

City

40753

BOOK 5883 PAGE 171

KNOW ALL MEN BY THESE PRESENTS, that we Wesley H. Stickel and Jane V. Stickel, Husband and Wife, ~~and Barbara A. Warren~~

of Honeypot Road, Westfield Hampden County, Massachusetts

release, grant and dedicate to the inhabitants of

THE CITY OF WESTFIELD, a municipal corporation and having its usual place

of business at 59 Court Street, Westfield, Hampden County, Massachusetts

**No MONETARY CONSIDERATION WITHOUT COVENANTS**

the land situated in said City of Westfield, Hampden County, Massachusetts, and bounded and described as follows:

Beginning at an iron pipe in the Northerly line of land of William F. Warren and Barbara A. Warren, which pipe is S 81 11' 49" E ONE HUNDRED EIGHTY-SEVEN and 83/100 (187.83) feet from a concrete bound in the Easterly line of Honeypot Road, and at the Northwesterly corner of land of Warners; thence

N 12 36' 07" E THREE HUNDRED TWENTY-FIVE and 57/100 (225.57) feet, S 55 45' 31" E SIXTY-NINE and 67/100 (69.67) feet and N 44 32' 22" E TWO HUNDRED FIFTY-SIX and 61/100 (256.61) feet, the last three courses along land of Brian Cushing and Deborah Cushing, thence S 57 58' 20" E FIVE HUNDRED TEN and 54/100 (510.54) feet along land of T. Pitoniak and C. Pitoniak, thence S 70 18' 49" E THREE HUNDRED THREE and 40/100 (303.40) feet and S 47 51' 42" E THREE HUNDRED SIXTY-SEVEN and 31/100 (367.31) feet along land of H. McCann, thence S 41 38' 21" E TWO HUNDRED FIFTY-SIX and 55/100 (256.55) feet along land of R. Oleksak, thence S 9 12' 59" W FOUR HUNDRED TWO and 18/100 (402.18) feet, S 5 34' 45" W ONE HUNDRED NINETEEN and 99/100 (119.99) feet and S 24 50' 46" W TWO HUNDRED SIXTY-EIGHT and 29/100 (268.29) feet along land formerly of Ignacy Florek, thence N 64 29' 21" W FOUR HUNDRED THIRTY and 75/100 (430.75) feet, N 60 38' 37" W ONE HUNDRED SEVENTY-THREE and 73/100 (173.73) feet, N 66 31' 01" W TWO HUNDRED TWENTY-SIX and 18/100 (226.18) feet, N 56 58' 18" W ONE HUNDRED SIXTY and 23/100 (160.23) feet, N 42 01' 37" E ONE HUNDRED EIGHTY-FIVE and 00/100 (185.00) feet, N 35 39' 42" E SEVENTY-NINE and 53/100 (79.53) feet, N 21 39' 50" W FORTY-ONE and 32/100 (41.32) feet and N 71 57' 30" W ONE HUNDRED EIGHTY-FIVE and 97/100 (185.97) feet, the last eight courses being along land of V. Cunningham; thence N 8 27' 14" E TWO HUNDRED FORTY-FOUR and 82/100 (244.82) feet and N 81 11' 49" W FOUR HUNDRED SIXTY-FOUR and 03/100 (464.03) feet along land of William F. Warren and Barbara A. Warren, to the point of the beginning.

Together with a right of way over lands of Brian Cushing and Deborah Cushing, fifty feet in width, the southerly line of which begins at a concrete monument in the easterly line of Honeypot Road, at the northwesterly corner of land of said Warrens, and runs S 81 11' 49" E ONE HUNDRED EIGHTY-SEVEN and 83/100 (187.83) feet along the northerly line of said Warrens to land being conveyed.

*We have a right of way*

Brian Cushing and Deborah Cushing join in this deed to convey a right of way thirty feet wide which thereby increases the right of way herein above described to the width of fifty feet.

BUT NEVERTHELESS IN TRUST upon the following terms and conditions:

1. Such City shall be Trustee under this trust.
2. The Conservation Commission of the City of Westfield shall manage and control the property conveyed to this public charitable trust and shall constitute a board of visitors to enforce and preserve this trust. As such it may take appropriate legal action, as an alternate to the Attorney General as petitioner. If it should cease to exist, such powers shall devolve upon the Board of City Council.
3. The Trust property shall be forever used only for Conservation purposes authorized by G. L. Ch. 40, Sec. 80 as it may hereafter be amended and other Massachusetts statutes relating to Conservation, including the protection and development of the natural resources and the protection of the watershed resources of the City of Westfield.

SPECIFICALLY PROHIBITED ARE THE FOLLOWING:

- a. construction or placing of buildings, roads, billboards, or other advertising, utilities or other structures on or above the ground.
  - b. dumping or placing of soil or other substances as landfill, or dumping or placing of trash, waste or unsightly or offensive materials.
  - c. excavation, dredging or removal of loam, peat, gravel, soil, rock or other mineral substance in such a manner as to affect the surface.
  - d. surface use except for agricultural, forest or outdoor recreational purposes or purposes permitting this area to remain predominately in its natural condition.
  - e. activities detrimental to drainage, flood control, water conservation, erosion control, or soil conservation.
4. If the Trust property or any interest or part thereof should be taken by eminent domain by any body corporate or politic, the net proceeds of the award after paying charges related thereto shall be added to the conservation fund of said City.
  5. This Trust shall become effective upon the acceptance of this deed by said City, signified by the approval of the City Council hereto as authorized by G.L.CH. 40, Sec. 8 c.

Being a portion of land deeded to the grantors by Lucille H. Thomee, by deed recorded in Book 3019, Page 146 at the Hampden County Registry of Deeds.

**CREATES NO NEW BOUNDARIES**

Witness their hand and seal this 20<sup>th</sup> day of August 1985

Wesley H. Stickel

Jane V. Stickel

THE COMMONWEALTH OF MASSACHUSETTS

Hampden ss.

August 20 1985

Then personally appeared the above names Wesley H. Stickel, Jane V. Stickel, and acknowledged the foregoing instrument to be their free act and deed, before me

Elaine J. Dennis  
Notary Public  
My commission expires February 9, 1986

(No Documentary Stamps Needed)

(APPROVAL)

We the undersigned City Council of the City of Westfield hereby approve the receipt of the within trust deed under G.L. Ch. 40, Sec. 8C as it has been and may be amended as requested by vote of the Conservation Commission of said City.

RECEIVED

AUG 27 1985

AT 12:11 PM AND  
REG'D FROM THE ORIGINAL

Charles W. Maderna, President  
CITY COUNCIL, CITY OF  
WESTFIELD