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Paul F. Alphen, Esquire
Maria L. Santos, Esquire

February 2, 2024

Groton Zoning Board of Appeals
c/o Mr. Takashi Tada
Town of Groton
173 Main Street
Groton, MA 01450

RE: Heritage Landing 40B/Cow Pond Brook Road Right of Way

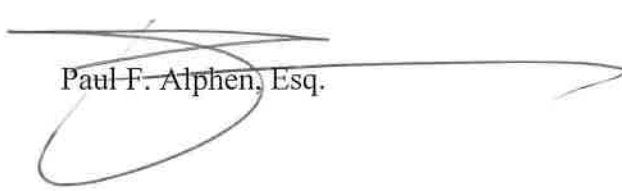
Dear Members of the Board:

In response to your question about the possibility of “no access easements” along Cow Pond Brook Road, the short answer is: Attached please find a copy of the 2003 Release Deed from the Town of Groton to V.H. Shea Corporation (both of whom are predecessors in title to our client) releasing all interests in the “no-access easements”.

By way of illustration, the easement area used to run on both sides of Cow Pond Brook Road from Route 40, and if there were a current restriction on access, none of the property owners on either side of Cow Pond Brook Road could access the roadway.

We trust this information will be helpful.

Very truly yours,
Alphen & Santos, P.C.



Paul F. Alphen, Esq.

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RELEASE DEED

The Town of Groton, a municipal corporation in Middlesex County, Commonwealth of Massachusetts for One Dollar (\$1.00) paid, releases to V.H. Shea Corporation of Westford, Massachusetts:

All rights, titles and interests, including Rights of Way, Easement and Rights of Access owned by the Town of Groton over, across, and under so much of the land presently owned by V.H. Shea Corporation shown on the plan entitled "Cow Pond Brook Road Existing Plan and Profile, Groton, MA" dated March 26, 1999 by Bill Boston Survey Inc. (the "Bill Boston Plan") and which is located outside the dimensions of the 50" wide layout of Cow Pond Brook Road as shown on said Plan, which is recorded with the Middlesex South District Registry of Deeds simultaneously herewith.

The rights released by the Grantor also include any interest in the "no access easements" and other rights owned by the Town of Groton which are located outside and within the dimensions of the 50' wide layout shown on plan of land dated March 30, 1976 entitled "Road Layout Plan in Groton," dated March 30, 1976 prepared by Richard L. McGlinchey recorded in said Registry of Deeds plan no. 1044 of 1976 recorded in Book 13059, Page 690 as are located within or on the land owned by V.H. Shea Corporation or its predecessors in title as shown on said plan (the "McGlinchey Plan").

It is the intent of the Town of Groton to release its right, title and interest in the land owned by V.H. Shea Corporation as shown as Lots 1 through 11 and including Parcel A and B on the plan entitled "Plan of land in Groton, MA for Jim Patierno scale 1" = 60' dated February 16, 1999, prepared by Bill Boston Survey Inc. of West Groton (the "Patierno Plan") which is recorded herewith as plan No. 246 of 2000, recorded in the Registry of Deeds, Book 13,200 at 12:13 p.m.

For the purposes of this Release Deed the land owned by V.H. Shea Corporation is the parcel of land as described in the deed to V.H. Shea Corporation recorded in the said Registry of Deeds in Book 11322 Page 087

The rights released include rights granted to the Town within the land owned by V.H. Shea Corp. as shown on the McGlinchey Plan and the Patierno Plan in the following instruments and the Grantor expressly reserves into itself all of its rights, title and interest in the remaining portion of the private way as shown on the McGlinchey Plan and any remaining interest as granted in the following instruments:

- a) Quitclaim Deed of John J. Cronin and Jeremiah B. Cronin dated February 27, 1976 and recorded in the Middlesex South District Registry of Deeds in Book 13059 Page 690.
- b) Quitclaim Deed of V.H. Shea Corporation dated June 30, 1976 and recorded in said Registry of Deeds in Book 13059 Page 697.
- c) Road layout plans as shown on plans of land dated March 30, 1976 entitled "Road layout plan in Groton, maps laid out in the Town of Groton

#679
SEE PLAN IN RECORD BOOK PAGE 484
31519
Cow Pond Brook RD Groton MA
180 06/20/00 11:34:24

Scale 1"=40' sheets 1-5 recorded in said Registry of Deeds plan no. 1044 of 1976, recorded in Book 13059 Page 690. (McGlinchey Plan).

- d) Quitclaim Deed of John J. Cronin and Jeremiah B. Cronin dated June 3, 1996, recorded in said Registry of Deeds in Book 26500 Page 584.

For Authority of this Quitclaim Deed see Vote under Article 2 of the Special Town Meeting held on May 8, 2000 a certified copy of which is attached hereto.

The undersigned certify that there has been full compliance with the provision of G.L. ch. 44 §63A in connection with this conveyance.

No deed stamp taxes are due on this conveyance pursuant to G.L. Ch. 64D §1.

In Witness Whereof, the said Town of Groton has caused its seal to be affixed hereto and these presents to be signed, acknowledge and delivered in its name and behalf by its Board of Selectmen hereto duly authorized, this the 23 day of May, 2000.

TOWN OF GROTON
By Its Selectmen

Virginia C Wood
Peter S Cunningham

A True Copy Attested

Marcy L. Boggs, Assiat
 Town Clerk

COMMONWEALTH OF MASSACHUSETTS

Middlesex, SS

May 23, 2003

Virginia C. Wood + Peter S. Cunningham and
 of _____

known to me to be members of the Board of Selectmen of the Town of Groton and acknowledged the foregoing instrument to be the true and accurate deed of the Town of Groton, before me.

Jean Ketcher
 Jean Ketcher Notary Public
 My Commission Expires: April 16, 2009

BK 31519PG494

TOWN OF GROTON

173 Main Street
Groton, Massachusetts 01450-1237
(508) 448-1100
FAX: (508) 448-2030



OFFICE OF
TOWN CLERK

Bonnie P. Biocchi
Town Clerk

Melanie J. Clark
Assistant Town Clerk

CERTIFICATE OF VOTE

I, Nancy L. Bogar, Assistant Town Clerk of Groton, Massachusetts, do hereby certify the following vote:

ARTICLE 2: Moved and seconded that the Town vote to accept as a public way a portion of a private way known as Cow Pond Brook Road from station 0+00 to station 44+00 as laid out by the Board of Selectmen and more fully shown on a plan entitled "Cow Pond Brook Road Existing Plan and Profile, Groton, MA" dated March 26, 1999, by Bill Boston Survey, Inc. ("1999 Plan") and to authorize the Board of Selectmen of acquire by gift and to accept a deed to the Inhabitants of the Town of a fee simple interest in Cow Pond Brook Road as described in the Plan, upon such terms and conditions as it shall determine appropriate, for the purposes of a public way, and further to authorize the Board of Selectmen to release all right, title, and interest of the Town in that portion of the way shown as Cow Pond Brook Road on a plan entitled "Road Layout Plan in Groton, Mass. Laid Out for The Town of Groton" dated March 30, 1976, prepared by Richard L. McGlinchey, Surveyor, and recorded in Book 13059, Page 690 ("1976 Plan") which is located outside of the layout described in the 1999 Plan but only that portion which is located within the bounds of the land now or formerly owned by V.H. Shea Corporation as shown on the 1999 Plan, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, copies of both the 1999 Plan and the 1976 Plan being on file in the Office of Town Clerk on September 30, 1999.

Article 2 carried unanimously.

Which was taken at the May 1, 2000, Special Town Meeting.

Nancy L. Bogar, Assist

Nancy L. Bogar, Assist. Town Clerk