

SECTION XIV MODEL CONVEYANCE OF EASEMENTS AND UTILITIES

CONVEYANCE OF EASEMENTS AND UTILITIES

 [NAME OF GRANTOR] , having an address of [ADDRESS OF GRANTOR] , GRANTS to the TOWN OF WEST BOYLSTON, a Massachusetts municipal corporation, having an address of 120 Prescott Street, West Boylston, Massachusetts, with quitclaim covenants, the following rights and easements:

1. The perpetual rights and easements to construct, inspect, repair, remove, replace, operate and forever maintain (1) a sanitary sewer or sewers with any manholes, pipes, conduits and other appurtenances, (2) pipes, conduits and their appurtenances for the conveyance of water, and (3) a covered surface and ground water drain or drains with any manholes, pipes, conduits and their appurtenances, and to do all other acts incidental to the foregoing, including the right to pass along and over the land for the aforesaid purposes, in, through and under the land area within [NAME OF STREET] as shown on the plan titled " [TITLE OF PLAN] ," dated [DATE OF PLAN] , prepared by [NAME OF SURVEYOR OR ENGINEER] , recorded or filed with the [NAME OF REGISTRY, PLAN REFERENCE] or recorded or filed herewith, [and as particularly described in Exhibit A hereto].
2. The perpetual rights and easements to use [NAME OF STREET] , as described in Paragraph 1 hereof, for all purposes for which public ways are used in the Town of West Boylston.
3. [IF DRAINAGE EASEMENTS NEED TO BE GRANTED: The perpetual rights and easements for the purposes of drainage in, along, and upon an area shown as " " on the above-mentioned plan. The Town shall have the right to drain water onto said area from time to time for all purposes and uses incidental to the discharge of storm water, including, but not limited to, the construction, maintenance and repair of the drainage facilities and all necessary appurtenances and to construct, inspect, repair, remove, replace, operate, and forever maintain or abandon in place.]

The Grantor warrants that the aforesaid easements are free and clear of all liens or encumbrances, that it has good title to transfer the same, that it will defend the same against claims of all persons and that this is not a conveyance of all or substantially all of the assets of the Grantor.

For Grantor's title see deed dated , recorded with Worcester South District Registry of Deeds in Book , Page , or filed with Worcester South Registry District of the Land Court as Document No. .

This conveyance is not to be effective until [NAME OF STREET] is accepted by vote of West Boylston Town Meeting as indicated by the recording of a copy of the vote certified by the Town Clerk, at which time this easement will become effective as of the date hereof.

By signing below, the Grantor hereby for myself/ourselves and my/our successors and assigns, pursuant to G.L. c.79, §7A, waives, releases and forever discharges the Town of West Boylston, its successors and assigns, from all debt, demands, actions, reckonings, bonds, covenants, contracts,

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agreements, promises, damages, and liabilities and any and all other claims of every kind, nature and description whatsoever, both in Law and Equity, from or in consequences of the taking of the easements described in this instrument, should the Town of West Boylston decide to take such easements by eminent domain, and hereby waives an appraisal of damages for said taking and consents to said taking under G.L. c.79, §5B.

Executed as a sealed instrument this ____ day of _____, 200__.

GRANTOR:

By: _____

Name:

Title:

THE COMMONWEALTH/STATE OF _____

_____, ss

On this ____ day of _____, 200__, before me, the undersigned notary public, personally appeared the above-named _____, who proved to me through satisfactory evidence of identification, which was a _____, to be the person whose name is signed on the above signature line of the attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

Notary Public

My Commission Expires: _____

ACCEPTANCE OF EASEMENT

The Town of West Boylston, acting by and through its Board of Selectmen pursuant to the vote taken under Article _____ of the _____ Town Meeting, a certified copy of which is attached hereto, G.L. c. 82, §§ 21-24, and any other authority in any way appertaining, hereby accepts the Conveyance of Easements and Utilities recorded with the Worcester County Registry of Deeds in Book _____, Page _____, or recorded herewith, on this _____ day of _____, 200__.

TOWN OF WEST BOYLSTON,
by its Board of Selectmen

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this ____ day of _____, 200__, before me, the undersigned Notary Public, personally appeared _____, Selectman of the Town of West Boylston, as aforesaid, who proved to me through satisfactory evidence of identification, which were _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose on behalf of the Town of West Boylston.

Notary Public
My Commission Expires

SUBORDINATION OF MORTGAGE

_____, having an address of _____
the present holder of a mortgage from _____, dated _____, recorded with the
Worcester South District Registry of Deeds in Book ____, Page ____, or filed with the Worcester Registry
District of the Land Court as Document No. _____, for consideration of \$1.00 paid, the receipt and
sufficiency of which is hereby acknowledged, hereby subordinates the lien of said mortgage to the
easements granted to the Town of West Boylston by Conveyance of Easements and Utilities from _____
, dated
_____, recorded with said Deeds in Book ____, Page ____, or recorded herewith, or filed with
said Registry as Document No. _____, or filed herewith, as if said deed of easements had been recorded
prior to said mortgage.

Executed under seal this _____ day of _____.

By: _____
Name:
Its:

THE COMMONWEALTH/STATE OF _____

_____, ss

On this ____ day of _____, before me, the undersigned notary public, personally
appeared the above-named _____, who proved to me through satisfactory
evidence of identification, which was a _____, to be the person whose name is signed
on the above signature line of the attached document, and acknowledged to me that he/she signed it
voluntarily for its stated purpose.

Notary Public
My Commission Expires: _____