

08-10-2009 @ 02:58p

### WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that the CITY OF CHICOPEE, a municipal corporation duly organized under the laws of the Commonwealth of Massachusetts and having its usual place of business at City Hall, 274 Front Street, Chicopee, Hampden County, Massachusetts,

for consideration of One Million Four Hundred Fifty Thousand and 00/100 Dollars (\$1,450,000.00)

grants to WESTOVER METROPOLITAN DEVELOPMENT CORPORATION, a body politic and corporate organized pursuant to Chapter 672 of the Acts of 1974 of the Commonwealth of Massachusetts, having a principal place of business located at 255 Padgette Street, Chicopee, Massachusetts 01022

with WARRANTY COVENANTS

A certain parcel of land containing approximately 57.462 acres and shown as Parcel A (Includes Lots 1, 2 & 3) on a plan entitled "Plan of Land in Chicopee, MA prepared for Westover Metropolitan Development Corporation", dated June 24, 2009 and prepared by Sherman & Frydryk, Land Surveying and Engineering, 3 Converse Street, Suite 203, Palmer, MA 01069, said plan being recorded with the Hampden County Registry of Deeds prior hereto in Plan Book 355, Page 59 ("Plan").

As to the portion of the property designated as Lot 1 on said Plan:

SUBJECT TO travel rights and sewer rights reserved in the deed dated July 24, 1981 and recorded in Book 5203, Page 60.

SUBJECT TO and together with rights affecting a 50-foot right of way as reserved in the devise to Stanley Boron from the will of Katarzyna Boron—see Hampden County Registry of Probate, Case #133767, and recited in the deed recorded in Book 3971, Page 203.

SUBJECT TO a twelve-foot right of way along the ~~westerly~~ side of the property as set forth in the deed to Frank Boron and Katarzyna Boron dated August 30, 1926 and recorded in Book 1336, Page 270.

As to the portion of the property designated as Lot 2 on said Plan:

The Grantor hereby reserves a 50' wide electrical easement as shown on said Plan.

As to the portion of the property designated as Lot 3 on said Plan:

SUBJECT TO an easement to Western Massachusetts Electric Company by instrument recorded in said Registry in Book 1321, page 47.

The Grantor hereby reserves a water line easement as shown on said Plan.

BEING the same premises as conveyed or taken by the grantor herein as follows:

AS TO LOT 1 ON SAID PLAN—Slate Road: Being the same premises granted to the City of Chicopee by a deed of Adolf Boron and Geraldine A. Boron, dated July 24, 1981 and recorded with the Hampden County Registry of Deeds in Book 5203, Page 60.

AS TO LOT 2 ON SAID PLAN—Buena Vista Lot: Being the same premises: 1) Taken by the City of Chicopee as recorded with the Hampden County Registry of Deeds as "On File", being Document #11986, as confirmed by deed of Mary J. Hamilton, dated February 5, 1916 and recorded with said Registry in Book 950, Page 63; 2) Taken by the City of Chicopee by a Tax Taking recorded in said Registry in Book 1545, Page 180, as affected by Final Decree of Land Court recorded in said Registry in Book 1756, Page 311; and 3) Excepting from the foregoing so much as was conveyed to the Commonwealth of Massachusetts by deed recorded in said Registry in Book 2796, Page 295.

AS TO LOT 3 ON SAID PLAN—Fuller Road (Rear): Being the same premises: 1) owned by the City of Chicopee pursuant to a Final Judgment in Tax Lien Case, #102545 T.L., recorded with the Hampden County Registry of Deeds in Book 11822, Page 276. Also see Book 3726, Page 61; and 2) granted to the City of Chicopee by a deed of Anna Smagacz, dated November 30, 1949 and recorded with said Registry in Book 2150, Page 564.

WITNESS its hand and seal this 9<sup>th</sup> day of June, 2009.

CITY OF CHICOPEE

By: Michael D. Bissonnette  
 Michael D. Bissonnette  
 Its: Mayor

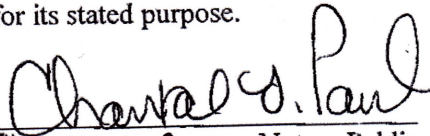
## COMMONWEALTH OF MASSACHUSETTS

Hampden, ss.

On this 9<sup>th</sup> day of June, 2009, before me, the undersigned notary public, personally appeared Michael D. Bissonnette, Mayor of the City of Chicopee, proved to me through satisfactory evidence of identification, which was Personally Known, 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.



**CHANTAL L. PAUL**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
January 23, 2015

  
Chantal L. Paul, Notary Public  
My Commission Expires: 1/23/2015

DONALD E. ASHE, REGISTER  
HAMPDEN COUNTY REGISTRY OF DEEDS