

Name of Property: Kuzmeski Conservation Restriction

Background Data (Excel file: kuzmeski)

- Land Description
- Owner Information
- Documentation Location
- Baseline/Monitoring Data

Deeds

- Abstract, Word file: Kuzmeski CR abstract
- Copy of Deeds (including older deeds)

Maps

- Boundary and photo log (excel file, sheets in kusmeski)
- ELM, KCR Topographic Map 2001 (MassGIS, lines Archview 9)
- ELM, KCR Orthophoto 200r (MassGIS, lines Archview 9)
- ELM, KCR Contour Map (MassGIS, lines Archview 9)
- Survey maps
- Assessor's map

Photographs

- Basleine Photo log (excel sheet, kuzmeski)
- Photos

Annual Reports (2004+)

Inventories (on ELM CD)

Kuzmeski	
land description	
location/street address	Cushman Road
acreage	3 acres approximately
structures	none
physical description	s.boundary along Cushman Road, bisected by Roaring Brook, n + w boundary East Leverett Meadow
special habitat(s)	adjacent to East Leveret Meadow, riparian corridor for Roaring Brook (both sides)
special species(s)	second growth/shrubland birds
special views(s)	view of meadow
special other	scenic and productive woodland
notes	informally monitored during ELM wildlife inventories

Kuzmeski						
documentation location						
	book	page	date rec.			
Deed	3699	141	11/20/2000			
CR or RGT owned?	CR					
electronic database (excel) and word files kept by Mary Alice Wilson, copies also in archive and field notebook						
	date of document	in archive notebook ?	in field notebook?	in paper file ?	in safe deposit box?	notes
baseline data						
RGT CR copies	9/25/2000	y	y			
CR abstract	5/19/2003	y	y			
earlier deeds						
Adams/Kosloski, b 935, p. 140	4/15/1949	y	y			west line length includes stake @ 20 ft
Kosloski/Sterling, b.1151, p.36	3/29/1963	y	y			
Sterling/Kuzmeski p.1395, p. 45	6/24/1974	y	y			west line length adds stake 20 ft
topo map	1991 topo, lines 1/11/07	y	y			MassGIS, lines archview 9
orthophoto	2005 ortho, lines 1/11/07	y	y			MassGIS, lines archview 9
contour map	lines 1/11/07	y	y			MassGIS, lines archview 9
survey map: plot	6/19/1974	y	y			
survey map: Seaman-Williams line	7/28/1999	y	y			
assessors map	before 1999	y	y			
photos, see photo sheets						
film		y	y			
digital (print and CD)		y	y			
baseline signatures (RGT, owner) no						

Kuzmeski														
baseline/monitoring data														
date of deed/CR:		11/25/2000												
baseline or monitoring	date of data collection	owner invited by	owner present	present owner owned since	RGT participants (1)	RGT participants (2)	RGT participants (3)	RGT participants (4)	photos (#, film or digital?)	other documentation ?	date report filed RGT	date report sent to owner (no cover letter)	notes	next monitoring date
baseline (see also ELM)	4/21/03 5/08/03	no			Mary Alice Wilson	Sheila Seaman			8 film		photos only	no		
monitoring	5/23/2004	S.Seaman	no		Mary Alice Wilson	Joan Godsey					5/25/2004	5/25/2004	no issues (MAW,SS had worked on corners earlier)	5-May
monitoring	4/24/2005	no (moved to Maine)			Mary Alice Wilson	Sheila Seaman	Gwyn Mitchell				4/27/2005	4/27/2005	no issues. hard to find stone corners. Cush Rd/S-W, 140 ft from culvert	spring 05
monitoring	9/1/2006	no			Mary Alice Wilson	Sheila Seaman	Gwyn Mitchell				12/7/2006	12/27/2006	found 4 stones, gps/archview mapping, west line never right. Diff in 2 surveys (PK incorrectly adds 20 feet), but still not right, used most generous KCR line	spring or summer 2007
monitoring	Oct-08	no			Steve Weiss						report to Board Oct.meeting, report not found			
monitoring	12/18/2009	no			Mary Alice Wilson						12/21/2009	12/21/2009		fall 2010

Paul W. Kuzmeski Conservation Restriction

Note: This abstract is designed to help with monitoring, for more information see the Deed itself.

"in perpetuity and exclusively for conservation purposes"

recognize the natural, scenic, aesthetic, and special character of the Property and have the common purpose of preserving the conservation values ...by the CR..on, over, under and across the Property which will preserve the natural value of the Property and prevent any use of the Property that would significantly impair or interfere with the conservation values... and natural resources.

whereas:

lies adjacent to the East Leverett Meadow Wildlife Sanctuary...constitutes an extension of open space developed to conservation purposes which is open to public use

provides habitat to numerous species of birds, mammals, reptiles, and amphibians, including deer, coyotes, wild turkeys, owl and a variety of salamanders, turtles, snakes, and fish

riparian corridor on either side of Roaring Brook

available to the public for hiking, bird watching, and other passive outdoor recreation activities,

scenic and productive woodlands visible from the public way, provides scenic view to the general public

is consistent with the town's "Conservation and Outdoor Recreation Master Plan (May, 1990)

intent:

preserve present natural, scenic, and forested condition,

promote conservation of forests, wetlands, agricultural lands, soils, natural watercourses, and wildlife,

enhance value of abutting and neighboring resources, open spaces, and conservation areas

public access for:

hiking, bird watching, cross-country skiing, snow shoeing, and other passive recreational activities, carried out BY FOOT, which does not impair purposes, expose people to danger of confer possessory rights.

RGT can

enter property at reasonable times and in a reasonable manner for the purpose of inspecting the same to determine and enforce compliance

prohibited:

continue to be used without residential, industrial, or commercial use or development
no structures (including utility pole, tower, antenna, temporary or permanent)
OK to construct recreational trails, conduct sound forestry or wildlife management practices
no loam, peat, gravel, soil removed
no cutting of trees, shrubs or other vegetation without permission (and only if dictated by sound horticultural, silvicultural, agricultural or wildlife management practices)
no dumping or storing of hazardous waste
no dumping or storing of soil on the property
no activity which is a detriment to the natural resources, water quality ... otherwise wasteful of the natural resources of the property
no commercial camping, fishing, trapping, or an commercial recreation not subdivided
no signs without permission (in next section)
no overnight stays (#5)

reserved rights

maintenance and use of existing trails, right of ways...
drill for or collect subsurface water for agricultural purposes
construct signs setting forth restrictions in use, identifying trails, natural features, etc.
(NO SIGNS put up by RGT without consent)
conduct sound agricultural, horticultural, silvicultural practices (hay, garden, cordwood, pruning vegetation for wildlife)
conduct educational and wilderness studies (classes, seminars, workshops without charge to the public)
catch fish
camp and let others camp (limit 3 4-person tents, no tent more than 2 weeks), all trash removed

MAW 5/19/03

I, DOROTHY KING STIRLING,

of Leverett, Franklin County, Massachusetts,
in consideration of Three Thousand Dollars (\$3,000), and other valuable consideration,

grant to PAUL W. KUZMESKI and JOYCE C. KUZMESKI, husband and wife, as tenants by the entirety, both of Leverett, Franklin County, Massachusetts, Post Office Address: Long Plain Road, Leverett, Massachusetts, etc.

with warranty covenants the land in said Leverett, on the northerly side of the road to Cushman, now known as the East Leverett Road, bounded and described as follows:

Beginning at a stone bound in the northerly line of East Leverett Road at a point 696 feet, measured in the northerly line of East Leverett Road, easterly from the junction of East Leverett Road and Teewaddle Hill Road; thence north 6° 00' west along land of Dorothy King Stirling a distance of 334.40 feet to an iron pin south of Roaring Brook; thence continuing north 6° 00' west along land of Dorothy King Stirling 20 feet, more or less, to a point in the center of Roaring Brook; thence north 4° 00' east along land of Dorothy King Stirling a distance of 208.74 feet to a stone bound; thence south 86° 00' east along land of Dorothy King Stirling a distance of 257.27 feet to a stone bound; thence south 4° 00' west along land of Dorothy King Stirling to and crossing Roaring Brook and passing through an iron pin south of Roaring Brook to a stone bound in the north line of East Leverett Road a total distance of 556.26 feet; thence north 80° 51' west in the north line of East Leverett Road a distance of 200.00 feet to the stone bound at the point of beginning. Containing an area of three (3) acres of land, more or less.

The land being conveyed is a portion of Tract I in deed dated March 29, 1963, and recorded in Franklin Registry of Deeds, Book 1151, Page 36, from Stanley J. Kosloski et ux to Dorothy King Stirling.



1974 00003887
Bk: 1395 Pg: 045 Doc:DEED
Page 1 of 1 06/24/1974 09:57AM

Executed as a sealed instrument this 24TH day of June, 19 74.

Dorothy King Stirling

The Commonwealth of Massachusetts

Franklin, ss. June 24, 19 74.

Then personally appeared the above named Dorothy King Stirling

and acknowledged the foregoing instrument to be her free act and deed,

Before me, *Paul A. Lorde*

Notary Public
Justice of the Peace

My commission expires Feb 4, 1976

Franklin ss. Rec'd for record 9 Hr 57Min AM June 24, 1974