

S 2427

Chapter 206

THE COMMONWEALTH OF MASSACHUSETTS

In the Year Two Thousand and Four

AN ACT DESIGNATING CERTAIN LANDS IN THE TOWN OF TEWKSBURY FOR CONSERVATION, AGRICULTURE AND PASSIVE PUBLIC RECREATIONAL PURPOSES.

Enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The parcels of land in the town of Tewksbury described in section 2 and under the care, custody and control of the department of public health, are hereby dedicated to the public for the purposes and uses of forest, agriculture and open space protection, management and conservation, environmental education and public access for passive recreation and enjoyment and shall be held solely for these purposes and uses. The department of public health, in consultation with the board of selectmen of the town of Tewksbury or its designee may develop reasonable rules or promulgate regulations for the appropriate conduct and manner of public access under this act that is consistent with the mission of the department and the purposes of this act. For purposes of this act, the phrase "passive recreation" shall include activities and uses related to the Tewksbury Hospital Equestrian FARM, Inc. and its therapeutic equestrian programs.

SECTION 2. The parcels hereby dedicated are identified as follows: All of the lands, including lands under water, in the town of Tewksbury, as described in town of Tewksbury's Assessor's Maps: Map 78 lot 16, Map 80 lot 1 and 2, Map 89 lot 1, Map 88 lot 24, Map 88 lot 21 and 22, Map 87 lot 1, Map 78 lot 27, approximately 19 acres on Map 74, Lot 2, further defined as Lot 74-2-1, as shown on map entitled "Plan of Land in Tewksbury, Massachusetts, Surveyed for Tewksbury Hospital, October 25, 2000", excluding parcels 11, 12, 13 and 14 necessary to protect the quality of the hospital's water supply as shown on map entitled "Tewksbury Hospital: Parcels for Current and Future Development or Protection Under Article 97 of the Massachusetts Constitution, March 2004" on file at the department of public health and excluding approximately 13 acres shown on Tewksbury's Assessor's Map 86, being a portion of Map 87, Lot 1, known as State Field, beginning at a point of intersection

S 2427

of land now or formerly of Olson and the easterly side of Livingston Street; thence North 09 degrees 02' west along the easterly side of Livingston Street a distance of nine hundred and twenty (920) feet + or - to a point; thence along land of town of Tewksbury south 89 degrees 04' 18" east a distance of four hundred and twenty (420) feet to a point; thence along land of said town of Tewksbury 69 degrees 07' 48" east a distance of two hundred and seventy two and 63/100 (272.63) feet to a point; thence southeast one hundred and fifty (150) feet + or - to a point; thence south 16 degrees 47' 08" west a distance of two hundred and twenty three and 74/100 (223.74) feet to a point; thence south 16 degrees 47' 08" west a distance of sixty nine and 30/100 (69.30) feet to a point; thence south 05 degrees 28' 41" east a distance of forty five and 94/100 (45.54) feet to a point; thence south 62 degrees 49' 59" east a distance of fifty two and 80/100 (52.80) feet to a point; thence south 00 degrees 46' 33" east a distance of fifty six and 77/100 (56.77) feet to a point; thence south 87 degrees 38' 47" west a distance of twenty five and 74/100 (25.74) feet to a point; thence south 68 degrees 18' 36" west a distance of seventy eight and 54/100 (78.54) feet to a point; thence south 23 degrees 06' 10" west a distance of two hundred six and 88/100 (206.88) feet to a point; thence south 67 degrees 13' 54" west a distance of ninety one and 99/100 (91.99) feet to a point; thence along land of Olson a distance of approximately two hundred thirty (230) feet to the point of beginning.

House of Representatives, July 8, 2004.

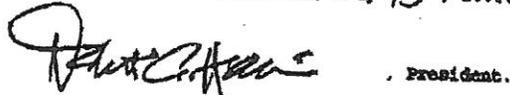
Passed to be enacted,



Speaker.

In Senate, July 13, 2004.

Passed to be enacted,



President.

July 23, 2004.

Approved, at 2:31 PM



GOVERNOR.