Town of Middleton Request to Transfer Properties Currently Under the Care and Control of the Division of Capital Asset Management and Maintenance (DCAMM)

Parcel #: 9

Location/Address:	MILL ST
Assessors Map/Lot :	0013-0000-0041
Book and Page:	Bk 5718 Pg 52 Plan Bk 117 Plan 77
Acres:	11.70
Assessed Value:	$35,200
Acquired Date:	10/6/1970
Acquired Price:	$300
Acquisition Notes:	Taken for conservation purposes. Acquired by Eminent Domain under Chapter 698 Acts of 1967 for conservation purposes.
Property Description/Notes:	Map 13 Lot 41, 11.7 acres and Map 13 Lot 40, 20.7 acres, between Mill Street and the river, is mostly wetland. The upland portions are in Riverfront of the Ipswich River, Boston Brook and Emerson Brook. The land is an important wildlife corridor. A portion of the parcel is designated as a Habitat of Potential Regional or Statewide Importance, and an area with a high Index of Ecological Integrity (UMass CAPS program/DEP).
Current Property Use:	Contiguous to Parcel #7 and #6. Wet area, with significant marshland. Site currently contains a beaver dam.
Potential Property Use:	To be maintained in its current natural state.

Attachments:

1. Assessors map/lot
2. All deed information from South Essex Registry of Deeds
3. Pictures of site

Map 13- Lot 41- Facing east from Mill Street

Town of Middleton Request to Transfer Properties Currently Under the Care and Control of the Division of Capital Asset Management and Maintenance (DCAMM)

Map 13- Lot 41- Facing east from Mill Street

Map 13- Lot 41- Facing east from Mill Street

Town of Middleton Request to Transfer Properties Currently Under the Care and Control of the Division of Capital Asset Management and Maintenance (DCAMM)

Map 13, Lot 41 – Geese on Emerson Brook beaver impoundment

Map 13- Lot 41 Emerson Brook near Ipswich. Beaver Dam and wetlands. Facing SE

Town of Middleton Request to Transfer Properties Currently Under the Care and Control of the Division of Capital Asset Management and Maintenance (DCAMM)

Map 13- Lot 41 Beaver Impoundment on Emerson Brook. Wetlands behind toward river.

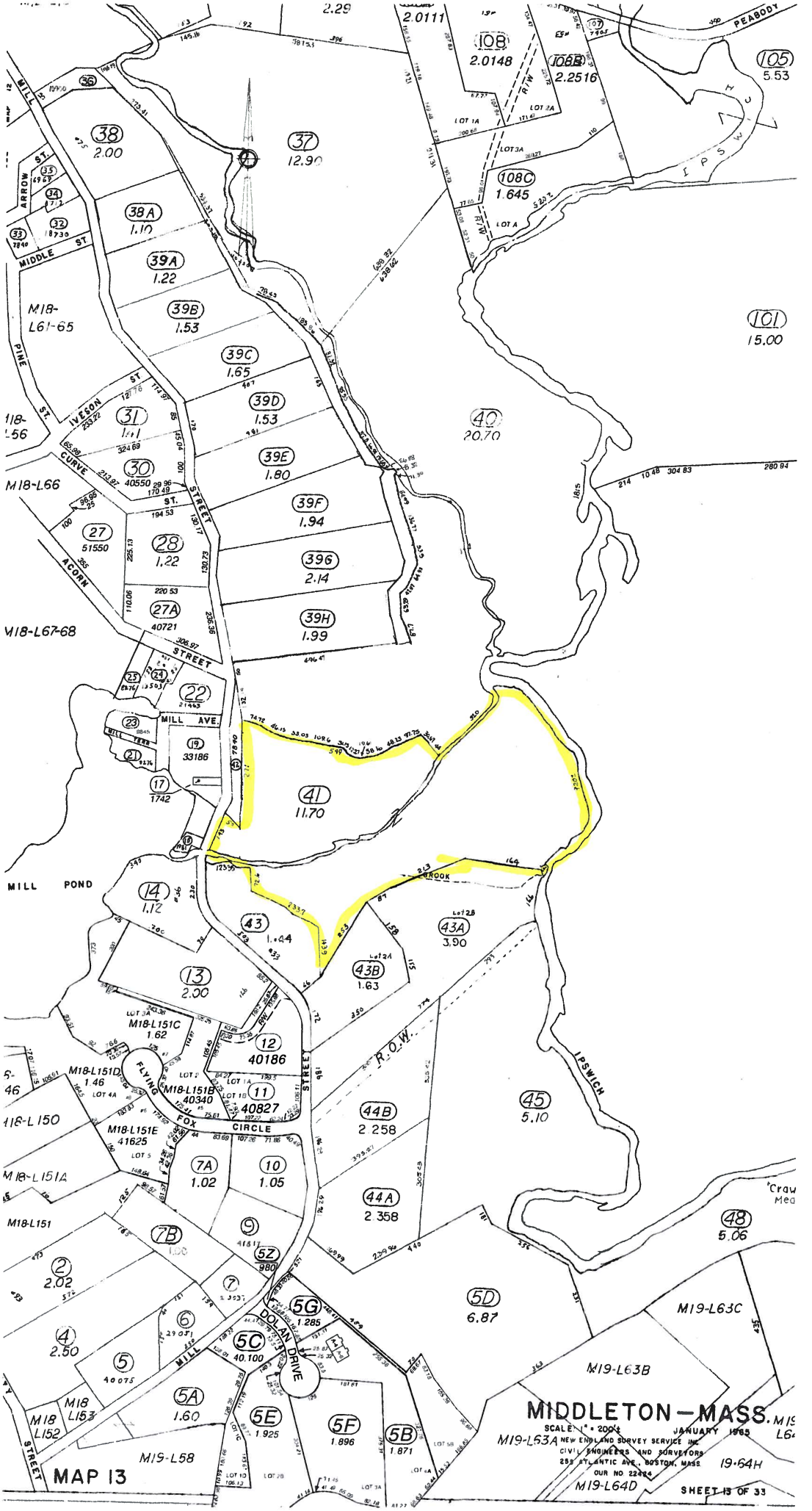
Map 13- Lot 41 Wetlands and Emerson Brook near Ipswich River. Facing SE

Map 13- Lot 41 facing south toward wetlands.

Town of Middleton Request to Transfer Properties Currently Under the Care and Control of the Division of Capital Asset Management and Maintenance (DCAMM)

Map 13- Lot 41 facing Emerson Brook and wetlands

Map 13, Lot 41, geese on Emerson Brook beaver impoundment


MIDDLETON — MASS.
MAP 13
SCALE 1" = 200'
JANUARY 1965
NEW ENGLAND SURVEY SERVICE INC.
CIVIL ENGINEERS AND SURVEYORS
253 ATLANTIC AVE., BOSTON, MASS.
OUR NO 22464
SHEET 13 OF 33
MILL POND
FLYING FOX CIRCLE
DOLAN DRIVE
MILL STREET
ACORN STREET
PINE ST.
ARROW ST.
MIDDLE ST.
IVESON CURVE
MILL AVE.
R.O.W.
IPSWICH
PEABODY
M18-L66
M18-L67-68
M18-L61-65
M18-L56
M18-L150
M18-L151A
M18-L151
M18-L151C 1.62
M18-L151D 1.46
M18-L151B 40340
M18-L151E 41625
M18 L163
M18 L152
M19-L58
M19-L63A
M19-L63B
M19-L63C
M19-L64D
19-64H
2.29
2.0111
2.0148
2.2516
5.53
2.00
12.90
1.10
1.22
1.53
1.65
1.53
1.80
1.94
2.14
1.99
15.00
20.70
1.41
40550
51550
1.22
40721
33186
1742
11.70
1.12
1.44
3.90
2.00
1.63
40186
40827
2 258
5.10
2 358
1.02
1.05
41811
980
2.02
2.50
40075
1.60
1.925
1.896
1.871
1.285
40.100
6.87
5.06
1.645
2.58

& Plan.
See Pl.
. 117
l. 77

BK5718 PG052

C.C.D. 3920 COMMONWEALTH OF MASSACHUSETTS

Essex, ss. County Commissioners

October 6, 1970

RESOLVED: That the common convenience, benefit and necessity of the Inhabitants of the County of Essex requires that the County Commissioners for said County take in fee for the purpose of maintaining, improving, protecting, limiting the future use of and otherwise conserving a parcel of land located on Mill Street, Middleton, Massachusetts, supposed to be owned by Owners Unknown, said parcel being more particularly described in the following paragraph:

ORDERED: That the said County Commissioners, as authorized by the General Laws, Chapter 698 of the Acts of 1967, and acting by and under the provisions of Chapter 79 of the General Laws, and by every other power and authority thereto enabling, do hereby take for conservation purposes, the ownership in fee simple of the following described parcel of land located in Middleton, Massachusetts, and supposed to be owned by Owners Unknown, comprising approximately 11.7 acres and being shown on a plan to be filed herewith entitled "County of Essex, Massachusetts, Plan of Land in Middleton, Mass., Taken Under the Authority of Chap. 34, Sec. 25 of the General Laws for Conservation Purposes, James R. Carlin, County Engineer, Oct. 6, 1970, Scale 1" = 100'", said parcel being bounded westerly by Mill Street about one hundred forty three (143) feet, northwesterly by land now or formerly of Upham about fifty (50) feet, westerly again by land now or formerly of Upham, Larson and Hartshorn about three hundred twelve (312) feet, northerly and easterly by land of the County of Essex on several courses about six hundred twenty three (623) feet, northwesterly by Emerson Brook and land of the County of Essex about three hundred forty five (345) feet, easterly by the center line of the Ipswich River about nine hundred twenty (920) feet, southerly by land now or formerly of Fuller about fifty seven (57) feet, westerly and southerly on various courses by land now or formerly of Cameron about twelve hundred ninety two (1292) feet, the said parcel containing approximately 11.7 acres.

The taking of said parcel has been approved by the Mass. Department of Natural Resources and the Middleton Conservation Commission, as required by Chapter 698 of the Acts of 1967, said approvals to be filed herewith.

The said Commissioners award as damages sustained by the following persons in the taking of said property as follows:

Owners Unknown $300.00

IN TESTIMONY WHEREOF, we have hereunto set our hands this sixth day of October in the year of our Lord One thousand nine hundred and seventy.

Daniel J. Burke

William J. Donovan

Edward H. Cahill
County Commissioners

A true copy.
Attest:

John F. Barry
Deputy Assistant Clerk

77
117

COUNTY OF ESSEX MASSACHUSETTS

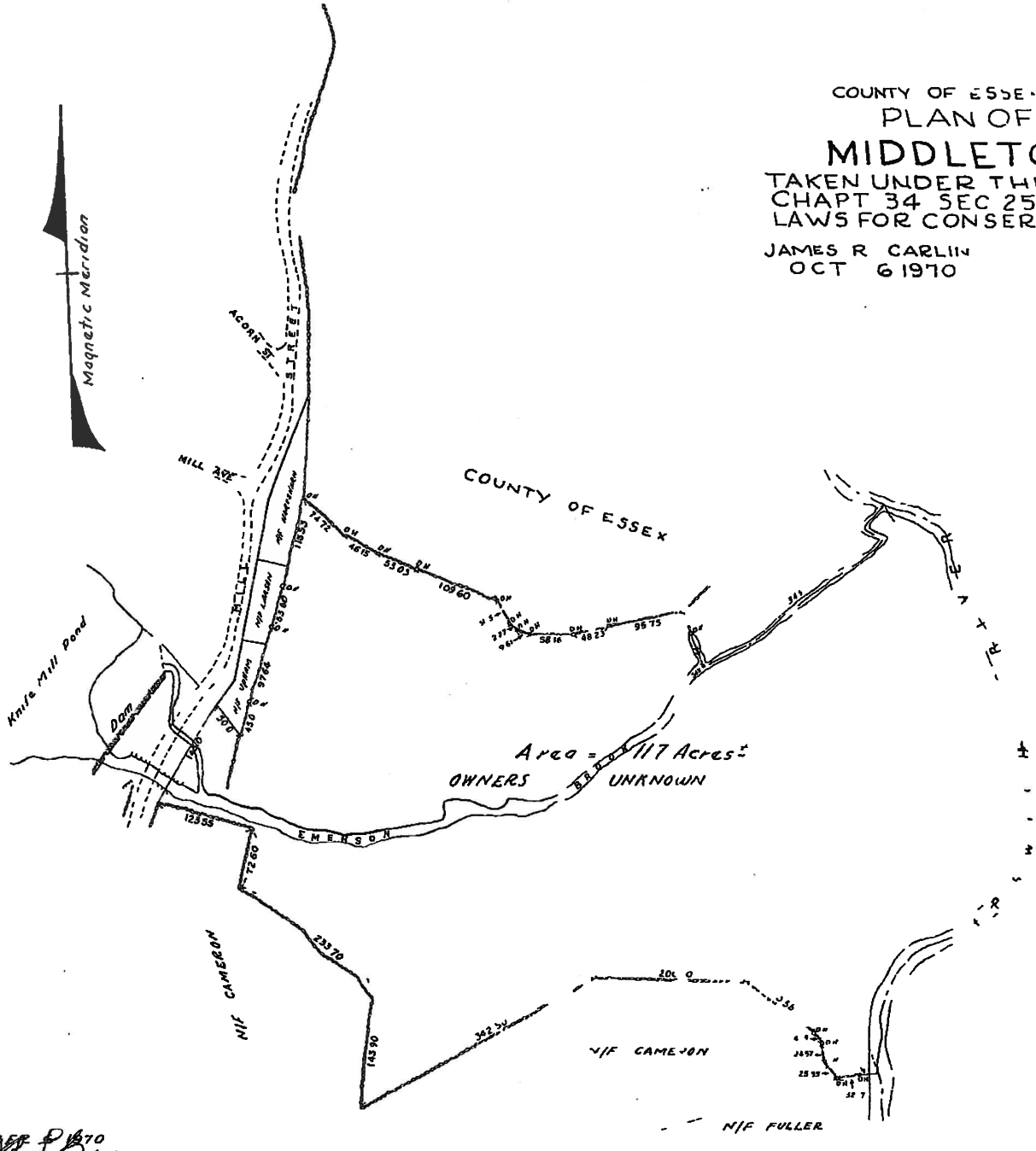
PLAN OF LAND IN

MIDDLETON, MASS.

TAKEN UNDER THE AUTHORITY OF CHAPT 34 SEC 25 OF THE GENERAL LAWS FOR CONSERVATION PURPOSES

JAMES R CARLIN
OCT 6 1970

COUNTY ENGINEER
SCALE 1 = 100



PLAN BOOK 117 PLAN 77
ESSEX REGISTRY OF DEEDS SO DIST
SALEM MASS
Received Oct 9 1970
with Taking
Essex County Commrs of etal
Rec B 5718 P52
ATTEST Leo F Jones
Register of Deeds

FILED OCTOBER 9 1970
ATTEST _____ DEPUTY ASSISTANT CLERK
ACCOMPANYING ORDER OF TAKING BY COUNTY COMMISSIONERS OCTOBER 6, 1970 CCD 3920

A TRUE COPY
ATTEST _____ DEPUTY ASSISTANT CLERK

Note This plan compiled from surveys and plans of record

COUNTY OF ESSEX
RECORD NUMBER
3092
SHEET 1 OF 1
ENGINEERS OFFICE

0190-9

MIDDLETON CONSERVATION COMMISSION

Town Hall

Middleton, Mass.

1970

At a regular meeting of the Middleton Conservation Commission, held on April 14, 1970, at the Town Office Building, Middleton, Mass., at 8:00 P.M., a quorum being present, it was voted to approve the taking by eminent domain by the Essex County Commissioners, for conservation purposes, of a parcel of land owned by Owners Unknown located on Mill Street, Middleton, comprising about 11.7 acres, as shown on a plan filed in the office of the County Engineer, Court House, Salem, Mass., entitled "County of Essex, Massachusetts, Plan of Land in Middleton, Mass., Taken Under the Authority of Chapt. 34, Sec. 25 of the General Laws for Conservation Purposes, James R. Carlin, County Engineer, Scale 1" = 100'".

Henry N. Sawyer

Francis E. Gorham

Leonard W. Lupresnel

Middleton Conservation Commission

C/2

Essex ss. Recorded Oct. 9, 1970. 15 m. past 11 A. M. #119

June 4, 1970

Mr. Henry N. Sawyer
394 Atlantic Avenue
Boston, Mass. 02110

Dear Henry: Re. Middleton Conservation Land

I am enclosing plan and certificate for members of the Conservation Commission to sign concerning the Owners Unknown parcel on Mill Street.

Will you please return the signed certificate to me at your convenience.

Best of luck in your fight to keep the skating rink off the river bank.

Yours truly,

James R. Carlin
County Engineer

JRC/C-2
encl.

01200 ~~86770~~

1970

June 11, 1970

Mr. Arthur W. Brownell, Commissioner
Dept. of Natural Resources
100 Cambridge Street
Boston, MA 02202

Dear Sir:

On behalf of the Essex County Commissioners, and in accordance with the provisions of Chapter 698 of the Acts of 1967, I am requesting the approval of your Department to the acquisition of land in Middleton, Mass. by the County of Essex for conservation purposes.

The subject land is shown on the enclosed plan and comprises 11.7 acres±. The entire area is swampland and under water a good part of the year.

It is planned to take this area by eminent domain because the owners cannot be determined.

A diligent search by both this office and the Middleton Conservation Commission has not been able to determine the owner.

It is also planned to hold a public hearing on this taking and all of the requirements of Chapter 79 will be complied with.

This land adjoins conservation land acquired last year by the county.

I am also enclosing a copy of the approval of the Middleton Conservation Commission.

Yours truly,

James R. Carlin
County Engineer

JRC/C
encl.

The Commonwealth of Massachusetts

Department of Natural Resources

State Office Building, Government Center
100 Cambridge Street, Boston 02202

June 16, 1970

Mr. James R. Carlin
County Engineer
County of Essex
Court House
Salem, Massachusetts 01970

Dear Mr. Carlin:

Pursuant to Chapter 698, Acts of 1967, you are hereby notified that the Department of Natural Resources approves the acquisition for conservation purposes by the County of Essex of certain land in Middleton totaling 11.7 acres as shown on a plan by James R. Carlin, County Engineer.

Sincerely,

Arthur W. Brownell
Commissioner

GRS/jg

1970

01200 ~~0477~~

1970

The Commonwealth of Massachusetts

Department of Natural Resources

State Office Building, Government Center
100 Cambridge Street, Boston 02202

June 16, 1970

Mr. James R. Carlin
County Engineer
County of Essex
Court House
Salem, Massachusetts 01970

Dear Mr. Carlin:

Pursuant to Chapter 698, Acts of 1967, you are hereby notified that the Department of Natural Resources approves the acquisition for conservation purposes by the County of Essex of certain land in Middleton totaling 11.7 acres as shown on a plan by James R. Carlin, County Engineer.

Sincerely,

Arthur Brownell

Arthur W. Brownell
Commissioner

GRS/jg

0120 06770

1970

August 21, 1970

To the Commissioners of Essex County

Gentlemen:

To continue the program of your board in conserving and protecting lands along the Ipswich River, I would like to recommend that the County of Essex acquire, by eminent domain, a parcel of land on Mill Street, Middleton, for conservation purposes.

The ownership of this land cannot be determined, so the taking must be made from Owners Unknown.

The parcel is comprised of 11.7 acres of swampland on the Ipswich River and adjoins the property purchased last year from the Curtis heirs.

It abuts Mill Street near the Knife Mill Pond, is bisected by Emerson Brook, and includes the junction of the brook and the river.

In my opinion, the acquisition of this parcel is essential for the protection of water supply sources, wildlife and for flood control.

If your board takes favorable action on this recommendation, I further recommend that Mr. Francis F. Perry, Haverhill Road, Boxford, be engaged to appraise this parcel for a fee not to exceed $35.00, as the first step in the acquisition of this property.

Respectfully yours,

James R. Carlin
County Engineer

JRC/C

0120D ~~0677~~

1970

August 28, 1970

Mr. Francis F. Perry
Haverhill Road
Boxford, Massachusetts

Dear Mr. Perry:

The County Commissioners, at their meeting of August 25, 1970, voted to engage you to appraise the 11.7 acre conservation land on Mill Street, Middleton, for a fee not to exceed $35.00.

This parcel is almost entirely swampland and since the ownership cannot be determined we plan to make a taking by eminent domain and make an award to "Owners Unknown".

Since this award will be deposited in a bank, and it seems unlikely that it will ever be claimed, I suggest that the award be a conservative amount.

I am enclosing a print of the parcel. If you have any questions, please call me.

I hope that you can give this your earliest attention.

Yours truly,

James R. Carlin
County Engineer

JRC/C
encl.

XXXXXXXXXX

Endicott Realty Company

Haverhill Road
Boxford, Massachusetts 01921

Sept. 15, 1970

Mr. James Carlin, County Engineer
Office of County Engineer
Court House, Salem, Mass. 01970

Dear Mr. Carlin:

As authorized by your letter dated August 28, 1970 I am pleased to submit you my appraisal of the estimated fair market value of 11.7 acres of land located on Mill Street in Middleton, Mass. as outlined on plan submitted by you.

As this land is almost entirely wet lands which border Emerson Brook the utilization of this property would be extremely limited. I therefore feel that a price of Twenty-five Dollars ($25.00) per acre would be a fair appraisal for this property.

Very truly yours,

Francis F. Perry

1970

September 28, 1970

To the Commissioners of Essex County

Gentlemen:

To continue the program of your board in conserving and protecting lands along the Ipswich River, I would like to recommend that the County of Essex acquire, by eminent domain, a parcel of land on Mill Street, Middleton, for conservation purposes.

The ownership of this land cannot be determined, so the taking must be made from Owners Unknown.

The parcel is comprised of 11.7 acres of swampland on the Ipswich River and adjoins the property purchased last year from the Curtis heirs.

It abuts Mill Street near the Knife Mill Pond, is bisected by Emerson Brook, and includes the junction of the brook and the river. In my opinion, the acquisition of this parcel is essential for the protection of water supply sources, wildlife and for flood control.

This parcel has been appraised by Mr. Francis F. Perry as having a value of $25.00 per acre, and on this basis I recommend that you award $300.00 to Owners Unknown for this taking.

The acquisition of this parcel for conservation purposes has been approved by the Middleton Conservation Commission and the Massachusetts Department of Natural Resources, as required by Chapter 698 of the Acts of 1967.

Respectfully yours,

James R. Carlin
County Engineer

JRC/C

0180-9

BK5718 PG051

The Commonwealth of Massachusetts

Department of Natural Resources

State Office Building, Government Center
100 Cambridge Street, Boston 02202

June 16, 1970

Mr. James R. Carlin
County Engineer
County of Essex
Court House
Salem, Massachusetts 01970

Dear Mr. Carlin:

Pursuant to Chapter 698, Acts of 1967, you are hereby notified that the Department of Natural Resources approves the acquisition for conservation purposes by the County of Essex of certain land in Middleton totaling 11.7 acres as shown on a plan by James R. Carlin, County Engineer.

Sincerely,

Arthur W. Brownell
Commissioner

GRS/jg

Essex ss. Recorded Oct. 9, 1970. 15 m. past 11 A. M. #117