

WARRANT
TOWN OF BURLINGTON
SPECIAL TOWN MEETING

May 16, 2001

In accordance with the provisions of Section 12 (a) of Chapter 686 of the Acts of 1970 of the Commonwealth of Massachusetts and the Town of Burlington General Bylaws Article II, Section 1.1, I hereby call a special meeting of the Town Meeting Representatives of the Town of Burlington to meet in general assembly at the Burlington High School, Fogelberg Auditorium, on Wednesday, the 16th day of May, 2001 at seven-thirty in the evening then and there to act on the articles related to the proposed land swap.

s/s Robert P. Marrano
Town Moderator

ZONING ARTICLES

ARTICLE 1

**RE: REZONE GRANDVIEW
FARM/CENTER STREET PROPERTY
FROM R.O. TO PLANNED
DEVELOPMENT (PD) DISTRICT:**

To see if the Town will vote to amend the Zoning Map to rezone certain parcels of land known as 59 Center Street, identified as a majority portion of Town Assessors Map 30 as Parcel 17; a vacant lot on Sleeper Drive identified on Town Assessors Map 30 as Parcel 35-12; a vacant lot on Sleeper Drive identified on Town Assessors Map 30 as Parcel 35-13; and a portion of 61 Center Street, identified on Town Assessors Map 30 as Parcel 18, from One Family Dwelling (RO) District to Planned Development (PD) District in accordance with the Grandview Farm Planned Development District zoning regulations included as part of the backup material to this warrant article; said land is further described as follows:

Legal Description

A CERTAIN AREA OF LAND, LOCATED ON THE NORTHERLY SIDE OF CENTER STREET, INCLUDING THE MAJORITY PORTION OF LOT 17, THE ENTIRETY OF LOTS 35-12 AND 35-13, AND A PORTION OF LOT 18, ALL AS REFLECTED ON ASSESSOR'S MAP 30, IN THE TOWN OF BURLINGTON, COUNTY OF MIDDLESEX, COMMONWEALTH OF MASSACHUSETTS, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON CENTER STREET AT LAND OF THE TOWN OF BURLINGTON, THENCE RUNNING:

NORTHEASTERLY

ALONG SAID LAND OF THE TOWN OF BURLINGTON
TWO HUNDRED EIGHTY-SEVEN AND 16/100 (287.16)
FEET TO A POINT; THENCE TURNING AND RUNNING

SOUTHEASTERLY ACROSS LAND NOW OR FORMERLY OF ANN M. RUPING, ONE HUNDRED TWENTY-NINE AND 59/100 (129.59) FEET TO A POINT AT THE TERMINUS OF SLEEPER DRIVE; THENCE TURNING AND RUNNING

SOUTHEASTERLY ALONG THE TERMINUS OF SLEEPER DRIVE FORTY-FOUR (44.00) FEET TO A POINT; THENCE TURNING AND RUNNING

NORTHEASTERLY ALONG SLEEPER DRIVE TWO HUNDRED (200.00) FEET TO A POINT; THENCE TURNING AND RUNNING

SOUTHEASTERLY ALONG LAND NOW OR FORMERLY OWNED BY SLEEPER DRIVE REALTY TRUST, TWO HUNDRED TWENTY AND 8/100 (220.08) FEET TO A POINT AT LAND OF THE TOWN OF BURLINGTON; THENCE TURNING AND RUNNING

SOUTHEASTERLY OVER LAND OF THE TOWN OF BURLINGTON, TWO HUNDRED AND 67/100 (200.67) FEET TO A POINT; THENCE TURNING AND RUNNING

SOUTHWESTERLY OVER LAND OF THE TOWN OF BURLINGTON, TWO HUNDRED SEVENTY FIVE (275.00) FEET TO A POINT; THENCE TURNING AND RUNNING

SOUTHEASTERLY OVER LAND OF THE TOWN OF BURLINGTON, SEVENTEEN AND 7/100 (17.07) FEET TO A POINT; THENCE TURNING AND RUNNING

SOUTHWESTERLY OVER LAND OF THE TOWN OF BURLINGTON, TWO HUNDRED THIRTY-EIGHT AND 26/100 (238.26) FEET TO A POINT AT CENTER STREET; THENCE TURNING AND RUNNING

NORTHWESTERLY ALONG CENTER STREET BY FOUR BOUNDS, SIXTY (60.00) FEET, ONE HUNDRED FIFTY SEVEN AND 18/100 (157.18) FEET, TWO HUNDRED THIRTY THREE AND 84/100 (233.84) FEET, AND SEVENTY-NINE AND 11/100 (79.11) FEET TO THE POINT OF BEGINNING AT LAND OF THE TOWN OF BURLINGTON.

SAID LAND AREA CONTAINING 5.8 ACRES, MORE OR LESS.

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 2

**RE: ACCEPTANCE OF GRANDVIEW
FARMHOUSE, SLEEPER DRIVE
RESIDENTIAL LOTS AND SENIOR
AFFORDABLE HOUSING RESTRICTION
AND AUTHORITY TO CONVEY
EASEMENTS FOR SENIOR
AFFORDABLE HOUSING:**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift or exchange and to accept, on such terms and conditions as the Selectmen may determine:

- (a) a deed of land with improvements thereon known as the Grandview Farm area at 59 Center Street, being a portion of the premises described in the deed to Hubert J. Ruping and Ann M. Ruping dated January 13, 1978, recorded with the Middlesex South District Registry of Deeds in Book 13375, Page 170, also identified as a portion of Town Assessors Map 30 as Parcel 17 containing 1.94 acres, more or less, said area being shown as Area 1 and Area 2 on the plan entitled "Grandview Farm Planned Development District," prepared by the Town of Burlington Planning Department, dated April 2, 2001, for general municipal purposes; and for the purpose of conveyance of the easements described in Article 3 of this Warrant; and
- (b) a deed of vacant land known as the Sleeper Drive lots, being a portion of the premises described in the deed to Ann M. Ruping, as Trustee of the Sleeper Drive Realty Trust, recored with Middlesex South Registry of deeds, in Book 28324, Page 356, said Sleeper Drive lots are also identified on Town Assessors Map 30, Parcels 35-10, 35-11, 35-14 and 35-15, containing 1.85, more or less acres and the fee ownership interest in a certain portion of the Sleeper Drive Right of Way running from Briarwood Lane south westerly to the dead end, for the general municipal purposes, including conveyance of access and utility easements within Sleeper Drive;
- (c) a Senior Affordable Housing Restriction with respect to the vacant land known as the Senior Affordable Housing Parcel, being a portion of the premises described in the deeds referred to above, containing 1.96 acres, more or less, shown as Area 3 on a plan entitled "Grandview Farm Planned Development District," prepared by the Town of Burlington Planning Department, dated April 2, 2001, to be held and enforced by the Board of Selectmen on behalf of the Town;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 3

**RE: GRANT OF EASEMENTS ON TOWN
LAND FOR GRANDVIEW SENIOR
AFFORDABLE HOUSING:**

To see if the Town will vote to authorize the Board of Selectmen to grant to the owner of the Senior Affordable Housing Parcel described in Article 2(c) of this Warrant non-exclusive access, utility and parking easements on the land owned by the Town at 61 Center Street known as the Human Service Center Building, said easements to be within the area shown as Area 4 on the plan entitled "Grandview Farm Planned Development District", prepared by The Town of Burlington Planning Department, dated April 2, 2001, and to further authorize the Board of Selectmen to grant to said owner non-exclusive passive recreation and horticultural use easements on Area 2 described in Article 2(a) of this Warrant, and to further authorize the Board of Selectmen to grant to said owner non-exclusive access and utility easements within Sleeper Drive, said easements to be granted on such terms and conditions and for such consideration, which may be nominal monetary consideration, as the Selectmen may determine;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 4

**RE: REZONE MOUNTAIN ROAD/WALL
STREET FROM R.O. AND I.G. PROPERTY
TO PLANNED DEVELOPMENT (PD)
DISTRICT:**

To see if the Town will vote to amend the Zoning Map to rezone certain parcels of land known as 91 Mountain Road, identified on Town Assessors Map 48, Parcel 4; 0 Wall Street, identified on Town Assessors Map 48, Parcel 33 and 1 Wall Street, identified on Town Assessors Map 48, Parcel 37-2, and 9 Wall Street, identified on Town Assessors Maps 48, Parcel 36, from One Family Dwelling (RO) District and General Industrial (IG) District to Planned Development (PD) District, in accordance with the Planned Development district zoning regulations included as part of the backup material to this warrant article,

That certain parcels of land, with the buildings and improvements thereon, situated in Burlington in the County of Middlesex and the Commonwealth of Massachusetts, bounded and described as follows:

Legal Description

A CERTAIN PARCEL OF LAND, LOCATED ON THE NORTHERLY SIDE OF WALL STREET, CREATED BY COMBINING LOTS 4, 33, 36, AND A PORTION OF LOT 37-2 FROM BURLINGTON ASSESSORS MAP 48, IN THE TOWN OF BURLINGTON, COUNTY OF MIDDLESEX (SOUTH), COMMONWEALTH OF MASSACHUSETTS, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY SIDE OF WALL STREET APPROXIMATELY ONE HUNDRED FORTY FEET WEST OF THE END OF THE WALL STREET CUL-DE-SAC; THENCE

N 56°44'42" W	A DISTANCE OF FORTY-THREE AND FIFTY-FIVE HUNDREDTHS FEET (43.55) TO A POINT; THENCE
N 13°07'09" W	A DISTANCE OF ONE HUNDRED NINETY-SEVEN AND FIVE HUNDREDTHS FEET (197.05) TO A POINT; THENCE
N 65°02'36" W	A DISTANCE OF NINETY-SIX AND NINETY-SIX HUNDREDTHS FEET (96.96) TO A POINT; THENCE
N 30°06'03" W	A DISTANCE OF NINETY-THREE AND NO HUNDREDTHS FEET (93.00) TO A POINT; THENCE
S 76°46'27" W	A DISTANCE OF FORTY AND FORTY-EIGHTY-FOUR HUNDREDTHS FEET (40.48) TO A POINT; THENCE
S 13°13'33" E	A DISTANCE OF THREE HUNDRED EIGHTY-FOUR AND SEVENTY-EIGHT HUNDREDTHS FEET (348.78) TO A POINT; THENCE
N 63°09'23" E	A DISTANCE OF TWENTY-FIVE AND NO HUNDREDTHS FEET (25.00) TO A POINT; THENCE
S 18°09'42" E	A DISTANCE OF TWENTY-SEVEN AND SEVENTY-NINE HUNDREDTHS FEET (27.79) TO A POINT; THENCE
NORTH- WESTERLY	AND CURVING TO THE RIGHT ALONG THE ARC OF A CURVE HAVING A RADIUS OF FOUR HUNDRED AND NO HUNDREDTHS FEET (400.00) A LENGTH OF SIXTY-TWO AND SIXTY-NINE HUNDREDTHS FEET (62.69) TO A POINT; THENCE
S 81°56'30" W	DISTANCE OF EIGHTY-SEVEN AND THIRTY-ONE HUNDREDTHS FEET (87.31) TO A POINT; THENCE
N 54°44'52" E	A DISTANCE OF FIFTY-FOUR AND SIXTY-TWO HUNDREDTHS FEET (54.62) TO A POINT; THENCE
N 11°19'00" W	A DISTANCE OF SEVENTY-FOUR AND FORTY-TWO HUNDREDTHS FEET (74.42) TO A POINT; THENCE
N 11°34'39" W	A DISTANCE OF ONE HUNDRED SEVEN AND FORTY-EIGHT HUNDREDTHS FEET (107.48) TO A POINT; THENCE
N 17°12'17" W	A DISTANCE OF ONE HUNDRED EIGHT AND TWENTY-FIVE HUNDREDTHS FEET (108.25) TO THE POINT; THENCE
N 11°22'26" W	A DISTANCE OF THREE HUNDRED FIFTEEN AND FIVE HUNDREDTHS FEET (315.05) TO A POINT; THENCE
N 04°06'29" E	A DISTANCE OF FORTY-FIVE AND NINETY FIVE HUNDREDTHS FEET (45.95) TO A POINT; THENCE

N 07°20'16" W	A DISTANCE OF TWENTY-SEVEN AND SEVENTY-TWO HUNDREDTHS FEET (27.72) TO A POINT; THENCE
N 26°18'07" E	A DISTANCE OF FORTY AND NO HUNDREDTHS FEET (40.00) TO A POINT; THENCE
NORTH- WESTERLY	AND CURVING TO THE RIGHT ALONG THE ARC OF A CURVE HAVING A RADIUS OF FOUR HUNDRED FOURTEEN AND ONE HUNDREDTHS FEET (414.01) A LENGTH OF FORTY-ONE AND NINETY-SIX HUNDREDTHS FEET (41.96) TO A POINT; THENCE
N 32°41'55" W	A DISTANCE OF SIXTY-SIX AND TWELVE HUNDREDTHS FEET (66.12) TO A POINT; THENCE
N 21°20'52" E	A DISTANCE OF SEVENTY-EIGHT AND THIRTY-THREE HUNDREDTHS FEET (78.33) TO A POINT; THENCE
N 67°44'58" W	A DISTANCE OF TEN AND NO HUNDREDTHS FEET (10.00) TO A POINT; THENCE
N 21°20'52" E	A DISTANCE OF TWO HUNDRED FIVE AND NINETY EIGHT HUNDREDTHS FEET (205.98) TO A POINT; THENCE
N 00°26'46" E	A DISTANCE OF THREE HUNDRED SIXTY SIX AND FORTY-TWO HUNDREDTHS FEET (366.42) TO A POINT; THENCE
N 24°28'49" E	A DISTANCE OF TWO HUNDRED SEVENTY-FOUR AND SEVENTY-NINE HUNDREDTHS FEET (274.79) TO A POINT; THENCE
N 42°56'30" E	DISTANCE OF FOUR HUNDRED TWENTY-NINE AND TWENTY FOUR HUNDREDTHS FEET (429.24) TO A POINT; THENCE
NORTH- EASTERLY	AND CURVING TO THE RIGHT ALONG THE ARC OF A CURVE HAVING A RADIUS OF FOUR THOUSAND EIGHT HUNDRED FIFTY AND NO HUNDREDTHS FEET (4850.00) A LENGTH OF TWO HUNDRED SIXTY-TWO AND SIXTY-FIVE HUNDREDTHS FEET (262.65) TO A POINT; THENCE
S 48°13'15" E	A DISTANCE OF ONE TWENTY-THREE AND SIXTY-ONE HUNDREDTHS FEET (23.61) TO A POINT; THENCE
S 52°55'35" E	A DISTANCE OF FIFTY-TWO AND TWENTY-EIGHT HUNDREDTHS FEET (52.28) TO A POINT; THENCE
S 65°04'15" E	A DISTANCE OF ONE HUNDRED FORTY-FOUR AND EIGHTY-NINE HUNDREDTHS FEET (144.89) TO A POINT; THENCE

S 65°47'01" E	A DISTANCE OF TWO HUNDRED FIFTY-EIGHT AND NINETY-TWO HUNDREDTHS FEET(258.92) TO A POINT; THENCE
S 60°47'57" E	A DISTANCE OF FIFTY-ONE AND NINETEEN HUNDREDTHS FEET (51.19) TO A POINT; THENCE
S 26°53'04" E	A DISTANCE OF ONE HUNDRED NINETY-EIGHT AND FIFTY-THREE HUNDREDTHS FEET(198.53) TO A POINT; THENCE
N 78°16'35" E	A DISTANCE OF TWENTY AND SEVENTY-ONE HUNDREDTHS FEET(20.71) TO A POINT; THENCE
N 64°18'15" E	A DISTANCE OF ONE HUNDRED ONE AND THREE HUNDREDTHS FEET(101.03) TO A POINT; THENCE
S 07°56'35" E	A DISTANCE OF SEVENTY-ONE AND NINETY-SEVEN HUNDREDTHS FEET (71.97) TO THE POINT: THENCE
S 82°43'15" W	A DISTANCE OF TWO HUNDRED FOURTEEN AND SIXTY HUNDREDTHS FEET (214.60) TO A POINT; THENCE
S 07°09'11" W	A DISTANCE OF ONE HUNDRED TWENTY AND NINETY-TWO HUNDREDTHS FEET (120.92) TO A POINT; THENCE
S 31°48'20" W	A DISTANCE OF EIGHTY AND THIRTEEN HUNDREDTHS FEET (80.13) TO A POINT; THENCE
S 41°17'35" E	A DISTANCE OF SIXTEEN AND FIFTY-ONE HUNDREDTHS FEET (16.51) TO A POINT; THENCE
S 21°14'02" E	A DISTANCE OF THIRTY-FOUR AND FORTY-SIX HUNDREDTHS FEET (34.46) TO A POINT; THENCE
S 81°17'17" E	A DISTANCE OF THIRTY-FIVE AND THIRTY-FIVE HUNDREDTHS FEET (35.35) TO A POINT; THENCE
S 06°43'45" W	A DISTANCE OF FIVE HUNDRED SEVENTEEN AND SIXTY-FIVE HUNDREDTHS FEET (517.65) TO A POINT; THENCE
N 81°44'41" W	A DISTANCE OF ONE HUNDRED FIFTY AND NO HUNDREDTHS FEET (150.00) TO A POINT; THENCE
S 72°59'12" W	A DISTANCE OF ONE HUNDRED THIRTY-FIVE AND FIFTY-SIX HUNDREDTHS FEET (135.56) TO A POINT; THENCE
N 04°35'44" W	A DISTANCE OF FORTY AND NO HUNDREDTHS FEE (40.00) TO A POINT; THENCE
N 77°58'19" W	A DISTANCE OF ONE HUNDRED SEVENTY-EIGHT AND THIRTY HUNDREDTHS FEET (178.30) TO A POINT; THENCE
S 20°58'26" E	A DISTANCE OF EIGHT AND NO HUNDREDTHS FEET (8.00) TO A POINT; THENCE

S 11°58'23" E	A DISTANCE OF SEVENTY-ONE AND FORTY-FIVE HUNDREDTHS FEET (71.45) TO A POINT; THENCE
S 25°26'59" E	A DISTANCE OF FIFTY-ONE AND FIFTY-EIGHT HUNDREDTHS FEET (51.58) TO A POINT; THENCE
S 41°27'11" E	A DISTANCE OF FORTY-NINE AND THIRTY-NINE HUNDREDTHS FEET (49.39) TO A POINT; THENCE
S 25°24'14" W	A DISTANCE OF FIFTEEN AND NINETY-ONE HUNDREDTHS FEET (15.91) TO A POINT; THENCE
S 49°47'13" W	A DISTANCE OF SIXTY-THREE AND SIXTY HUNDREDTHS FEET (63.60) TO A POINT; THENCE
S 63°56'20" W	A DISTANCE OF ONE HUNDRED AND NO HUNDREDTHS FEET (100.00) TO A POINT; THENCE
S 26°03'08" E	A DISTANCE OF FORTY AND NO HUNDREDTHS FEET (40.00) TO A POINT; THENCE
N 63°56'20" E	A DISTANCE OF FORTY-FOUR AND SEVENTY-SIX HUNDREDTHS FEET (44.76) TO A POINT; THENCE
S 10°53'55" E	A DISTANCE OF ONE HUNDRED SIXTY-ONE AND NINETY-EIGHT HUNDREDTHS FEET (161.98) TO A POINT; THENCE
S 07°01'25" E	A DISTANCE OF TWO HUNDRED FOURTEEN AND TWENTY-FIVE HUNDREDTHS FEET (214.25) TO A POINT; THENCE
S 09°12'32" E	A DISTANCE OF SIXTY-SEVEN AND SEVENTY-FOUR HUNDREDTHS FEET(67.74) TO A POINT; THENCE
S 16°02'05" W	A DISTANCE OF FIFTY-EIGHT AND TWENTY-FOUR HUNDREDTHS FEET (58.24) TO A POINT; THENCE
N 67°34'28" E	A DISTANCE OF NINE AND NINETY-SIX HUNDREDTHS FEET (9.96) TO A POINT; THENCE
S 25°47'38" W	A DISTANCE OF SEVENTY-NINE AND THIRTY-SEVEN HUNDREDTHS FEET (79.37) TO A POINT; THENCE
N 84°24'41" W	A DISTANCE OF TWENTY-SIX AND FORTY-FIVE HUNDREDTHS FEET (26.45) TO A POINT; THENCE
NORTH- WESTERLY	AND CURVING TO THE LEFT ALONG THE ARC OF A CURVE HAVING A RADIUS OF SIXTY AND NO HUNDREDTHS FEET (60.00) A LENGTH OF ONE HUNDRED THIRTY AND NINE HUNDREDTHS FEET (130.09) TO A POINT; THENCE

SOUTH-
WESTERLY

AND CURVING TO THE RIGHT ALONG THE ARC OF A CURVE
HAVING A RADIUS OF THIRTY AND NO HUNDREDTHS FEET
(30.00) A LENGTH OF TWENTY-SEVEN AND FORTY
HUNDREDTHS FEET (27.40) TO A POINT; THENCE

S 65°56'30" W

A DISTANCE OF TWENTY-FIVE AND FIFTY-TWO
HUNDREDTHS FEET (25.52) TO THE POINT OF BEGINNING

THE ABOVE DESCRIBED LOTS CONTAINS APPROXIMATELY 32.7 ACRES IN THE
TOWN OF BURLINGTON, MASSACHUSETTS. THE ABOVE DESCRIPTION WAS
DERIVED FROM COMPILING PLANS OF RECORD.

or to act in any other manner in relation thereto.

Submitted by the Board of Selectmen on
behalf of The Gutierrez Company, and
GVF Builders

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 5

**RE: ACCEPTANCE OF MOUNTAIN
ROAD MULTI-FAMILY/SENIOR
AFFORDABLE HOUSING LAND AND
AUTHORITY TO CONVEY**

To see if the Town will vote to authorize Board of Selectmen to acquire by gift or exchange and to accept a deed of certain premises located off Mountain Road, being a portion of Parcel I and a portion of Parcel II described in the deed to Arturo J. Gutierrez and John A. Cataldo, Trustees of Burlington, January 1998 Realty Trust under Declaration of trust dated as of January 1, 1998, which deed is dated January 7, 2000, recorded with the Middlesex South District Registry of Deeds in Book 31035, Page 375, containing 11.01 acres, more or less, shown as Area B on the plan entitled "Planned Development District Wall Street Zoning Area Plan," prepared by Vanasse Hangen Brustlin, Inc., dated April 26, 2001, together with a permanent easement for access to said premises from Wall Street, for the purpose of conveyance; and to authorize the Board of Selectmen to convey such premises in consideration of the grant to the Town of the real property and interests in real property described in Article 2 of this Warrant, such premises to be conveyed subject to a Senior Affordable Housing Restriction and access easement, and subject to a Conservation Restriction to be reserved by the Town on Area B buffer area as shown on said plan, and on such other terms and conditions as the Selectmen may determine;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 6

RE: RESERVATION OF AFFORDABLE HOUSING RESTRICTION ON MOUNTAIN ROAD SENIOR AFFORDABLE HOUSING LAND:

To see if the Town will authorize the Board of Selectmen on behalf of the Town, to hold and enforce the Senior Affordable Housing Restriction and access easement to be reserved by the Town described in Article 5 of this Warrant;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 7

RE: RESERVATION OF CONSERVATION RESTRICTION ON MOUNTAIN ROAD MULTI-FAMILY/SENIOR AFFORDABLE HOUSING LAND:

To see if the Town will authorize the Conservation Commission, on behalf of the Town, to hold and enforce the conservation restriction reserved by the Town described in Article 5 of this Warrant;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 8

RE: ACCEPTANCE OF GLEN AVENUE (WILDLIFE HABITAT) CONSERVATION LAND:

To see if the Town will authorize the Conservation Commission to acquire by gift or exchange and to accept a deed of certain premises located on Glenvale Avenue, being a portion of Parcel I and a portion of Parcel II described in the deed to Arturo J. Gutierrez and John A. Cataldo, Trustees of Burlington January 1998 Realty Trust under Declaration of Trust dated as of January 1, 1998, which deed is dated January 7, 2000, recorded with the Middlesex South District Registry of Deeds in Book 31035, Page 375, containing 6.41 acres, more or less, shown as Area D on the plan entitled "Planned Development District Wall Street Zoning Area Plan," prepared by Vanasse Hangen Brustlin, Inc., dated April 26, 2001 and also shown as Area D on the plan

entitled "Mountain Road Conservation Area Conceptual Master Plan," prepared by Vanasse Hangen Brustlin, Inc., dated April 26, 2001 for conservation, open space and passive recreation purposes, on such terms and conditions as the Conservation Commission and Board of Selectmen may determine;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 9

**RE: ACCEPTANCE OF GLEN AVENUE
CONSERVATION LAND:**

To see if the Town will authorize the Conservation Commission to acquire by gift or exchange and to accept a deed of certain premises located on Glen Avenue, identified on Town Assessors' Map 42 as Parcels 23, 24 and 94, described in the deed to The Gutierrez Company dated December 7, 1984, recorded with the Middlesex South District Registry of Deeds in Book 15913, Page 40 and identified on Town Assessors Map 42 as Parcel 95, described in the deed to The Gutierrez Company dated December 7, 1984, recorded with said Deeds in Book 15913, Page 41, containing together 3.3 acres, more or less, for conservation, open space and passive recreation purposes, on such terms and conditions as the Conservation Commission and Board of Selectmen may determine;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 10

**RE: WHEELER ROAD TRANSFER
FOR CONVEYANCE**

To see if the Town will vote to transfer from Board of Selectmen for general municipal purposes to the Board of Selectmen for the purpose of conveyance and authorize the Board of Selectmen to convey, in consideration of the grant to the Town of the real property and/or interests in real property described in Articles 5, 8, 9, 11 and 12 of this Warrant, the land on Wheeler Road identified on Town Assessors' Map 56 as Parcel 19, described in the deed to the Town dated

November 30, 1978, recorded with the Middlesex South District Registry of Deeds in Book 13595, Page 582, containing 14.57 acres, more or less, and on such other terms and conditions as the Selectmen may determine;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 11

**RE: ACCEPTANCE OF ACCESS AND
UTILITY EASEMENTS TO SERVE
HOUSING AUTHORITY PARCEL**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift or exchange and to accept a deed of a 40-foot wide access and utility easement running along the westerly property line abutting Route 3 of the property identified on Town Assessors' Map 56 as Parcel 19 to the common property line of property of the Burlington Housing Authority identified on Town Assessors' Map 59 as Parcel 32, on such terms and conditions as the Selectmen may determine;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()

ARTICLE 12

**RE: ACCEPTANCE OF SOUTH
BEDFORD STREET MUNICIPAL
PURPOSES PARCELS**

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift or exchange and to accept a deed of a certain parcel of real property located at 40 South Bedford Street, identified on Town Assessors' Map 47 as Parcel 3, described in the deed to Burlington Residences LLC dated April 7, 1999, recorded with the Middlesex South District Registry of Deeds in Book 30023, Page 013, and a certain parcel of real property located at 42 South Bedford Street, identified on Town Assessors' Map 47 as Parcel 7, described in the deed to Burlington Residences LLC dated April 17, 1999, recorded with said Deeds in Book 20023, Page 013, containing together 1.1 acres, more or less, for general municipal purposes, upon the issuance of a building permit for a commercial office building on the premise described in Article 10 of the Warrant, and on such terms and conditions as the Selectmen may determine;

or to act in any other manner in relation thereto.

Submitted by Board of Selectmen

PASSED () DEFEATED () POSTPONED INDEFINITELY () OTHER ()