

TOWN AND COUNTY OF NANTUCKET



16 Broad Street
Nantucket, Massachusetts 02554

Telephone (508) 228-7255
Facsimile (508) 228-7272
www.nantucket-ma.gov

***AGENDA FOR THE MEETING OF THE
COUNTY COMMISSIONERS
MAY 24, 2023 - 5:30 PM
PSF COMMUNITY ROOM, 4 FAIRGROUNDS ROAD
AND REMOTE PARTICIPATION VIA ZOOM WEBINAR
NANTUCKET, MASSACHUSETTS***

YOU TUBE LINK FOR VIEWING ONLY:

<https://youtu.be/MXiFEAH3fzl>

ZOOM WEBINAR REGISTRATION LINK TO VIRTUALLY ATTEND MEETING:

https://us06web.zoom.us/webinar/register/WN_BGNqtpDzRZWJ3FCL-MiRqg

I. CALL TO ORDER

II. ELECTION OF OFFICERS

III. ANNOUNCEMENTS

1. The County Commission Meeting is Being Audio/Video Recorded.

IV. PUBLIC COMMENT*

V. NEW BUSINESS*

VI. APPROVAL OF MINUTES AND WARRANTS

1. Approval of Minutes of April 26, 2023 at 5:30 PM.
2. Approval of Payroll and Treasury Warrants for May, 2023.

VII. OFFICIAL BUSINESS/CITIZEN REQUESTS

1. Request for Approval and Execution of License Agreement with 14 Easy Street LLC, Sarah F. Alger and Richard P. Beaudette, Trustees of 14 Easy Street Condominiums Trust, over Portion of County Sidewalk on Easy Street, Shown as "Proposed Sidewalk Easement Area = 163 s.f." on Plan Entitled "Easement Plan of Land in Nantucket, MA, Prepared for: 14 Easy Street Condominiums, #14A - #14D Easy Street," Dated November 16, 2021 and Prepared by Bracken Engineering, Inc., to Provide and Maintain Licensed Premises for Open Space for Public Pedestrian Use.
2. Request for Approval and Execution of Assent to Petition to Recognize 1972 Fee Taking of Pocomo Road and Approve Registration of Subdivision Plan of Lots A-

8, A-9 and A-10, Pocomo Road into Lots 69 and 70 on Land Court Plan No.16220-1 for 81 Pocomo Road.

VIII. COMMISSIONERS REPORTS/COMMENTS

IX. ADJOURNMENT

****Identified on Agenda Protocol Sheet.***

COUNTY COMMISSION AGENDA PROTOCOL:

Roberts Rules: The County Commission follows Roberts Rules of Order to govern its meetings as per the Town Code Charter.

Public Comment: Public Comment is to bring matters of public interest to the attention of the Commission. At the Commission's discretion, matters raised under Public Comment may be directed to County Administration or may be placed on a future agenda, allowing all viewpoints to be represented before the Commission takes action, if any. Except in emergencies, the Commission will not normally take any other action on Public Comment in its sole discretion.

To facilitate that any individual who wishes to provide Public Comment has the opportunity and to ensure the ability of the Commission to conduct its business in an orderly fashion, the following rules and procedures are adopted consistent with the United States Constitution and the Massachusetts Declaration of Rights.

The agenda for regular County Commission meetings will include a Public Comment period at the beginning of the meeting unless there is more urgent business for the Commission to take up first. This time is reserved for speakers to address the Commission on matters that are not related to any other Agenda item. If a speaker wishes to address the Commission on a matter that is related to another Agenda item, the Chair will accept public comment when that Agenda item is reached during the meeting.

All speakers are encouraged to present their remarks in an orderly and peaceable manner, without disruption to other speakers.

All remarks will be addressed through the Chair of the meeting.

The Chair of the meeting may not interrupt speakers who have been recognized to speak, except that the Chair reserves the right to terminate speech which is not protected under the United States Constitution and the Massachusetts Declaration of Rights because it constitutes true threats, incitement to imminent lawless conduct, or engages in conduct that disrupts other speakers.

Each speaker may not exceed three (3) minutes during any Public Comment portion of the meeting.

Disclaimer: Public Comment is not a time for debate or response to comments by the Commission. Comments made during the Public Comment period do not reflect the views or positions of the Commission. Because of free speech principles, the Commission does not have

authority to prevent all speech that may be upsetting and/or offensive made during the Public Comment period.

New Business: For topics not reasonably anticipated by the Chair 48 hours in advance of the meeting may be brought up for discussion in accordance with the Open Meeting Law.

Public Participation: The Commission welcomes valuable input from the public at appropriate times during the meeting with recognition from the Chair at his/her sole discretion. For appropriate agenda items, the Chair will introduce the item and take public input. Individual Commission Members may have questions on the clarity of the information presented. The Commission will hear any staff input and then deliberate on a course of action.

Commissions Reports and Comments: Individual Commission Members may have matters to bring to the attention of the Commission during a meeting. If the matter contemplates action by the Commission, Commission Members will consult with the Chair and/or County Manager in advance and provide any needed information by the Thursday before the meeting and/or schedule the matter for a future Commission meeting. Otherwise, except in emergencies, the Commission will not normally take action on County Commission Comment.

Approved: April 26, 2023



Agenda Item Summary

Agenda Item #	VII. 1.
Date	5/24/2023

Staff

Vicki S. Marsh, Town Counsel

Subject

Grant of License by County of Nantucket to the Owner of 14 Easy Street, Richard P. Beaudette, Trustee of 14 Easy Street Condominiums Trust for use of a portion of sidewalk on Easy Street abutting 14 Easy Street as shown on Easement Plan for public access and open space

Executive Summary

The Property Owner, 14 Easy Street Condominium Trust has requested that the County grant a license over a portion of the sidewalk abutting 14 Easy Street for public access and open space purposes on the area shown on the Easement Plan attached as "Proposed Sidewalk Easement Area." The original developer of the property 14 Easy Street LLC filed an application with the Department of Environmental Protection for the issuance of a Chapter 91 License on the Property. In order for the property to comply with DEP requirements a certain portion of the property must be used for public purposes. This License in conjunction with the Easement granted to the Town for a public pedestrian walkway will enable them to meet the requirements for the Chapter 91 License. This request is similar to that granted to the Dreamland Foundation in order for it to receive a Chapter 91 License as well.

Staff Recommendation

Recommend the approval of the License by the County Commissioners. Town Counsel has reviewed the documentation provided by Owner's counsel in support of this request and has drafted the License Agreement.

Background/Discussion

The County is not required to maintain this portion of the sidewalk for public access and open space purposes and is not required to make any repairs. The Owner has agreed to accept the condition of the sidewalk "as is." The Owner also is required to maintain this portion of the sidewalk in a safe condition and to keep the area safe and free of any debris, as well as to remove any snow and ice as needed.

Impact: Environmental ☐ **Fiscal** ☐ **Community** ☒ **Other** ☐

This License will provide public open space on the sidewalk at no cost to the County.

Board/Commission Recommendation

N/A



Public Outreach

N/A

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

N/A

Attachments

License Agreement and Easement Plan



LICENSE AGREEMENT

This LICENSE AGREEMENT (hereinafter referred to as the "License") is executed this ____ day of _____, 2023 by and between the COUNTY OF NANTUCKET, acting by and through the Nantucket County Commissioners, having an address of Town & County Building, 16 Broad Street, Nantucket, Massachusetts 02554 (the "LICENSOR"), and 14 EASY ST. LLC, SARAH F. ALGER, AND RICHARD P. BEAUDETTE, TRUSTEES OF THE 14 EASY STREET CONDOMINIUMS TRUST under a Declaration of Trust dated July 10, 2018 recorded with Nantucket County Registry of Deeds in Book 1654, Page 1, as amended by First Amendment dated December 31, 2019 recorded with said Deeds in Book 1729, Page 34 with a mailing address of PO Box 659, Nantucket, Massachusetts 02554 (hereinafter referred to as the "LICENSEE").

WHEREAS, the LICENSOR is the owner of the fee in Easy Street and the public sidewalks located adjacent to 14 Easy Street by virtue of the Order of Taking dated October 29, 1975 filed with Nantucket Registry District of the Land Court as Document No. 16566 (the "LICENSOR'S Property");

WHEREAS, the LICENSEE is the owner of record of a certain parcel of land now known as 14 Easy Street, Nantucket, Massachusetts as described in the Master Deed of the 14 Easy Street Condominiums Trust recorded with Nantucket Registry of Deeds in Book 1654, Page 1, and as amended by First Amendment to Master Deed dated December 31, 2019 recorded with said Deeds in Book 1729, Page 34 (the "Property");

WHEREAS, the Property is shown on a certain easement plan entitled "Easement Plan of Land in Nantucket, MA, Prepared for: 14 Easy Street Condominiums, #14A- #14D, Easy Street, prepared by Bracken Engineering, Inc., dated November 16, 2021, a copy of which is attached hereto as "Exhibit A" and incorporated herein by reference ("Easement Plan"); and

WHEREAS, the LICENSEE requests that the County Commissioners grant a license to the LICENSEE over a portion of the County sidewalk on Easy Street shown as "Proposed Sidewalk Easement Area= 163 s.f." on said Easement Plan ("the Licensed Premises") for public access and open space in order to satisfy the public purpose requirements by the Massachusetts Department of Environmental Protection for the issuance of a Chapter 91 License on said Property;

WHEREAS, the LICENSOR is willing to grant a license to the LICENSEE to provide and maintain the Licensed Premises for open space for public pedestrian use, subject to the terms set forth herein;

NOW THEREFORE, the LICENSOR hereby grants such entry and license to use the Licensed Premises to the LICENSEE, subject to the following terms and conditions:

I. USE, PURPOSE, TERM

The LICENSEE may use the Licensed Premises for open space for public pedestrian use provided it is maintained in a manner that allows safe pedestrian access over the Licensed Premises, and which shall be free of all obstacles, trash and debris and cleared of all snow and ice as needed. Such entry and use shall commence on the date of the execution of this License by both parties and may continue to be in effect unless terminated in accordance with the provisions of Section VI. The LICENSEE acknowledges and agrees that it accepts the Licensed Premises in its "as is" condition for the purposes of this License and that the LICENSOR has made no representations, or warranty, express or implied, regarding the fitness of the Licensed Premises for the LICENSEE's intended purposes.

II. CONSIDERATION

The consideration for this License shall be \$1.00, the payment of all costs and expenses associated with the exercise of the rights granted hereunder, together with the observation and performance by the LICENSEE of all the obligations and covenants set forth within this agreement to the reasonable satisfaction of the LICENSOR.

III. INSURANCE

The LICENSEE shall maintain during the term of this License public liability insurance, including coverage for bodily injury, wrongful death and property damage, in an amount acceptable to the LICENSOR set forth herein to support the obligations of the LICENSEE under the terms and conditions of this License to indemnify, defend and hold harmless the LICENSOR. The insurance coverage required hereunder shall be placed with insurance companies licensed by the Massachusetts Division of Insurance to do business in the Commonwealth of Massachusetts and have a Best's rating of A- or better.

LICENSEE shall forthwith provide, and thereafter on or before January 1 of each year of the term of this License, a certificate of insurance in each case indicating the LICENSOR is an additional insured on the policy and showing compliance with the foregoing provisions. LICENSEE shall require the insurer to give at least thirty (30) days' written notice of termination, reduction or cancellation of the policy to TOWN.

IV. INDEMNIFICATION

LICENSEE shall indemnify, defend and hold harmless the LICENSOR from and against any and all claims, demands, suits, actions, costs, judgments, whatsoever, including reasonable attorney's fees and expenses, which may be imposed upon, incurred by, or asserted against the LICENSOR or its agents, employees, successors and assigns in connection with the use, repair and maintenance of the Licensed Premises. The provisions of this Section shall survive the termination of this Agreement.

V. CONDUCT

LICENSEE, and its contractors, employees and agents, shall be responsible, at its sole expense for repairing, using and maintaining the Licensed Premises in good condition. During the exercise of the rights hereby granted, the LICENSEE shall at all times observe and obey applicable laws, statutes, ordinances, regulations and permitting or licensing requirements.

The LICENSOR shall not, under any circumstances, be liable for the payment of any expenses incurred, or for the value of any work done or material furnished to the Licensed Premises or any part thereof, but all such improvements and alterations shall be done and materials and labor furnished at LICENSEE'S expense, and the laborers and materialmen's furnishing labor and materials for the work shall release the LICENSOR from any liability.

Nothing in this Agreement shall be construed as requiring the LICENSOR to maintain the LICENSOR'S Property, in any manner, and any maintenance which may be performed on the LICENSOR'S Property by the LICENSOR shall be at the sole and absolute discretion of the LICENSOR.

The provisions of this Section shall survive the expiration or termination of this License.

VI. TERMINATION and REVOCATION

This License shall be revocable by either party upon written notice of revocation at least sixty (60) days prior to the termination date stated within said notice. During said sixty (60) day period, if the LICENSOR requests, the LICENSEE, at his sole cost, will repair any damage to the Licensed Premises to a reasonably acceptable condition by the LICENSOR.

VII. MODIFICATIONS and AMENDMENTS

Modifications or amendments to this License shall be in writing and duly executed by both parties hereto to be effective.

VIII. NOTICE

For purposes of this License, the parties shall be deemed duly notified in accordance with the terms and provisions hereof, if written notices are mailed to the following addresses:

County:	County of Nantucket
	County Commissioners
	Town & County Building
	16 Broad Street
	Nantucket, MA 02554

With a copy to: KP Law, P.C.
101 Arch Street
12th Floor
Boston, MA 02110
ATTN: Vicki S. Marsh, Esq.

Licensee: 14 East Street Condominiums Trust
PO Box 659
Nantucket, MA 02554

These addresses are subject to change, and the parties hereto agree to inform each other of such changes as soon as practicable.

IX. NO ESTATE CREATED

This License shall not be construed as creating or vesting in the LICENSEE any estate in the LICENSOR'S Property, but only the limited right of possession as hereinabove stated. This License is personal and exclusive to the LICENSEE and is not intended to run with the land. This License may be transferred or assigned only upon the written consent of the LICENSOR.

X. EXHIBITS and ATTACHMENTS

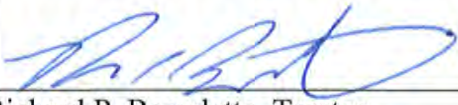
Any and all exhibits and attachments referenced herein or attached hereto, are duly incorporated within this agreement.

XI. SURVIVAL of TERMS and PROVISIONS

All appropriate terms and provisions relating to the restoration of the property affected hereby, shall survive the termination of this License.

Remainder of Page Intentionally Left Blank. Signatures on Following Page.

LICENSEE: 14 EASY STREET CONDOMINIUMS TRUST

By: 
Richard P. Beaudette, Trustee

Date: 4/26/23

By: _____
Sarah F. Alger, Trustee

Date: _____

By: _____
14 Easy St. LLC

Date: _____

By Jonathan Raith Inc., as Manager, by:

Jonathan Raith, its President and Treasurer
Duly Authorized

By B Fleming Construction Inc., as Manager, by:

David Fleming, its President and Treasurer
Duly Authorized

By: _____
Bruce Ritter, as Manager
Duly Authorized

LICENSEE: 14 EASY STREET CONDOMINIUMS TRUST

By: _____

Richard P. Beaudette, Trustee

Date: _____

By



Sarah F. Alger, Trustee

Date: _____

By _____

14 Easy St. LLC

Date: _____

By Jonathan Raith Inc., as Manager, by:

Jonathan Raith, its President and Treasurer
Duly Authorized

By B Fleming Construction Inc., as Manager, by:

David Fleming, its President and Treasurer
Duly Authorized

By:

Bruce Ritter, as Manager
Duly Authorized

LICENSEE: 14 EASY STREET CONDOMINIUMS TRUST

By: _____
Richard P. Beaudette, Trustee

Date: _____

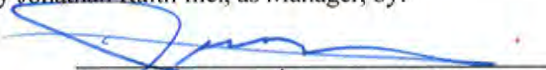
By _____
Sarah F. Alger, Trustee

Date: _____

By _____
14 Easy St. LLC

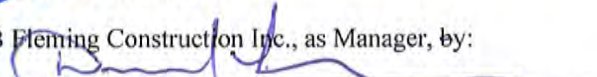
Date: _____

By Jonathan Raith Inc., as Manager, by:



Jonathan Raith, its President and Treasurer
Duly Authorized

By B Fleming Construction Inc., as Manager, by:



David Fleming, its President and Treasurer
Duly Authorized

By: _____
Bruce Ritter, as Manager
Duly Authorized

Duly Authorized

By B Fleming Construction Inc., as Manager, by:

David Fleming, its President and Treasurer
Duly Authorized

By:



Bruce Ritter, as Manager
Duly Authorized

IN WITNESS WHEREOF, the parties hereto have caused this License Agreement to be executed as a sealed instrument and signed in duplicate by their duly authorized representatives, on the date first indicated above.

LICENSOR:

COUNTY OF NANTUCKET
by its County Commissioners

Brooke Mohr

Date: _____

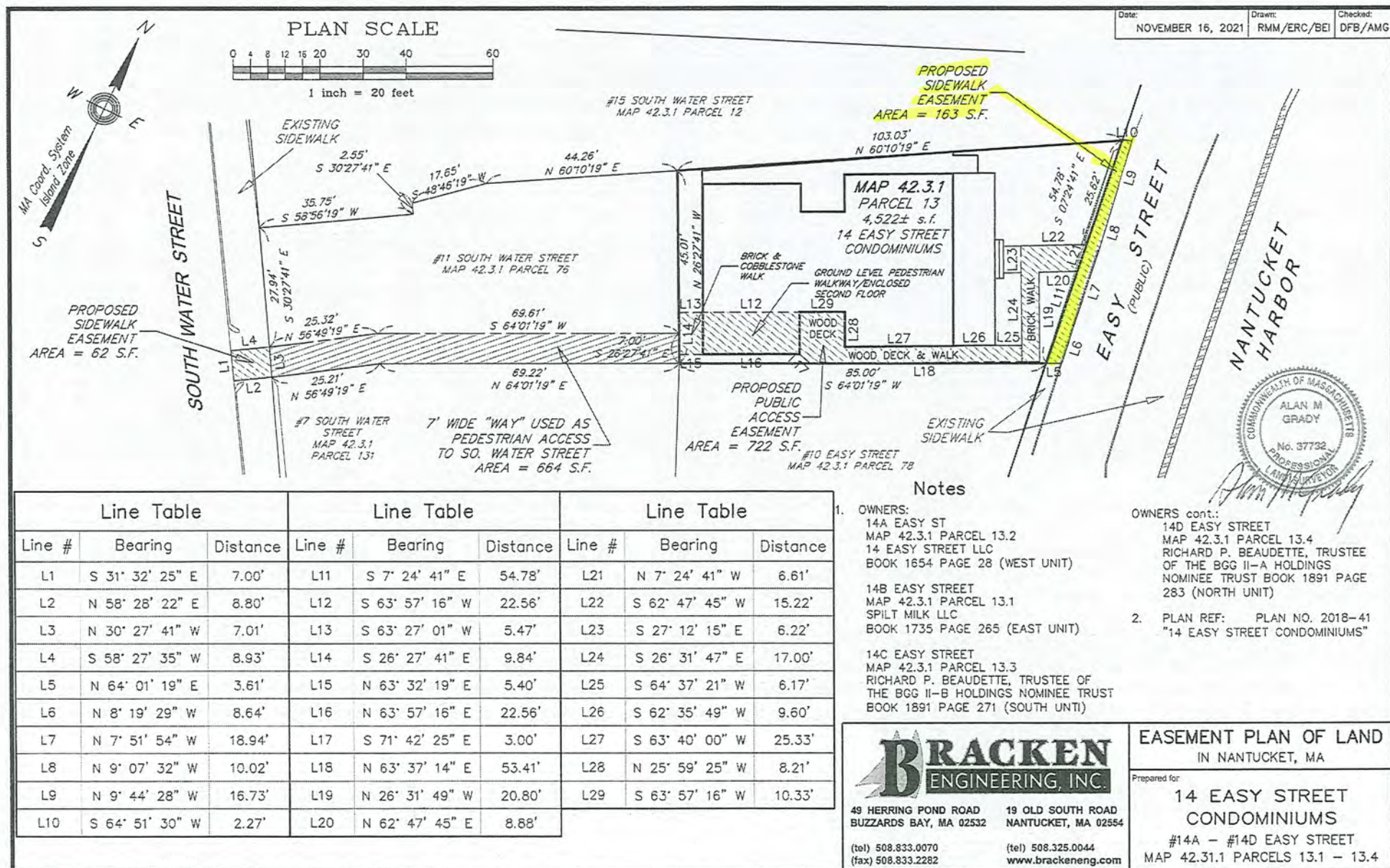
Matthew G. Fee

Jason Bridges

Dawn E. Hill Holdgate

Malcolm W. MacNab







Agenda Item Summary

Agenda Item #	VII. 2.
Date	5/24/2023

Staff

Vicki S. Marsh, Town Counsel

Subject

Approval and execution of Assent by the County to a Petition for Approval of a Plan for the registration of the Subdivision Plan of Lots A-8, A-9 and A-10, Pocomo Road into Lots 69 and 70 on Land Court Plan No.16220-1 at 81 Pocomo Road.

Executive Summary

The Land Court requires the County assent to the Petition which requests that as the County is the owner of the fee in the way known as Pocomo Road by virtue of the Order of Taking by Eminent Domain dated March 29, 1972 filed with Nantucket Registry District of the Land Court as Document No. 13421, the Land Court recognize the line of the Taking in fee by the County of Pocomo Road and approve of the registration of the Subdivision Plan of Lots A-8, A-9 and A-10 into Lots 69 and 70 as shown on Land Court Plan No. 16220-1.

Staff Recommendation

Recommend the County Commissioners approve and execute the Assent.

Background/Discussion

I reviewed the Petition for Approval of a Plan, the Assent, the Order of Taking, the Certificate of Title for Lots A-8, A-9 and A-10, Pocomo Road and the Subdivision Plan of Lots 69 and 70, Pocomo Road which is Land Court Plan No. 16220-1 and I am of the opinion that this documentation does not adversely affect the County's ownership of the fee in Pocomo Road, does not change the lines of the taking of Pocomo Road and its use as a public way. I approve of the form of the Assent and recommend its execution.

Impact: Environmental ☐ Fiscal ☐ Community ☐ Other ☐

Allows for the Land Court's approval of the Subdivision Plan.

Board/Commission Recommendation

N/A

Public Outreach

N/A

Connection to Existing Applicable Plan (i.e., Strategic Plan, Master Plan, etc.)

Fits within the plan goals of efficient County operations and Land Court policies.



Attachments

Assent by County Commissioners, Certificate of Title No. 26163 of Lots A-8, A-9 and A-10, Pocomo Road, Land Court Plan No. 16220-F, Subdivision Plan No. 16220-1 and the Order of Taking of Pocomo Road.



COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

Land Court
Registration Case No.
22 SBQ 16220 09-001

POCOMO POINT, LLC)
Petitioner)

ASSENT TO PETITION TO
RECOGNIZE FEE TAKING OF POCOMO ROAD
AND APPROVAL OF LAND COURT PLAN NO. 16220 - 1

KNOW ALL MEN BY THESE PRESENTS, that the County of Nantucket acting by and through its duly elected County Commissioners hereby assents to the petition of Pocomo Point, LLC to recognize the fee taking by eminent domain of Pocomo Road by said County dated March 29, 1972 registered as Doc. No. 13421 at Nantucket Registry District of the Land Court, to approve of the boundary between the land of the petitioner and the land taken by it, and thereby to approve of Land Court Plan No. 16220 - 1, and the relief requested by the petitioner in this matter.

Executed as a sealed instrument this ____ day of _____, 2023.

COUNTY OF NANTUCKET
BY ITS COUNTY COMMISSIONERS

_____, Chair

_____, Vice Chair

COMMONWEALTH OF MASSACHUSETTS

County of Nantucket

On this ____ day of _____, 2023, before me, the undersigned notary public,
personally appeared _____,
as members of the County Commissioners, proved to me through satisfactory evidence of
identification, which was personal knowledge of the undersigned, to be the persons whose names
are signed on the preceding document, and acknowledged to me that they signed it voluntarily
for its stated purpose as the free act and deed of the Nantucket County Commissioners.

Official Signature and Seal of Notary Public
My Commission expires:



Cert: 26163 Doc: DD
Registered: 08/25/2016 02:40 PM

STATUTORY
QUITCLAIM DEED

We, JOHN F. MANNIX, JR., of 1379 Avenida del Sol, Durango, CO 81302 HELEN WARD MANNIX, of 11 Oak Street, Unit 54, Wellesley, MA 02482, AILEEN T. MANNIX, of 5420 Newark Street, NW, Washington, DC 20016, CATHERINE J. MANNIX, of 32 Dorethy Road, Redding, CT 06896, JAMES H. MANNIX, of 145 Millstone Road, Wilton, CT 06897, SHEILA ANN MANNIX, Trustee of 81 POCOMO ROAD REAL ESTATE TRUST u/d/t dated March 13, 2002 registered as Document No. 96837 at the Nantucket Registry District for the Land Court, of 318 West Half Day Road #196, Buffalo Grove, IL 60089, JAMES H. MANNIX, Trustee of 81 POCOMO ROAD REALTY TRUST II, u/d/t dated November 25, 2002 and registered as Document No. 99616 at the Nantucket Registry District for the Land Court, of 145 Millstone Road, Wilton, CT 06897, and MARY M. DEBLOIS, Trustee of MMD REALTY TRUST as set forth in Trustee's Certificate dated October 1, 2008 and registered as Document No. 125804 at the Nantucket Registry District for the Land Court, of 4 Old Field Road, Sherborn, MA 01770, for consideration paid in the amount of NINE MILLION TWO HUNDRED THOUSAND (\$9,200,000.00) DOLLARS, grant to POCOMO POINT, LLC, a Massachusetts Limited Liability Company, with a mailing address of 100 Concord Street, Framingham, MA 0170, with QUITCLAIM COVENANTS,

Those certain tracts or parcels of land, together with all buildings and improvements thereon, situated in the Town and County of Nantucket, Commonwealth of Massachusetts, more commonly known and numbered as 81 Pocomo Road, and being more particularly bounded and described as follows:

PARCEL I:

NORTHERLY	by	Nantucket Harbor;
EASTERLY	by	Lot A9 on plan hereinafter referred to, about three hundred
		Eighty (380±) feet; and
SOUTHWESTERLY	by	Pocomo Road, five hundred eighty-four and 95/100 (584.96) feet.

All of said boundaries, except the water lines, are determined by the Court to be located as shown on Plan No. 16220-F, the same being compiled from a plan drawn by Josiah S. Barrett, Engineer, dated July 1946, and filed with Certificate of Title No. 2855 at the Nantucket Registry District for the Land Court. Said land is shown thereon as Lot A8.

PARCEL II:

NORTHERLY	by	Nantucket Harbor;
EASTERLY	BY	Lot 14 on plan hereinafter referred to, measuring on the
		Upland about four hundred sixty-five (465±) feet;
SOUTHERLY	by	Pocomo Road sixty-six (66.00) feet;
SOUTHWESTERLY	by	Pocomo Road one hundred thirty-eight and 93/100 (138.93) feet; and
WESTERLY	by	Lot A8 on said plan, measuring on the upland about three hundred eighty (380±) feet.

All of said boundaries, except the water lines, are determined by the Court to be located as shown on Plan No. 16220-F, the same being compiled from a plan drawn by Josiah S. Barrett, Engineer, dated July 1946, and filed with Certificate of Title No. 2855 at the Nantucket Registry District for the Land Court. Said land is shown thereon as Lots A9 and A10.

For title, see Certificate of Title No. 16088 at the Nantucket Registry District for the Land Court.

I, JOHN F. MANNIX, JR., hereby state that I have no spouse, ex-spouse, civil union partner who occupies or intends to occupy the premises as a principal residence or is entitled to claim the benefit of an existing estate of homestead in the property by court order or otherwise.

Executed and sealed on the 22 day of August, 2016.

JOHN F. MANNIX, JR.

STATE OF COLORADO

County of La Plata

On this 22nd day of August, 2016, before me, the undersigned notary public, personally appeared John F. Mannix, Jr., proved to me through satisfactory evidence of identification, which was Colorado Drivers License to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.

JULIE LYNETTE BIDTAH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20154007278
MY COMMISSION EXPIRES 02/19/2019

Julie Lynette Bidtah
 Notary Public
 My Commission Expires: 02/19/2019

NANTUCKET LAND BANK CERTIFICATE	
☒ Paid \$	<u>184000-</u>
☐ Exempt	
☐ Non-applicable	
No.	<u>37701</u>
Date	<u>8/25/16</u>
Authorization	<u>811</u>

MASSACHUSETTS EXCISE TAX PAE
 Nantucket County ROD #16 001
 Date: 08/25/2016 02:40 PM
 Ctrl# 462433/24187 Doc# 00152533
 Fee: \$41,852.00 Cons: \$9,200,000.00

I, HELEN WARD MANNIX, hereby state that I have no spouse, ex-spouse, civil union partner who occupies or intends to occupy the premises as a principal residence or is entitled to claim the benefit of an existing estate of homestead in the property by court order or otherwise.

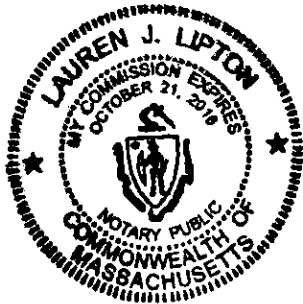
Executed and sealed on the 19 day of August, 2016.

Helen Ward Mannix
HELEN WARD MANNIX

COMMONWEALTH OF MASSACHUSETTS
County of Norfolk

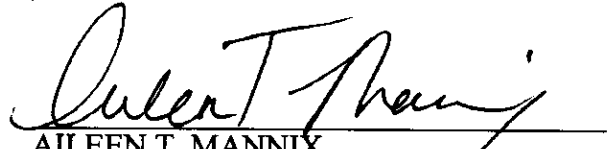
On this 19 day of August, 2016, before me, the undersigned notary public, personally appeared Helen Ward Mannix, proved to me through satisfactory evidence of identification, which was MA driver's license to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

[Signature]
Notary Public
My Commission Expires: 10/21/2016



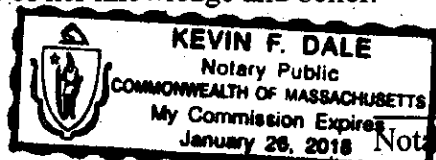
I, AILEEN T. MANNIX, hereby state that I am married to Eric B. Friedenson who has signed below waiving any rights of homestead.

Executed and sealed on the 22 day of August, 2016.


AILEEN T. MANNIX

COMMONWEALTH OF MASSACHUSETTS
County of Nantucket, ss

On this 22nd day of August, 2016, before me, the undersigned notary public, personally appeared Aileen T. Mannix, proved to me through satisfactory evidence of identification, which was Drivers License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.



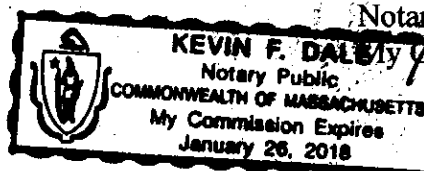
Notary Public
My Commission Expires:

I, ERIC B. FRIEDENSON, married to Aileen T. Mannix, join in this Deed for the purpose of releasing any right of homestead that I may have in the property described above pursuant to M.G.L. c 188.


ERIC B. FRIEDENSON

COMMONWEALTH OF MASSACHUSETTS
County of Nantucket, ss

On this 22nd day of August, 2016, before me, the undersigned notary public, personally appeared Eric B. Friedenson, proved to me through satisfactory evidence of identification, which was Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.



Notary Public
My Commission Expires:

I, CATHERINE J. MANNIX, hereby state that I have no spouse, ex-spouse, civil union partner who occupies or intends to occupy the premises as a principal residence or is entitled to claim the benefit of an existing estate of homestead in the property by court order or otherwise.

Executed and sealed on the 22 day of August, 2016.

Catherine J. Mannix
CATHERINE J. MANNIX

STATE OF CONNECTICUT
County of Fairfield

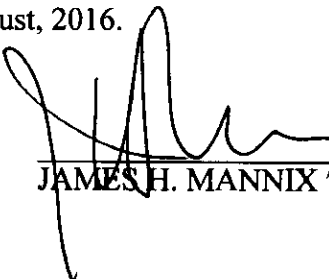
On this 22 day of August, 2016, before me, the undersigned notary public, personally appeared Catherine J. Mannix, proved to me through satisfactory evidence of identification, which was driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

LUIS F CABRAL
Notary Public
Connecticut
My Commission Expires Mar 31, 2017

[Signature]
Notary Public
My Commission Expires:

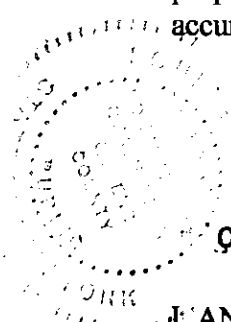
I, JAMES H. MANNIX., hereby state that I am married to Ann Margaret Mannix who has signed below waiving any rights of homestead.

Executed and sealed on the 23rd day of August, 2016.


JAMES H. MANNIX

STATE OF ~~CONNECTICUT~~ ^{New York}
County of Queens

On this 23rd day of August, 2016, before me, the undersigned notary public, personally appeared James H. Mannix, proved to me through satisfactory evidence of identification, which was James H. Mannix, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.

 LOUISE RIVERA
Notary Public, State of New York
No. 01R16206082
Qualified in Queens County
Commission Expires May 18, 2017


Notary Public
My Commission Expires:

I, ANN MARGARET MANNIX, married to James H. Mannix, join in this Deed for the purpose of releasing any right of homestead that I may have in the property described above pursuant to M.G.L. c. 188.


ANN MARGARET MANNIX

STATE OF ~~CONNECTICUT~~ ^{New York}
County of Queens

On this 23rd day of August, 2016, before me, the undersigned notary public, personally appeared Ann Margaret Mannix, proved to me through satisfactory evidence of identification, which was Ann Margaret Mannix, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed voluntarily for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

LOUISE RIVERA
Notary Public, State of New York
No. 01R16206082
Qualified in Queens County
Commission Expires May 18, 2017


Notary Public
My Commission Expires:

The undersigned hereby certifies that he is the sole Trustee of the 81 Pocomo Road ^{Realty}~~Real Estate~~ Trust II, u/d/t dated November 25, 2002; that said Trust is in full force and effect and has not been altered, amended, revoked or terminated; that pursuant to the Declaration of Trust, the Trustee has the power and authority to dispose of all or any part of the Trust property; that all beneficiaries of the trust have duly authorized the Trustee to enter and effectuate the transaction contemplated herein; that no beneficiary has died within the last ten years, nor is any beneficiary a corporation, and none of the beneficiaries are minors or lack the necessary capacity to authorize this transaction.

The undersigned further certifies that no Trustee or Beneficiary of the 81 Pocomo Road ^{Realty}~~Real Estate~~ Trust II, no spouse or civil union partner of a trustee or beneficiary of the Trust, no former spouse or former civil union partner of a trustee or beneficiary of the Trust resides in the property as their primary residence or is entitled to claim the benefit of an existing estate of homestead.

Executed and sealed on the 23rd day of August, 2016.

81 POCOMO ROAD ^{REALTY}~~REAL ESTATE~~ TRUST II

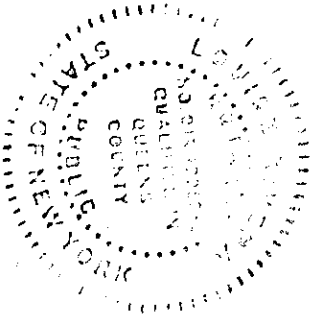
By: [Signature]
JAMES H. MANNIX, Trustee

STATE OF ^{New York}~~CONNECTICUT~~
County of Queens

On this 23rd day of August, 2016, before me, the undersigned notary public, personally appeared James J. Mannix, Trustee of 81 Pocomo Road Real Estate Trust II, proved to me through satisfactory evidence of identification, which was James H. Mannix, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed voluntarily in said capacity, for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.

LOUISE RIVERA
Notary Public, State of New York
No. 01RI6206082
Qualified in Queens County
Commission Expires May 18, 2017

[Signature]
Notary Public
My Commission Expires:



The undersigned hereby certifies that she is the sole Trustee of the 81 Pocomo Road Real Estate Trust, u/d/t dated March 13, 2002; that said Trust is in full force and effect and has not been altered, amended, revoked or terminated; that pursuant to the Declaration of Trust, the Trustee has the power and authority to dispose of all or any part of the Trust property; that all beneficiaries of the trust have duly authorized the Trustee to enter and effectuate the transaction contemplated herein; that no beneficiary has died within the last ten years, nor is any beneficiary a corporation, and none of the beneficiaries are minors or lack the necessary capacity to authorize this transaction.

The undersigned further certifies that no Trustee or Beneficiary of the 81 Pocomo Road Real Estate Trust, no spouse or civil union partner of a trustee or beneficiary of the Trust, no former spouse or former civil union partner of a trustee or beneficiary of the Trust resides in the property as their primary residence or is entitled to claim the benefit of an existing estate of homestead.

Executed and sealed on the 19th day of August, 2016.

81 POCOMO ROAD REAL ESTATE TRUST

By: Sheila Mannix
SHEILA ANN MANNIX, Trustee

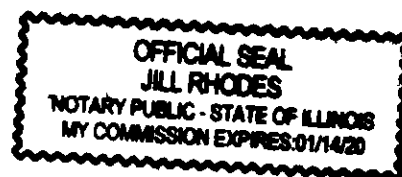
STATE OF ILLINOIS

County of Kane

On this 19th day of August, 2016, before me, the undersigned notary public, personally appeared Sheila Ann Mannix, Trustee of 81 Pocomo Road Real Estate Trust, proved to me through satisfactory evidence of identification, which was Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed voluntarily in said capacity, for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

Jill Rhodes
Notary Public

My Commission Expires: 1/14/20



The undersigned hereby certifies that she is the sole Trustee of the MMD Realty Trust, under Certificate of Trust dated October 1, 2008; that said Trust is in full force and effect and has not been altered, amended, revoked or terminated; that pursuant to the Declaration of Trust, the Trustee has the power and authority to dispose of all or any part of the Trust property; that all beneficiaries of the trust have duly authorized the Trustee to enter and effectuate the transaction contemplated herein; that no beneficiary has died within the last ten years, nor is any beneficiary a corporation, and none of the beneficiaries are minors or lack the necessary capacity to authorize this transaction.

The undersigned further certifies that no Trustee or Beneficiary of the MMD Realty Trust, no spouse or civil union partner of a trustee or beneficiary of the Trust, no former spouse or former civil union partner of a trustee or beneficiary of the Trust resides in the property as their primary residence or is entitled to claim the benefit of an existing estate of homestead.

Executed and sealed on the 23 day of August, 2016.

MMD REALTY TRUST

By

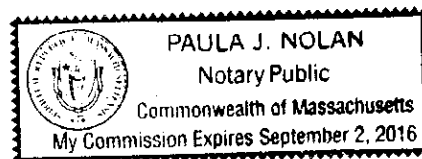
MARY M. DEBLOIS, Trustee

COMMONWEALTH OF MASSACHUSETTS

County of Norfolk

On this 23rd day of August, 2016, before me, the undersigned notary public, personally appeared Mary M. Deblois, Trustee of MMD RealtyTrust, proved to me through satisfactory evidence of identification, which was _____, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed voluntarily in said capacity, for its stated purpose and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

Paula J. Nolan
Notary Public
My Commission Expires: 9/2/2016



DOC No: 00152533

NANTUCKET COUNTY LAND COURT
REGISTRY DISTRICT

** RECEIVED FOR REGISTRATION **

On: Aug 25, 2016 at 02:40P

Document Fee: 125.00 Rec Total: \$42.217

.00

CERTIFICATE No: 26163

Also noted on CER 16098

This plan filed with Certificate No.

LOT A4 ON PLAN No. 16220-F FILED
WITH CERTIFICATE No. 2855 HAS
BEEN subdivided AND PLAN No. 16220-T
SHOWING SUCH CHANGES IS FILED WITH
CERTIFICATE NO. 5260
FURTHER CERTIFICATES FOR SAID LOT.....
A4 ON SAID EARLIER PLAN WILL
NOT BE ISSUED UNLESS AUTHORIZED BY
THE COURT. (now Lots 58 + 59)

Nantucket Registry District

MAY 26 1947

RECEIVED FOR REGISTRATION

9 O'CLOCK 30 m AM

This plan filed with Certificate No. 2855

Attest Josiah L. Barnett
Assistant Recorder

22 1947

NANCY MAHONEY HARRIS, ESQ.
100 STATE STREET, 10th FLOOR
BOSTON, MASSACHUSETTS 02109
(617) 523-1100
nmhesq1@gmail.com

Christina T. Geaney, Esq.
Land Court
Three Pemberton Square, Room 507
Boston, MA 02108

RE: Pocomo Point, LLC, 22 SBQ 16220 09-001, Nantucket, MA

Dear Attorney Geaney:

I was appointed Land Court Title Examiner in the above captioned Plan Approval case for land at 81 Pocomo Road, Nantucket, Massachusetts.

Locus is three parcels of land, Lots A-8, A-9 and A-10, shown on Land Court Plan No. 16220-F ("locus"). These lots are to be further divided as shown on plan dated August 24, 2022, entitled "Division Plan of Land" dividing Lots A-8, A-9 and A-10 on Land Court Plan No. 16220-F into Lot 70 and Lot 69 ("Division Plan") which is the subject of this Petition.

Portions of Lots A-8, A-9 and A-10 were included in an Order Taking for layout of Pocomo Road by the Nantucket County Commissioners dated March 29, 1972, filed as Document No. 13421. Lot "A" in the original Land Court Plan No. 16220-A included a portion of Pocomo Road extending to Nantucket Harbor. The Taking by the County Commissioners was in fee simple and the affected parcels are shown on plan dated September 15, 1971, recorded as File 3A. The Taking included a portion of Lot A-10, Parcel 37, containing 185 square feet, a portion of Lot A-9, Parcel 38, containing 3165 square feet and a portion of Lot A-8, Parcel 40, containing 24,205 square feet.

With one exception, Land Court Plan 16220-F has incorporated the changes made by the Order of Taking (albeit by handwritten modifications, see below). However, the Order of Taking included a "Turn Around" area, or cul-de-sac, in Parcel 40, part of Lot A-8 which is not depicted on Plan 16220-F but is depicted on the Division Plan. (I note the northerly boundary of Lot A-8 is "by Nantucket Harbor." These bounds are depicted with more specificity in the Taking and Division Plans and the differences are likely due to changes in the shoreline over time.) Except for the Turn Around extending onto Lot A-8, the lines of the Taking were established and were incorporated into Plan 16220-F. As the Turn Around area on Pocomo Road is not depicted on Plan 16220-F, abutters of Lot A-8 must be notified. Those abutters entitled to notice are Nantucket County Commissioners and the owners of Lots A-6, A-11 and A-12 on Plan 16220-H, Assessors' Parcel 15-43, Pocomo Point Realty Trust.

I also examined prior Land Court plans to determine whether the Division Plan made changes to locus boundaries. Locus is a portion of Lot "A" on Plan 16220-A dated March, 1936, which included the abutting portion of Pocomo Road. Lot "A" was subdivided on Plan 16220-F, dated July, 1949, into Lots A-8, A-9 and A-10. Plan 16220-F was subsequently modified by what appear to be handwritten changes to the boundaries of Lots A-8, A-9 and A-10 to reflect the Order of Taking for Pocomo Road. Notwithstanding the fact that Plan 16220-F is dated July, 1949, it incorporates the bounds established by the 1971 Order of Taking with the exception of the Turn Around area. The Turn Around area is also not included in the descriptions of Lot A-8 on Certificate of Title No. 26163. In all other respects, Plan 16220-F and the Division Plan include the changes made by the Order of Taking. As the Division Plan changes the bounds of Lot A-8, abutters, Nantucket County Commissioners and Pocomo Point Realty Trust must be notified.

Locus is subject to a Mortgage from Pocomo Point, LLC to Blue Hills Bank dated August 25, 2016, in the original principal amount of \$4.6 million filed as Document No. 152535.

In summary, title to locus is vested in Pocomo Point, LLC, by deed dated August 22, 2016, filed as Document No. 152533, Certificate of Title No. 26163. With the exception of the Turn Around area in Pocomo Road, the lines of the Order of Taking have been established and noted in the description of locus on Certificate of Title No. 26163, and shown on Land Court Plan No. 16220-F and the Division Plan. The change in the boundary of Lot A-8, resulting from the Turn Around on Pocomo Road requires that notice be given to abutters, Nantucket County Commissioners and Pocomo Point Realty Trust.

Parties entitled to notice:

Blue Hills Bank, (1196 River Street, Hyde Park, MA 02136) dated August 25, 2016, filed as Document No. 15235.

Nantucket County Commissioners, 15 Broad Street, Nantucket, MA 02554.

Karen Engle, Trustee of the Pocomo Point Realty Trust, 13535 D'Este Drive, Pacific Palisades, California 90272.

Respectfully submitted,



Nancy Mahoney Harris, Esq.

October 14, 2022

COMMONWEALTH OF MASSACHUSETTS

Nantucket, ss.

Land Court
Subsequent Petition
No. 16220-S

POCOMO POINT, LLC)
 Petitioner.)

PETITION FOR APPROVAL OF PLAN

1. POCOMO POINT, LLC is the owner of land in Nantucket located at 81 POCOMO ROAD, being shown as Lots A-8, A-9, and A-10 on Land Court Plan 16220-F, its ownership evidenced by Certificate of Title No. 26163 at the Nantucket Registry District for the Land Court (copy attached).
2. Petitioner has caused an "ANR" Plan to be filed with the Nantucket Planning Board, said plan drawn by Blackwell and Associates, Inc., dated June 10, 2022, endorsed by the Nantucket Planning Board on September 12, 2022 and given Planning Board File No. 2022-09-00305, being a division of Lots A-8, A-9, and A-10 on Land Court Plan 16220-F.
3. Lots A-8, A-9, and A-10 all have frontage on Pocomo Road, which was the subject of a fee taking by the county of Nantucket, registered with Nantucket Registry District on March 30, 1972 as Document No. 13421 (copy attached).
4. The aforesaid "ANR" Plan reflects said fee taking and establishes the layout of Pocomo Road consistent with the Order of Taking.

Therefore, your petitioner prays for an Order approving said plan delineating the fee taking of Pocomo Road in accordance with Document No. 13421; and for further relief as this Court deems just.

Respectfully submitted,

POCOMO POINT, LLC
By its attorney,

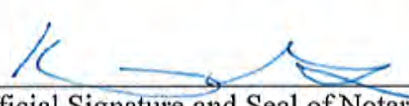


RICHARD J. GLIDDEN, Esquire
Glidden & Brescher, P.C.
37 Centre Street
Nantucket, Massachusetts 02554
BBO#195520

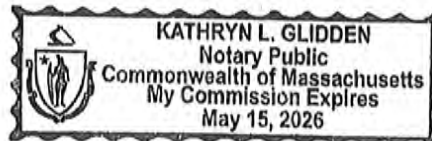
COMMONWEALTH OF MASSACHUSETTS

County of Nantucket, ss

On this 20th day of September, 2022, before me, the undersigned notary public, personally appeared RICHARD J. GLIDDEN, (a) ✓ personally known to me, or (b) _____ proved to me through satisfactory evidence of identification, which was _____, (type of identification) to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

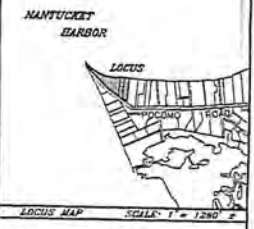


Official Signature and Seal of Notary Public
My Commission expires:



NANTUCKET HARBOR

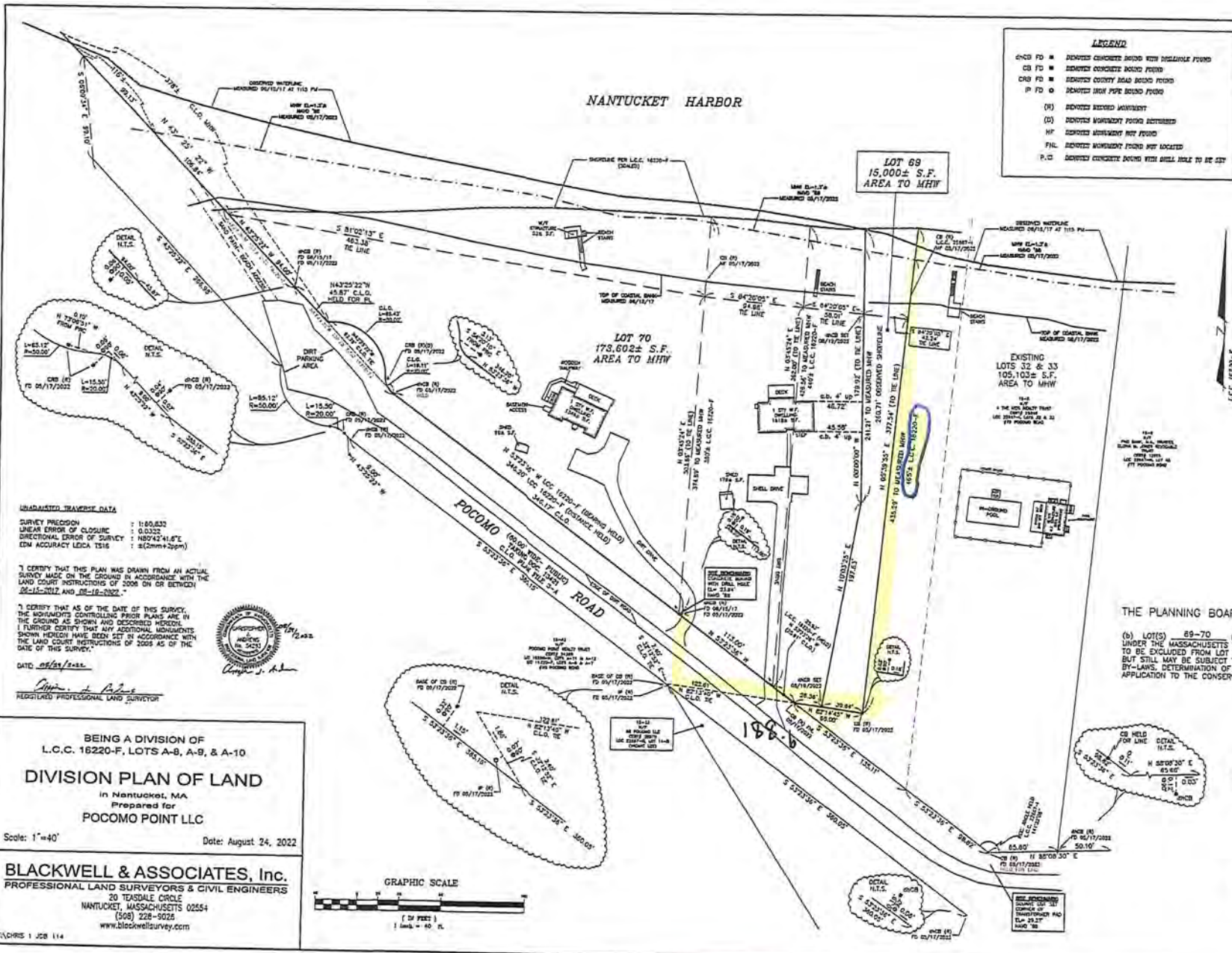
- LEGEND**
- CHD PD ■ EXISTING CONCRETE DRIVE WITH DRAINAGE PAVED
 - CB PD ■ EXISTING CONCRETE DRIVE PAVED
 - CHD PD ■ EXISTING COUNTY ROAD DRIVE PAVED
 - IP PD ■ EXISTING IRON PIPE DRIVE PAVED
 - (R) ■ EXISTING REINFORCED CONCRETE
 - (D) ■ EXISTING DRAINAGE PAVING DETENTION
 - HP ■ EXISTING HIGHWAY PAVING DETENTION
 - P/L ■ EXISTING PAVING DETENTION NOT LOCATED
 - P.C ■ EXISTING CONCRETE DRIVE WITH DRAINAGE PAVING DETENTION



CURRENT ZONING CLASSIFICATION:
 United Use General 3 (UUG-3)
 MINIMUM LOT SIZE: 120,000 S.F.
 MINIMUM FRONTAGE: 150 FT.
 FRONT YARD SETBACK: 35 FT.
 REAR/SIDE SETBACK: 20 FT.
 CROWD COVER: 1:1

OTHER INFORMATION
 POCOMO ROAD LLC
 CERT. OF TITLE #20163
 L.C.C. 16220-F, LOTS A-B & A-10
 ASSessor's MAP 15, PARCEL 03
 881 POCOMO ROAD

NOTE:
 CORNERBOARD MEASUREMENTS
 ARE 4" ABOVE GRADE.



THE PLANNING BOARD DETERMINES THAT:

(b) LOT(S) 69-70 DO NOT CONTAIN AREAS SUBJECT TO PROTECTION UNDER THE MASSACHUSETTS WETLANDS PROTECTION ACT WHICH ARE REQUIRED TO BE EXCLUDED FROM LOT AREA UNDER THE NANTUCKET ZONING BY-LAW BUT STILL MAY BE SUBJECT TO PROTECTION UNDER STATE AND LOCAL WETLAND BY-LAWS. DETERMINATION OF APPLICABILITY MAY BE OBTAINED THROUGH APPLICATION TO THE CONSERVATION COMMISSION.

PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF CONFORMANCE UNDER ZONING.

Nantucket Planning Board
 APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED
 DATE SIGNED: 07-12-2022 BY: 2022-07-00305
 FILE #

BEING A DIVISION OF
 L.C.C. 16220-F, LOTS A-B, A-9, & A-10
DIVISION PLAN OF LAND
 in Nantucket, MA
 Prepared for
 POCOMO POINT LLC
 Scale: 1"=40' Date: August 24, 2022
BLACKWELL & ASSOCIATES, Inc.
 PROFESSIONAL LAND SURVEYORS & CIVIL ENGINEERS
 20 TADDALE CIRCLE
 NANTUCKET, MASSACHUSETTS 02554
 (508) 228-9026
 www.blackwellsurvey.com

B8425
 B8175

Nantucket Registry District
MAR 30 1972

RECEIVED FOR REGISTRATION

10 O'CLOCK 18 m A

NOTED ON CERTIFICATE NO. 3039
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 3529-A
IN REGISTRATION BOOK 18 PAGE 92
NOTED ON CERTIFICATE NO. 3878
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 3958
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4062
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4254
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4279
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4297
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4318
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4355
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4427
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4753
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4792
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 4839
IN REGISTRATION BOOK 24 PAGE 104
NOTED ON CERTIFICATE NO. 4886
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5042
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5043
IN REGISTRATION BOOK 25 PAGE 127
NOTED ON CERTIFICATE NO. 5044
IN REGISTRATION BOOK 25 PAGE 128
NOTED ON CERTIFICATE NO. 5061
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5123
IN REGISTRATION BOOK PAGE

Nantucket Registry District
MAR 30 1972

RECEIVED FOR REGISTRATION

O'CLOCK m

MAR 30 1972 10-15 AM

and minutes M

Received and Entered with

Nantucket County Deeds.

Book 137 Page 119-121

Attest Josiah S. Barnett

Register

NOTED ON CERTIFICATE NO. 5168
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5216
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5328
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5352
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5353
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5476
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5540
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5643
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5835
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5924
IN REGISTRATION BOOK PAGE
NOTED ON CERTIFICATE NO. 5927
IN REGISTRATION BOOK 30 PAGE 127
NOTED ON CERTIFICATE NO. 6008
IN REGISTRATION BOOK PAGE

Notations - continued →

FROM THE OFFICE OF
FOLEY, HOAG & ELIOT

10 POST OFFICE SQUARE, BOSTON, MASS. 02109

NOTED ON CERTIFICATE NO. 6082
IN REGISTRATION BOOK PAGE

NOTED ON CERTIFICATE NO. 6152
IN REGISTRATION BOOK 31 PAGE 152

NOTED ON CERTIFICATE NO. 6219
IN REGISTRATION BOOK 32 PAGE 19

NOTED ON CERTIFICATE NO. 6228
IN REGISTRATION BOOK 32 PAGE 28

NOTED ON CERTIFICATE NO. 6309
IN REGISTRATION BOOK 32 PAGE 109

Attest Josiah S. Barnett
Assistant Recorder

ORDER OF TAKING

At a meeting of the duly elected and qualified Board of County Commissioners for the County of Nantucket held *March 29* November ¹⁹⁷², ~~1971~~, it is ordered

Whereas, we, the Board of County Commissioners for the County of Nantucket, having complied with the preliminary requirements of law relating to notice of a meeting to be held on the *24th* day of *November*, ¹⁹⁷¹ ~~1971~~, at ^{10:30} ~~8:00~~ o'clock ^{AM} ~~P.M.~~ for the purpose of a public hearing of all parties interested on a petition for the laying out of Pocomo Road as a highway, and, after having accordingly held said public hearing, having determined and adjudged upon consideration of the matter that common convenience and necessity require that Pocomo Road be laid out as and for a highway in accordance with the boundaries and description set forth in Exhibit "A", attached hereto and made a part hereof, do hereby lay out such highway in accordance with Exhibit "A".

Now, therefore, we, the undersigned, being a majority of the Board of County Commissioners for the County of Nantucket, by right of eminent domain under the provisions of Chapter 79 of the General Laws and of any and every other power and authority in us hereto enabling, do hereby take, and in fee simple, any and all right, title and interest of any nature or description in the land in said County bounded and described as set forth in Exhibit "A", all for the purpose of Pocomo Road, hereby laid out.

For damages sustained by the supposed owners of the land hereby taken, by reason of the aforesaid taking, the following awards are made:

<u>SUPPOSED OWNERS</u>	<u>AWARD</u>
Samuel C. Dunlap, III (unregistered land)	\$1.00
Donald H. Robinson	
Margaret R. Robinson	
Certificate of Title No. 4355	\$1.00
Russell Ford	
Hope Ford	
Certificate No. 5043	\$1.00
Elvira Bolles McGee	
Certificate No. 4318	\$1.00
Robert D. Cowan	
Patricia Cowan	
Certificate No. 5044	\$1.00
ACME Corporation	
Certificate No. 5061	\$1.00
Austin Tyren Tyrer	
Certificate No. 3529-A	\$1.00
Ellen B. Crecca	
Certificate No. 5835	\$1.00
John B. Mendoca Mendonca	
Loretta J. Mendoca Mendonca	
Certificate No. 5352	\$1.00
James B. Crecca	
Ellen B. Crecca	
Mary C. Kenny	
Certificate No. 6008	\$1.00
Jo-Ann Beam	
Certificate No. 6228	\$1.00
Albert G. Brock	
Amy D. Brock	
Frederick L. Chase	
Elizabeth C. Chase	
Certificate No. 5123	\$1.00
Martha B. Gambill	
Certificate No. 3958	\$1.00
Robert Lee Nutt	
Lorna A. Nutt	
Certificate No. 5328	\$1.00
Charles P. Flanagan	
Catherine T. Flanagan	
Certificate No. 3878	\$1.00
Braina Chait Lindenmaier	
Certificate No. 5042	\$1.00
Edwin V. Huggins	
Leonora O. Huggins	
Certificate No. 4292	\$1.00

<u>SUPPOSED OWNERS</u>	<u>AWARD</u>
John V. Kohlaas Elsie Ryder Kohlaas Certificate No. 4427✓ Certificate No. 4279✓	\$1.00
Abraham Glasser Certificate No. 6219✓	\$1.00
Sanborn Vincent Priscilla Vincent Certificate No. 4254✓	\$1.00
Muriel B. Swatland Certificate No. 5643✓ Certificate No. 3039✓ Certificate No. 4792✓	\$1.00
John J. S. Mead Barbara W. Mead Certificate No. 4886✓	\$1.00
Herman E. Johnson Sally R. Johnson Certificate No. 4839✓	\$1.00
Shell Youngwall Certificate No. 5216✓	\$1.00
David M. Trubek Louise G. Trubek Certificate No. 6082✓	\$1.00
Melvin E. Nelson Certificate No. 5927✓ Certificate No. 5476✓	\$1.00
Bruce J. Truesdale Joanne B. Truesdale Certificate No. 5924✓	\$1.00
Gallanter Sanford Gallanter Certificate No. 6152✓	\$1.00
Helen Hanford O'Hara Certificate No. 5168✓	\$1.00
D. Reid Weedon Barbara J. Weedon Certificate No. 4062✓	\$1.00
Daniel G. Wheeler Certificate No. 6309✓	\$1.00
Clifford E. Barbour, Jr. Dorothy Drake Barbour Certificate No. 4753✓	\$1.00
John E. Mannix Helen Sperry Mannix Certificate No. 5353✓ Certificate No. 5540✓	\$1.00

The names of owners herein given as supposed owners, although supposed to be correct, are such only as matters of information, opinion and belief and are listed for information purposes only.

IN WITNESS WHEREOF, we have hereunto set our hands and the seal of Nantucket County this 29th day of March, 1972
~~November~~, 1971.

ATTEST: [SEAL]

Gertrude E. Whidden
Clerk

Robert E. Haley
Chairman

Arnold R. Small

Andrew E. Fowle

Franklin S. Chadwick

EXHIBIT "A"

Certain parcels of land, situated in Nantucket,
Nantucket County, Massachusetts, shown as Parcels 1 through 42
inclusive on a plan entitled "Plan of Taking For Nantucket County
Commissioners of Pocomo Road in Nantucket, Mass.", dated
September 15, 1971, by Schofield Brothers, Inc., (6 sheets) to
be recorded herewith - *see Land Court Doc. No. 13421 - plan*

filed in File 3-A.

NANTUCKET COUNTY

Received and Entered

Attest

Joseph S. Barrett
MAR 30 1972 10-15 AM

Register

Plan of Pocomo Road, Nantucket, Mass.

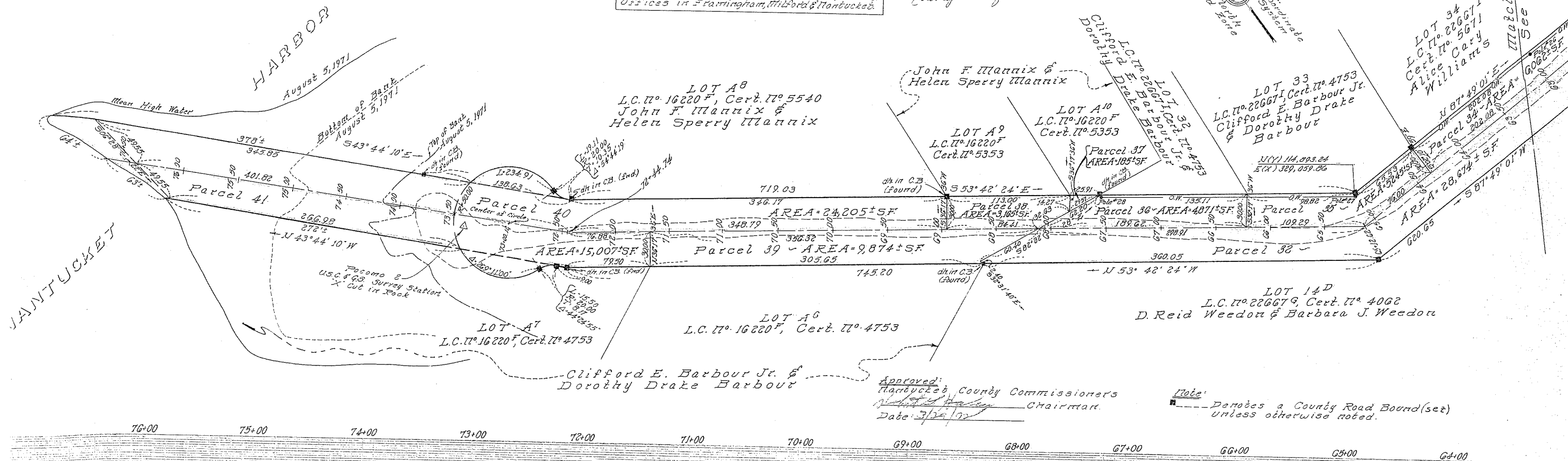
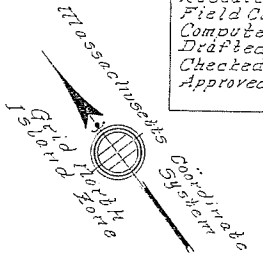


Plan of Laying out
Nantucket County Commissioners of
POCOMO ROAD
in
NANTUCKET, MASS.
Scale: 1"=40' September 18, 1971.
Schofield Brothers, Inc., Professional
Engineers & Registered Land Surveyors.
18 Federal Street, Nantucket, Mass.
Offices in Framingham, Milford & Nantucket.



Shellyn Kelly

SURVEYING	ENGINEERING
Research by J.L.S.	Research by J.L.S.
Field Chief J.L.S.	Designed by J.L.S.
Computed by J.L.S.	Computed by J.L.S.
Drafted by J.L.S.	Topography by J.L.S.
Checked by J.L.S.	Checked by J.L.S.
Approved by J.L.S.	Approved by J.L.S.
RLS	RE



Approved:
Nantucket County Commissioners
Chairman
Date: 3/24/72

Note:
Denotes a County Road Bound(ary)
unless otherwise noted.

Match Line
See Sheet 5

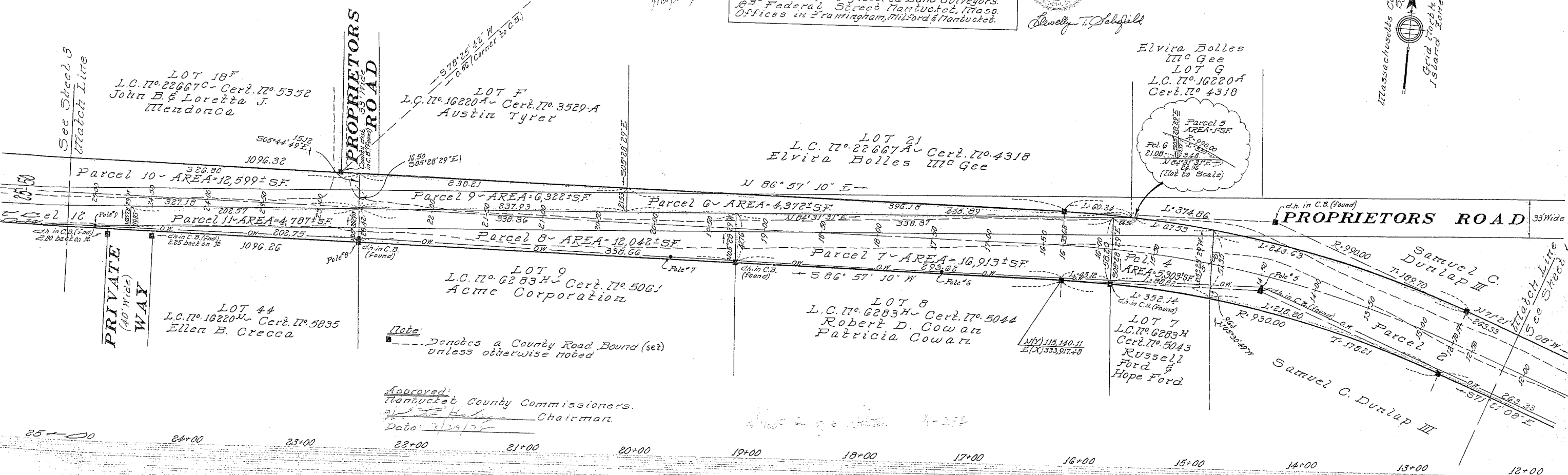
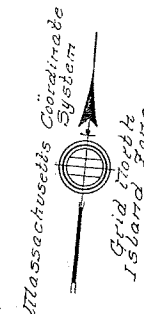


Plan of Laying for
Nantucket County Commissioners of
POCOMO ROAD
in
NANTUCKET, MASS.
Scale: 1"=40' September 15, 1971.
Schofield Brothers, Inc. Professional
Engineers & Registered Land Surveyors.
25 Federal Street, Nantucket, Mass.
Offices in Framingham, Milford & Nantucket.



Stevenson T. Schofield

SURVEYING	ENGINEERING
Research by J.J.S.	Research by J.J.S.
Field Chief: J.J.S.	Designed by J.J.S.
Computed by J.J.S.	Computed by J.J.S.
Drafted by J.J.S.	Topography by J.J.S.
Checked by J.J.S.	Checked by J.J.S.
Approved by: J.J.S.	Approved by: J.J.S.
RLO	RE



Survey of Pocomo Road

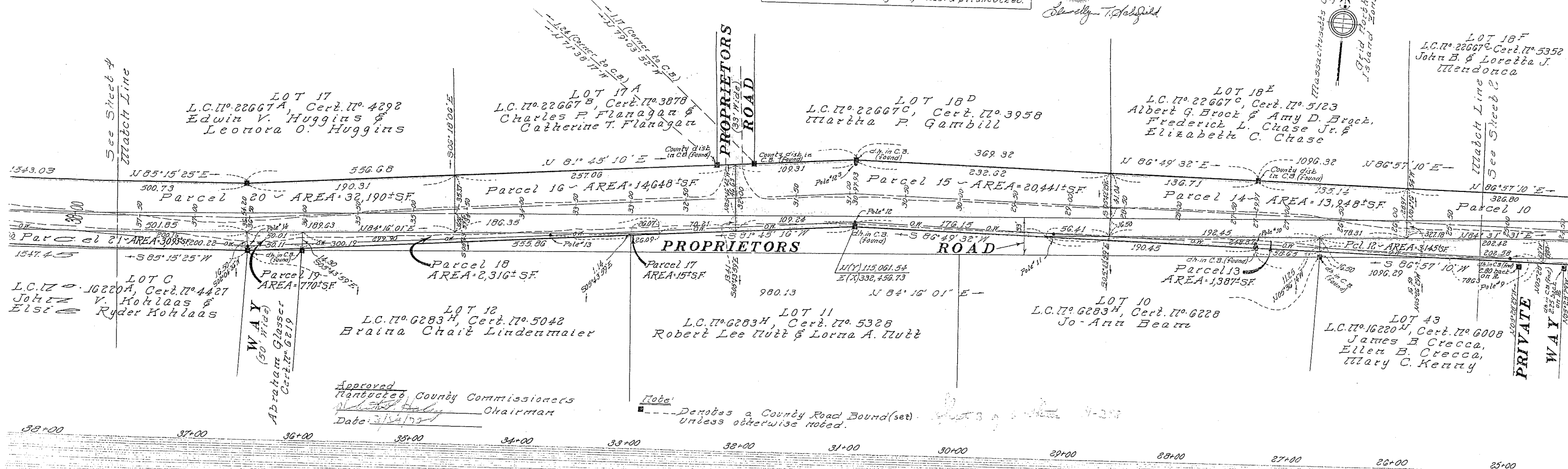
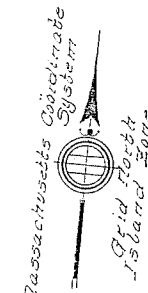


Plan of Taking for
Nantucket County Commissioners of
POCOMO ROAD
in
NANTUCKET, MASS.
Scale: 1"=40' September 15, 1971.
Schofield Brothers, Inc., Professional
Engineers & Registered Land Surveyors
18 Federal Street, Nantucket, Mass.
Offices in Framingham, Milford & Nantucket.



Charles T. Schofield

SURVEYING	ENGINEERING
Research by J.S.	Research by J.S.
Field Chief: M.S.	Designed by: J.S.
Computed by: J.S.	Computed by: J.S.
Drafted by: J.S.	Topography by: M.A.
Checked by: J.S.	Checked by: L.T.S.
Approved by: J.S.	Approved by: L.T.S.
RLS	PE

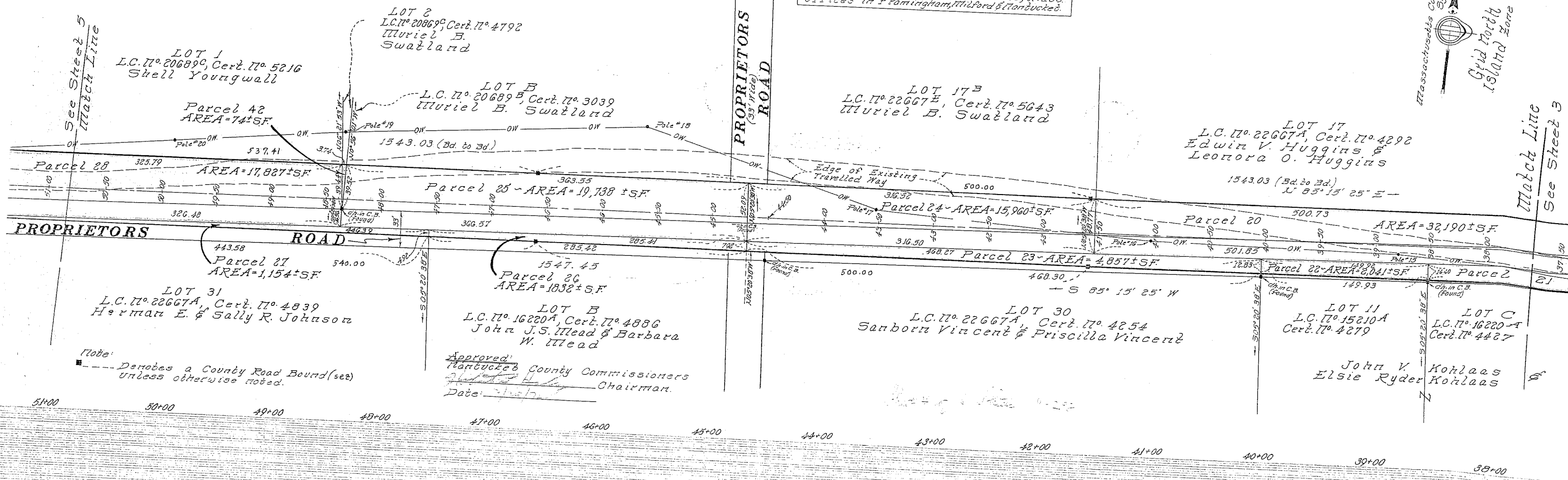
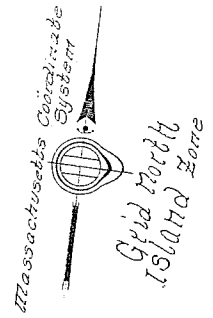


Under of Survey from 1971



Plan of Taking for
Nantucket County Commissioners of
POCOMO ROAD
in
NANTUCKET, MASS.
Scale: 1"=40' September 15, 1971
Schofield Brothers Inc. Professional
Engineers & Registered Land Surveyors
195 Federal Street, Nantucket, Mass.
Offices in Framingham, Milford & Nantucket.

SURVEYING	ENGINEERING
Research by J.L.S. Research by J.L.S.	Field Chief M.B. Designed by J.L.S.
Computed by J.L.S. Computed by J.L.S.	Drawn by J.L.S. Topography by J.L.S.
Checked by J.L.S. Checked by J.L.S.	Approved by J.L.S. Approved by J.L.S.
RLS	P.E.



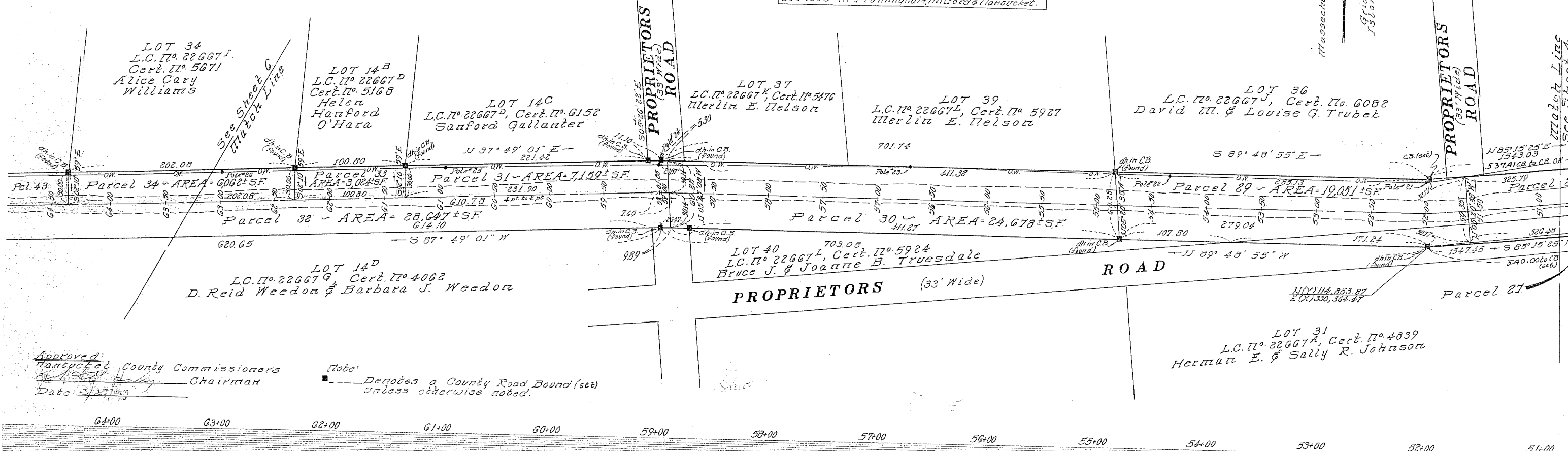
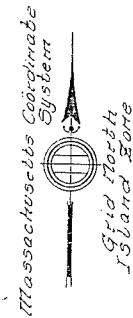
Approved:
Nantucket County Commissioners
Chairman.
Date: 9/17/71

Order of Taking for Road



Plan of Taking for
Nantucket County Commissioners of
POCOMO ROAD
in
NANTUCKET, MASS.
Scale: 1"=40' September 15, 1971
Schofield Brothers, Inc. Professional
Engineers & Registered Land Surveyors
185 Federal Street, Nantucket, Mass.
Offices in Framingham, Milford & Nantucket.

SURVEYING	ENGINEERING
Research by: J. E. Research by: J. E.	Research by: J. E. Research by: J. E.
Field Chief: M. E. Designed by: J. E.	Field Chief: M. E. Designed by: J. E.
Computed by: J. E. Computed by: J. E.	Computed by: J. E. Computed by: J. E.
Drafted by: E. M. Topography by: N/A	Drafted by: E. M. Topography by: N/A
Checked by: J. E. Checked by: J. E.	Checked by: J. E. Checked by: J. E.
Approved by: J. E. Approved by: J. E.	Approved by: J. E. Approved by: J. E.
RLS	PE



Approved:
Nantucket County Commissioners
Chairman
Date: 3/27/72

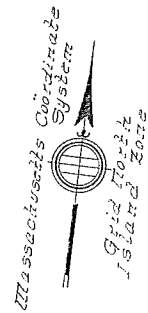
Note:
--- Denotes a County Road Bound (set)
Unless otherwise noted.



Plan of Taking for
Nantucket County Commissioners of
POCOMO ROAD
in
NANTUCKET, MASS.
Scale: 1"=40' September 15, 1971
Schofield Brothers, Inc. Professional
Engineers & Registered Land Surveyors.
18 Federal Street, Nantucket, Mass.
Offices in Framingham, Milford & Nantucket.



Edward T. Schofield



SURVEYING	ENGINEERING
Research by: J.B.S.	Research by: J.B.S.
Field Chief: J.B.S.	Designed by: J.B.S.
Computed by: J.B.S.	Computed by: J.B.S.
Drafted by: J.B.S.	Topography by: J.B.S.
Checked by: J.B.S.	Checked by: J.B.S.
Approved by: J.B.S.	Approved by: J.B.S.

