of storm water and drainage, and water, sewer, and other municipal services or utilities as shown on said ROW Plan and Easement Plan.

The duration of temporary easements is four years from the date of the recording of this Order of Taking in the records of the Middlesex South District Registry of Deeds or filing in the records of the Middlesex South Registry District of the Land Court.

The Permanent Easements are perpetual from the date of the recording of this Order unless expressly abandoned by the City of Framingham.

No taking is made of trees, buildings and other structures upon or affixed thereto, excepting trees and fencing located within the parcel identified as E-2, for which direct damages are awarded. The City may cut, trim, and remove trees, brush, overhanging branches and other vegetation or obstructions to the extent the City may deem appropriate for said purposes within the public way easement. No fee takings are made.

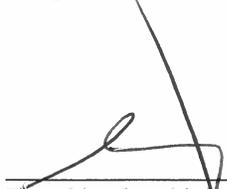
Excepted from this Order of Taking are all rights of way and easements for drainage, wires, pipes, conduits, poles, and other appurtenances for conveyance of water, sewage, gas, oil, steam, electricity and telephone and telecommunication and other utilities, now lawfully in or upon the properties. No betterments are to be assessed for the improvements for which this taking is made.

Descriptions of said permanent easements taken are appended hereto as **EXHIBIT A.**

AND FURTHER ORDERED that a representative of the City of Framingham shall cause this Order of Taking to be recorded in the Middlesex South District Registry of Deeds, in Cambridge, Massachusetts and shall notify the Treasurer and Collector of Taxes in the City of Framingham of this taking in accordance with M.G.L. c.79, §7F.

SIGNATURE ON FOLLOWING PAGE

IN WITNESS WHEREOF, the Mayor of the City of Framingham has executed this Order of Taking this 12th day of JUNE 2023 pursuant to City Council Order No. 2023-_____.

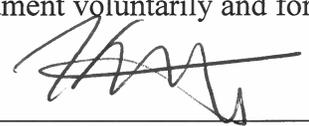

By: Charles Sisitsky, Mayor

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

June 12th, 2023

On this 12th day of June, 2023, before me, the undersigned Notary Public, personally appeared Charles Sisitsky, in his capacity as Mayor of the City of Framingham, proved to me through satisfactory evidence of identity, which is that he is personally known to me to be the person whose name is signed on the preceding document and acknowledged to me that he signed the foregoing document voluntarily and for its stated purpose.



Notary Public
My Commission Expires:



KEYSSEH M. OTSUKA
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 13, 2029

EXHIBIT A

PARCEL E-1: A parcel of land supposed to be owned by City of Framingham, adjoining the southeasterly location line of the 1966 County Layout of Central Street, and bounded by the lines described as follows:

Beginning at a point on the southeasterly location line of the 1966 County Layout of Central Street said point bearing S 59°20'44" E and being 25.00 feet distant from station 00+16.25 of the Central Street baseline, and extends thence, leaving said location line S 64°19'23" E 10.52 feet; thence S 22°18'47" W 2.42 feet; thence S 28°05'06" W 130.60 feet; thence S 37°18'10" W 52.78 feet; thence N 61°09'13" W 5.00 feet to a point on said southeasterly location line of 1925 County Layout of Edgell Road; thence following said location line N 28°50'47" E 169.16 feet; northeasterly by a curve to the right of 490.10 feet radius 15.46 feet with a chord bearing of N 29°45'02" E and a chord distance of 15.46 feet to the point of beginning; containing about 2,039 square feet.

PARCEL E-2: A parcel of land supposed to be owned by Mackin Family Trust, adjoining the southeasterly location line of the 1966 County Layout of Central Street, and bounded by the lines described as follows:

Beginning at a point on the southeasterly location line of the 1966 County Layout of Central Street said point bearing S 59°20'44" E and being 25.00 feet distant from station 00+16.25 of the Central Street baseline, and extends thence, following said location line northeasterly by a curve to the right of 490.10 feet radius 83.23 feet with a chord bearing of N 35°31'11" E and a chord distance of 83.13 feet; thence leaving said location line S 28°05'06" W 84.40 feet; thence N 22°18'47" E 2.42 feet; thence N 64°19'23" W 10.52 feet to the point of beginning; containing about 539 square feet.

PARCEL E-4: A parcel of land supposed to be owned by St. Demetrios of Thessaloniki Monastery of the Russian Orthodox Church, Inc., adjoining the northwesterly location line of the 1966 County Layout of Edgell Road, and bounded by the lines described as follows:

Beginning at a point on the northwesterly location line of the 1966 County Layout of Edgell Road said point bearing S 77°31'32" W and being 64.25 feet distant from station 00+84.62 of the Edgell Road baseline, and extends thence, leaving said location line N 80°46'25" W 2.00 feet; thence N 08°50'20" E 4.00 feet; thence S 80°46'25" E 2.00 feet to a point again on said location line; thence following said location line southwesterly by a curve to the right of 297.56 feet radius 4.03 feet with a chord bearing of S 08°50'20" W and a chord distance of 4.03 feet to the point of beginning; containing about 8 square feet.

PARCEL GR-1: A parcel of land supposed to be owned by Edgell Road Trust, adjoining the southeasterly location line of the 1966 County Layout of Central Street, and bounded by the lines described as follows:

Beginning at a point on the southeasterly location line of the 1966 County Layout of Central Street said point bearing S 34°55'45" W and being 25.00 feet distant from station 04+41.08 of the Central Street baseline, and extends thence, following said location line N 55°04'15" E 63.13 feet; thence S 34°55'45" W 4.00 feet; thence leaving said location line S 55°04'15" W 63.13 feet; thence N 34°55'45" E 4.00 feet to the point of beginning; containing about 253 square feet.

PARCEL GR-2: A parcel of land supposed to be owned by Sudbury Valley Trustees Inc, adjoining the northwesterly location line of the 1966 County Layout of Central Street, and bounded by the lines described as follows:

Beginning at a point on the northwesterly location line of the 1966 County Layout of Central Street said point bearing N 37°06'33" W and being 25.77 feet distant from station 03+63.99 of the Central Street baseline, and extends thence, leaving said location line N 28°57'26" W 4.00 feet; northeasterly by a curve to the left of 76.00 feet radius 7.92 feet with a chord bearing of N 58°03'24" E and a chord distance of 7.92 feet; thence N 55°04'15" E 132.88 feet to a point again on said location line; thence S 34°55'45" E 4.00 feet; thence S 55°04'15" W 132.88 feet; southwesterly by a curve to the right of 80.00 feet radius 8.34 feet with a chord bearing of S 58°03'24" W and a chord distance of 8.33 feet to the point of beginning; containing about 564 square feet.

PARCEL 9-PUE-2: A parcel of land supposed to be owned by Sudbury Valley Trustees Inc, adjoining the northeasterly location line of the 1966 County Layout of Edgell Road, and bounded by the lines described as follows:

Beginning at a point on the northeasterly location line of the 1966 County Layout of Edgell Road said point bearing N 77°31'32" E and being 25.00 feet distant from station 01+73.83 of the Edgell Road baseline, and extends thence, leaving said location line S 17°57'00" E 21.30 feet; thence S 48°22'00" E 76.20 feet to a point again on said location line; thence following said location line northwesterly by a curve to the right of 80.00 feet radius 91.32 feet with a chord bearing of N 45°10'39" W and a chord distance of 86.45 feet; thence N 12°28'28" W 10.19 feet to the point of beginning; containing about 570 square feet.

PARCEL 9-PUE-3: A parcel of land supposed to be owned by Sudbury Valley Trustees Inc, adjoining the northeasterly location line of the 1966 County Layout of Edgell Road, and bounded by the lines described as follows:

Beginning at a point on the northeasterly location line of the 1966 County Layout of Edgell Road said point bearing N 64°48'37" E and being 25.00 feet distant from station 02+76.49 of the Edgell Road baseline, and extends thence, following said location line northwesterly by a curve to the left of 420.00 feet radius 50.97 feet with a chord bearing of N 28°39'59" W and a chord distance of 50.94 feet; thence N 31°59'35" W 181.27 feet; thence N 31°43'43" W 25.61 feet; thence leaving said location line N 58°16'17" E 1.00 foot; thence S 33°35'00" E 112.97 feet; thence N 58°23'02" E 8.50 feet; thence S 31°36'58" E 6.00 feet; thence S 58°23'02" W 8.50 feet; thence S 29°38'00" E 128.97 feet; thence N 66°12'21" E 9.00 feet; thence S 23°47'39" E 6.00 feet; thence S 66°12'21" W 9.00 feet; thence S 17°57'00" E 4.14 feet to the point of beginning; containing about 663 square feet.

**DEDICATION OF CITY OF FRAMINGHAM LAND FOR USE FOR ROADWAY
IMPROVEMENTS -
EDGELL ROAD AND CENTRAL STREET RECONSTRUCTION PROJECT
CITY COUNCIL ORDER NO. 2023-048-001**

On this 30th day of May, 2023, the City Council of Framingham, upon consideration of the matter, does hereby adjudge that public convenience and necessity requires that a parcel of land owned by the City of Framingham located along Edgell Road, containing about 2,039 square feet, be dedicated for use for roadway improvements in the reconstruction and alteration of Edgell Road and Central Street, as planned in Massachusetts Department of Transportation Project No. 608889. Said parcel is further bounded and described as follows:

A parcel of land supposed to be owned by City of Framingham, adjoining the southeasterly location line of the 1966 County Layout of Central Street, and bounded by the lines described as follows:

Beginning at a point on the southeasterly location line of the 1966 County Layout of Central Street said point bearing S 59°20'44" E and being 25.00 feet distant from station 00+16.25 of the Central Street baseline, and extends thence, leaving said location line S 64°19'23" E 10.52 feet; thence S 22°18'47" W 2.42 feet; thence S 28°05'06" W 130.60 feet; thence S 37°18'10" W 52.78 feet; thence N 61°09'13" W 5.00 feet to a point on said southeasterly location line of 1925 County Layout of Edgell Road; thence following said location line N 28°50'47" E 169.16 feet; northeasterly by a curve to the right of 490.10 feet radius 15.46 feet with a chord bearing of N 29°45'02" E and a chord distance of 15.46 feet to the point of beginning; containing about 2,039 square feet.

The City Council declares said parcel of land for use for roadway improvements in Massachusetts Department of Transportation Project No. 608889, further authorizes the Mayor to execute a letter to the Massachusetts Department of Transportation advising of this vote dedicating said parcel of land for roadway improvement purposes, and further authorizes the Mayor to take any and all related actions necessary or appropriate to carry out the purposes of this City Council Order No. 2023-048-001.

ATTN: Directory Rosemary Scrivens
Commonwealth of Massachusetts
Department of Transportation
10 Park Plaza, Suite 4160
Boston, MA 02116

Via email transmission

RE: Dedication of City of Framingham Land for Roadway Improvements

PROJECT: MassDOT Project #608889-City of Framingham-Traffic Signal Installation at Edgell Road at Central Street

Dear Director Scrivens:

Please accept this correspondence on behalf of the City of Framingham and the inhabitants of the City of Framingham, the "City", advising the Massachusetts Department of Transportation that the City dedicates a 2,039 square feet portion of City owned land for purposes of the above-referenced Project, and specifically, as this Project has been designed, for use to create a right-turn lane from Edgell Road to Central Street. A copy of City Council Order No. 2023-048-001, in which the vote of dedication of this land was made by the City Council is attached hereto. The City's dedication of this City-owned portion of land alters its former use as public common to use for roadway improvements.

The City has also filed a Supplemental Petition to amend a 1926 Land Court Stipulation relating to the subject parcel which included a condition that the land be held open as a common, and all interested parties have assented to that petition. In addition, the City Council obtained special legislation, Chapter 185 of the Acts of 2022, *An Act to Permit the Creation of a Right-Turn Lane From Edgell Road to Central Street in the City of Framingham*, authorizing this change of the use of this portion of land specifically for the roadway improvements for this Project.

Finally, the City has identified and is in the process of preparing for conveyance a parcel of land of the same estimated square footage, and expects to ask City Council permission to authorize conveyance of this parcel to the City's Conservation Commission permanently for conservation and open, passive recreation use, replacing the subject land dedicated for use in this Project.

Please let me know if you have any further questions or require any additional information.

Thank you for your attention to this matter.

Very truly yours,

Charlie Sisitsky, Mayor

cc: Pamela C. Marquis, Right of Way Compliance/LPA Administrator
Nikki J. Peters, Right of Way Supervisor
Craig G. Sheehan, Community Compliance Director
Michael Tusino, Chief Operating Officer
Louise Miller, Chief Financial Officer
Matthew Hayes, Senior Project Manager
Kathryn Fallon, City Solicitor