

## **Roadway Acceptance Procedure & Policy**

Compliance with the Roadway Acceptance Procedures is the legal and financial responsibility of the applicant. The Roadway Acceptance Procedures are not intended to give legal advice.

### **Application**

The applicant should meet with the Town Planner to review any outstanding issues or missing information with the subdivision and / or file before initiating the Roadway Acceptance procedure. Applicants should also consult with their own attorney to ensure compliance with the Roadway Acceptance Procedures. The applicant is responsible for ensuring all documents are correct and that the Town boards, departments, and Town Counsel are satisfied with the supplied documentation.

### **Acceptance of a road as a public way involves three steps:**

1. First, the Board of Selectmen must lay out the road as a public way in accordance with the requirements of Massachusetts General Law (MGL) chapter 82, §§21 to 24, which includes a referral of the layout to the Planning Board for its recommendations in accordance with MGL chapter 41, §81I.
2. Second, Town Meeting must vote to accept a road as a public way.
3. Third, the Board of Selectmen must acquire by gift, the deed in the road and drainage, water, sewer, utility, access, buffer, and / or other related easements (the "appurtenant easements") within one hundred twenty (120) days from the close of the Town Meeting at which the road is accepted as a public way.

Compliance with all three steps is necessary for a road to become a public, Town way.

### **Tips for Roadway Acceptance**

If you are interested in having the Town accept a street layout at either a Spring or Fall Town Meeting, contact the Town Planner six months prior to the Town Meeting to discuss any outstanding items left unfinished for your project. The Town Planner will outline the Roadway Acceptance steps found in the Town of Uxbridge's Roadway Acceptance Procedures that are necessary to have the Town accept your roadway layout.

It is imperative that applicants, attorneys, and engineers review, understand, and follow these procedures. Please note the required documents and the deadlines listed in the Town of Uxbridge's Roadway Acceptance Procedures in order to eliminate confusion and delay to all parties involved.

## Timeline

Necessary Actions	Spring Town Meeting	Fall Town Meeting
Submit Petition to Selectmen	December to January	June to July
Selectmen vote their "intent to lay out the way." They refer the petition request to the Planning Board for recommendation.	January to February	July to August
Warrant Article created	March	September
Selectmen notify owners and hold Public Meeting to "adopt order of layout."	March to April	September to October
Selectmen file signed order of layout, the layout plan, and legal descriptions with Town Clerk	Late April	Late October
Town Meeting Vote	May	November
Applicant submits updated Title Certification within 14 days of Town Meeting	Mid-May	Mid-November
Acquisitions, layout, and Town Meeting vote recorded at Worcester Registry of Deeds within 120 days of Town Meeting	Early September	Early March
Any remaining balance of fees held for Street Acceptance returned to applicant by Town after receiving proof of recordation	October	April

# Roadway Acceptance Procedures

## 120-150 Days Prior to Town Meeting

*(The deadline for an applicant to submit a petition for street acceptance to the Selectmen shall be no later than 120 days prior to the scheduled Town Meeting. Applicants are encouraged to commence the Roadway Acceptance Procedures as early in the process as possible)*

1. Submit Petition and Documents to Board of Selectmen. The applicant must petition the Board of Selectmen in writing to lay out a road as a Town way. The petition must include three (3) copies of the following:
  - a. *Title Certification:* A title certification prepared by an attorney licensed in Massachusetts, running to the benefit of the Town, listing the names and addresses of all persons currently owning the fee to the road (generally either the developer of the subdivision and/or the abutting lot owners) and the lots affected by drainage, water, sewer, utility, access, buffer, and/or other related easements (the “appurtenant easements”) to be granted to the Town;
  - b. *Copies of Deeds and Other Instruments:* A copy of the deed into the applicant, if none of the lots have been conveyed. If any of the lots have been conveyed, the applicant shall also submit a copy of all the deeds out from the developer, deeds either granting or reserving easements to the developer, and any covenants, declarations or other instruments by which the developer retains or reserves the fee in the roadway and appurtenant easements. Unless the developer expressly states in the deed to a lot that the developer is reserving the fee to the road, it is presumed that the lot owner owns the fee to the centerline of the road abutting the lot;
  - c. *As-Built Plans:* A copy of the definitive subdivision As-Built Plan, prepared and stamped by a Massachusetts Registered Professional Engineer and Professional Land Surveyor, showing the existing roadway and all utilities, public and private, above and below grade, and in compliance with the other requirements of the Subdivision Rules and Regulations. All pages of the final version of the as-built plans submitted to the Town should contain a stamp from the same engineer and have the identical date.
  - d. *Roadway Acceptance or Definitive Subdivision Plans:* A copy of the Roadway Acceptance, showing the metes and bounds of the road and any and all other easement areas, in recordable form, with a signature block provided for the Planning Board. This plan is referred to as the “Layout Plan.” The definitive subdivision plan or the As-Built Plan can be used as the Layout Plan, provided it shows the correct metes and bounds boundaries of the roads as built and the easement areas;
  - e. *Legal Descriptions:* Legal description, with metes and bounds, of the road and all other easement areas that are to be conveyed to the Town. Legal descriptions are

not required if the metes and bounds of the road and the easement area is legibly shown on the Layout Plan;

- f. *Draft Warrant Article*: Draft Article shall refer to the layout plan, which shall include the metes and bounds description of the road and all other easement areas to be conveyed to the Town; and

### **Approximately 90-120 Days Prior to Town Meeting**

2. Vote of Intent to Lay Out as a Public Way. The petition is placed on the Selectmen's agenda and the Selectmen formally vote their intention to lay out the road as a public way.
3. Referral to Planning Board and Planning Board Review. The Selectmen forward the Layout Plan and legal descriptions to the Planning Board for its report (per G.L. c. 41, §81I). The vote to refer to the Planning Board can be taken at the same time the Selectmen vote their intention to lay out the road as a public way. Once the Planning Board receives such notice, the Planning Board may solicit recommendations from the Public Works Superintendent, the Police Chief, the Fire Chief, and/or other officers or boards. The Planning Board may forward the Layout Plan and legal description to the Town's review engineer for review and comment. The Town's engineer and/or the Public Works Department may inspect the road and easement areas to determine if the road has been properly constructed and all subdivision improvements have been properly installed. The applicant must meet with the Planning Board or its designee, if so requested, to review any outstanding issues related to the road and/or the easement areas. The applicant shall correct any deficiencies, at its sole expense. The Planning Board will discuss the layout plan at a public meeting after notifying all abutters to the way shown in the layout plan by mail at least 7 days before the meeting.

### **As Determined by the Board of Selectmen**

4. Warrant Article. A warrant article is prepared for each road that the Selectmen vote to lay out.

### **Approximately 30-60 Days Prior to Town Meeting**

5. Notice to Owners. The Selectmen will notify owners of the land included within the layout plan by certified mail of the public meeting at which the Selectmen will vote to adopt the layout of the road as a public way. Notice will be given to owners at least seven (7) days prior to the public meeting.
6. Adopt Order of Layout. Once the Planning Board has made its recommendations or 45 days lapse since the layout was referred to the Planning Board, whichever is earlier, the Selectmen hold a public meeting to determine if the road is ready for acceptance. The owners and abutters are asked for input in this decision. At this meeting, the Selectmen may vote to lay out the road as a public Town way, or decline to lay out the road, or may continue the matter to a later meeting in order to obtain additional information, i.e.

Planning Board report, site visit, among others. Abutters will not be formally notified of the continued public meeting. For those roads that the Selectmen vote to lay out, a formal vote will be taken and an Order of Layout will be signed. The vote and Order of Layout cannot be taken until the Planning Board has made its recommendations or 45 days lapse since the layout was referred to the Planning Board, whichever is earlier.

### **At Least 7 Days Prior to Town Meeting**

7. File Layout with Town Clerk: The original signed Order of Layout, the Layout Plan, and the legal descriptions are filed with the Town Clerk by the Selectmen.

### **Town Meeting**

8. Town Meeting Vote: Town Meeting must vote on whether to accept the listed road as a public Town way, and authorize the Board of Selectmen to acquire the fee in the roadway and the appurtenant easements by gift, purchase or eminent domain and appropriate funds for the fee acquisition, if needed. A majority vote is needed to accept a road that is shown on an approved subdivision plan. A two-thirds (2/3) vote is needed to accept any other way. A two-thirds (2/3) vote is needed to appropriate funds for acquisition by purchase or eminent domain, if needed.

*NOTE: roads do not automatically become public ways upon Town Meeting acceptance. In order to complete the Roadway Acceptance Procedures, the Town must obtain easements in the road and/or abutting lots within a certain period of time, as stated below.*

### **Within 14 days after Town Meeting**

9. Updated Title Certification. Promptly after Town Meeting, the applicant's attorney must submit to the Town an updated certification listing the names and addresses of persons then owning the fee to the road and all easement areas.

### **Within 120 Days of Close of Town Meeting at Which Road Is Accepted**

10. Acquisition of Land and Easements. The Town must acquire the necessary deed and easements by gift and record the deed, easements and Layout Plan within one hundred twenty (120) days of the close of the Town Meeting at which the road is accepted as a public way. The Town must acquire the deed and easements by grant of fee in roadway, easements and/or by eminent domain.
11. Acquisition by Grant. The developer and/or the lot owners grant the Town the necessary roadway fee and appurtenant easements, if any, by gift. The following must occur:
  - a. *Grant of Fee in Roadway by Deed*: The developer and/or lot owners must grant the Town the fee in the roadway and appurtenant easements by gift. A form of Grant of Easements is attached (Attachment A). The form must be adapted to fit the particulars of each roadway acceptance;

- b. *Subordination of Mortgages*: If the road and/or the lots to be subject to the Town's easements are encumbered by a mortgage (including lines of credit, whether used or not) or other lien, it is the applicant's responsibility to provide the Town with a signed Subordination of Mortgage from each and every mortgagee, expressly subordinating their lien to the Town's easement. A form of Subordination is attached (Attachment B). If the Town does not receive subordinations from all mortgagees, the Selectmen may decide, in their sole and absolute discretion, not to accept the road;
- c. *Acceptance*: The Board of Selectmen will sign an Acceptance of the Grant of the fee in the roadway and appurtenant Easements, and attach to it a certified copy of the Town Meeting vote authorizing the acceptance; and
- d. *Recording*: The Grant of the fee in the roadway and appurtenant Easements, the Layout Plan, the Acceptances and Town Meeting vote are recorded by the applicant with the Worcester Registry of Deeds within the aforesaid one hundred twenty (120) day period at the applicant's cost.

12. Acquisition by Eminent Domain:

- a. *Waiver of Appraisal, Damages, and Relocation Benefits*: Before the Town will exercise its powers of eminent domain, all persons owning the fee to the road and the lots that will be subject to the Town's fee in the roadway and appurtenant easements must sign a Waiver of Appraisal, Damages, and Relocation Benefits. The Selectmen may, in their sole and absolute discretion, decide not to proceed with the Roadway Acceptance until all owners have signed the Waiver. The form of Waiver is attached (Attachment C);
- b. *Indemnification*: If the road and/or the lots are subject to mortgages (including lines of credit, whether used or not) or other lien and the developer and/or lot owners has not obtained Subordination of Mortgages from the mortgagees, the Selectmen may, in their sole and absolute discretion, require indemnifications from the applicant and/or the lot owners, protecting the Town from liability if the mortgagees bring a claim against the Town. Such indemnification, if required, shall last for the period of time within which mortgagees may bring claims against the Town for the taking;
- c. *Order of Taking*: The Selectmen sign an Order of Taking, taking the fee in the roadway and appurtenant easements by eminent domain. A certified copy of the Town Meeting vote authorizing the taking is attached to and recorded with the Order of Taking;
- d. *Recording*: The Order of Taking, the Layout Plan, and certified Town Meeting vote are recorded by the applicant with the Worcester Registry of Deeds within the aforesaid one hundred twenty (120) day period, and within thirty (30) days of the Selectmen's execution of the Order of Taking, at the applicant's cost; and

- e. *Notice of Taking*: The Town will send notice of the taking by certified mail to the owners and mortgagees affected by the taking.
13. Waiver. The Selectmen may waive any of the Roadway Acceptance Procedures that are not mandated by statute if, in their sole and absolute discretion, the circumstances warrant a waiver.





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Date Submitted to Town:

## **Roadway Acceptance Procedures & Policy Checklist**

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Applicant must submit checklist, along with layout request, and all hard-copies and email materials to Town Manager's Office). Applicant must place a check mark or a NA in ALL items under 120-150 Days Prior to Town Meeting. Applicant must sign, provide email, and phone as noted below.

# Roadway Acceptance Procedures Checklist

Street Name(s)

## 120-150 Days Prior to Town Meeting

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*(The deadline for an applicant to submit a petition for street acceptance to the Selectmen shall be no later than 120 days prior to the scheduled Town Meeting. Applicants are encouraged to commence the Roadway Acceptance Procedures as early in the process as possible)*

Certified Abutters List from Assessors Office

Payment of Invoice: Cost of Public Hearing Notice & Mailings

PB Determination of Completeness

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### **Within 14 days after Town Meeting**

9. Updated Title Certification. Promptly after Town Meeting, the applicant's attorney must submit to the Town an updated certification listing the names and addresses of persons then owning the fee to the road and all easement areas.

### **Within 120 Days of Close of Town Meeting at Which Road Is Accepted**

10. Acquisition of Land and Easements. The Town must acquire the necessary deed and easements by gift and record the deed, easements and Layout Plan within one hundred twenty (120) days of the close of the Town Meeting at which the road is accepted as a public way. The Town must acquire the deed and easements by grant of fee in roadway, easements and/or by eminent domain.
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- b. *Subordination of Mortgages*: If the road and/or the lots to be subject to the Town's easements are encumbered by a mortgage (including lines of credit, whether used or not) or other lien, it is the applicant's responsibility to provide the Town with a signed Subordination of Mortgage from each and every mortgagee, expressly subordinating their lien to the Town's easement. A form of Subordination is attached (Attachment B). If the Town does not receive subordinations from all mortgagees, the Selectmen may decide, in their sole and absolute discretion, not to accept the road;
- c. *Acceptance*: The Board of Selectmen will sign an Acceptance of the Grant of the fee in the roadway and appurtenant Easements, and attach to it a certified copy of the Town Meeting vote authorizing the acceptance; and
- d. *Recording*: The Grant of the fee in the roadway and appurtenant Easements, the Layout Plan, the Acceptances and Town Meeting vote are recorded by the applicant with the Worcester Registry of Deeds within the aforesaid one hundred twenty (120) day period at the applicant's cost.

12. Acquisition by Eminent Domain:

- a. *Waiver of Appraisal, Damages, and Relocation Benefits*: Before the Town will exercise its powers of eminent domain, all persons owning the fee to the road and the lots that will be subject to the Town's fee in the roadway and appurtenant easements must sign a Waiver of Appraisal, Damages, and Relocation Benefits. The Selectmen may, in their sole and absolute discretion, decide not to proceed with the Roadway Acceptance until all owners have signed the Waiver. The form of Waiver is attached (Attachment C);
- b. *Indemnification*: If the road and/or the lots are subject to mortgages (including lines of credit, whether used or not) or other lien and the developer and/or lot owners has not obtained Subordination of Mortgages from the mortgagees, the Selectmen may, in their sole and absolute discretion, require indemnifications from the applicant and/or the lot owners, protecting the Town from liability if the mortgagees bring a claim against the Town. Such indemnification, if required, shall last for the period of time within which mortgagees may bring claims against the Town for the taking;
- c. *Order of Taking*: The Selectmen sign an Order of Taking, taking the fee in the roadway and appurtenant easements by eminent domain. A certified copy of the Town Meeting vote authorizing the taking is attached to and recorded with the Order of Taking;
- d. *Recording*: The Order of Taking, the Layout Plan, and certified Town Meeting vote are recorded by the applicant with the Worcester Registry of Deeds within the aforesaid one hundred twenty (120) day period, and within thirty (30) days of the Selectmen's execution of the Order of Taking, at the applicant's cost; and

e. *Notice of Taking*: The Town will send notice of the taking by certified mail to the owners and mortgagees affected by the taking.

13. Waiver. The Selectmen may waive any of the Roadway Acceptance Procedures that are not mandated by statute if, in their sole and absolute discretion, the circumstances warrant a waiver.

I, \_\_\_\_\_, hereby certify that all of the boxes in the under 120-150 Days Prior to Town Meeting have been checked and have been complete in accordance with the Street Acceptance Policy.

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

\_\_\_\_\_ Department of Public Works Agrees YES NO

\_\_\_\_\_ Planning Board Agrees YES NO

# TOWN OF UXBRIDGE

21 S. Main Street  
Uxbridge, MA 01569

## SAMPLE ATTACHMENT A

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### GRANT OF EASEMENTS

\_\_\_\_\_ (the "Grantor"), having an address of \_\_\_\_\_, for consideration of One Dollar (\$1.00) paid, hereby conveys and grants to the **Town of Uxbridge** (the "Town"), a Massachusetts municipal corporation acting by and through its Board of Selectmen, having an address of 21 S. Main Street, Uxbridge, Massachusetts 01569, with Quitclaim Covenants, the following easements on the Grantor's land:

1. A perpetual easement, for all purposes for which public ways are used in the Town of Uxbridge, in, on, and under a parcel of land shown as "\_\_\_\_\_" (the "Roadway Easement Premises") on the plan entitled "\_\_\_\_\_" dated \_\_\_\_\_, prepared by \_\_\_\_\_, recorded herewith (the "Plan"). Said Roadway Easement Premises are described more particularly in Exhibit A, attached hereto and incorporated herein.

2. A perpetual easement to construct, inspect, repair, remove, replace, operate and forever maintain and abandon in place (a) a sanitary sewer or sewers with any manholes, pipes, conduits and other appurtenances, (b) pipes, conduits and their appurtenances for the conveyance of water, and (c) 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, in, over, under, through, across, upon and along the Roadway Easement Premises, including the right to pass along and over the Roadway Easement Premises for the aforesaid purposes.

3. *If applicable:* A perpetual easement to construct, inspect, repair, remove, replace, operate and forever maintain and abandon in place a drain or drains with any manholes, pipes, conduits, basins, detention ponds, retention pond, and other drainage facilities, and to do all other acts incidental to the foregoing, in, on, and under the parcels of land shown on the Plan as "\_\_\_\_\_", "\_\_\_\_\_", and "\_\_\_\_\_" (the "Drainage Easement Premises"). Said Drainage Easement Premises are described more particularly in Exhibit B, attached hereto and incorporated herein.

4. *If applicable:* A perpetual easement to construct, inspect, repair, remove, replace, operate and forever maintain and abandon in place sewer pipes, conduits, pump stations, manholes and other sewer facilities and to do all other acts incidental to the foregoing, in, on, and under the parcels of land shown on the Plan as "\_\_\_\_\_", "\_\_\_\_\_", and



## TOWN OF UXBRIDGE

21 S. Main Street  
Uxbridge, MA 01569

“\_\_\_\_\_” (the “Sewer Easement Premises”). Said Sewer Easement Premises are described more particularly in Exhibit C, attached hereto and incorporated herein.

5. *If applicable:* A perpetual easement to construct, inspect, repair, remove, replace, operate and forever maintain and abandon in place water lines and pipes, conduits and other appurtenances (the “Water Easement Premises”) for the conveyance of water appurtenances and to do all other acts incidental to the foregoing, in, on, and under the parcels of land shown on the Plan as “\_\_\_\_\_,” “\_\_\_\_\_,” and “\_\_\_\_\_”(the “Water Easement Premises”). Said Water Easement Premises are described more particularly in Exhibit D, attached hereto and incorporated herein

*If applicable:* The Grantor also hereby conveys to the Town the sewer, water and drainage facilities within the Roadway Easement Premises, except that the Grantor does not convey and the Town does not accept the sewer laterals, that is, the particular sewers from the sewer main to the individual lots in the subdivision.

The Town shall have the right of entry upon and passage over said Roadway Easement Premises, the Drainage Easement Premises, the Sewer Easement Premises, and the Water Easement Premises (collectively, the “Easement Premises”), together with all reasonable rights of ingress and egress across the Easement Premises for all purposes stated herein and uses incidental thereto, by, without limitation, foot, motor vehicle, and heavy equipment.

The Grantor may grant any easements, leases or licenses to the Easement Premises to others provided that as the use of the Easement Premises by others will not interfere with the Town's rights and easements on the Easement Premises or result in the Town incurring any additional cost or expense. Any easements, leases or licenses granted in violation of this provision shall be null and void.

The Grantor agrees that the Town may assign the rights granted pursuant to this Easement.

For the Grantor’s title, see deed recorded with the Plymouth District Registry of Deeds in Book\_\_\_\_\_, Page\_\_\_\_\_.

The Town’s Acceptance of this Grant of Easements is attached hereto and recorded herewith.

**TOWN OF UXBRIDGE**

21 S. Main Street  
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SAMPLE  
ACCEPTANCE OF EASEMENT

The Town of Uxbridge, acting by and through its Board of Selectmen pursuant to the vote taken under Article \_\_\_\_ of the \_\_\_\_\_, 20\_\_ Annual/Special 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 foregoing Grant of Easements from \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

TOWN OF UXBRIDGE,  
By its Board of Selectmen

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

Worcester, ss

On this \_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, Selectman of the Town of Uxbridge, 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/they signed it voluntarily for its stated purpose on behalf of the Town of Uxbridge.

\_\_\_\_\_  
Notary Public  
My Commission Expires

**TOWN OF UXBRIDGE**

21 S. Main Street  
Uxbridge, MA 01569

Executed as a sealed instrument as of this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_

\_\_\_\_\_

COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned Notary Public, personally appeared \_\_\_\_\_, 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/they signed it voluntarily for its stated purpose.

\_\_\_\_\_  
(Official Signature and Seal of Notary)

**TOWN OF UXBRIDGE**

21 S. Main Street  
Uxbridge, MA 01569

**SAMPLE  
ATTACHMENT B**

SUBORDINATION OF MORTGAGE

\_\_\_\_\_, having an address of \_\_\_\_\_, the present holder of a mortgage from \_\_\_\_\_, dated \_\_\_\_\_ and recorded with the Worcester Registry of Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_, for consideration of \$1.00 paid, the receipt and sufficiency of which is hereby acknowledged, hereby subordinates the lien of said mortgage to the Grant of Easements granted to the Town of Uxbridge by the mortgagor, recorded with said Deeds in Book \_\_\_\_\_, Page \_\_\_\_\_ or recorded herewith, as if said Grant of Easements had been recorded prior to said mortgage.

Executed under seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_  
Name:  
Its:

THE COMMONWEALTH OF MASSACHUSETTS

\_\_\_\_\_, ss

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, 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 as \_\_\_\_\_ of \_\_\_\_\_.

\_\_\_\_\_  
Notary Public  
My Commission Expires:

**TOWN OF UXBRIDGE**

21 S. Main Street  
Uxbridge, MA 01569

SAMPLE

**ATTACHMENT C**

TOWN OF UXBRIDGE, MASSACHUSETTS

Waiver of Appraisal, Damages, and Relocation Benefits

\_\_\_\_\_ (the "Owner"), having an address of \_\_\_\_\_, is the owner of property located at \_\_\_\_\_ in Uxbridge, Massachusetts, and described in a deed recorded with the Worcester Registry of Deeds in Book\_, Page\_\_\_\_\_ (the "Property"). The Owner, in consideration of the sum of \$1.00 paid, hereby acknowledges such consideration to be full compensation for all damages sustained by the Owner on account of an eminent domain taking to be made by the Town of Uxbridge (the "Town"), by and through its Board of Selectmen, pursuant to an Order of Taking to be recorded forthwith, of a permanent public way easement in, on, under, and along the roadway shown as "\_\_\_\_\_" on a plan entitled "\_\_\_\_\_" dated \_\_\_\_\_, prepared by \_\_\_\_\_, to be recorded with said Deeds [*if applicable*: and an easement on a portion or portions of the Property, as shown on said plan], and, for himself/herself/themselves and his/her/their successors and assigns, hereby waives, releases and forever discharges the Town and its successors and assigns from all debt, demands, actions, reckonings, bonds, covenants, contracts, agreements, promises, damages, liabilities, and any and all other claims of every kind, nature and description whatsoever, both in Law and Equity, from or in consequences of said taking, consents to said taking, waives an appraisal of damages, waives all rights to damages for said taking, and further waives all relocation benefits under G.L. c. 79A. The Owner acknowledges that the Owner has received a copy of the Order of Taking and the aforementioned plan.

Executed under seal on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

[name]

Name: \_\_\_\_\_

By:

Title: