

Rodney Fielding
13 Shamrock Circle
Wareham, MA 02571

July 27, 2020

Dear Wareham Planning Board,

I am writing to you today to discuss the relocation of Woods Road and easement rights in conjunction with the proposed Subdivision of Land Lot B Map 14.

I, Rodney Fielding, am an abutter to Lot B on Map 14.

My lots 1008 A and 1018 abut Lot B at Lot B's north and north west corners. This is seen on Plan 1 and Plan 2 of the Definitive Subdivision Plan of Land. My land is primarily used as an organic cranberry farm operation.

I have a deeded right of way running through Lot B.

This is a right to pass and re-pass in and over Lot B.

Passing to and from Old Onset Road over lot B to and from my land.

This is shown on DWG 1 and DWG 2 as a dashed road named Woods Road.

Please refer to a copy of my deed included with this letter for the description of a right to pass.

DWG 1 and DWG 2 show the original location of Woods Road marked by dashed lines.

Note 4 on DWG 1 describes relocating more than 90 feet of Woods Road but does not accurately display it. I am very satisfied with the original location of my deeded right of way location on Woods Road. As it allows for straight access to Old Onset Road for truck movement. Moving Woods Road is cause for concern.

I met with G.A.F. Engineering and informed them of my concerns of relocating 90 feet of Woods Road. After this discussion, myself and G.A.F. Engineering agreed to move the 14 foot wide Antonellis Way closer to the residential dwelling. Doing so will allow Woods Road to be moved onto the land between Antonellis Way on the East side, and the lot line.

In order to move the proposed section of Woods Road to the new location the following are necessary.

(1)- DWG 1 does not show nor define the newly agreed upon location of Woods Road. It is important that the drawings accurately detail the new location of Woods Road. The current drawing needs to be revised.

(2) - The relocation section of Woods Road to include tree clearing, stump removal, and compacting with installation of suitable base material to support heavy vehicles at Lot B Owners or Buyers expense.

(3) - Ensure that the responsible parties are held accountable for completing the stated work in Line 2 above. Either by mandated town sign-offs, monetary retainers, or other agreed upon insurances.

(4) - Two adequate turning radiuses are needed. One at Old Onset Road to Woods Road. And one at New Woods Road to Old Woods Road for heavy trucks, farm equipment, dump trailers etc.

(5) - Not to be responsible for any damage to Antonellis Way during use.

(6) - Lot B current owners and future owners are to be made aware and must honor all rights and easements on their land and in good faith.

(7) - It is stated in the Plan Statement on DWG 1 "The purpose of this plan is to create a 1 lot subdivision of Lot B." I am respectfully asking the Board to place a restriction on Lot B to not build any more houses or allow any further subdividing on the remainder of the parcel and into perpetuity. As this would again encroach on my right of way use of Woods Road.

Sincerely,

Rodney Fielding

14/1002

THE COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss. January 26, 1937. Then personally appeared the above named Cyrus Monroe, President, and Harrison D. Soule, Secretary-Treasurer, and acknowledged the foregoing instrument to be the free act and deed of the Mutual Federal Savings and Loan Association of Whitman, before me-

James T. Kirby Notary Public
My commission expires Dec. 14, 1939.

Rec'd Mar. 2, 1937 at 2:40 P. M. & recorded.

Hammond
to
Kelley
et al

See Plan Book No. 5 Page 724

KNOW ALL MEN BY THESE PRESENTS that I, AMANDA B. HAMMOND, widow, of Wareham, Plymouth County, Massachusetts, being unmarried, for consideration paid, grant to JOSEPH L. KELLEY and BRADFORD S. THOMAS, both of said Wareham with WARRANTY COVENANTS the land in that part of WAREHAM, Plymouth County, Massachusetts called EAST WAREHAM, bounded and described as follows: Beginning near the easterly side of the Old Road leading originally from East Wareham to Onset at a stake at the north-westerly corner of the premises hereby conveyed; thence running south 85° East 236 feet by other land of the grantor to a fence post near a path; thence turning and running south 3° 59' East 292 feet by land of the grantor to a stake in a ditch; thence south 71° 01' West 315.80 feet by land of the grantor to a stake; thence north 48° 59' West 313 feet by land formerly of Benjamin Gibbs to a stake at said Old Road; thence north 29° 29' East 30 feet by said Old Road to a stake by a twin oak; thence north 38° 34' East 200 feet by chord line, by said Old Road to a stake at or near a brook; thence south 73° 16' East 99.3 feet by the chord line, by said brook along land supposed to be owned by Zion, to an iron post; and thence north 32° 46' East 78.5 feet by said Zion land to the point of beginning. All of said courses and distances are as shown on "Plan of Land, East Wareham, surveyed for Bradford Thomas Dec. 22, 1936" to be filed herewith. Said premises are a part of the Homestead of the grantor and for her title, reference may be had to deed from Isaac P. Martin dated July 23, 1894 recorded with Plymouth Deeds Book 673, page 386; also deed from Edwin G. Parsons dated August 1, 1899 recorded with said Deeds, Book 767, page 312 and following. The grantor, for herself, her heirs, executors, administrators, successors and assigns hereby waives all rights of action for any damages which may or shall result from leakage, overflowing, or other temporary flooding of remaining land of the grantor situated easterly and southeasterly of and adjoining the granted premises. This is intended to protect the grantees against claims which may arise out of temporary flooding due to accident or other temporary conditions. Together with a right to pass and re-pass in and over my land between the easterly corner of the premises hereby conveyed at the stake in ditch, and a roadway leading to said Old Road, at a point about 90 feet south of a stone bound and about 200 feet in a southeasterly direction from said stake and ditch, also in and over said roadway to and from said Old Road for purposes of trucking and cranberry business. WITNESS my hand and seal this thirtieth day of December 1936.

Amanda B. Hammond Seal

I. R. Stamp
\$.50
Cancelled

THE COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss. December 30, 1936. Then personally appeared the above named Amanda B. Hammond and acknowledged the foregoing instrument to be her free act and deed, before me-

Bartlett E. Cushing Justice of the Peace.
My commission expires Oct. 3, 1941.

Rec'd Mar. 2, 1937 at 3:30 P. M. & recorded.

Russell
to
Ryan
See
Bk. 1657
Pg. 552

I, FRANCIS J. RUSSELL, Assignee and present holder of a mortgage from MARY M. RYAN to WILLIAM C. RYAN dated April 12, 1934 recorded with Plymouth County Registry of Deeds, Book 1657, page 552, acknowledge satisfaction of the same. WITNESS my hand and seal this first day of March 1937.

Francis J. Russell