

AGREEMENT

This Agreement is by and between the Board of Selectmen of the Town of Needham (“Selectmen”), the School Committee of the Town of Needham (“School Committee”) and the Park and Recreation Commission of the Town of Needham (“Park & Recreation Commission”) collectively referred to as “the parties.”

WHEREAS: The parties wish to ensure appropriate stewardship of all Town land; and

WHEREAS, the current primary jurisdiction of the parcels listed below is as follows: “Parcel 74” (Park & Recreation Commission), Daley Building Site (School Committee), 29 Glen Gary Road/Hillside School (School Committee), Nike Site (School Committee), Greene’s Field (Selectmen), Owens Farm and adjacent parcels (Selectmen), and portions of DeFazio Park (School Committee, Selectmen and Park & Recreation Commission) and is more particularly described on Exhibit A; and

WHEREAS, the Selectmen, School Committee and Park & Recreation Commission seek to transfer primary jurisdiction of certain parcels amongst the three entities; and

WHEREAS, such transfers require a vote of two-thirds of Town Meeting (Mass. G.L. Ch. 40, §15A), and in the case of Parcel 74, a vote of two-thirds of each branch of the Massachusetts General Court (Mass. Const. Amend. Art. 49, as amended by Mass. Const. Amend. Art. 97); and

WHEREAS, the property at 29 Glen Gary Road/Hillside School remains in active use by the School Committee, and the potential siting of a school at DeFazio Park will not occur for many years;

BE IT AGREED as follows:

1. The Hillside School will remain available for educational use and/or shared swing space related to capital projects in the Town until the School Committee by majority vote determines that said use is no longer required.
2. The portion of DeFazio Park transferred to the jurisdiction of the School Committee will remain in active use as a parking lot and ancillary uses associated with the DeFazio Field Complex under the management of the Park and Recreation Commission and Department until Town Meeting approves the funding for construction of a school on that site.
3. It is understood that a temporary construction lay down area will be necessary near/adjacent to the proposed school site, and the parties will cooperate to accommodate for the space(s) needed.
4. The Board of Selectmen will be mindful of the importance of the vegetated buffer contained on "Parcel 74" when contemplating changes in the use of that parcel.
5. The parties acknowledge and agree to consult with each other prior to undertaking any major construction or renovation to the parcels enumerated herein.
6. The provisions of this Agreement shall take effect upon the completion of the transfer of primary jurisdiction.

Witness our hands and seals this _____ day of _____ 2016.

Town of Needham

Board of Selectmen vote of Approval March 22, 2016

School Committee vote of Approval April 5, 2016

Park and Recreation Commission vote of Approval March 28, 2016

Exhibit A

Description of Jurisdiction Transfer

Parcel 74 on Greendale Avenue (Assessors' Map 57, Parcel 1), containing 11.7 +/- acres, from the Park and Recreation Commission to the Board of Selectmen for general municipal purposes. *(Note: the description and size of this parcel is subject to change upon the completion of an on-going property survey).*

29 Glen Gary Road/Hillside School (Assessors Map 102, Parcel 1) consisting of 24 +/- acres from the School Committee to the Board of Selectmen for general municipal purposes.

Nike Site (Assessors Map 306, Parcel 11), consisting of 19.1 +/- acres from the School Committee to the Board of Selectmen for general municipal purposes.

Daley Building Site (Assessors Map 70, Parcel 29), consisting of 40,232 s.f. +/-, from the School Committee to the Board of Selectmen for general municipal purposes.

Greene's Field (Assessors Map 50, Parcel 31.02), consisting of 2 +/- acres, from the Board of Selectmen to the Park and Recreation Commission for recreation purposes.

A Portion of DeFazio Park (Assessors Map 302), consisting of 4.71 +/- acres beginning at a point on the southerly jurisdictional line of the Park & Recreation Commission, said point being 709.74' distant from the easterly sideline of Dedham Avenue where an iron rod was set; thence running S45°15'46"E a distance of 518.63'; thence turning and running N07°06'51"E a distance of 299.99'; thence turning and running N12°37'43"E a distance of 195.50'; thence turning and running N17°28'38"E a distance of 468.62' to an iron rod set on the southerly sideline of the MBTA right of way; thence turning and running along said MBTA right of way S80°12'28"W a distance of 52.25' to an iron rod set on the southerly sideline of said MBTA right of way; thence turning and running S43°45'08"W along said southerly jurisdictional line of the Park & Recreation Commission a distance of 777.36' to the point of beginning, from the Board of Selectmen to the Park and Recreation Commission for recreational purposes.

A Portion of DeFazio Park (Assessors Map 302), consisting of 10.66 +/- acres beginning at a point on the easterly sideline of Dedham Avenue at the intersection of the southerly sideline of the MBTA right of way where an iron rod was set; thence running along said easterly sideline of Dedham Avenue S46°14'52"E a distance of 828.62' to an iron rod; thence turning and running N43°45'08"E along a jurisdictional line of the Park & Recreation Commission a distance of 1121.10' to a point on the southerly sideline of the MBTA right of way where an iron rod was set; thence turning and running along said MBTA right of way sideline S80°12'28"W a distance of 1394.52' to the point of beginning, from the School Committee to the Park and Recreation Commission for recreational purposes.

A Portion of DeFazio Park (Assessors Map 302), consisting of 9 +/- acres, beginning at a point on the easterly sideline of Dedham Avenue where an iron rod was set adjacent to the entrance driveway to DeFazio Athletic Complex, said point being at the intersection

of the southerly jurisdictional line of the Park & Recreation Commission and the easterly sideline of Dedham Avenue; thence running southerly along the sideline of Dedham Avenue S46°14'52"E a distance of 563.00'; thence turning and running N43°45'08"E a distance of 641.12'; thence turning and running N07°06'51"E a distance of 74.41'; thence turning and running N45°15'46"W a distance of 518.63'; thence turning and running S43°45'08"W along said southerly Park & Recreation Commission jurisdictional line a distance of 709.74' to the point of beginning, and a portion of DeFazio Park (Assessors Map 302) consisting of 0.27 acres more or less, beginning at a point on the easterly lot line of the DeFazio Complex lot 15.90 feet south of the intersection of said easterly lot line of the DeFazio Complex lot and the southerly Town of Needham Lease Line to the Golf Course where an iron pipe was found; thence running S 07°06'51" W a distance of 72.81'; thence turning and running S 04°14'32" W a distance of 21.72'; thence turning and running S 53°28'31" W a distance of 339.16'; thence turning and running N 43°45'08" E a distance of 409.47' to the point of beginning from the Board of Selectmen to the School Committee for educational purposes.

Property known as Owens Farm and adjacent parcels (Assessors Map 310 parcel 3, and Assessors Map 108 parcels 5, 6, 7, 9, 10, and 27) consisting of 10.31 +/- acres from the Board of Selectmen to the School Committee for educational purposes.