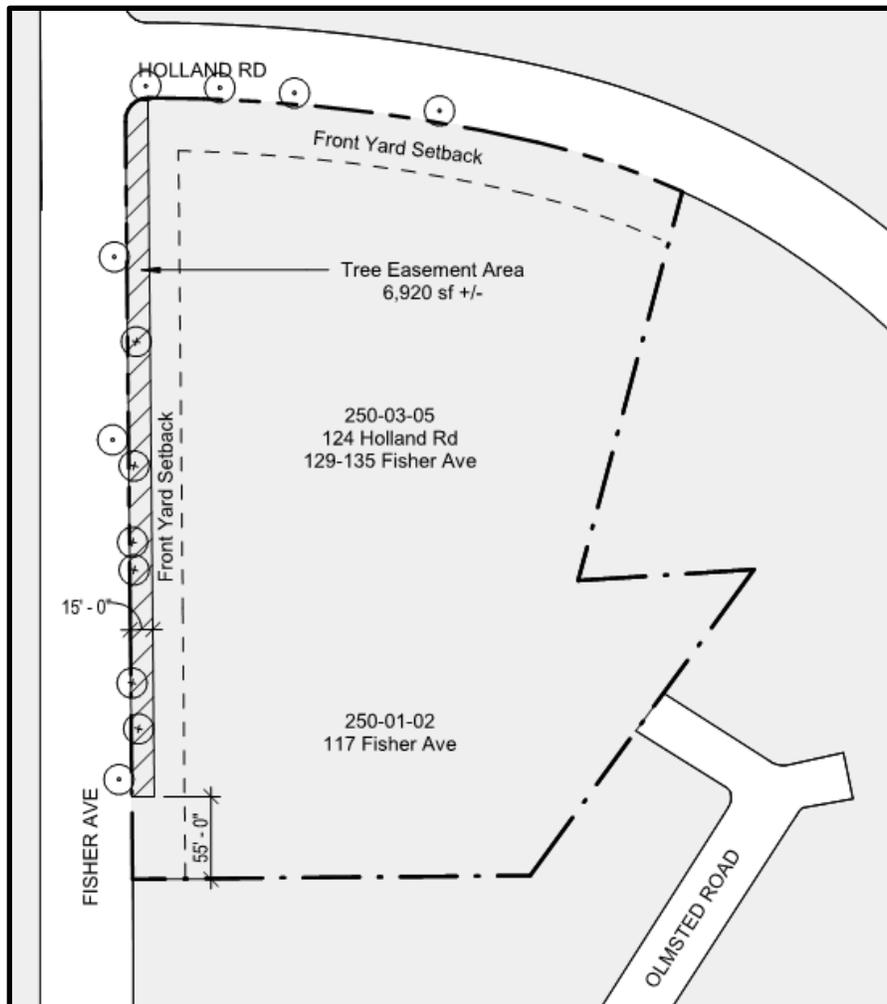


ARTICLE 12

TWELFTH ARTICLE

Submitted by: Paul Saner, on behalf of the Newbury Zoning Committee

To see if the Town will vote to authorize the Select Board, on such terms and conditions that are in the best interest of the Town, to accept a grant of easement from Welltower Inc., a Delaware corporation duly organized and existing under the laws of the Commonwealth of Massachusetts, or one of its successors or assigns (“Grantor”), over portions of land located at what is now known as 117 Fisher Avenue (Parcel I.D. No. 250-01-02) and 124 Holland Road, 129-135 Fisher Avenue (Parcel I.D. No. 250-03-05), Brookline, Massachusetts and substantially shown as Tree Easement Area, containing an area of approximately 6,920 s.f. +/-, on the sketch included with this Article for the purposes of maintaining six trees and a green buffer along Fisher Avenue in connection with Grantor’s development of a senior living facility at the site, said easement will be



further described in an Easement Agreement and plan to be recorded at the Norfolk County Registry of Deeds upon future acceptance by the Select Board.

Or act on anything relative thereto.

PETITIONER'S ARTICLE DESCRIPTION

This article will authorize the Select Board to accept an easement from Welltower Inc. the developer of the so-called East Parcels at the former Newbury College site in order to maintain six trees and a green buffer on a portion of Fisher Avenue in connection with the proposed development of a senior living facility at the site. This easement will also allow for the linkage to the site for the Town's Tax Certainty Agreement for the East Parcels.

This warrant article is one of seven warrant articles related to Welltower's proposed development on the former Newbury College campus. For more information on how this warrant article fits into the larger package, please review the explanation for the warrant article titled "Fisher Hill Special Overlay District Zoning" proposing a rezoning of the east side of the former Newbury College campus.

SELECT BOARD'S RECOMMENDATION

ADVISORY COMMITTEE'S RECOMMENDATION

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