



CITY OF MELROSE
LEGAL & LEGISLATIVE COMMITTEE
AGENDA • MAY 11, 2023

Council Chamber, First Floor, Melrose City Hall Remote meeting
562 Main Street, Melrose, MA 02176

7:15 PM

The public should take notice that the Melrose City Council may, on certain occasions, have a quorum in attendance due to standing committees of the City Council consisting of both voting and non-voting members. Members attending this duly posted meeting are participating and deliberating only in conjunction with the business of the standing committee.

I. CALL TO ORDER

Ryan Williams	Chair
John Obremski	Vice Chair
Christopher Cinella	
Jack Eccles	
Maya Jamaledine	
Jen Grigoraitis	President, Ex Officio

Motion: remote meetings

This meeting/hearing will be held remotely. Please note that while an option for remote comment is being provided as a courtesy to the public, the meeting/hearing will NOT be suspended or terminated if technological problems interrupt the virtual broadcast, unless otherwise required by law.

Remote & Public Comment Link:
<https://cityofmelrose-org.zoom.us/j/93081672051>

Meeting ID:
930 8167 2051

II. PUBLIC COMMENT

Remote Link for Public Comment:
<https://cityofmelrose-org.zoom.us/j/93081672051>

Meeting ID:
930 8167 2051

III. ORDERS

1. **ORDER-2023-91** : Requesting the City Council vote to authorize the release of a drainage easement located at 22 Stowcroft Road in Melrose

From: City Council

ASSIGNED TO COMMITTEE

IV. ADJOURNMENT



CITY OF MELROSE

DEPARTMENT OF PUBLIC WORKS

Administration-Engineering-Water-Sewer-Facilities
Parks-Forestry-Highway-Sanitation-Cemetery-Fleet

Elena Proakis Ellis, P.E., BCEE
Director of Public Works

City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4172
E-mail: eproakis@cityofmelrose.org

Via email to margateer@verizon.net

December 30, 2022

Michael Margolis and Mary McAteer-Margolis
22 Stowecroft Rd.
Melrose, MA 01810

Re: City Proposed Release of Easement at 22 Stowecroft Rd.

Dear Michael and Mary:

Due to relocation of municipal drainage infrastructure, the City no longer has any intended use for the drainage easement located along the western part of your property line at 22 Stowecroft Road.

At your request, the City has agreed to release the drainage easement running along your property line of 22 Stowecroft Road as shown on a plan entitled "Subdivision Plan of Land in Melrose" By A.L. Sargent, Surveyor, dated February 15, 1952 recorded as Plan No. 13064-32 in Book 513, Page 329 (see attached Exhibit A).

Release of this drainage easement is subject to you, Michael Margolis and Mary McAteer-Margolis, as Property Owners (hereinafter "Property Owners") accepting and agreeing to all of the following terms and conditions:

1. As you are aware, there is an abandoned drainage culvert/ city pipes and infrastructure underneath the location of this Easement. You as the Property Owners, and binding on any future property owners of this Property, your successors, representatives, heirs, and assigns beginning on the date the Release of Easement paperwork is recorded at the Middlesex County Registry of Deeds, and continuing in perpetuity, hereby agree to assume complete and sole responsibility and liability for any and all claims, losses, damages, expenses, penalties, and judgments relating to any abandoned City infrastructure, piping, culverts, underground at the location of this Easement. Beginning as of the date of recording of the relative Easement paperwork at the Registry of Deeds the City abandons ownership and responsibility for any abandoned pipes, drainage culvert and any abandoned City infrastructure at the location of this Easement, that become the sole and complete responsibility and liability of you as Property Owners and any future property owners of this Property, successors, representatives, heirs and assigns; and

2. You as the Property Owners, upon notification by the City that the necessary release of Easement paperwork is ready to be recorded at the Registry of Deeds shall submit a check to my office made payable to the "Commonwealth of Massachusetts" to pay for the recording fees.

By signing below, you indicate that you understand and agree to all of the above terms and conditions as set forth above, have had the opportunity to consult with legal counsel on these terms should you choose to do so, and are requesting the City move forward with release of this Easement at your property in consideration and acceptance of all of the above terms and conditions.

If you are in agreement with these terms and conditions, please sign below and return one copy to the City Engineer at VReis@CityofMelrose.org. Once this is done, the City will present the requisite paperwork to Melrose City Council for vote and proceed in the filing process at the Registry of Deeds. You will then be notified when the check for the recording fee is needed.

Sincerely:

Elena Proakis Ellis

Elena Proakis Ellis, P.E., BCEE
DPW Director

Encls.

We, hereby agree to all terms and conditions contained in the paragraphs above and would like the City to proceed with the Release of Easement process for this drainage easement along our property line:

Michael D. Margolis

Date
Michael Margolis

Mary E. McAteer Margolis

Date *1/30/2023*
Mary McAteer-Margolis

cc: Vonnie Reis, P.E., City Engineer
Shannon Philips, City Solicitor

Attachment: Release of Easement Letter 22 Stowecroft (ORDER-2023-91 : Release of Easement 22 Stowecroft Rd.)

EXHIBIT A

Glt. 76868 Book 513 Page 329

13 064-32

SUBDIVISION PLAN OF LAND IN MELROSE

A. L. Sargent, Surveyor

Feb. 15, 1952

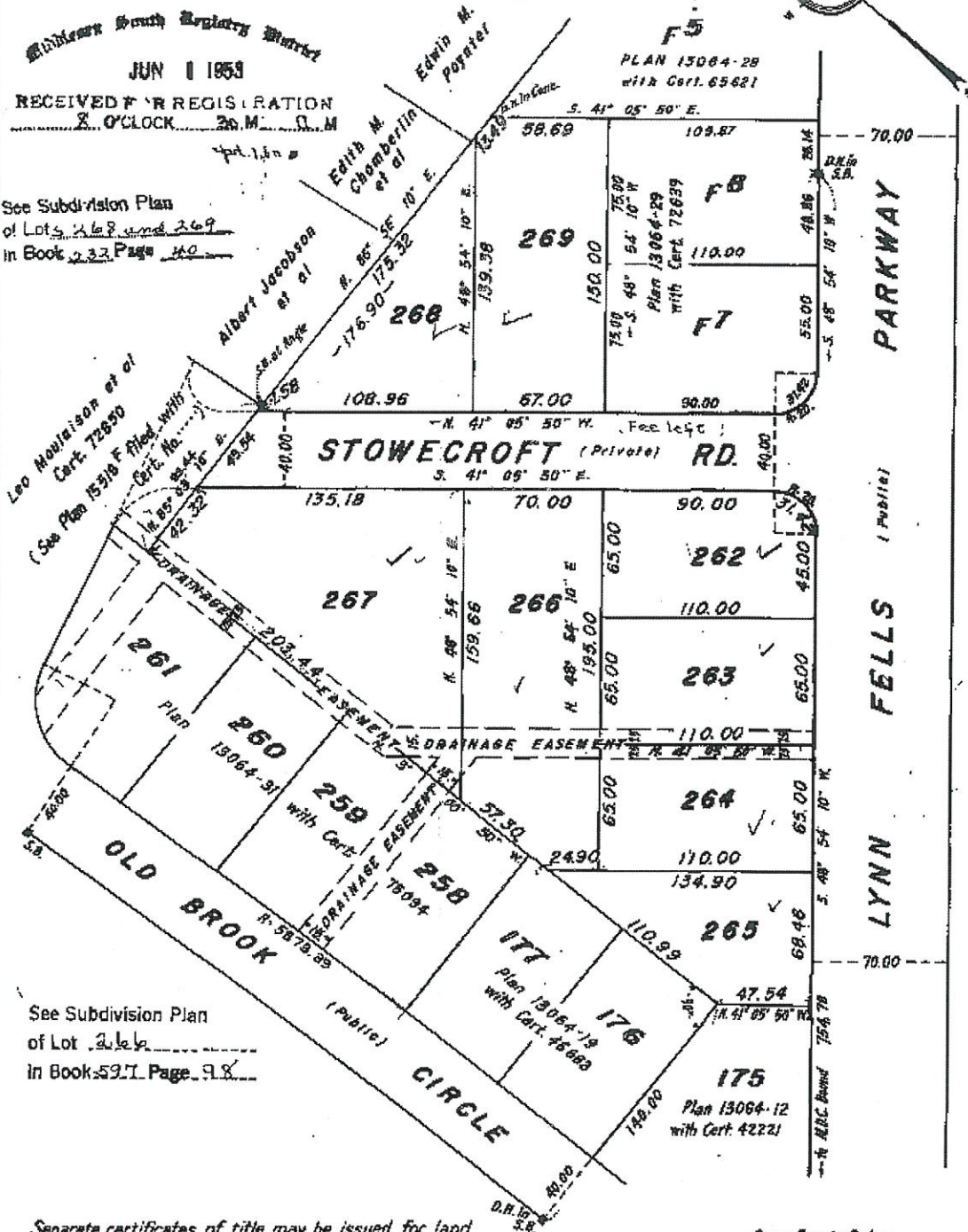
Subdivision of Lot #2
Shown on plan 13064-10
Filed with Cert. of Title No. 41203
South Registry District of Middlesex County

Middlesex South Registry District
JUN 1 1953

RECEIVED FOR REGISTRATION
2 O'CLOCK 26 M. Q.M.

See Subdivision Plan
of Lots 268 and 269
in Book 233 Page 40

MAY 25 1953

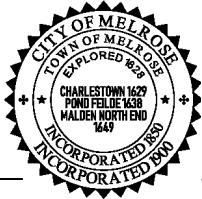


Separate certificates of title may be issued for land shown hereon as Lots 262 thru 269 By the Court.

OCT. 7, 1952

Thomas B. Sargent
Surveyor

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
OCT. 7, 1952
Scale of this plan 60 feet to an inch
W. T. Fairclough, Engineer for Court



CITY OF MELROSE

DEPARTMENT OF PUBLIC WORKS

*Administration-Engineering-Water-Sewer-Facilities
Parks-Forestry-Highway-Sanitation-Cemetery-Fleet*

Vonnie Reis, P.E.
City Engineer

**City Hall, 562 Main Street
Melrose, Massachusetts 02176
Telephone - (781) 979-4172
E-mail: VReis@cityofmelrose.org**

April 25, 2023

To: Mayor Paul Brodeur

Re: Vote for approval of release of Drainage Easement at 22 Stowecroft Road in Melrose, MA.

Dear Mayor Brodeur,

At the request of the residents of 22 Stowecroft Rd. in Melrose, the DPW recommends the release of a drainage easement on said property. The DPW previously relocated the drainage structures into the public way and has no further use for the easement. There is no financial impact to the City to release the easement and the current residents of 22 Stowecroft Road have signed an agreement with the City and agreed to assume all future liability.

This request is made pursuant to the requirements of state law which require City Council approval to release this easement.

The Engineering Division of the Department of Public Works recommends that the City Council vote to authorize you to release a drainage easement from the property owners located at 22 Stowecroft Road in Melrose as depicted on a plan entitled "Subdivision Plan of Land in Melrose, Mass", dated February 15, 1952, as prepared by A.L. Sargent, Surveyor, recorded as Plan 13064-32 in Book 513, Page 329.

Sincerely;

Vonnie Reis

Vonnie Reis, P.E.
City Engineer

cc: Elena Proakis Ellis, DPW Director
Shannon Philips, City Solicitor
Patrick Dello Russo, CFO/Auditor

Attachment: memo to mayor 042523 (ORDER-2023-91 : Release of Easement 22 Stowecroft Rd.)