

**Town of Weymouth
Massachusetts**

RECEIVED
TOWN OF WEYMOUTH
TOWN CLERK'S OFFICE

Robert L. Hedlund
Mayor

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Weymouth, MA 02189



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Referral Dte. _____ PH Dte. _____

Comm. Referral _____ TC Vote _____

Comm. Vote _____ TC Vote Dts. _____

Comm. Vote Dts. _____

MEMORANDUM

#22 017

TO: TOWN COUNCIL
FROM: ROBERT L. HEDLUND, MAYOR
RE: STREET ACCEPTANCE – Cardinal Circle
DATE: February 14, 2022

2022 FEB 17 AM 9:21
WEYMOUTH
TOWN COUNCIL

RECEIVED

On behalf of the Town of Weymouth, I submit the following measure to Town Council:

“That the Town of Weymouth approve the layout of a certain parcel of land, as follows:

- 1.) A parcel known as **Cardinal Circle**, a private way, shown on a plan entitled “AS-BUILT PLAN AND PROFILE, CARDINAL CIRCLE, WEYMOUTH, MA.” by Neil J. Murphy Associates, Inc., Plan # 6834-B, dated January 10, 2011 containing ±12,326 S.F. to be recorded herewith.

as a Town way and, may refer such street acceptance to the Planning Board of the Town, and to the requisite committee(s), for their respective report(s). Said reports shall be filed with the Council within thirty (30) days of receipt of this proposed measure. Upon review of said reports, Council may then vote to accept and adopt such layout and takings of the above listed street as a Town Way and cause the Order of Taking to be recorded with the Norfolk County Registry of Deeds within thirty (30) days of that vote”.

NOTICE OF TAKING

You are hereby notified that the Town Council of Weymouth, in accordance with the General Laws of the Commonwealth and the Code of Ordinances of the Town of Weymouth, will hold a public hearing to approve the layout of Cardinal Circle, a private way, as a Town way and, may refer such street acceptance to the Planning Board of the Town for its report to authorize such layout and takings appurtenant thereto.

The hearing will be held on (DATE), in the Council Chambers, at (TIME), p.m..

Weymouth Town Council,

By: _____

Arthur Mathews, President

DATED: _____

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

TOWN OF WEYMOUTH

LAYING OUT – ORDER OF TAKING

CARDINAL CIRCLE
(Town Plan 6834-B)

At a public hearing of the Town Council of Weymouth, held on (DATE), it was ordered:

WHEREAS, Town Council having determined and adjudged that common convenience and necessity require that a town way be laid out as and in the location hereinafter described, which is substantially the present location of a private way known as Cardinal Circle; and

NOW THEREFORE WE, the undersigned, being a majority of the Town Council, duly elected, qualified and acting as such and in the exercise of the power vested in us by the vote, do hereby take, in fee simple, any and all right, title and interest of any nature or description therein, by right of eminent domain, under the provisions of Chapter 79 of the General Laws, and any and every other power and authority in us hereby enabling for the purpose of a town way for the use of said Town of Weymouth and its inhabitants, the land in said Town, bounded and described as follows:

A certain parcel of land shown on a plan entitled "AS-BUILT PLAN AND PROFILE, CARDINAL CIRCLE, WEYMOUTH, MA." by Neil J. Murphy Associates, Inc., dated January 10, 2011 containing ±12,326 S.F. to be recorded herewith.

CARDINAL CIRCLE

Beginning at a concrete bound on the northerly sideline of Cardinal Circle where it meets Westminster Road; thence,

S 42° 39' 32" E sixty six and thirty two hundredths feet (66.32') to a concrete bound at a point of curvature (PC); thence,

SOUTHEASTERLY along a curve to the left having a radius of seventy nine and thirty four hundredths feet (79.34') and an arc length of fifty five and fourteen hundredths feet (55.14') to a concrete bound at a (PC); thence,

SOUTHEASTERLY along a curve to the right having a radius of fifty feet (50.00') and an arc length of two hundred thirty six and sixty two hundredths feet (236.62') to a concrete bound at a (PC); thence,

NORTHWESTERLY along a curve to the left having a radius of thirty feet (30.00') and an arc length of twenty six and eighty seven hundredths feet (26.87') to a concrete bound at a point of tangent (PT); thence,

N 42° 39' 32" W eighty six and seventy hundredths feet (86.70') to a concrete bound at a (PC); thence,

NORTHWESTERLY along a curve to the left having a radius of one hundred ten feet (110.00') and an arc length of five and sixty three hundredths feet (5.63') to a point; thence,

N 44° 24' 01" E forty and ten hundredths feet (40.10') to a point; thence,

SOUTHEASTERLY along a curve to the right having a radius of one hundred fifty feet (150.00') and an arc length of seven and seventy hundredths feet (7.70') to the point of beginning.

AND we do hereby in accordance with, and pursuant to the aforesaid authority, take the right or easement in each parcel of land adjoining the location of said town way, as shown on said Plan, to have the land in the location thereof protected, by having the surface of the adjoining land slope from the boundary of the location.

Said Plan of land, as referred above, is filed in the office of the Town Clerk with our report aforesaid, and which plan is recorded herewith and made a part hereof.

Any and all trees and structures upon the land above described are not to be included in the taking and owners of said land are to have sixty (60) days from the date hereof to remove same.

The names of the owners or supposed owners of the land affected by this taking are set forth on "Exhibit A", attached hereto and made a part hereof.

WITNESS our hands and seals this () day of February 2022.

WEYMOUTH TOWN COUNCIL BY:

Arthur Mathews, President

Michael Molisse

Pascale Burga

Maureen Kiely

Kenneth DiFazio

Gary MacDougall

John Abbott

Lisa Belmarsh

Fred Happel

Greg Shanahan

Christopher Heffernan

I hereby certify that this Order of Taking was accepted, and signed by the above councilors on the date first written above, for its intended and stated purpose.

Kathy Deree, Clerk

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

On this day of February 2022, before me, the undersigned Notary Public, personally appeared the above-named Councilors and Kathy Deree, proved to me by satisfactory evidence of identification, being my own personal knowledge of the identity of the signatory, to be the person whose name is signed above, and acknowledged the foregoing to be signed by them voluntarily for its stated purpose.

, Notary Public
My Commission Expires: