



**TOWN OF ACTON**  
**472 MAIN STREET**  
**ACTON, MASSACHUSETTS, 01720**  
**TELEPHONE (978) 929-6620**  
**FAX (978) 929-6340**  
[clerk@acton-ma.gov](mailto:clerk@acton-ma.gov)

**TOWN CLERK**

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**EXTRACT OF THE ANNUAL TOWN MEETING HELD**  
**MONDAY, JUNE 3, 2013, 7:00 P.M.**  
**ACTON-BOXBOROUGH REGIONAL HIGH SCHOOL AUDITORIUM**  
**NUMBER OF REGISTERED VOTERS ATTENDING TOWN MEETING**  
**JUNE 3, 2013 – 566**

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**ARTICLE 4**            **COMMUNITY PRESERVATION PROGRAM –**  
(Two-thirds vote)    **OPEN SPACE ACQUISITION**

To see if the Town will vote to:

- (a) authorize the Board of Selectmen to (i) exercise the Town's first refusal option under M.G.L. c. 61, § 8, (ii) acquire by purchase, gift, eminent domain or otherwise, on such terms and conditions as the Selectmen may determine, and (iii) accept a deed of fee simple interest in a portion of the real property depicted on Assessors' Map D-3 as Parcel 10, consisting of approximately 20.68 ± acres of open space for conservation purposes under M.G.L. c. 44B, the Community Preservation Act;
- (b) appropriate the acquisition price and all necessary and appropriate transaction costs for said acquisition including, without limitation, costs for due diligence, legal services, bonding, conservation restriction, stewardship endowment, and other transaction, acquisition and related costs;
- (c) transfer, appropriate and expend, pursuant to the favorable recommendation of the Community Preservation Committee from the existing Open Space Set Aside portion of the Community Preservation Fund balance an amount not to exceed \$1,060,000 for the acquisition, consistent with this article, of the real property described in paragraph (a) of this article;
- (d) transfer, appropriate and expend, pursuant to the favorable recommendation of the Community Preservation Committee from the existing Community Preservation Fund balance an amount not to exceed \$50,000 for all other costs related to the acquisition of the aforesaid real property, consistent with paragraph (b) of this article;
- (e) raise, appropriate, transfer from available funds or accept gifts and grants of such additional funds as are necessary to accomplish the purposes of this article;

(f) authorize the Selectmen and the Conservation Commission to submit on behalf of the town any and all applications deemed necessary for grants and/or reimbursements from the Commonwealth of Massachusetts, or the United States, under the Self-Help Act (M.G.L. Chapter 132A § 11) and/or any other state or federal programs including those in aid of conservation land acquisition, and to transfer, appropriate and expend any said amount so received consistent with this article;

(g) authorize and direct the Board of Selectmen to impose a perpetual Conservation Restriction on the open space so acquired, in accordance with M.G.L. c. 44B, § 12(a) and M.G.L. c. 184, §§ 31-33, on such terms and conditions as the Selectmen may determine (the “Conservation Land”);

(h) authorize and direct the Board of Selectmen in accordance with M.G.L. c. 44B, § 12(b), to delegate the management of the Conservation Land to the Conservation Commission subject to the perpetual Conservation Restriction as aforesaid; and

(i) authorize the Board of Selectmen, the Town Manager, the Treasurer, and the Conservation Commission, as appropriate, to enter into all agreements and execute any and all instruments as may be necessary to effect this article;

or take any other action relative thereto.

**MOTION:** Mr. Bourdon moves that the Town authorize the exercise of the first refusal option; the acquisition, restriction, and delegation of the real property; the appropriation and expenditure of \$1,370,000 toward the acquisition price and associated transaction costs; and all other measures set forth in the Article; and to raise this amount:

\$1,060,000 be transferred from the Community Preservation Fund Open Space Set-Aside Fund Balance;

\$ 50,000 be transferred from the Community Preservation Fund Balance; and

\$ 260,000 be transferred from Free Cash.

**MOTION CARRIES UNANIMOUSLY**