

### RELEASE DEED

**Martha's Vineyard Land Bank Commission** with an address of 167 Main Street, Edgartown, Massachusetts 02539 (the "Grantor"), acting under the authority of Chapter 152 of the Acts of 2022 (the "Legislation"), for consideration of Ten Thousand and 00/100 (\$10,000.00) Dollars and for the conservation purposes described in the Legislation and the covenants contained herein, does hereby grant and release unto the **Commonwealth of Massachusetts**, acting by and through the **Massachusetts Department of Transportation**, with an address of 10 Park Plaza, Boston, Massachusetts 02116 (the "Grantee") all right, title and interest of the Grantor in and to a portion of the land with the existing improvements, located on the southerly line of Beach Road in the Town of Oak Bluffs, shown as parcels 4-2, 4-3, 4-4, 4-PUE-5, 4-PUE-6, 4-TE-3, 4-TE-4, 4-TE-5, 4-TE-6 and 4-TE-7 (the "Property") on a plan entitled "Massachusetts Department of Transportation Plan of Road in the Town/City of Oak Bluffs, Dukes County Altered and Laid Out as a State Highway by The Massachusetts Department Of Transportation, Highway Division October 6, 2021 Scale: 20 Feet To The Inch (Except As Noted)" recorded on October 7, 2021 with Dukes County Registry of Deeds, Plan Book 19, Page 88, as more particularly described as follows:

**PARCEL 4-2:** A parcel of land supposed to be owned by Martha's Vineyard Land Bank Commission in the Town of Oak Bluffs, Dukes County, comprising a portion of the October 26, 1954 (Layout No. 4216) State highway layout of Beach Road and bounded as follows: Northerly by the southerly location line of the aforesaid October 26, 1954 (Layout No. 4216) State highway layout of Beach Road about 327 feet; Easterly by the property line dividing land of said Martha's Vineyard Land Bank Commission and other land now or formerly of Martha's Vineyard Land Bank Commission about 8 feet; Southerly by remainder land of said Martha's Vineyard Land Bank Commission about 333 feet; containing about 1,171 square feet.

**PARCEL 4-3:** A parcel of land supposed to be owned by Martha's Vineyard Land Bank Commission in the Town of Oak Bluffs, Dukes County, comprising a portion of the October 26, 1954 (Layout No. 4216) State highway layout of Beach Road and bounded as follows: Northerly by the southerly location line of the aforesaid October 26, 1954 (Layout No. 4216)

State highway layout of Beach Road about 125 feet; Easterly by the property line dividing land of said Martha's Vineyard Land Bank Commission and other land now or formerly of Martha's Vineyard Land Bank Commission about 8 feet; Southerly by remainder land of said Martha's Vineyard Land Bank Commission about 125 feet; Westerly by the property line dividing land of said Martha's Vineyard Land Bank Commission and other land now or formerly of Martha's Vineyard Land Bank Commission about 8 feet; containing about 1,045 square feet.

**PARCEL 4-4:** A parcel of land supposed to be owned by Martha's Vineyard Land Bank Commission in the Town of Oak Bluffs, Dukes County, comprising a portion of the October 26, 1954 (Layout No. 4216) State highway layout of Beach Road and bounded as follows: Northerly by the southerly location line of the aforesaid October 26, 1954 (Layout No. 4216) State highway layout of Beach Road about 175 feet; Easterly by the property line dividing land of said Martha's Vineyard Land Bank Commission and land now or formerly of Owner Unknown about 8 feet; Southerly by remainder land of said Martha's Vineyard Land Bank Commission about 176 feet; Westerly by the property line dividing land of said Martha's Vineyard Land Bank Commission and other land of now or formerly of Martha's Vineyard Land Bank Commission about 8 feet; containing about 1,157 square feet.

**PARCEL 4-PUE-5:** A parcel of land supposed to be owned by Martha's Vineyard Land Bank Commission in the Town of Oak Bluffs, Dukes County, on the southerly side of the October 26, 1954 (Layout No. 4216) State highway layout of Beach Road, adjoining the location line of the proposed 2021 State highway alteration of said Beach Road, bounded by the lines described as follows: Beginning at a point on the proposed 2021 State highway alteration of Beach Road, said point bearing S 33°27'53" E and being 28.44 feet distant from station 9+09.99 of the baseline location of the October 26, 1954 (Layout No. 4216) State highway layout of Beach Road, and extends thence, leaving said location line S 35°46'33" E 16.59 feet; thence N 54°13'26" E 6.00 feet; thence N 35°46'19" W 16.43 feet to a point, again on the location line of the proposed 2021 State highway alteration of Beach Road; thence, following said location line southwesterly by a curve to the right of 827.50 feet radius 6.00 feet to the point of beginning; containing about 99 square feet.

**PARCEL 4-PUE-6:** A parcel of land supposed to be owned by Martha's Vineyard Land Bank Commission in the Town of Oak Bluffs, Dukes County, on the southerly side of the October 26, 1954 (Layout No. 4216) State highway layout of Beach Road, adjoining the location line of the proposed 2021 State highway alteration of said Beach Road, and bounded by the line described as follows: Beginning at a point on the proposed 2021 State highway alteration of Beach Road, said point bearing S 46°13'48" E and being 26.35 feet distant from station 10+24.55 of the baseline location of the October 26, 1954 (Layout No. 4216) State highway layout of Beach Road, and extends thence, leaving said location line S 41°55'58" E 16.47 feet; thence N 48°04'27" E 6.00 feet; thence N 41°55'33" W 16.54 feet to a point, again on the location line of

the proposed 2021 State highway alteration of Beach Road; thence, following said location line southwesterly by a curve to the right of 827.50 feet radius 6.00 feet to the point of beginning; containing about 99 square feet.

Said lands also include the temporary right to use and occupy parcels 4-TE-3, 4-TE-4, 4-TE-5, 4-TE-6 and 4-TE-7, all as shown on the plan referenced above.

For Grantor's interest in said Property, refer to Quitclaim Deed dated December 13, 2013, from Main Street Trust to the Martha's Vineyard Land Bank Commission, recorded with the Dukes County Registry of Deeds in Book 1337, Page 622 and Quitclaim Deed dated March 31, 2021, from W. Temple Jorden to the Martha's Vineyard Land Bank Commission, recorded with the Dukes County Registry of Deeds in Book 1572, Page 1031.

This Release Deed is subject to the rights of all utility companies in said Property, and to all rights, restrictions, liens, encumbrances and easements of record, if any, insofar as are now in force and applicable.

Pursuant to Chapter 25 of the Acts of 2009, as amended by Chapter 26 of the Acts of 2009 and Chapter 120 of the Acts of 2009, as of November 1, 2009, the Massachusetts Department of Transportation is the successor to the Massachusetts Department of Highways and the Massachusetts Turnpike Authority.

**IN WITNESS WHEREOF**, the Martha's Vineyard Land Bank Commission has caused these presents to be signed, sealed, acknowledged and delivered in its name and behalf by James Lengyel, Executive Director of the Martha's Vineyard Land Bank Commission, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

MARTHA'S VINEYARD LAND BANK COMMISSION

\_\_\_\_\_  
James Lengyel, Executive Director  
Duly Authorized

**THE COMMONWEALTH OF MASSACHUSETTS**

**Commented [MA1]:** I revised the acknowledgement to match the new law regarding notaries and acknowledgements that went into effect on 1/4/17.

DUKES, ss    Oak Bluffs    \_\_\_\_\_, 2022

On this \_\_\_\_\_ day of \_\_\_\_\_, 2022, before me, the undersigned Notary Public, personally appeared James Lengyel, who proved to me through satisfactory evidence of identification which was his personal identity known to me, to be the person whose name is signed on the herein document and acknowledged to me that he signed it voluntarily for its stated purpose as Executive Director of the Martha's Vineyard Land Bank Commission, as the voluntary act of the Martha's Vineyard Land Bank Commission.

(Official Stamp or Seal)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print Name)

My Commission Expires: \_\_\_\_\_

Pursuant to the provisions of Section One of Chapter 64D of the Massachusetts General Laws, as amended by Chapter 198 of the Acts of 1978, and Chapter 133 of the Acts of 1992, no excise stamps are affixed.