

DOCUMENT NO. 1010 ✓

September 30, 2002

CHAPMAN UNIVERSITY LIBRARY

Received for Registration

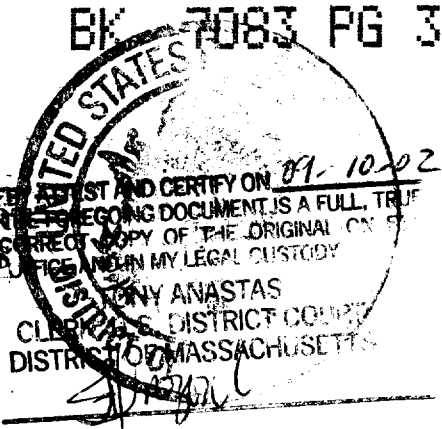
11 O'CLOCK 13 M

A¹

NOTED ON CERTIFICATE NO. 2697

AT REGISTRATION BOOK PAGE 393

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS



MARITIMES & NORTHEAST PIPELINE, L.L.C.

Plaintiff,

v.

36.0 ACRES OF LAND, MORE OR LESS,
IN NORTH ANDOVER, MASSACHUSETTS, and
THE TOWN OF NORTH ANDOVER,

Defendants.

BY: _____

No. 02-CV-11270-WGY

ORDER OF TAKING

SEP 13 '02 PM 2:19

IT IS HEREBY ORDERED THAT:

Maritimes & Northeast Pipeline, L.L.C. ("Maritimes") is authorized to immediately take and enter a permanent right-of-way and easement and a temporary easement on the properties that are the subject of this action for the purposes of laying, constructing, maintaining, operating, altering, replacing, repairing, abandoning and removing a pipeline with above or below grade valves, tie-overs, meters, regulators, data acquisition, communication lines and devices relating to the pipeline, cathodic protection equipment and other appurtenant facilities for the transmission of natural gas.

Maritimes shall have all other rights and benefits necessary or convenient for the full enjoyment of the right-of-way and easement rights taken, including, but not limited to, the right to remove, clear and to keep clear, all buildings, walls or similar structures, above or below ground swimming pools, decks, rocks, trees, brush, limbs and other obstructions, including, but not limited to, underground pipelines and conduits, that might interfere with the use of the right-of-way and easements and the free and full right of ingress and egress over and across the right-of-way and easements.

The properties on which the right-of-way and easements are located are owned by the Town

Maritimes + Northeast Pipeline
5 Batchelder Rd Suite 200
Seabrook NH 03824

DOCKETED

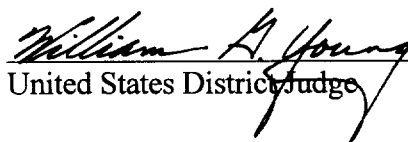
15320

Essex Registry of Deeds
North District

10

of North Andover, are approximately 36.0 acres in the aggregate, and are more fully described on Exhibit A. The location, size and boundaries of those easements are depicted on the Drawings that are attached as Exhibit B.

The temporary easement on the Town's properties shall expire twelve (12) months after completion of the installation of the pipeline or two (2) years from the date of this Order, whichever is later.


United States District Judge

Dated: ~~July~~ ^{Aug} 20, 2002

EXHIBIT A

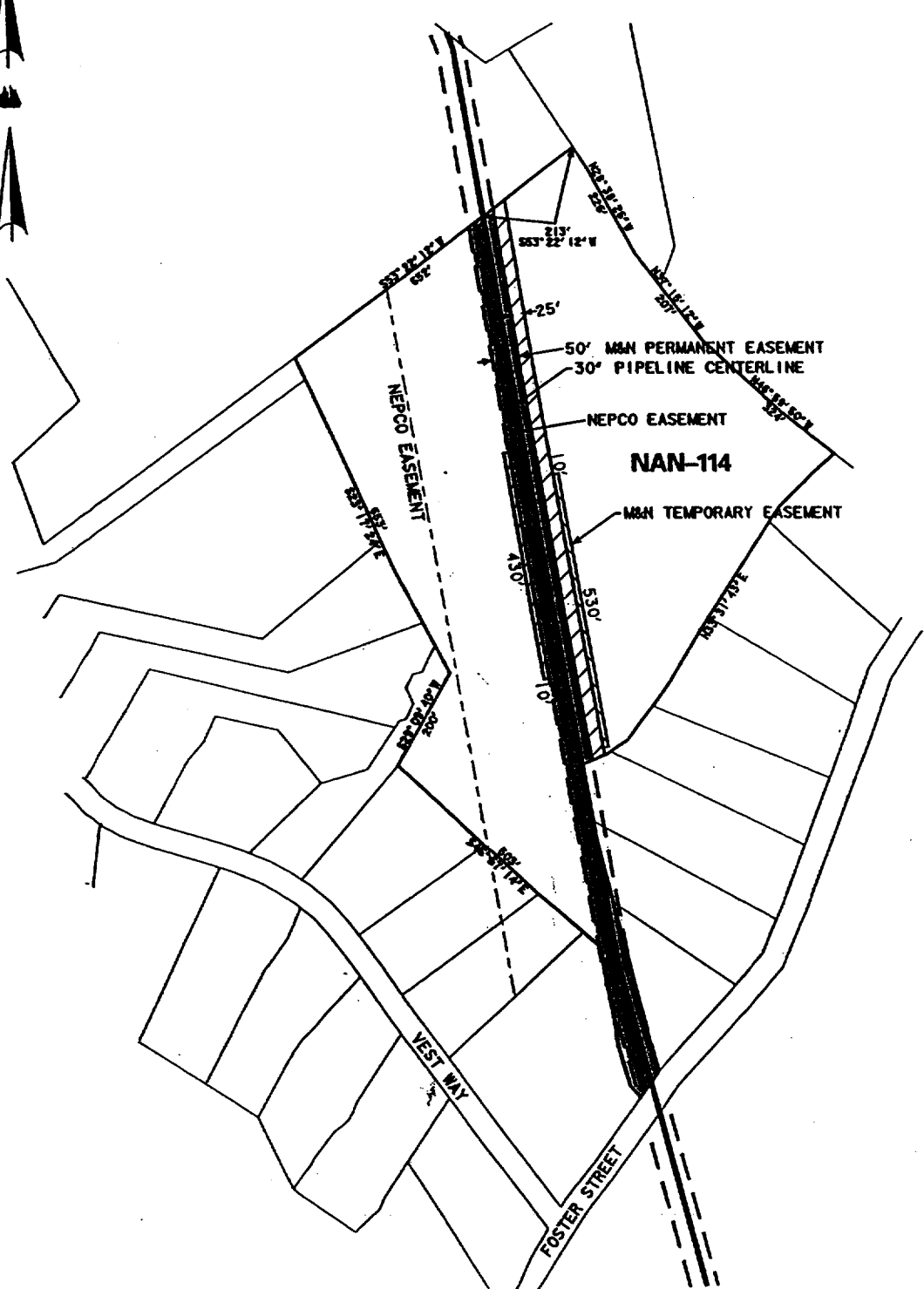
Properties Owned and Property Rights Held by the Town of North Andover

(Exceptions otherwise indicated, all title references are to instruments recorded in the Essex County North District Registry of Deeds)

<u>Maritimes' Tract No.</u>	<u>Assessor's Map-Block-Lot</u>	<u>Title Reference to Property</u>
NAN-114	Map: 104B, Lot: 37	Book: 5186, Page: 243
NAN-117	Map: 104B, Lot: 38	Book: 5186, Page: 243
NAN-134	Map: 106A, Lot: 260	Certificate of Title No. 12697 registered in the Land Registration Office of the Land Court at the Essex County North District.

DATE OF PLOT: 14-DEC-2001

**NORTH ANDOVER,
ESSEX COUNTY, MASSACHUSETTS**



- WITHIN NEPCO EASEMENT - 0.10 ACRES TEMPORARY EASEMENT
- WITHIN NEPCO EASEMENT - 1.29 ACRES PERMANENT RIGHT OF WAY
- ACTUAL LOCATION OF EASEMENT IS DETERMINED BY THE PIPELINE AS INSTALLED
- DISTANCES AND BEARINGS SHOWN ARE BASED ON COUNTY TAX MAPS AND FIELD SURVEY DATA

M.J. Harden Associates, Inc.
Essex City, MA

OWNER - N / F		TOWN OF NORTH ANDOVER, FOSTER FARMS		TRACT NO.	NAN-114	ALIGNMENT SHEET NO.	BB-A-1008
LOCATION NORTH ANDOVER, ESSEX COUNTY, MASSACHUSETTS							
TOTAL DISTANCE ACROSS PROPERTY		1650 FEET	100 RODS	ENG.	GAM		
TEMP. ROW	0.82 AC.	PERM. ROW	1.61 AC.	DRN. BY	MAK	CKD. BY	PW
DATE	10-24-01	SCALE	1"=300'	DWG. NO.	ME-P-0108		



TEMP. ROW	0.17 AC.	PERM. ROW	0.01 AC.	DRN. BY	MAK	CKD. BY	PW
DATE	10-24-01	SCALE	1"=100'	DWG. NO.	ME-P-0109		

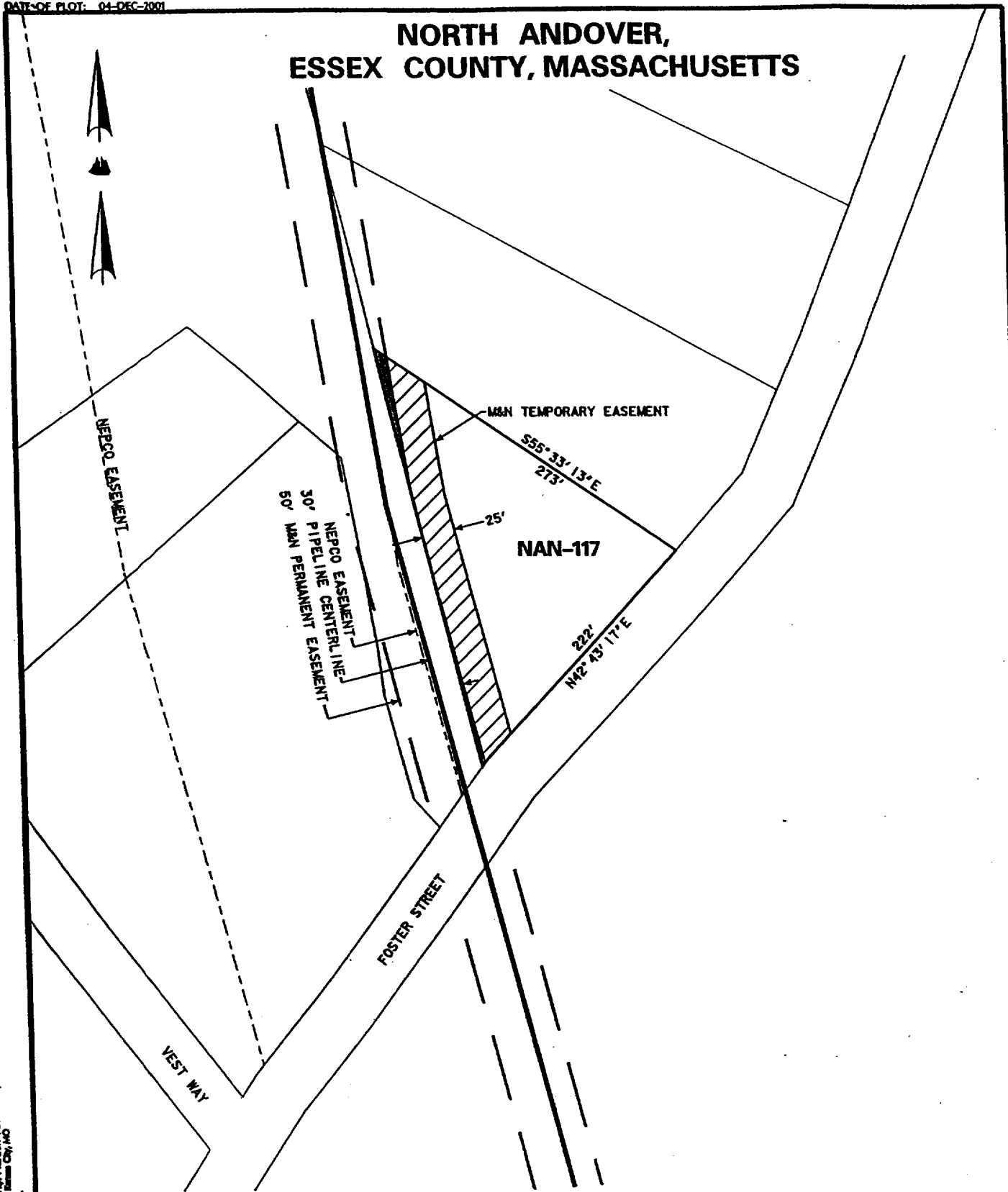


73902201.mnp

**NORTH ANDOVER,
ESSEX COUNTY, MASSACHUSETTS**

DATE OF PLOT: 01-DEC-2001

**NORTH ANDOVER,
ESSEX COUNTY, MASSACHUSETTS**



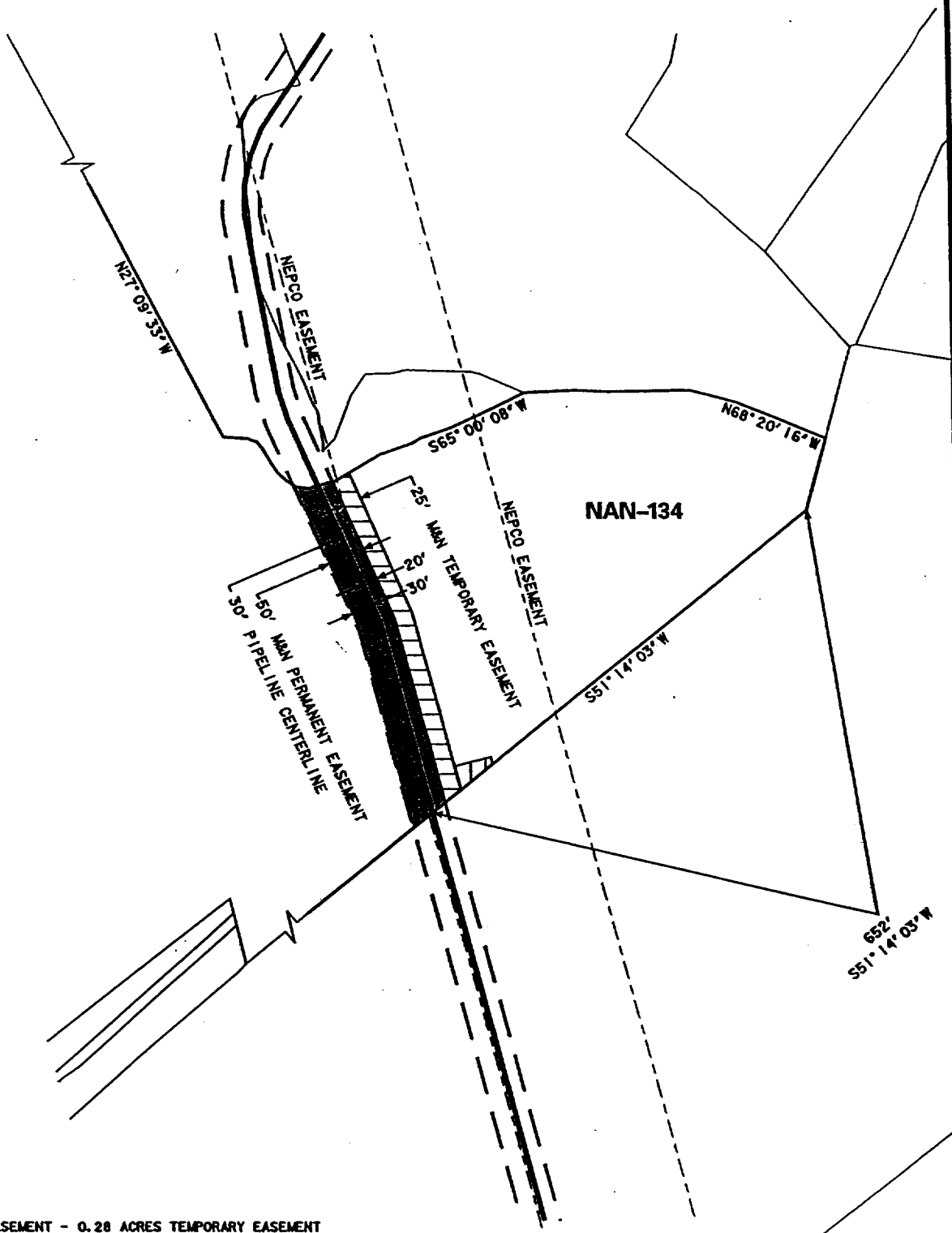
•ACTUAL LOCATION OF EASEMENT IS DETERMINED BY THE PIPELINE AS INSTALLED
 •DISTANCES AND BEARINGS SHOWN ARE BASED ON COUNTY TAX MAPS AND FIELD SURVEY DATA

M.J. Harden Associates, Inc.
 Boston, MA

OWNER - N / F		TOWN OF NORTH ANDOVER		TRACT NO.	NAN-117	ALIGNMENT SHEET NO.	BB-A-1008
LOCATION		NORTH ANDOVER, ESSEX COUNTY, MASSACHUSETTS					
TOTAL DISTANCE ACROSS PROPERTY		0 FEET		0 RODS		ENG. <i>GAM</i>	
TEMP. ROW	0.17 AC.	PERM. ROW	0.01 AC.	DRN. BY	MAK	CKD. BY	<i>PW</i>
DATE	10-24-01	SCALE	1"=100'	DWG. NO.	ME-P-0109		



**NORTH ANDOVER,
ESSEX COUNTY, MASSACHUSETTS**



- WITHIN NEPCO EASEMENT - 0.28 ACRES TEMPORARY EASEMENT
- WITHIN NEPCO EASEMENT - 0.20 ACRES PERMANENT RIGHT OF WAY
- ACTUAL LOCATION OF EASEMENT IS DETERMINED BY THE PIPELINE AS INSTALLED
- DISTANCES AND BEARINGS SHOWN ARE BASED ON COUNTY TAX MAPS AND FIELD SURVEY DATA

M.J. Harden Associates, Inc.
Kansas City, MO

OWNER - N / F		TOWN OF NORTH ANDOVER		TRACT NO.	NAN-134	ALIGNMENT SHEET NO.	BB-A-1009
LOCATION NORTH ANDOVER, ESSEX COUNTY, MASSACHUSETTS							
TOTAL DISTANCE ACROSS PROPERTY		465.33 FEET	28.20 RODS	ENG. <i>GAM</i>			
TEMP. ROW	0.28 AC.	PERM. ROW	0.54 AC.	DRN. BY	DRS	CKD. BY	<i>PW</i>
DATE	10-24-01	SCALE	1"=200'	DWG. NO.	ME-F-0124		



EXHIBIT B

Property Plans for the Town of North Andover

<u>Maritimes' Tract No.</u>	<u>Assessor's Map-Block-Lot</u>	<u>Maritimes Plan No.</u>
NAN-114	Map: 104B, Lot: 37	ME-P-9106
NAN-117	Map: 104B, Lot: 38	ME-P-9109
NAN-134	Map: 106A, Lot: 260	ME-P-9124