

FORM A

APPLICATION FOR A DETERMINATION OF PLANNING BOARD JURISDICTION

Submit two completed application forms for signature of Planning Board member, one to be retained by the Board and the other to be filed with the City Clerk in accordance with the requirements of Section III of the Revised Rules and Regulations Governing the Subdivision of Land in Melrose, Massachusetts, Adopted March 24, 1958, by the Planning Board. Separate paragraphs are used to indicate alternative provisions. (The applicant(s) should select and complete the paragraphs pertinent to his case).

Please give location and description of lot(s), including frontage, area, and depth. Explain what is being done and purpose to which property will be put: _____

To the Planning Board of the City of Melrose:

The undersigned owner(s) of the property herein described wishes to record the accompanying plan and requests a determination by said Board that approval by it is not required under Subdivision Control Law. The undersigned believes that such approval is not required for the following reasons:

1. The division of land shown on the accompanying plan is not a subdivision because every lot shown thereon has the amount frontage required by the Melrose Zoning Ordinance, and is on _____ which is a Private/ Public Way.
(Circle One)

Approved under subdivision plan entitled _____

2. The division of land shown on the accompanying plan is not a subdivision for the following reasons: _____
- _____
- _____

3. The division of land shown on the accompanying plan is not a subdivision because _____ buildings were standing on the land on November 5, 1917 when the Subdivision Control Law went into effect through the acceptance by the City of the statute authorizing boards of survey, and one of such buildings remains

standing on each of the proposed lots shown on said plan. The location of such buildings is shown _____ and evidence of their existence prior to said date is submitted herewith as follows: _____

4. The division has the same validity as an approved subdivision because it is in accordance with a plan registered or confirmed by the Land Court prior to February 1, 1952, namely, on _____, 19____. Evidence of such registration or confirmation is submitted herewith as follows: _____

5. Is each lot served by city sewers? Yes _____ No _____

6. Deed of property is recorded in Southern Middlesex Registry Book _____ Page _____ Cert. _____

[If more than one owner, all must sign, and if someone other than owner presents application, authority (such as power of attorney) must be shown.]

Signature of Owner

Address

Signature of Engineer
or Surveyor

Signature of Owner

Address

Address

Accepted this _____ day of _____, 19____, as
duly submitted under the Rules and Regulations of the Planning Board.

MELROSE PLANNING BOARD

By _____

NOTE: This application is not deemed to have been submitted until signed above by a member of the Planning Board.

Planned signed by _____ under date of _____
19____.

FORM B

APPLICATION FOR TENTATIVE APPROVAL OF PRELIMINARY PLAN

_____, 19____

To the Planning Board of the City of Melrose:

The undersigned, being the owner of all land included within a proposed division shown on the accompanying plan, entitled

_____ and dated _____, 19____, submits such plan as a preliminary plan showing in a general way the proposed subdivision of land, and makes application to the Board for tentative approval thereof.

The owner's title to the land is derived under deed from

_____, dated _____, 19____

and is now recorded in Middlesex South District Registry of Deeds, Book _____, Page _____, or under Certificate of Title No. _____, registered in Middlesex South Land Registry District, Book _____, Page _____.

Applicant

Address

NOTE: This application is not deemed to have been submitted until the following endorsement has been completed by a member of the Planning Board.

Accepted this _____ day of _____, 19____, as duly submitted under the Rules and Regulations of the Planning Board.

MELROSE PLANNING BOARD

By _____

FORM C

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

File one completed form with the Planning Board and one copy with the City Clerk in accordance with the requirements of Section IV-B, 1-c.

(Where alternative paragraphs are provided, applicant is to select and complete the paragraph pertinent to his case).

_____, 19__

To the Planning Board of the City of Melrose:

1. The undersigned applicant, being the owner of all land included within a proposed subdivision shown on the accompanying plan, entitled _____ and dated _____, 19__, submits such plan as a definitive plan of the proposed subdivision and makes application to the Board for final approval thereof.
2. The land within the proposed subdivision is subject to the following easements and restrictions: _____

3. There are appurtenant to the land within the proposed subdivision the following easements and restrictions over the land of others: _____

4. A preliminary plan of the proposed subdivision, to which the accompanying plan conforms, was tentatively approved by the Board on _____, 19__, with modifications, which modifications have been incorporated in the accompanying plan.
5. The applicant agrees, if the definitive plan is approved, to construct and install all improvements within the proposed subdivision required by the Rules and Regulations of the Melrose Planning Board as in force on the date of this application, and as modified and supplemented by the work specifications and other requirements of the Public Works Department set forth in the statements attached hereto. (See Sec. IV, A-5 of Regulations)
6. The applicant further agrees to complete all said required improvements within two years from the date of approval of the definitive plan by the Board, unless the Board approves a different period of time.

7. The applicant further agrees, if this application is approved, to cause the definitive plan of the subdivision to be recorded in the Middlesex South Registry of Deeds within thirty (30) days after the return of said plan to the applicant by the Board, and agrees not to sell, or offer to sell, any of the lots within the subdivision until said plan is so recorded.
8. The applicant further agrees that if the definitive plan is approved, applicant will promptly, at any time thereafter when requested so to do by the Board, convey to the City, in form satisfactory to the Board, title to the water mains and sewers and the prescribed easements therefor.
9. The applicant further agrees that within forty-five (45) days after the submission of the definitive plan, the applicant will cause to be filed with the Board, a bond in form satisfactory to the Board and conditioned on the completion of all required improvements in the time and manner prescribed, in a penal sum sufficient, in the opinion of the Board, to cover the cost of such work, and executed by the applicant as principal and a surety company authorized to do business in the Commonwealth and satisfactory to the Board, as surety, or secured by the deposit with the City Treasurer of money or negotiable securities, satisfactory to the Board, in an amount equal to the penal sum of the bond.

OR

(as an alternative to the above agreement) The applicant requests the Board to approve the definitive plan on condition that no lot in the subdivision shall be sold and no building shall be erected or placed on any lot until the required improvements specified are construed and installed so as to serve the lots adequately.

10. The owner's title to the land is derived under deed from _____
 _____, dated _____, 19____

and recorded in Middlesex South District Registry of Deeds, Book _____, Page _____, or under Certificate of Title No. _____, registered in Middlesex South Land Registry District, Book _____, Page _____.

| | |
|-----------|---------|
| | |
| Applicant | Address |

NOTE: This application is not deemed to have been submitted until the following endorsement has been completed by a member of the Planning Board.

Revised April 1974

Accepted this _____ day of _____, 19____,
as duly submitted under the Rules and Regulations of the
Planning Board.

MELROSE PLANNING BOARD

By _____

FORM D

DESIGNER'S CERTIFICATE

(This certification can appear on plan)

_____, 19____

To the Planning Board of the City of Melrose:

I hereby certify that the accompanying plan, entitled

and dated _____, 19____, is true and correct to
the accuracy required by the Rules and Regulations of the Melrose
Planning Board.

Engineer or Surveyor

Address

(Registration Number and Seal of Engineer or Surveyor)

FORM E

PERFORMANCE BOND - SURETY COMPANY

KNOW ALL MEN BY THESE PRESENTS:

That we, _____ of _____
in the County of _____, in the Commonwealth of
Massachusetts, as PRINCIPAL, and _____ a corporation
duly organized and existing under the laws of the Commonwealth
(State) of _____ and having an established
place of business in _____ in the County
of _____ in the Commonwealth of Massachusetts, as
SURETY, are hereby holden and stand firmly bound and obliged to the
City of MELROSE, a Municipal Corporation of the Commonwealth of
Massachusetts, in the County of Middlesex, in the full and just sum
of _____ Dollars (\$ _____) to the true
payment whereof we bind ourselves and each of us, our successors and
assigns, and our heirs, executors and administrators, jointly and
severally, by these presents.

This bond is subject only to the condition that if the
above-bounded _____, his (its, our) heirs,
(Principal)

executors, administrators, successors or assigns or its surety shall
in all things stand to and abide by, and fully and satisfactorily
observe, keep and perform within two years from the date and in the
time and in the manner specified, all of the conditions, covenants,
terms, agreements and provisions contained in the application for
the approval of a certain subdivision entitled _____,
signed by _____ and dated _____, and in
(Principal)

the order or orders under which the approval of the Melrose Planning
Board has been granted or is hereafter granted then this obligation
shall become null and void; otherwise it shall remain in full force
and effect.

IN WITNESS WHEREOF we have hereunto set our hands and seals
this _____ day of _____, 19____.

Surety

Principal

FORM F

PERFORMANCE BOND - SECURED BY DEPOSIT

KNOW ALL MEN BY THESE PRESENTS:

That I (we) _____, of _____ in
Applicant
the County of _____, Massachusetts, hereby am (are)
holden and stand firmly bound, and bind(s) and obligate(s) myself
(ourselves), and my our) successors, assigns, executors,
administrators, heirs and devisees to the City of MELROSE, a
Massachusetts Municipal Corporation in the County of Middlesex in
the sum of _____ Dollars (\$_____) and
has secured my (our) compliance with this obligation by the deposit
with the Treasurer of said City of said sum in money, savings bank
deposit books, duly assigned, or negotiable securities, in an amount
satisfactory to the Treasurer.

The CONDITION of this obligation is such that if the
undersigned or his (their) successors, assigns, executors,
administrators, heirs or devisees shall have within the time
specified in the order of the Melrose Planning Board fully and
satisfactorily performed in the manner specified all of the
conditions, covenants, terms, agreements and provisions contained in
the application signed by _____ and
dated _____ and in the approval of a definitive plan of a
certain subdivision entitled _____ which has
been granted or is hereafter granted by the Melrose Planning Board,
then this obligation shall be null and void; OTHERWISE it shall
remain in full force and effect, and the aforesaid security for the
payment of said sum shall be and become the sole property of said
City of Melrose as liquidated damages.

IN WITNESS THEREOF the obligor has hereunto set his (its, our)
hand(s) and seal(s) this _____ day of _____, 19____.

FORM G

CONDITIONAL APPROVAL CONTRACT

KNOW ALL MEN BY THESE PRESENTS:

That whereas the undersigned has (have) submitted application signed by _____ and dated _____ to the Melrose Planning Board for approval of a definitive plan of a certain subdivision entitled _____ and dated _____, 19____, and has requested the Melrose Planning Board to approve such plan without requiring the subdivider to furnish a performance bond.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH that in consideration of the Melrose Planning Board's approving said plan without requiring a performance bond, and in consideration of One Dollar (\$1.00) to the undersigned in hand paid, receipt whereof is hereby acknowledged, the undersigned contracts, covenants, and agrees with the City of Melrose as follows:

1. The undersigned will not sell any lot in the said subdivision or erect, place or maintain thereon any building until the ways and other improvements necessary adequately to serve such lot have been completely constructed and installed in the manner specified in the aforesaid application and in accordance with the covenants, conditions, agreements, terms, and provisions thereof.
2. The undersigned represents and covenants that the undersigned is the owner in fee simple of all the land included in the aforesaid subdivision and that there are no mortgages or encumbrances of record or otherwise on any of said land, except such as are noted below and subordinated to this contract.
3. This agreement shall be binding upon the undersigned as well as upon his (its, their) successors, assigns, executors, administrators, heirs and devisees.

It is the intention of the undersigned and it is hereby understood and agreed that this contract shall constitute a covenant running with the land.

It is understood and agreed that lots within the subdivision shall, respectively, be released from the foregoing conditions upon the recording of a certificate of performance executed by a majority of the Melrose Planning Board and enumerating or identifying the specific lots so released.

IN WITNESS WHEREOF the undersigned has (have) hereunto set his
(its, their) hand(s) and seal(s) this _____ day
of _____, 19____.

_____, the present holder of a mortgage
on the above described land, dated _____ and recorded
with Middlesex South District Registry of Deeds, Book _____,
Page _____, or registered in Middlesex South Land Registry
District as Document No. _____ and noted on Certificate of Title
No. _____ in Registration Book _____, Page _____, for
consideration paid, hereby subordinates said mortgage to the above
contract and agrees that said contract shall have the same status,
force and effect as though it had been made and recorded, or
registered, before the making of said mortgage.

IN WITNESS WHEREOF this instrument has been executed in the
name and on behalf of said mortgagee (and its corporate seal hereto
affixed by _____ its _____
hereunto duly authorized) this _____ day of _____,
19____.

COMMONWEALTH OF MASSACHUSETTS

_____, ss _____, 19____

Then personally appeared the above named _____
and acknowledged the foregoing instrument to be his free act and deed
(or the free act and deed of said _____) before me.

Notary Public

My Commission expires _____

FORM H

CONVEYANCE OF EASEMENTS AND UTILITIES
(In Triplicate)

_____, of _____,
_____ County, Massachusetts, for consideration paid,
grant to the City of Melrose, a municipal corporation in Middlesex
County, Massachusetts, with quitclaim covenants, the perpetual
rights and easements to construct, inspect, repair, renew, replace,
operate, and forever maintain, water mains and sanitary sewers,
surface drains and storm drains with any manholes, pipes, conduits
and other appurtenances thereto, and to do all acts incidental
thereto, in, through and under the following described land:

And, for the consideration aforesaid, the said grantor does
hereby give, grant, sell, transfer and deliver unto the said grantee
and its successors and assigns forever, all water and sewer pipes,
manholes, conduits and all appurtenances thereto that are now or
hereafter constructed or installed in, through or under the above
described land by the grantor and the grantor's successors and
assigns.

And I, (wife, husband) of said grantor hereby release to said
grantee and its successors and assigns forever, all rights of
dower and homestead/tenancy by the courtesy and other interests
therein.

For grantor's title, see deed from _____,
dated _____, 19____, and recorded with Middlesex South District
Registry of Deeds, Book _____, Page _____, (or noted on
Certificate of Title No. _____ in Registration Book _____,
Page _____.)

And _____, the present holder of a
mortgage on the above described land, which mortgage is
dated _____, 19____, and recorded in said Deeds,
Book _____, Page _____ for consideration paid hereby releases
unto the said grantee and its successors and assigns forever from
the operation of said mortgage, the rights and easements hereinabove
granted and assents thereto.

IN WITNESS WHEREOF we have hereunto set our hand(s) and
seal(s) this _____ day of _____, 19____.

COMMONWEALTH OF MASSACHUSETTS

_____, ss. _____, 19____
Then personally appeared the above named _____ and
acknowledged the foregoing instrument to be _____ free act and
deed, before me,
My commission expires _____

Notary Public