

Commonwealth of Massachusetts

Franklin, ss.

Franklin Regional Council of Governments

ORDER OF DISCONTINUANCE

Leverett: Rattlesnake Gutter Road, Docket # RA-2023-01

At a meeting of the Franklin Regional Council of Governments (the FRCOG) Executive Committee (the Committee), held remotely via Zoom video conferencing on January 11, 2024, a petition from T.R. Hankinson and others was presented to said Committee, representing that public convenience and necessity require, in accordance with the provisions of MGL Chapter 82, the discontinuance of a portion of the 1835 Franklin County layout along Rattlesnake Gutter Road in the Town of Leverett.

The Committee appointed February 8, 2024, at 5:00pm as the date and time for a meeting of the Committee to hear the parties thereon; said meeting to be held remotely via Zoom video conferencing. A copy of the petition was served upon the Clerk of the Town of Leverett fifteen days at least before the appointed time for the public hearing; and copies of the petition were posted in two public places in the Town of Leverett; and notice was given to all persons interested by causing a copy to be published once in the *Recorder*, a newspaper in Franklin County, the posting and publication of the copy having been seven days at least before the time appointed for the public hearing; and before the hearing was had, the Committee gave notice in like manner as described in the foregoing notice of the petition to all persons interested of the time and place for commencing said hearing.

And on February 8, 2024, the Committee met at the time appointed, via Zoom video conferencing, and having heard the interested parties, at which time, after due consideration said Committee did adjudge that public convenience and necessity required that the petition be granted and forthwith discontinued a portion of the 1835 Franklin County layout along Rattlesnake Gutter Road in the Town of Leverett, under the provisions of Chapter 82 of the General Laws of the Commonwealth of Massachusetts.

Description of Discontinuance

Beginning at point A on the attached map, entitled “Proposed Rattlesnake Gutter Road Partial Discontinuance”, created by Eva Gibavic and dated 10/24/23, said point A being 2,643.25 ft. from the middle of Montague Road at its intersection with Rattlesnake Gutter Road, and continuing an additional 2,529.75 feet along Rattlesnake Gutter Road to point B on the same map. Point B being 5,173 feet from the middle of Montague Road at its intersection with Rattlesnake Gutter Road. The discontinued section is bound on both sides of the road by land owned by the Town of Leverett.

And now, it is ordered by said Committee that the described portion of said highway, discontinued pursuant to the Committee's order, be hereafter discontinued as a County highway.

ASSIGNMENT OF COSTS

It is ordered that the Town of Leverett shall reimburse the FRCOG the total amount of any damages which may be recovered by any person or corporation by reason of the discontinuance of said highway. In addition, any costs incurred by the FRCOG as a result of further action by any person or corporation by reason of the discontinuance of said highway, whether or not further damages are awarded, shall be reimbursed by the Petitioner to the FRCOG.

March 14, 2024

**FRANKLIN REGIONAL COUNCIL
OF GOVERNMENTS
EXECUTIVE COMMITTEE**

Kevin P. Fox

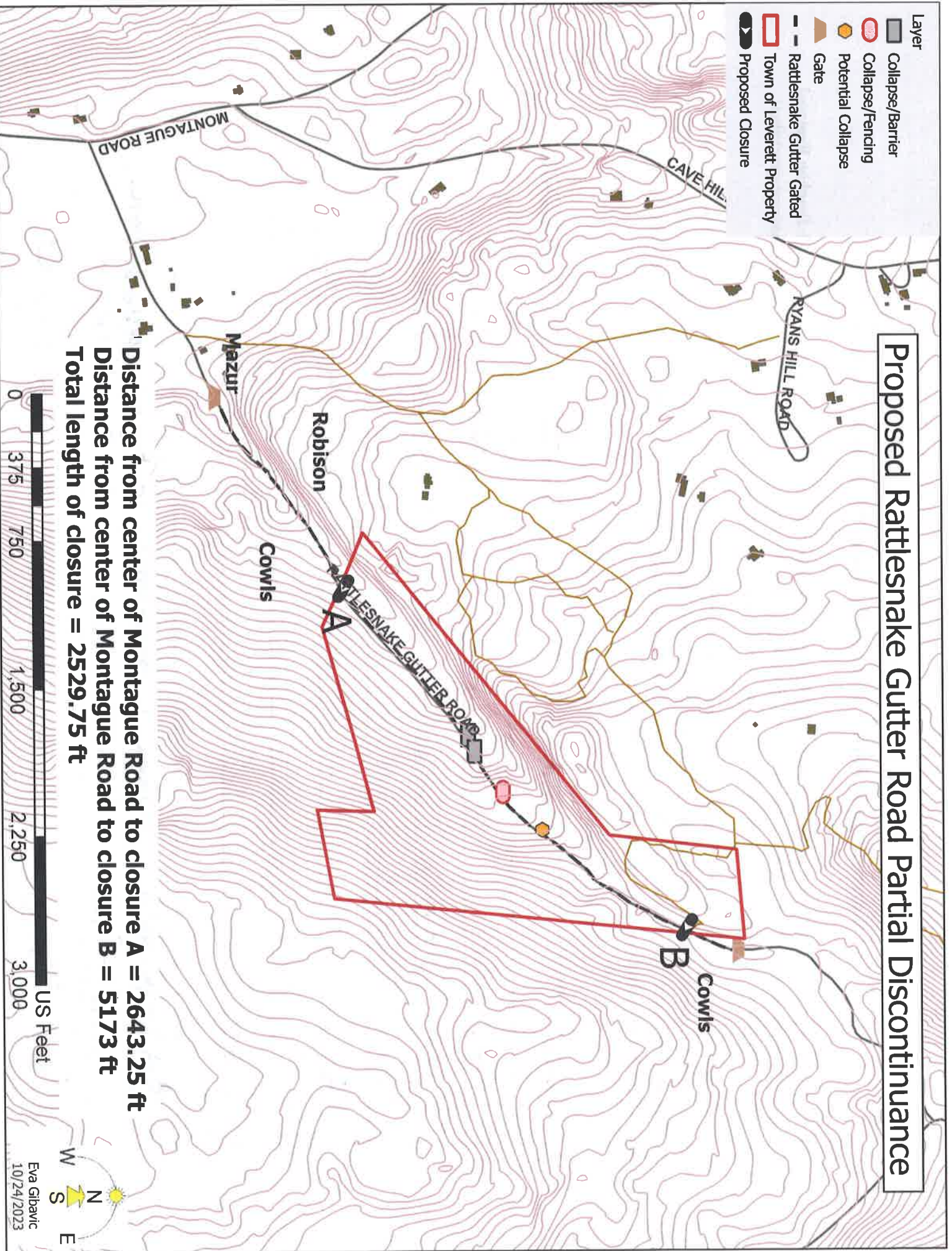
Jay DiPucchio

Jane Peirce

Emily Johnson

Proposed Rattlesnake Gutter Road Partial Discontinuance

- Layer
- Collapse/Barrier
 - Collapse/Fencing
 - Potential Collapse
 - Gate
 - Rattlesnake Gutter Gated
 - Town of Leverett Property
 - Proposed Closure



Distance from center of Montague Road to closure A = 2643.25 ft

Distance from center of Montague Road to closure B = 5173 ft

Total length of closure = 2529.75 ft

