

FALL ANNUAL TOWN MEETING
OCTOBER 19, 2010

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ARTICLE 1
Omnibus Budget
(Town Administrator)

To determine what sum or sums of money the Town will raise and appropriate, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, and to provide for a reserve fund for Fiscal Year 2011 (July 1, 2010 to June 30, 2011), and to see what budgets for Fiscal 2011 will be reduced to offset said additional appropriations, or otherwise act thereon.

ARTICLE 2
Creation of Capital Stabilization Fund
(Town Administrator)

To see if the Town will vote to create a Capital Stabilization Fund for the purpose of funding any capital-related project, or pieces of capital equipment, or debt-service payment related thereto, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or take other action relative thereto.

ARTICLE 3
Funding of Capital Stabilization Fund
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Capital Stabilization Fund under Article 2 of the warrant for Fall Annual Town Meeting of 2010, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or take other action relative thereto.

ARTICLE 4
Stabilization Fund
(Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Stabilization Fund under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

ARTICLE 5
Collective Bargaining
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide, the funds necessary to implement the Terms of Agreements reached between the Town and the following collective bargaining units:

- a) Public Employees Local Union 1116 of the Laborers International Union of North America – Clerical unit
- b) Public Employees Local Union 1116 of the Laborers International Union of North America – Public Works Laborers unit
- c) Public Employees Local Union 1116 of the Laborers International Union of North America – Library employees
- d) Public Employees Local Union 1116 of the Laborers International Union of North America – Recreation employees
- e) Supervisors and Administrators Association
- f) The Natick Patrol Officers Association
- g) New England Police Benevolent Association, AFL-CIO, Local 82
- h) New England Police Benevolent Association, Inc. Natick Police Dispatchers, Local 182
- i) Local 1707 International Association of Firefighters
- j) The Deputy Fire Chiefs Association

Or otherwise act thereon.

ARTICLE 6
Personnel Board Pay Plan
(Town Administrator and Personnel Board)

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend the by-laws by adding to Article 24, Section 3, a new paragraph deleting certain position titles, adding new position titles and effecting changes in the salary ranges as presently established and will provide the money necessary therefore, or take any action relative thereto.

ARTICLE 7
Amend By-Laws Article 24: Town Employees and Personnel Board
(Town Administrator and Personnel Board)

To see if the Town will vote to amend Article 24 of the Town of Natick By Laws as follows:

- 1) In Section 7 – Employee Benefits, subsection 7.1 – Holidays, add a new paragraph at the end thereof to read as follows: “If the holiday falls on a Saturday, it will be observed on the preceding Friday, and if the holiday falls on a Sunday, it will be observed on the following Monday.”
- 2) In Section 7 – Employee Benefits, subsection 7.2.2, delete the subsection in its entirety and replace with the following:

“Vacations shall be granted on an accrual basis, with the pro-rated vacation awarded on the first day of each month, based on the following schedule:

| Length of Service | Vacation |
|-------------------|----------|
| 0-5 years | 3 weeks |
| 5-10 years | 4 weeks |
| 10+ years | 5 weeks |

Provided, however, that the Town Administrator shall have the discretion at the time of hire of new staff to grant vacation up to a maximum of (5) five weeks, based on the new hire’s vacation earnings at his/her most recent position and market conditions affecting the Town’s ability to attract qualified personnel.”

- 3) In Section 7 – Employee Benefits, subsection 7.2.3, delete the subsection in its entirety and replace with the following:

“Vacation for a new employee shall be pro-rated based on the number of full months worked in his/her first fiscal year of employment, provided however that vacation shall not be taken until after the probation period”
- 4) In Section 7 – Employee Benefits, subsection 7.5 – Bereavement Leave, delete the subsection in its entirety, and replace with the following: “In the event of death of a member of an employee’s family (as defined below), the employee will be permitted to be absent without loss of pay based at the employee’s straight time hourly rate of pay, as follows:

- a. For the employee's parents, children, spouse or co-habiting significant other – five (5) days
 - b. For the employee's siblings, grandparents, grandchildren, aunts, uncles, parents-in-law and siblings-in-law three (3) days.”
- 5) In Section 3 – Classification, subsection 3.2, add a new sentence at the end thereof to read as follows: “Provided however that the Town Administrator, pursuant to the Employee Evaluation procedure described in Section 9 and subject to available funds, may award a bonus to those employees whose work exceeds expectations; said bonus shall not be added to base pay.”

Or take other action relative thereto.

ARTICLE 8
Retiree Health Insurance
(Town Administrator)

To see if the Town, pursuant to the provisions of Chapter 32B, Section 9E of the Massachusetts General Laws, and any other applicable authority, will vote to authorize payment of other than fifty percent of the premium for any contributory group hospital, surgical, medical, dental and other health insurance offered to employees retired from the service of the Town, and their dependents and/or surviving spouses;

or otherwise act thereon.

ARTICLE 9
Capital Equipment
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide, a sum or sums of money as may be required for capital equipment for the various departments of the Town of Natick, determine whether this appropriation shall be raised by borrowing or otherwise, or otherwise act thereon.

ARTICLE 10
Capital Improvement
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide, a sum or sums of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick, determine whether this appropriation shall be raised by borrowing or otherwise, or otherwise act thereon.

ARTICLE 11
Acquisition of Land Adjacent to Fire Station #4
(Town Administrator)

To see if the Town will vote to raise and appropriate or otherwise provide, a sum of money for the purpose of purchasing from the Commonwealth of Massachusetts a parcel of land of approximately 29,011 square feet, said parcel being shown on Assessors' Map 25 as Parcel 251A, including costs associated with preparation of deeds and plans, or take other action relative thereto.

ARTICLE 12
Unpaid Bills
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide such sums of money as may be required for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick, or otherwise act thereon.

ARTICLE 13
Natick 360: Progress Report
(Town Administrator)

To see if the Town will hear a report from the Town and/or sponsoring boards and committees on progress with respect to the Natick 360 Strategic Plan, or otherwise act thereon.

ARTICLE 14
Home Rule Petition Regarding Duration of Contract with
Police Chief
(Town Administrator)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation which, notwithstanding the provisions of Chapter 41, Section 97 of the Massachusetts General Laws, or any general or special law to the contrary, would authorize the Board of Selectmen to enter into an employment contract with the Chief of Police for a term not to exceed five (5) years, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition, or take other action relative thereto.

ARTICLE 15
Home Rule Petition Regarding Disposition of Former East School
(Town Administrator)

To see if the Town will vote:

(1) to authorize the Board of Selectmen to petition the General Court to enact legislation which, notwithstanding the provisions of Chapter 40, Section 3 of the Massachusetts General Laws, or any general or special law to the contrary, would authorize the Board of Selectmen to issue a Request for Proposals to lease for a term not to exceed ninety-nine (99) years (including any extension or renewal terms) the property at 84 Oak Street in Natick, MA, which is now or formerly the site of the East School, and which would authorize the Board of Selectmen to enter into a lease for said property for a term not to exceed ninety-nine (99) years (including any extension or renewal terms), provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition; and further,

(2) authorize the Board of Selectmen to issue a Request for Proposals offering the property at 84 Oak Street for both sale and lease (such lease to be for a term not to exceed ninety-nine (99) years, including any extension or renewal terms) with said RFP providing an adequate mechanism for comparing the sale and lease options, provided that the terms of any lease or sale must be approved by a subsequent Town Meeting, and further

(3) to appropriate the sum of \$25,000 from available funds, said funds to be spent under the jurisdiction of the Board of Selectmen for the

preparation of reports and analysis, which may include but would not be limited to appraisal services, environmental assessment, asbestos and lead paint testing and analysis, analysis of building systems and development of associated capital improvement program, advertisements and other costs necessary to effectively market the building.

Or take other action relative thereto.

ARTICLE 16
Home Rule Petition: Beer & Wine Licenses
(Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation which would reduce the minimum seating requirement for a restaurant to be granted a license for the sale of wines and malt beverages and would increase the number of such licenses which may be in effect at any one time for such a restaurant within the total number of licenses which the Town of Natick may grant under Chapter 138 of the Massachusetts General Laws, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition;

Or otherwise act thereon.

ARTICLE 17
Home Rule Petition: Removal of Building Inspector Position from
Civil Service
(Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

AN ACT EXEMPTING THE POSITION OF INSPECTOR OF BUILDINGS,
ALSO KNOWN AS THE BUILDING COMMISSIONER, OF THE TOWN OF
NATICK FROM THE PROVISIONS OF CIVIL SERVICE LAWS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 19 of the Acts and Resolves of 1936 is hereby repealed.

SECTION 2. The position of Inspector of Buildings, also known as Building Commissioner, in the town of Natick shall be exempt from the provisions of chapter thirty-one of the General Laws.

SECTION 3. The provisions of Section 1 and Section 2 of this act shall not impair the civil service status of the person holding the position of Inspector of Buildings, also known as Building Commissioner, in the town of Natick on the effective date of this act.

SECTION 4. This act shall take effect upon its passage. or otherwise act thereon.

ARTICLE 18

Amend Composition & Charge of High School Building Committee (Superintendent of Schools)

To amend Article 15 of the 2001 Fall Annual Town Meeting in order to see what action Town Meeting may take to amend the composition and charge of the High School Building Committee, including but not limited to ensuring compliance with the requirements of the Massachusetts School Building Authority, related statutes or regulations; or otherwise act thereon.

ARTICLE 19

Amend By-Laws Article 40: Town Reports and Records (Planning Board)

To see if the Town will vote to amend Article 40, Section 6 of the Town By-Laws to modify the deadline for distribution of Planning Board reports on warrant article recommendations to Town Meeting members, or otherwise act thereon.

ARTICLE 20

Amend By-Law Article 41 – Advance Actions by Town Boards on Town Meeting Warrant Articles (Paul E. Connolly, et al)

To see if the Town will vote to amend Article 41 of the Town of Natick By-Laws in order to regulate advance actions by Town boards on Town Meeting warrant articles, such actions to include, but not be limited to, preparation of agendas, publication of notices by electronic means,

gathering of relevant information from the public, and voting a recommendation to Town Meeting.

ARTICLE 21
Amend By-Laws Article 60: Fire Regulations
(Town Administrator)

To see if the Town will vote to amend Article 60 of the Town of Natick By Laws as follows:

1. Within Section 1, by renumbering subparagraphs “3” and “4” as subparagraphs “1” and “2”.

Or otherwise act thereon

ARTICLE 22
Amend By-Laws Article 74: Junk Dealers
(Town Administrator)

To see if the Town will vote to amend Article 74 of the Town of Natick By Laws as follows:

1. By titling Section 1 “Licensing”.
2. In Section 1, by inserting a period after the phrase “second-hand articles”
3. In Section 1, by deleting the word “and” and capitalizing the “n” in the word “no”
4. In Section 1, by inserting a 2nd paragraph to read as follows: “A copy of this by-law will be provided to each licensee at the time of licensing or renewal.”
5. In Section 1, by inserting a 3rd paragraph to read as follows: “After completion of the licensing/renewal process the Board of Selectmen shall forward a list to the police department of all licenses in good standing.”
6. By titling Section 2 “Inflammable Materials”
7. By titling Section 3 “Requirements of Licensees”
8. In Section 3, in the second paragraph thereof, by deleting the word “ten” and replacing it with the phrase “thirty (30)”
9. In Section 3, by deleting the 3rd, 4th and 5th paragraphs in their entirety.
10. By adding a new Section 4 to be entitled “Fines”, said Section 4 to read as follows:

“Operating as a dealer in or keeper of a shop for the purchase, sale, and/or barter of junk, old metal and second-hand articles without this license shall be punishable by a fine as established by Massachusetts General Law Chapter 140, Section 55.

Violations of the provisions of Section 2 or Section 3 of this by-law shall be punishable by a fine of one hundred (\$100.00), and each transaction in violation shall constitute a separate offense.”

Such that the resulting Article 74 of the By-Laws shall read as follows:

ARTICLE 74

JUNK DEALERS

Section 1 Licensing

The Selectmen shall license suitable persons to be dealers in and keepers of shops for the purchase, sale, and barter of junk, old metal and second-hand articles. No person shall be a dealer in or keeper of such a shop without a license.

A copy of this by-law will be provided to each licensee at the time of licensing or renewal.

After completion of the licensing/renewal process the Board of Selectmen shall forward a list to the police department of all licenses in good standing.

Section 2 Inflammable Materials

No person shall use any building, enclosure or other structure for the storage, sale or keeping of rags, waste paper, stock or other inflammable material without a written license therefor from the Selectmen.

Section 3 Requirements of Licensees

Every keeper of a shop for the purchase, sale or barter of junk, old metals, or second-hand articles, within the limits of the Town, shall keep a record in the form prescribed by the police department, on which shall be written, at the time of every purchase of any such article, a description thereof, the name, age and residence of the person from whom, and the day and hour when, such purchase was made. No article shall be accepted without a showing of positive photo identification by

the person offering the article for sale to the shop keeper. The shop keeper's record shall at all times be open to the inspection of the Selectmen, members of the police department and any other person authorized by the Board of Selectmen to make such inspection.

A copy of the weekly record shall be forwarded to the police department operations division at the end of each week, and any article taken into possession by the shop keeper shall be held on premises for thirty (30) days before resale.

Section 4 Fines

Operating as a dealer in or keeper of a shop for the purchase, sale, and/or barter of junk, old metal and second-hand articles without this license shall be punishable by a fine as established by Massachusetts General Law Chapter 140, Section 55.

Violations of the provisions of Section 2 or Section 3 of this by-law shall be punishable by a fine of one hundred dollars (\$100.00), and each transaction in violation shall constitute a separate offense.

Or take other action relative thereto.

ARTICLE 23 Amend Town By-Laws Article 72: Building Fees (Larry Forshner, et al)

Add second paragraph to Article 72 Section 3 of the ByLaws

Town of Natick Bylaws

Article 72 Building Regulations

Section 3 FEES

A fee schedule for permits and certificates may be established or amended by the Selectmen and the Building **Commissioner** after due notice has been given by publication in a local newspaper at least fourteen (14) days prior to approval.

At the completion of any new construction or renovations to property or structures in which the Town of Natick is the deed holder, the department or committee responsible for the management of said property may petition the Board of Selectmen to request abatement from all or a portion of the required fees.

ARTICLE 24
Amend Town By-Laws Article 72 – Fences
(Craig R. Oliver, et al)

The undersigned submits this “Citizens Petition” as a request to amend *Article 72, Section 4* of the Natick Town By-Laws regarding *Fences* and hereby request for good cause as shown in this petition that the town meeting representatives make the change requested herein.

A. Action Requested:

Amend Article 72, Section 4

All fences shall be erected with the finished side of the fence facing the property of the abutters and the frame side of the fence facing the property on which it is erected. The fence owner shall not use the land between the fence and the boundary line for the storage or disposal of any material. The fence owner shall have access to an abutter’s side of the fence for maintenance and repairs.

~~Unless written permission is secured from the abutters to erect fence on property lines,~~ The fence must be erected within the at least one (1) foot in from boundary lines.

B. Statement of grounds:

The petitioners seek to amend the Natick Fence By-Law to conform with the standards and practices of its neighboring communities and those of broader Massachusetts. As part of the process, approximately 25 of Natick’s nearest neighboring communities were surveyed in July/August 2010, and none were found to have a town bylaw that mandates a lot-line setback. The list of surveyed communities include: Wellesley, Needham, Dover, Sherborn, Wayland, Weston, Framingham, Southboro, Newton, Brookline, Westwood, Dedham, Milton, Braintree, Canton, Ashland, Holliston, Medfield, Walpole, Norwood, Millis, Acton, Sudbury, Maynard, Winchester, Belmont, and Arlington

Furthermore, the indirect implication of Natick’s existing bylaw effectively isolates a portion of your property to the other side of your fence, potentially creating unintended legal, use, and safety consequences for property owners that wish to install fences by, among other factors, causing your property to be out-of-sight.

Having the proposed language state that it is “within the boundary lines”, rather than on (or one foot back) enables property owners to have their own fences, without a large gap between each fence.

C. Environmental impact:

There is no known negative environmental impact from this petition or change to Article 72, Section 4.

D. Economic impact:

There is no known negative economic impact from this petition or change to Article 72, Section 4. If the amendment does occur, existing fences would still comply with the proposed by-law and would not require any existing property owners to move or remove an existing fence.

E. Certification:

The undersigned certifies, that, to the best knowledge and belief of the undersigned, this petition includes all information and views on which the petition relies, and that it includes any and all representative data and information known to the petitioners.

The undersigned also submits this petition to see if the town will vote to amend Article 72, Section 4 Fences of the Town of Natick By-laws, for the purpose of modifying requirements relative to the erection of fences in relation to property or boundary lines, or otherwise act thereon.

ARTICLE 25
Amend By-Laws Article 79: Construction Hours
(Planning Board)

To see if the Town will vote to amend the Town Bylaws to set hours for construction activity, or otherwise act thereon.

Article 26
Street Acceptance: Main Street
(Town Administrator)

To see if the Town will vote to accept Main Street as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or

otherwise, easements in any land necessary for laying out and acceptance of Main Street, and any appurtenant drainage, utility or other easements related to said Main Street, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article.

Or otherwise act thereon.

ARTICLE 27
Street Acceptance – Portion of North Main Street
(Town Administrator)

To see if the Town will vote to accept a portion of North Main Street as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of North Main Street, and any appurtenant drainage, utility or other easements related to said North Main Street, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article.

Or otherwise act thereon.

ARTICLE 28
Street Acceptance – East Central (portion); West Central (portion)
Route 135
(Town Administrator)

To see if the Town will vote to accept as a public way of the Town of Natick that portion of Route 135 (East Central Street) between the Natick/Wellesley town line and Union Street (station 59+94.55), and that portion of Route 135 (West Central Street) between Cemetery Street (station 109+24.00) and the Natick/Framingham town line, in accordance with the vote of the 1996 Natick Fall Annual Town Meeting under Article 19, or otherwise act thereon.

ARTICLE 29
Amend By-Law: Create Sex Offender By-Law
(Board of Selectmen)

To see if the Town will vote to amend the Town of Natick By Laws by adding provisions which would limit the activities of registered or convicted sex offenders, or otherwise act thereon.

ARTICLE 30
Amend Zoning By-Laws: Off-Street Parking and Loading
Requirements
(Planning Board)

To see if the Town will vote to amend the Zoning Bylaws to provide for payment of parking mitigation funds to an offsite parking construction and acquisition fund, or otherwise act thereon.

ARTICLE 31
Funding for Crossing Guard Positions
(Michael Walz, et al)

To see what sum of money the Town will vote to appropriate and raise or otherwise provide for the purpose of funding necessary crossing guard positions for the 2010-2011 school year.

ARTICLE 32
Consolidate School & Town Administrative Functions, Including but
not Limited to Financial, Personnel, and Maintenance Functions
(Patrick Hayes, et al)

To see if the Town will vote to accept M.G.L. c.71 §37M relative to the consolidation of the financial, personnel, IT and maintenance functions of the School Committee with those of the Town; or act on anything relative thereto.

This article authorizes the creation (but does not require implementation) of a consolidated administrative and facilities maintenance function between the Town and the Natick Public Schools (NPS) Committee. This

State statute permits such consolidation if it is accepted by a vote of the Town Meeting and a vote of the School Committee.

At this time, no funding is being requested to create new departments or to hire any additional professionals to manage combined departments, but acceptance of this statute allows for the planning of such actions to occur.

ARTICLE 33
School and Municipal Budget Cooperation
(Patrick Hayes, et al)

To see if the Town will vote to accept M.G.L. c.71 §37M ½(a) which was amended by the Municipal Relief Act (H8477) relative to School and Municipal Budget Cooperation and which states..”. the superintendent of schools for each school district serving such municipality shall meet with the mayor, town manager, or chief municipal officer or his designee for that municipality to review the fiscal status of the school district budget and to identify opportunities for cost savings and efficiencies and any potential methodologies, including, but not limited to, joint procurement or consolidation of redundant functions. The results of each meeting shall be transmitted to the local legislative body and the local school committee not later than 30 days after the meeting.”, or at a date certain when the legislative body shall next meet.

This article authorizes such budget cooperation meetings, planning and efforts for cost savings and efficiencies between the Town and the Natick Public Schools (NPS) Committee. This State statute permits such planning and implementation efforts if it is accepted by a vote of the Town Meeting. This article does not require a vote of the School Committee.

At this time, no funding is being requested and acceptance of this article does not require the creation of any new departments or hiring of additional personnel.

ARTICLE 34
Funding for Improvements to Oak Street Gravel Pit/Public Works Storage
(Sarkis Sarkisian, et al)

To determine whether the Town of Natick will vote to raise and appropriate or otherwise provide a sum or sums of money to be expended to make improvements to the Oak Street Gravel Pit/Public Works Storage

area which shall include demolition of structures, design and construction of an additional fields and determine whether this appropriate shall be raised by borrowing or otherwise act thereon.

ARTICLE 35
Funding for Improvements to Memorial Field/West Street at High School
(Sarkis Sarkisian, et al)

To determine whether the Town of Natick will vote to raise and appropriate or otherwise provide a sum or sums of money to be expended to make improvements to Memorial Field/West Street at Natick High School which shall include design and construction of an additional turf field and determine whether this appropriation shall be raised by borrowing or otherwise act thereon.

ARTICLE 36
Acceptance of Drainage Easement – East Central Street
(Paul R. Croft, et al)

To see if the Town will vote to authorize the Board of Selectmen to accept on behalf of the Town of Natick, a drainage easement from the owner(s) of property at 186 East Central Street, Natick, Assessors Map parcel 37 104B, provided that no money or other consideration shall be paid by or on behalf of the Town of Natick for the grant of such easement, and to accept as a gift, by the Developer Paul Croft or his assigns, the replacement of the existing deteriorated and improperly installed drainage pipes, some being outside the original easement, having been installed by the Town of Natick, provided that no money or other consideration shall be paid by or on behalf of the Town of Natick for the grant

Easement shall be over property at 186 East Central Street, shown as recorded in the Middlesex South County Registry of Deeds at Book 14721, Page 59, and to accept as a gift by the Developer Paul Croft or his assigns, the replacement of the existing deteriorated and improperly installed drainage pipes, some being outside the original easement, having been installed by the Town of Natick.

Said new easement as shown on a plan entitled DRAIN EASEMENT RELOCATION PLAN, By Connorstone Engineering Inc., dated August 20, 2010, or as amended by the Natick Department of Public Works Town

Engineer, and attached hereto, and a copy is on file in the office of the Natick Town Clerk.

And to extinguish the existing drainage easement given to the Town of Natick as shown on a plan entitled Plan of Drainage Easement in Natick Mass., As Laid Out By The Department of Public Works, July 19, 1957, R. S. Wharton Chief Engineer, and recorded at the Middlesex South County Registry of Deeds at Book 7903, Page 334, copy of said plan is attached hereto and is on file in the office of the Natick Town Clerk, or otherwise act thereon.