

CITY OF LYNN, MASSACHUSETTS

LYNN CITY COUNCIL

2012-2013

Ward One Wayne A. Lozzi
Ward Two William R. Trahan, Jr.
Ward Three Darren P. Cyr
Ward Four Richard C. Colucci
Ward Five Brendan P. Crighton
Ward Six Peter L. Capano
Ward Seven Richard J. Ford



At-Large Buzzy Barton
At-Large Daniel F. Cahill
At-Large Hong L. Net
At-Large John Timothy Phelan
City Clerk Mary F. Audley

John Timothy Phelan President
Richard J. Ford Vice-President

MEETINGS SCHEDULED FOR THE WEEK BEGINNING MAY 12, 2013:

Tuesday, May 14, 2013:

Ordinance Committee, 6:30 P.M., Room 402

Public Hearing: A Proposed Ordinance Amending the Ordinance Establishing a Dog Park in the City of Lynn and Regulating the Use of the Dog Park, and Other Business.

Ways and Means Committee, 6:45 P.M., Room 402

Discussion re: Council Orders, and Other Business.

Public Safety Committee, 7:00 P.M., Room 402

Constable Appointments and Other Business.

License Committee, 7:15 P.M., Room 402

Discussion re: Minor Licenses, and Other Business.

Public Property Committee, 7:30 P.M., Room 402

Discussion re: 38 Rockaway Street; Broadway Order of Taking of Temporary Easements, and Other Business.

Finance Committee, 7:45 P.M., Room 408

Discussion re: Financial Transfers and Other Business.

CITY COUNCIL MEETING, 8:00 P.M., COUNCIL CHAMBERS
City Council Agenda

RECEIVED
CITY CLERK'S OFFICE

2013 MAY 10 P 12:15

LYNN, MASS

/tcy

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ORDINANCE COMMITTEE AGENDA
TUESDAY, MAY 14, 2013
6:30 P.M. - ROOM 402

PUBLIC HEARINGS:

1. A Proposed Ordinance Amending the Ordinance Establishing A Dog Park in the City of Lynn and Regulating the Use of the Dog Park.
2. **OTHER BUSINESS:**

/tcy

**AGENDA FOR THE WAYS AND MEANS COMMITTEE
TUESDAY, MAY 14, 2013
6:45 P.M. - ROOM 402
COUNCIL ORDERS, RECOMMENDATIONS & REQUESTS**

Council Orders:

1. Councillor Phelan: **Ordered** that the City of Lynn hereby adopts and accepts the provisions of M.G.L. c. 6, §172B 1/2 to require applicants for certain licensed occupations to submit fingerprints for the purpose of conducting a state and national criminal history records check.

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PUBLIC SAFETY COMMITTEE AGENDA
TUESDAY, MAY 14, 2013
7:00 P.M. - ROOM 402

1. CONSTABLE APPOINTMENTS:

Westley Santa Cruz, 481 S. Broadway, Lawrence

2. OTHER BUSINESS

/tcy

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LICENSE COMMITTEE AGENDA
TUESDAY, MAY 14, 2013
7:15 P.M. – ROOM 402

TAXI OPERATORS (NEW)

Adeyimi, Babatunde. 95 Neptune St # 1

Ehiabhi, Moses. 10 Safford Rd. April 23, 2013 Previous License for All City Taxi was denied because did not show up for the 2nd time

Mejica, Amado. 16 Cleveland Place # 12. Gloucester, MA

Perez, Angel. 279 Chesnut St

TAXI OPERATORS – TABLED

Phillips, Undreea. 103 Broad St # 507

TAXI OPERATORS- 30 DAY REVIEW.

Chick, George. 195 Union St

Kabir, ABM Lutful. 126 Eastern Ave. # 9

Sanon, Jonel. 20 Lyman St # 1

TAXI OPERATORS-60 DAY REVIEW

Causey, Ray. 16 Glenwood Rd

Dorcely, Guyboyson R. 37 Kirtland St

Lewis, Jamie. 75 Lyman St # 5.

LIVERY OPERATORS-NEW

Batrouss, Moussa. 16 Reed St. (owner of new business)

Linares-Abreu, Sebastian. 7 Lemon St # 1

Mejica, Amado. 16 Cleveland Place. # 12. Gloucester, MA

Thomas, Barbara. 57 Bulfinch St

LIVERY OPERATORS -30 DAY REVIEW

Chick, George. 195 Union St

LIVERY SERVICE & OPERATOR (NEW)

Batrouss, Moussa, 16 Reed St. Moses Limousine Service LLC

SECOND HAND ARTICLE-NEW

155 Chestnut St., USA Furniture

License Committee Agenda
May 14, 2013
Page 2

SIGNS-RENEWAL

122 Boston St., S & H Auto Repair, Inc.
337 Boston St., Boston St. Variety
549 Boston St., N/S Market
9 Broad St., Tropical Nails & Tanning Salon
132 Central Ave, Baghdad Convenience Store
159 Central Ave., C M Bistro Inc.
136 Cottage St., Bay State Auto Service & Sales, LLC
141-143 Eastern Ave., Montes Restaurant
495 Eastern Ave., Nails By Tina
50 Essex St., Bei Jing Restaurant
121 Essex St., Welch Florist
391 Essex St., Vista Market
61 Franklin St., Caribe Restaurant
66 Franklin St., M.J. Beauty Salon
13 Lewis St., Lily Convenience Store
3 Market Sq., Market Square Beverage Co. Inc.
408 Summer St., El Pulgarsito Restaurant
57 No Common St., Desi D'Oleo Friends Of Project
49 Union St., Cali Sandwich
207 Washington St., VN Market, Inc.
596 Western Ave., Lily's Beauty Salon

AUTO BODY/AUTO REPAIR/FLAMMABLE – RENEWAL

18B Alley St. – Caribbean Auto Body & Mechanic, Inc.
47 Bennett St. – VEO Auto Body Solutions & Repair
10 Camden St. – Iacor Corp. dba Thibedeau Auto Body
220 Chestnut – Auto Body Rebuilders, Inc.
165 Commercial St. – Igor's Auto Body
9 Green St. – Legere Auto Body
88-92 Harbor St. – Urban Auto Body
892 Washington St. – Giovanni's Auto Body
1117 Western Ave. – Pro-Tech Auto Body & Performance

AUTO REPAIR/FLAMMABLE-RENEWAL

15R Alley St. – K & M Transmission
17 Alley St. – Italmondo Auto Body
17A Alley St. – ARM Garage
17B Alley St. – Magic Auto Repair
50 Bennett St. – Landry Automotive
68R Bennett St. – E & J Auto Repair
106 Chestnut St. – Duran Auto Repair
503R Chestnut St. – AJ's Auto Service

License Committee Agenda

May 14, 2013

Page 3

131 Commercial St. – North Shore Car Rental, Corp.
99R Cottage St. – Mark A. King, LLC
12A Ellis St. – Mora Auto Repair (**requesting hours of operation to be Mon. thru Sat. 8AM TO 7PM**)
148 Fayette St. – Auto Repair of Fayette St.
555 Lynnway – Kentco South, Inc. dba Midas
637 Lynnway – Sullivan Tire
811 Lynnway – Lou’s Custom Exhaust
843 Lynnway – EZ Auto Care Centers
371 Summer St. – Concepcion Auto Services (**requesting to be open Mon. thru Sat. 8AM to 7PM and Sundays “by appointment only”**)
1071 Western Ave. – Ana Auto Repair

FLAMMABLE – NEW

172-176 Boston St. – Arctic Oil

FLAMMABLE/RENEWAL

20-24 Boston St. – Lynn Ladder & Scaffolding Co., Inc.
45 Boston St. – Mahan’s North Shore Metals
180 Boston St. – Global
423 Boston St. – A.L. Prime Energy Consultant, Inc.
512 Chestnut St. – Global #2450
668 Chestnut St. – Cumberland Farms
21 City Hall Sq. – Verizon New England
31 Collins St. – DeIulis Brothers Construction
225 Commercial St. – Turner Inc.
653 Eastern Ave. – Global
101 Harbor St. – All Welding Supplies, Inc.
120 Liberty St. – Hess 21510
71 Linden St. – Harvard Folding Box
500 Lynnfield St. – NSMC Union Hospital
84-86 Lynnway – Lynn Yacht Club, Inc. (L.Y.C.)
330 Lynnway – Garelick Farms
525 Lynnway – Spiro’s
680 Lynnway – Garelick Farms
700 Lynnway – Sonny’s Car Wash
700 Lynnway – Mobil
780 Lynnway – Walmart Store #2139
195 Market St. – Eastern Bank
56 Sanderson Ave. – Leahy Landscaping
969 Western Ave. – A.L. Prime Energy Consultant, Inc.
1000 Western Ave. – General Electric Company
1069 Western Ave. – Fisher Auto Parts, Inc.

AUTO REPAIR/FLAMMABLE/NEW

860 Western Ave. – Armando’s Car Care (tabled from 4/23/13)

CANNING:

Team Baghdad Breast Defense (Susan G. Komen 3-Day) (Adults Only) - June 20, 2013 and July 2, 2013
LVTI 2016 (Adults Only) – May 1, May 8, and June 6, 2013

OTHER BUSINESS:

/tcy

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PUBLIC PROPERTY COMMITTEE AGENDA
TUESDAY, MAY 14, 2013
7:30 P.M. - ROOM 402

1. Discussion re: 38 Rockaway Street
(Correct Previous Vote / Should read: Landscaping and/or Parking)
2. Broadway Order of Taking of Temporary Easements
3. **OTHER BUSINESS**

/tcy

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FINANCE COMMITTEE AGENDA
TUESDAY, MAY 14, 2013
7:45 P.M. - ROOM 408

1. Financial Transfers

2. **OTHER BUSINESS**

/tcy

AGENDA



MAY 14, 2013

REVISED AGENDA

Roll Call
Moment of Silence
Pledge of Allegiance

Accept minutes of April 9, 2013.

COMMUNICATIONS:

Her Honor the Mayor:

Dear Councilors:

I am hereby appointing Mr. Gregory Osias to the Citizen's Advisory Board to replace Roxanna Rumardo. Mr. Osias's term is effective immediately.

Sincerely, Judith Flanagan Kennedy, Mayor

Dear Councilors:

I am hereby appointing Mr. Adam Donachie to the Lynn Historical Commission to replace Isabell Van Merlin. Mr. Donachie's term is effective immediately and will expire on February 24, 2016.

Sincerely, Judith Flanagan Kennedy, Mayor

Dear Councilors:

I am hereby reappointing Mr. Carl Greenler to the Lynn Historical Commission. Mr. Greenler's term is effective immediately and will expire on February 24, 2015.

Sincerely, Judith Flanagan Kennedy, Mayor

Dear Councilors:

I am hereby reappointing Philip Brooks and Laura Ippoliti to the Conservation Commission. Their terms are effective immediately and will expire on May 22, 2016.

Sincerely, Judith Flanagan Kennedy, Mayor

Dear Councilors:

I am hereby reappointing Ms. Pam Barry to the Lynn Disability Commission. Ms. Barry's term is effective immediately and will expire on July 12, 2015.

Sincerely, Judith Flanagan Kennedy, Mayor

Dear Councilors:

I am hereby reappointing Calvin Anderson, Aikaterini Pangiotakis Koudanis and Katherine Wrynn to the Lynn Historical Commission. Their terms are effective immediately and will expire on February 24, 2016.

Sincerely, Judith Flanagan Kennedy, Mayor

Her Honor the Mayor:

Dear Councilors:

While I do not question the noble intentions underlying the Homeowners' Bill of Rights Ordinance, I have serious concerns about approving it as law in the City of Lynn and hereby respectfully veto the same. Among these concerns are: Requirements of this type should not be introduced at the local level, but are rather the province of state and federal government. In fact, a 13 member task force established by Section 4 of Chapter 194 of the Acts of 2012 is currently meeting to explore the feasibility of implementing statewide many of the protections and remedies contemplated by the Lynn ordinance. –The proposed ordinance would create classes of tenants not currently recognized under Massachusetts law and would likely lead to lengthy and costly challenges in the courts. – Put quite simply, the loan agreement underlying the mortgage is a legal, binding contract between the borrower and the lender, and I do not believe that it is the right of government to interfere with any such existing contract.

Very truly yours, Judith Flanagan Kennedy, Mayor

Communication from Richard Fortucci, Treasurer:

You have a Council Order before you for your review. The Order is administrative in nature and corrects wording regarding the Mayor's discretionary spending authority. Our Bond Counsel provided the corrective language. The corrective wording neither enhances nor diminishes the Mayor's discretionary spending authority. Sincerely, Richard J. Fortucci, Treasurer.

PUBLIC HEARINGS:

Petition of JB Auto Center, Jorge Benites, for permission for a sign permit at 100A Central Avenue. (Crighton)

Office of Economic and Community Development – Public Hearing on City's Annual Action Plan, including the Use of the Department of Housing and Urban Development (HUD) estimated appropriations for the Community Development Block Grant, Home Investment Partnership Grant, Emergency Solutions Grant, and the Housing Opportunities for Persons with Aids Grant.

PUBLIC HEARINGS TO BE SET DOWN:

Petition of 26 Auto Body, Inc., Edward Guitierrez, for permission for an Auto Body Shop at 52 Oakville Street with hours of operation 8:00 a.m. until 5:30 p.m. (Capano)

Petition of National Grid, Jason Dwyer, for permission to install approximately 30' of 6 (six) 4" PVC Conduit encased in concrete from an existing MH at the intersection of Liberty Street and Sutton Street in the southerly direction. Also installing 45' of PVC conduit encased in concrete from #41 Sutton Street in the east-south direction across from Liberty Street. (Crighton)

Petition of Comcast, Timothy Broderick, for permission to intercept existing conduit on King Street and place manhole/vault. Place (1) 3" pvc conduit 15' +/- in a Northeasterly direction to property of 74 Ocean Street. (Cyr)

Petition of National Grid, Paul McGrath, for permission to install approximately 1200' of gas main beginning at the intersection of Blossom Street and Summer Street, heading northeast on Summer Street to Tremont Street, northeast on Tremont Street to Pleasant Street and northwest on Pleasant Street to #35 Pleasant Street to service St.Mary's High School. (Crighton)

Petition of National Grid, Jason Dwyer, to install 2-4' conduits encased in concrete approximately 120' in a NW direction from existing P27 Sagamore Street to existing MH#2 Sagamore Street in order to remove faulty UG switches in MH #2 Suffolk Street feeding Harbor Lofts Apartments at 678 Washington Street and reefered them from new overhead fuses at P 27 Sagamore Street. (Crighton)

UNFINISHED BUSINESS:

COMMITTEE REPORTS:

Ordinance Committee:

- Public Hearing Amending the Ordinance Establishing a Dog Park in the City of Lynn and Regulating the Use of the Dog Park

Ways & Means Committee

Public Safety Committee

License Committee

Public Property Committee

Finance Committee

NEW BUSINESS:

PHELAN, CRIGHTON, BARTIN, CAHILL, NET/Ordered that the EDIC, in cooperation with Community Development fund a study of the traffic configuration in Downtown Lynn, which includes the designated Central Business District and Arts & Culture District. The scope of said study shall include, but not be limited to, an examination of one way streets, traffic signals and signs, intersections, sidewalks, driveways, and any opportunity to increase safe access for pedestrians, motorists, and cyclists on our streets and sidewalks, along with improving commercial opportunities.

Ordered that the City of Lynn take, via eminent domain, the property located at 92 & 118-120 Brookline Street, Lynn, Massachusetts for the purpose of constructing a new Thurgood Marshall Middle School as permitted by M.G.L. c. 79A. Said property at 92 & 118-120 Brookline Street is more accurately defined in the attached legal descriptions.

CAPANO & PHELAN / **Veterans Square Naming - Landsburg Square**

Whereas; William J. Landsburg was born on October 17th 1924 to parents James and Anna Landsburg; and

Whereas; During World War II, William J. Landsburg served as a Seaman Second Class on the U.S.S. Euitott and according to the US Navy, on August 8, 1942, "an enemy plane crashed into that ship during an air raid north of Lunga Point, Guadalcanal, Solomon Islands" on August 8th 1942; and

Whereas; As a result of this attack, in September 1942 William J. Landsburg was declared Missing in Action by the US Navy; and

Whereas; William J. Landsburg was declared Killed In Action on September 7th 1943; and

Whereas; As we approach Memorial Day, the City of Lynn wishes to recognize the sacrifice of the Landsburg family and all other Gold Star Families; and

NOW, THEREFORE the Lynn City Council proclaims the corner of New Park and Forest Streets, "Seaman Second Class William J. Landsburg Square.

EXHIBIT A

Legal Description

92 BROOKLINE STREET

PARCEL 1

A certain parcel of land with the buildings thereon, situated in Lynn, Essex County, Massachusetts, and being shown on a plan entitled "Plan of Land of Lynn Sales Corporation, Lynn, Mass" dated March 26, 1968, by Joseph J. Macaions, Registered Land Surveyor, recorded with Essex South Deeds, Plan Book 111, Plan 22. Also see Book 5518, Page 410. Being more particularly bounded and described as follows:

NORTHWESTERLY	by Brookline Street by 2 lines measuring respectively, 89.93 feet and 562.70 feet; thence
NORTHWESTERLY	by Empire Street, 50.00 feet; thence
SOUTHEASTERLY	by land now or formerly of Henry O. Silsbee 2 nd and Celia J. Silsbee, 80.00 feet; thence
NORTHEASTERLY	by the land last named and land now or formerly of Samuel J. Power, 90.00 feet; thence
SOUTHEASTERLY	by land now or formerly of Durkee-Mower, Inc., 80.00 feet; thence
NORTHEASTERLY	by the last named land, 11.54 feet; thence
SOUTHEASTERLY	by the land last named, 72.58 feet; thence
NORTHEASTERLY	by the land last named, 71.49 feet; thence
SOUTHEASTERLY	by the location of the Boston & Maine Railroad by 2 lines measuring respectively, 222.36 feet and 35.02 feet, more or less; thence
NORTHEASTERLY	by said location, 8 feet; thence
SOUTHEASTERLY	by said location, 106.66 feet; thence
SOUTHWESTERLY	by said location, 8.03 feet; thence
SOUTHEASTERLY	by said location, 47.93 feet; more or less; and
SOUTHWESTERLY	by land now or formerly of Ludger and Ora J. Portier and land now or formerly of Charlotte E. DeFee, 185.53 feet.

Together with the benefit of the Right of Way granted in the deed from Durkee-Mower, Inc. to Rose Shulman, dated October 21, 1944, and recorded with said Deeds in Book 3387, Page 579, within the area marked "12' Right of Way" on said plan.

PARCEL 2

That certain parcel of land situated in Lynn, Essex County, Massachusetts, bounded and described as follows:

Beginning at a point marked by an iron pipe on the Southwesterly side line of Empire Street, so called 95 feet southeasterly from the junction of said Southwesterly side line of Empire Street with the Southeasterly side line of Brookline Street, thence running

SOUTHEASTERLY	by Empire Street 45 feet to an iron pipe, thence turning to a right angle and running
SOUTHWESTERLY	by land now or formerly of Henry Silsbee 80 feet to an iron pipe, thence turning at a right angle and running
NORTHWESTERLY	by other land now or formerly of said Silsbee 45 feet to an iron pipe, thence turning at a right angle and running
NORTHEASTERLY	by other land now or formerly of Silsbee 80 feet to the point of beginning.

Together with all right, title and interest in and to the land in said Empire Street adjoining said above described premises and between the extensions of the side lines thereof to the middle of said Empire Street.

PARCEL 3

The certain parcel of land situated at 10 Empire Street, Lynn, Essex County, Massachusetts, and being shown as lot 106 on a plan entitled "Plan Showing Subdivision of the Henry Silsbee Estate situated in Lynn, Mass." (Sec. B) dated May 15, 1926 and recorded with Essex South Deeds in Plan Book 46, Plan 34A, and being more particularly bounded and described as follows:

NORTHEASTERLY	by Empire Street, 45 feet; thence
SOUTHEASTERLY	by land now or formerly of Power shown as lot 107 on the plan hereinafter mentioned, 80 feet; thence
SOUTHWESTERLY	by lot 109 on said plan, 45 feet; and
NORTHWESTERLY	by lot 105 on said plan, 80 feet.

EXHIBIT A

PARCEL I

A certain parcel of land, with the buildings thereon, now known as and numbered 118 Brookline Street, situated in Lynn, Essex County, Massachusetts, and being shown on a plan of land entitled "Plan of Land in Lynn belonging to Friend Bros. Realty Trust," S. Slater, Surveyor, dated December 1, 1952 and recorded with the Essex Southern District Registry of Deeds in Book 3961, Page 591, and being more particularly bounded and described as follows:

NORTHWEST	by Brookline Street, one hundred (100) feet; thence
NORTHEAST	by land now or formerly of Ramsdell, sixty-two and three-tenth (62.3) feet; thence
NORTHWEST	by land now or formerly of Ramsdell and land now or formerly of Quinn, sixty-six (66) feet; thence
SOUTHWEST	by land now or formerly of Quinn, sixty-two and eighty-one hundredths (62.81) feet; thence
NORTHWEST	by Brookline Street, forty-seven and eight tenths (47.8) feet; thence
NORTHEAST	by land now or formerly of Lamphier, one hundred eighty-six and thirty-four one hundredths (186.34) feet; thence
SOUTHEAST	by Boston and Maine Railroad, two hundred thirty and ninety-six one hundredths (230.96) feet, more or less; and
SOUTHWEST	by land now or formerly of Hurley, one hundred seventy-six and twenty-seven hundredths (176.27) feet, more or less.

PARCEL II

A certain parcel of land situated in Lynn, Essex County, Massachusetts, and being shown on a plan of land entitled "Land in Lynn, Mass., Boston and Maine Railroad – to Nissen Baking Corporation, J. F. Kerwin, Engineer of Design, September 1955," and recorded with the Essex Southern District Registry of Deeds in Book 4246, Page 472 and being more particularly bounded and described as follows:

Beginning on remaining land of the Boston and Maine Railroad at a point twenty-eight and thirty-two hundredths (28.32) feet north 32° 14' 30" West from station 650 + 51.25 on the center line of location of the Portland Division main line route of said Railroad; thence running North 32° 14' 30" West by said remaining land of said Railroad sixteen and sixty-eight hundredths (16.68) feet to a point at land of Nissen Baking Corporation; thence turning and running by said last mentioned land of four (4) courses as follows: North 57° 45' 30" East sixty one and seventy five hundredths (61.75) feet; North 51° 11' 10" East eighty-seven and thirty-seven hundredths (87.37) feet; North 57° 45' 30" East eighty-one and eighty-four hundredths (81.84) feet; and North 37° 26' West five and two hundredths (5.02) feet to a point at the land of Ludgor Portier; thence turning and running North 57° 45' 30" East by said last mentioned land eight and five tenths (8.5) feet to a point at said remaining land of said Railroad; thence turning and running by said last mentioned land on two (2) courses as follows: South 37° 26' East thirty-one and eighty-one hundredths (31.81) feet and South 57° 45' 30" West two hundred forty-one and thirty-one hundredths (241.31) feet to the point of beginning.

Excepting from this conveyance the pole and wire line as now located upon, along and over said parcel.

PARCEL III

A certain parcel of land, with the buildings thereon, situated in Lynn, Essex County, Massachusetts, and being shown on a plan of land entitled "Plan of Land belonging to Catherine F. Hurley situated in Lynn, Mass.," dated June 26, 1958, drawn by Bradford & Weed, Civil Engineers, and recorded with the Essex Southern District Registry of Deeds in Book 4481, Page 7, and being more particularly bounded and described as follows:

NORTHWESTERLY	by Brookline Street, 75.85 feet; thence
NORTHEASTERLY	by land now or formerly of Friend Brothers Realty Trust, now of the grantor 156.79 feet; thence
SOUTHEASTERLY	by land of the Boston and Maine Railroad, 78.85 feet; and
SOUTHWESTERLY	by land now or formerly of Sargent 153.89 feet.

PARCEL IV

A certain parcel of land, with the buildings thereon, situated in Lynn, Essex County, Massachusetts, and as being shown as Lot A on a plan entitled "Plan of Land in Lynn Mass.," made for F. W. Ryan, drawn by Shay & Shay, C.E. dated July 1927 and recorded with the Essex Southern District Registry of Deeds in Book 51, Plan 8-B, and being more particularly bounded and described as follows:

NORTH	by Brookline Street, fifty-seven and 25/100 (57.25) feet; thence
-------	--

EAST by land now or formerly of Hurley, ninety-five and 37/100 (95.37) feet; thence

SOUTH by land of Ryan, fifty-three and 14/100 (53.14) feet; and

WEST by land of Ryan, ninety and 2/100 (90.02) feet.

Together with right of way five (5) feet wide and extending from Brookline Street, ninety and 2/100 (90.02) feet on the easterly boundary line of Lot B as shown on said plan.

PARCEL V

A certain parcel of land, with the buildings thereon, situated in Lynn, Essex County, Massachusetts, and being shown as Lot 2-B on a plan entitled "Subdivision of Land owned by Elfreda L. Thompson", Lynn, Mass., dated April 1, 1948, Scale 1" = 20', drawn by Albert D. Martin, Reg. Land Surveyor and recorded with the Essex Southern District Registry of Deeds in Book 3596, Page 395, and being more particularly bounded and described as follows:

Beginning at the northeasterly corner thereof at land now or late of Myron and then running;

SOUTHEASTERLY by said Myron land, sixty-five (65) feet to land now or late of Portier, being Lot 2-A on above-mentioned plan; thence turning and running

WESTERLY by said Lot 2-A, thirty-five and seventy-nine hundredths (35.79) feet to a right of way shown on said plan; thence turning and running

SOUTHEASTERLY by said Lot 2-A on three courses, fifty (50) feet, forty-six and forty-three hundredths (46.43) feet and twenty-eight and thirty-six hundredths (28.36) feet to land of the Boston and Maine Railroad; thence turning and running

WESTERLY by said Railroad land, thirty-three and ninety-two hundredths (33.92) feet to land now or formerly of Friend Brothers; thence turning and running

SOUTHWESTERLY by said land of Friend Brothers, one hundred eighty-one and thirty-two hundredths (181.32) feet to Brookline Street; and turning and running

SOUTHEASTERLY by said Brookline Street, forty-seven and seventy-nine hundredths (47.79) feet to said Myron land, being the point of beginning.

PARCEL VI

A certain parcel of land, with the buildings thereon, situated in Lynn, Essex County, Massachusetts, and being shown as Lot 2-A on a plan entitled "Subdivision of Land owned by Elfreda L. Thompson", Lynn, Mass., dated April 1, 1948, drawn by Albert D. Martin, Reg. Land Surveyor and recorded with the Essex Southern District Registry of Deeds in Book 3596, Page 395, and being more particularly bounded and described as follows:

NORTHWEST	by Lot 2B, as shown on said plan, thirty-five and 79/100 feet; thence
NORTHEAST	by land now or formerly of Myron and by land now or formerly of Sullivan, as shown on said plan, one hundred twenty and 62/100 feet; thence
SOUTHEAST	by land of the Boston & Maine Railroad, fourteen and 6/100 feet; and
SOUTHWEST	by Lot 2B, in three courses as shown on said plan, twenty-eight and 36/100 feet, forty-six and 43/100 feet and fifty feet.

Together with, as appurtenant thereto, a right of way for all purposes in, on and over a strip of land nine feet wide and one hundred fifteen feet long, extending from the premises to Brookline Street as shown on plan in Book 3596, Page 395.

PARCEL VII

A certain parcel of land situated on Brookline Street in Lynn, Essex County, Massachusetts, and being shown as Lot 2-B on a plan of land entitled "Subdivision of Land owned by Elfreda L. Thompson," Lynn, Mass., dated April 1, 1948, drawn by Albert D. Martin, Reg. Land Surveyor and recorded with the Essex Southern District Registry of Deeds in Book 3596, Page 395.

Further meaning and intending to convey all of our interest in a right of way shown on said plan said over said Lot 2-B.

PARCEL VIII

A certain parcel of land situated in Lynn, Essex County, Massachusetts, and being shown as Lot Y on a plan of land entitled "Land in Lynn, Mass., Robert W. Meserve, et al Trustees of the Property of the Boston and Maine Corporation to Nissen Baking Corporation", Scale 1" = 20', July 25, 1974, and recorded with the Essex Southern

District Registry of Deeds in Book 6117, Page 630 and being more particularly bounded and described as follows:

Beginning at a point located North 37° 26' 00" West 28.44 feet from Station 652 + 95.13 located center line of location East Route Main Line; thence running

NORTH 37° 26' 00" West, 31.81 feet to a point; thence turning and running

NORTH 57° 45' 30" East 39.48 feet to a point; thence turning and running

SOUTH 37° 26' 00" East 31.81 feet to a point; thence turning and running

SOUTH 57° 45' 30" West 39.48 feet to the point of beginning.