

Property Owner: lou Khalife Building Products Tel: (508) 789-9293.

Address: 5 Kalifa Drive Fairhaven MA. 02719
street city state zip code

The above hereby requests permission to construct a paved: _____ driveway / _____ sidewalk located at
on easement on map 81 & 47, plot 81, lot 163, in accordance with the
see map on 365' x 365' St.
terms and conditions set forth herein, and the Ordinances of the City of New Bedford.

| Sidewalk | Dimensions | Driveway | Width (ft) |
|---------------------|------------|---|-----------------|
| Bituminous Concrete | _____ | <input checked="" type="checkbox"/> Residential | _____ |
| Concrete Full Width | _____ | Commercial | _____ |
| Concrete Ribbon | _____ | Relocation/Widening | _____ |
| Curb Needed | _____ | Curb Removal | _____ |
| | | <input checked="" type="checkbox"/> Concrete | <u>18' x 8.</u> |
| | | Bituminous Concrete | _____ |

*will contact is decided.
John contact

Bonded Contractor: _____ Tel: _____

Traffic Commission: _____ Approved _____ Rejected _____ Date _____

Signature _____

Building Dept.

Approved (New Building)
Approved - Bldg. Permit# _____

Rejected

N/A.

Foundation Permit

Signature _____

B-13-668

8023 - CONCR. - OK - 8/16/14 - (25)
Engineering Department

Approved _____

Rejected _____

Date _____

Signature _____

Manuel A. Silva
e.t.

Permit/Inspection fee of \$150.00 must accompany this application.

SPECIAL REQUIREMENTS:

Contractor to call 24 hrs. in advance for pre-inspection (prior to pouring)
If curbing is removed, it must be returned within 24 hrs to the D.P.I. Yard
1105 Shawmut Ave., New Bedford

PAID: 150.00

Manuel A. Silva
Supervising Civil Engineer

X. Silva
Property Owner

BY: Manuel Torres

Ana S. Rosa

From: Ana S. Rosa
Sent: Thursday, March 06, 2014 8:11 AM
To: Jane Medeiros Friedman
Cc: Manuel Silva
Subject: RE: Rowe St. Lot A PB 169-92

*Added to
Driveway
Permit*

Hi Jane...

Thank you very much... We will touch base with him and let him know we can issue the driveway permit. Take care.

Ana S. Rosa
Assistant Civil Engineer

*City of New Bedford
Department of Public Infrastructure
1105 Shawmut Avenue
New Bedford, MA 02746
Tel: (508) 979-1550 X-119
Fax: (508) 991-6152*

From: Jane Medeiros Friedman
Sent: Thursday, March 06, 2014 8:06 AM
To: Ana S. Rosa
Cc: Manuel Silva
Subject: RE: Rowe St. Lot A PB 169-92

Ana:

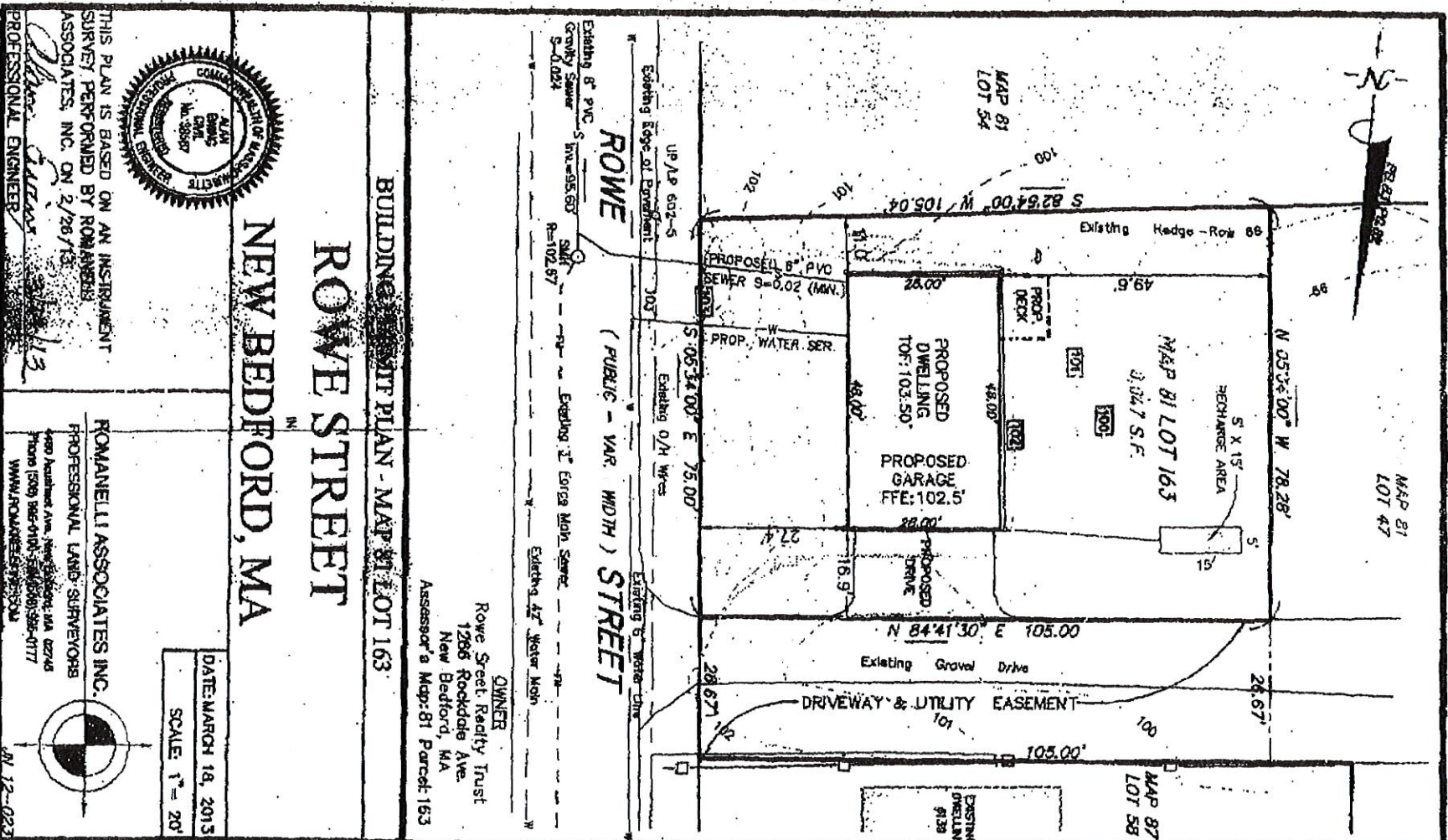
The deed grant the easement a 26.67 ft. wide easement; the ANR plan shows an area abutting Lot A, with the same 26.67 width as referenced in the deed; and the Building Permit Plan, which was recorded with the deed as an attachment to Exhibit A, labels the area adjacent to Lot A as the Driveway and Utility Easement". In my opinion, the documents on record are sufficient for the City to grant a driveway permit for the easement location.

Jane

From: Ana S. Rosa
Sent: Wednesday, March 05, 2014 3:06 PM
To: Jane Medeiros Friedman
Cc: Manuel Silva
Subject: FW: Rowe St. Lot A PB 169-92

Hi Jane,

Have you been able to look at the above? Manny asked that I touch base with you. The owner came by DPI twice yesterday, and came by again twice today. I'm sorry to rush you on this, but DPI wants to make sure we can issue him the driveway permit to put his driveway brow along the abutter's land. He already has the foundation in, and wants to pull his building permit. DPI needs to issue him his permits before he can get his building permit, so he's at a standstill. Your help is very much appreciated.



STREET VIEW
1329 Howe St
New Bedford, MA 02740 - approximate address



QUITCLAIM DEED

BK 11015 PG 214
02/19/14 11:36 DCL 3109
Bristol Co. S.D.

We, Leonard Simmons and Theresa J. Simmons, husband and wife, of New Bedford, Bristol County, MA, JoAnn Simmons (f/k/a JoAnn Simmons Cordier) of Dartmouth, Bristol County, MA, Paul Simmons of Vineyard Haven, Dukes County, MA, Christopher Simmons of Dartmouth, Bristol County, MA and Leonard Simmons of New Bedford, Bristol County, MA, for consideration paid, and in full consideration of Fifty-Seven Thousand Dollars (\$57,000.00), grant to Lou Kalife's Building Products, Inc., a Massachusetts corporation with its principal place of business at 5 Kalife Drive, Falmouth, MA 02719, all right, title and interest given each of us via the 1997 deed referenced below from the said Leonard Simmons and Theresa J. Simmons in the vacant land on Rowe Street to the rear of 1266 Rockdale Avenue in New Bedford, Bristol County, MA shown as "Lot A" on the ANR Plan of Land referenced herein in Exhibit A, Legal Description (hereinafter the "Subject Lot") and in a non-exclusive 26.67 ft. wide Driveway & Utility Easement likewise referenced in the said Exhibit A. The individual interests which we are hereby relinquishing in said Subject Lot are, respectively, (1) as to Leonard Simmons and Theresa J. Simmons, a life estate, and (2) as to JoAnn Simmons (f/k/a JoAnn Simmons Cordier), Paul Simmons, Christopher Simmons and Leonard Simmons, a remainder interest as tenants in common.

Said Subject Lot and Driveway & Utility Easement, located in New Bedford, Bristol County, Massachusetts, is bounded and described as follows:

See Exhibit A, Legal Description, attached hereto and incorporated herein.

FOR TITLE, see deed from Leonard Simmons and Theresa J. Simmons dated January 13, 1997, recorded in said Registry in Book 3820, Page 295.

PROPERTY ADDRESS: Vacant land on Rowe Street, to the rear of 1266 Rockdale Avenue, in New Bedford, Bristol County, MA 02745, shown on New Bedford Assessors' Map 81 as Lot 163.

Witness our hands and seals this 31 day of Jan, 2014.

Leonard Simmons
Leonard Simmons

Theresa J. Simmons
Theresa J. Simmons

REG OF DEEDS
REG #07
BRISTOL S

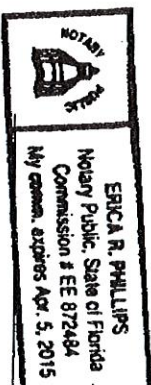
02/19/14 11:36AM 01
000000 85917

FEE \$257.92

STATE OF FLORIDA
COUNTY OF Bristol

I hereby certify that on this day before me, an officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgements, personally appeared the above-named Leonard & Theresa J. Simmons, known to me to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same.

Witness my hand and official seal in the county and state last aforesaid this 31 day of January, 2014.



Notary Public
My commission expires: 4/5/15

Witness my hand and seal this 11 day of Feb., 2014.

COMMONWEALTH OF MASSACHUSETTS

Eriskel, ss:

On this 11 day of Feb., 2014 before me, the undersigned notary public, personally appeared the above-named JoAnn Simmons (fka JoAnn Simmons Cordiera), proved to me through satisfactory evidence of identification, ie: personal knowledge to be the person whose name is stored to the foregoing instrument, and acknowledged to me that she signed it voluntarily for the signed purpose.

Jessica L. Borges

Notary Public

My Commission expires: 11/25/2016

Witness my hand and seal this 11 day of Feb., 2014



Paul Simmons

Paul Simmons

COMMONWEALTH OF MASSACHUSETTS

Buried, ss:

On this 7 day of Feb., 2014 before me, the undersigned notary public, personally appeared the above-named Paul Simmons, proved to me through satisfactory evidence of identification, ie: personal knowledge, to be the person whose name is signed to the foregoing instrument, and acknowledged to me that he signed it voluntarily for its stated purpose.

Jessica L. Borges

Notary Public

My Commission expires: 11/25/2016



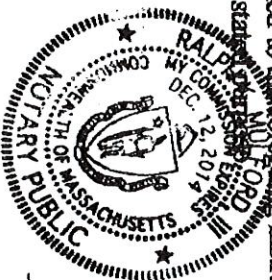
Witness my hand and seal this 4 day of Feb., 2014.

Christopher Simmons

COMMONWEALTH OF MASSACHUSETTS
BRISTOL, ss:

On this 4 day of Feb., 2014 before me, the undersigned notary public, personally appeared the above-named Christopher Simmons, proved to me through satisfactory evidence of identification, ie: personal knowledge to be the person whose name is signed to the foregoing instrument, and acknowledged to me that he signed it voluntarily for its stated purpose.

Ralph K. Mulford, III
Notary Public
My Commission expires: 12/12/2014



Witness my hand and seal this 11 day of Feb., 2014.

Leonard Simmons

COMMONWEALTH OF MASSACHUSETTS
Bristol, ss:

On this 11 day of Feb., 2014 before me, the undersigned notary public, personally appeared the above-named Leonard Simmons, proved to me through satisfactory evidence of identification, ie: Personal knowledge, to be the person whose name is signed to the foregoing instrument, and acknowledged to me that he signed it voluntarily for its stated purpose.

Jessica L. Borges
Notary Public
My Commission expires: Nov. 25, 2016



EXHIBIT A
LEGAL DESCRIPTION

A parcel of undeveloped land in New Bedford, Bristol County, Massachusetts, bounded and described as follows:

BEGINNING at a point in the westerly sideline of Rowe Street, said point being the southeasterly corner of the Subject Parcel and the northeasterly corner of land now or formerly of Joyce Jackson, and also being four hundred eleven and no/100 (411.00) feet southerly from the intersection of the said Rowe Street sideline with the southerly sideline of Sawyer Street, all as shown on the plan of land referenced below; thence

S 82°54'00" W by the northerly sideline of said Jackson land, one hundred five and 04/100 (105.04) feet to a point for a corner in the southeasterly sideline of land now or formerly of Leonard & Theresa Simmons; thence

N 05°34'00" W by the easterly sideline of said last-named land, seventy-eight and 28/100 (78.28) feet to a point for a corner; thence

N 84°41'30" E still by said last-named land, one hundred five and no/100 (105.00) feet to a point for a corner in the said westerly sideline of Rowe Street; and thence

S 05°34'00" E by said Rowe Street sideline, seventy-five and no/100 (75.00) feet to a point for a corner and the place of beginning.

CONTAINING eight thousand forty-seven (8047) square feet and BEING SHOWN as Lot A on an "ANR Plan of Land Prepared for Leonard & Theresa Simmons, Rowe Street and Rockdale Avenue in New Bedford, MA, Scale: 1"=50'; Date: Oct. 12, 2012", drawn by Romanelli Associates, Inc. of New Bedford, MA and filed in the Bristol County (S.D.) Registry of Deeds in Plan Book 169, Page 92.

TOGETHER WITH the benefit of a non-exclusive Easement over other land of the Grantors, shown as a 26.67 foot wide Driveway & Utility Easement on a "Building Permit Plan - Map 81, Lot 163, Rowe Street in New Bedford, MA, Scale: 1"=20'; Date: March 18, 2013", drawn by the said

Romanelli Associates, Inc. and attached hereto and incorporated herein. Following construction of its single family home on the Subject Lot, the Grantee Corporation, its heirs, successors and assigns shall be responsible to landscape, maintain and beautify said Easement Area. The Grantee Corporation shall bear full responsibility for the maintenance and use of the said Easement Area, and shall indemnify and hold the Grantors harmless from any claim for damages to persons or property resulting from the use, occupancy and possession of the said Easement Area by the Grantee Corporation. If said Easement Area must be disturbed at any point following the construction of the said single family home, the Grantee Corporation, its heirs, successors and assigns shall forthwith, and at its sole cost and expense, groom, reseed and replant any such disturbed area.

Property Address: Vacant land on the westerly side of Rowe Street in New Bedford, MA 02740, shown on New Bedford Assessors' Map 81 as Lot 163.

Attachment: Building Permit Plan showing non-exclusive Driveway & Utility Easement, as.

Ana S. Rosa

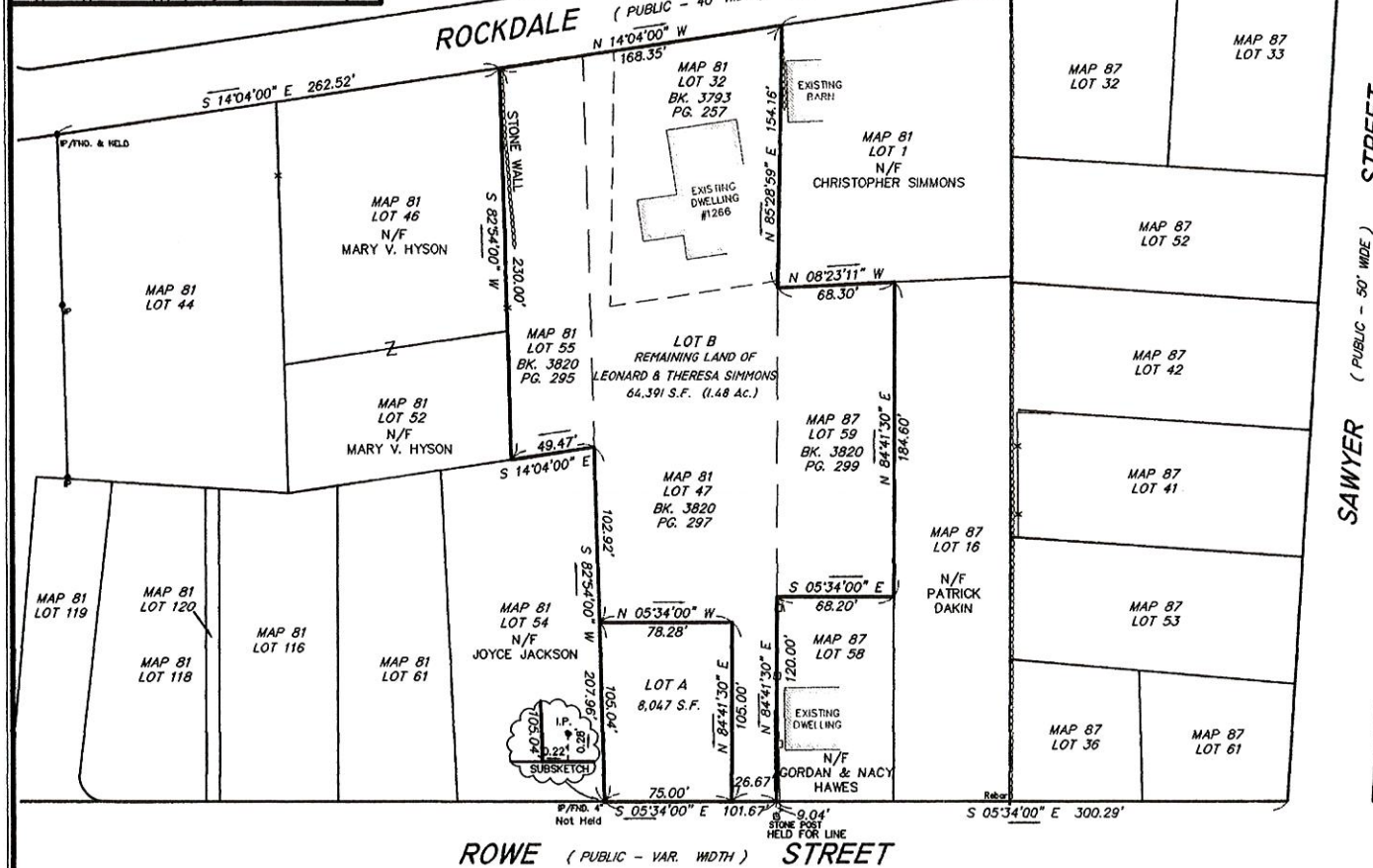
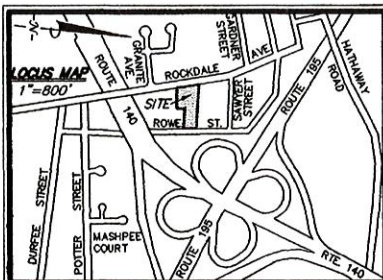
From: Ana S. Rosa
Sent: Tuesday, March 04, 2014 1:55 PM
To: Jane Medeiros Friedman
Cc: Manuel Silva
Subject: Rowe St. Lot A PB 169-92
Attachments: 11015-214.pdf; PB 169-92.pdf

Hi Jane,

Would you glance at the attached deed and give us your opinion as to whether they should have recorded a separate plan for the easement or whether it suffices that they made reference to a plan which was submitted to Inspectional Services for their building permit in an Exhibit within the deed? They want us to issue a driveway permit for this new house, but the opening is on the abutters land. The new house lot did come out of the abutters parcel, but when they recorded the ANR plan, the said easement was not shown. The garage entrance for this new house actually is along the right side, and the access would have to be through the abutters land in order to be able to make the turning radius required. DPI just needs to know that the provision mentioned in the quitclaim deed is sufficient for our purposes of issuing them a permit for a driveway opening on someone else's land. Inspectional Services did issue a foundation permit for this new house, so Danny may have spoken with you about this location. Thanks.

Ana S. Rosa
Assistant Civil Engineer

City of New Bedford
Department of Public Infrastructure
1105 Shawmut Avenue
New Bedford, MA 02746
Tel: (508) 979-1550 X-119
Fax: (508) 991-6152



11/27/12 11:06
PLAN RECORDED
BRISTOL S.D.
REGISTRY
in 169-92

FOR REGISTRY USE ONLY
CITY OF NEW BEDFORD PLANNING BOARD
APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED
DATE ENDORSED: 11.27.12

Jim Moline
CITY PLANNER
NO DETERMINATION AS TO COMPLIANCE WITH THE
ZONING REQUIREMENTS HAS BEEN MADE OR INTENDED
BY THE ABOVE ENDORSEMENT.

PLAN REFERENCES:
PLAN BOOK 114 PG. 37
PLAN BOOK 113 PG. 26
PLAN BOOK 98 PG. 82
PLAN BOOK 94 PG. 90
PLAN BOOK 83 PG. 82
PLAN BOOK 81 PG. 38
PLAN BOOK 73 PG. 15
PLAN BOOK 59 PG. 52
PLAN BOOK 56 PG. 21
BOARD OF SURVEY PLAN No. 28M
OF ROWE STREET.

OWNER
Leonard & Theresa Simmons
1266 Rockdale Ave.
New Bedford, MA
Deed Book: 3793 Pg. 257
Deed Book: 3820 Pg. 299
Deed Book: 3820 Pg. 297
Deed Book: 3820 Pg. 295
Assessor's Map: 81
Parcel s: 32,47,55 &
Map: 87 Parcel: 59

ANR PLAN OF LAND

PREPARED FOR LEONARD & THERESA SIMMONS

ROWE STREET & ROCKDALE AVE.

IN
NEW BEDFORD, MA

SCALE: 1" = 50' DATE: OCT. 1, 2012

ROMANELLI ASSOCIATES INC.
PROFESSIONAL LAND SURVEYORS
4490 Acushnet Ave. New Bedford, MA 02745
Phone (508) 995-0100 Fax (508) 995-0177
WWW.ROMANELLI-INC.COM



| | |
|--------------|-------------|
| Revisions: | |
| Nov. 8, 2012 | |
| Drawn By: | Checked By: |
| JJR | CAN |
| File Name: | Job No. |
| 12-023.DWG | 12-023 |

THE PURPOSE OF THIS PLAN IS TO CREATE LOT A (8,047 S.F.) AND COMBINE
THE REMAINING PARCELS OF LAND OWNED BY LEONARD & THERESA SIMMONS
AS SHOWN ABOVE INTO LOT B REMAINING LAND (64,391 S.F.)

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED
IN CONFORMANCE WITH THE RULES AND REGULATIONS
OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH
OF MASSACHUSETTS.
Don Bonin
PROFESSIONAL LAND SURVEYOR
DATE 11/9/12



169-92

169-92

Recorded easement or utilities
 as Built foundation
 closed.

| Comment Date | Comments |
|--------------|--|
| 4/23/2013 | Owner to apply for a water permit curb stop 1.5ft from face of curb to be |
| 5/3/2013 | RE: TB-13-668 Rowe St. (WS) 365' S. x Sawyer St. (Plot 81/Lot 163) |
| | <p>Requirements to be met by Owner/Developer for this project:</p> <p>1.) Must submit a plan showing sewer, water, storm water recharge structure (on private property) and driveway size/location for review/approval prior to D.P.I. permits being issued. Once plan is approved by D.P.I., must provide 3 copies of said plan(s) upon applying for each permit (sewer/storm drain, water and driveway), along with a copy of the "stamped" foundation as-built plan and foundation permit.</p> <p>Please Note:</p> <p>1a.) Recorded easements must exist for any water, sewer and drainage pipes, and for any driveway being installed on other parcels to service the subject parcel. Copies of said recorded easement deed (and recorded easement plan) must be submitted to D.P.I. at time of applying for said permits. Permits will not be issued for installation of utilities or driveways located on property other than on the subject property until the owner/developer can provide an easement deed and easement plan that have been recorded at the Registry of Deeds proving that they have the right to do so.</p> <p>1b.) All sewer main extensions will require filing with MA D.E.P.</p> <p>2.) Must contact D.P.I.-Engineering to measure for building number (address) once front door is framed.</p> |
| 4/18/2013 | The parcel for the RWS of Rowe St. belonging to this tax payer is |
| | 87/59 - Leonard Simmons. |

*

Ana S. Rosa
Assistant Civil Engineer

City of New Bedford
Department of Public Infrastructure
1105 Shawmut Avenue
New Bedford, MA 02746
Tel: (508) 979-1550 X-119
Fax: (508) 991-6152

From: Ana S. Rosa
Sent: Tuesday, March 04, 2014 1:55 PM
To: Jane Medeiros Friedman
Cc: Manuel Silva
Subject: Rowe St. Lot A PB 169-92

Hi Jane,

Would you glance at the attached deed and give us your opinion as to whether they should have recorded a separate plan for the easement or whether it suffices that they made reference to a plan which was submitted to Inspectional Services for their building permit in an Exhibit within the deed? They want us to issue a driveway permit for this new house, but the opening is on the abutters land. The new house lot did come out of the abutters parcel, but when they recorded the ANR plan, the said easement was not shown. The garage entrance for this new house actually is along the right side, and the access would have to be through the abutters land in order to be able to make the turning radius required. DPL just needs to know that the provision mentioned in the quitclaim deed is sufficient for our purposes of issuing them a permit for a driveway opening on someone else's land. Inspectional Services did issue a foundation permit for this new house, so Danny may have spoken with you about this location. Thanks.

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