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December 20, 2012

Damaris Santiago
Environmental Engineer
55 Broadway, 10th Floor
Cambridge, MA 02142

RE: 157 Bridge Street, Chatham, Massachusetts

Dear Mr. Santiago;

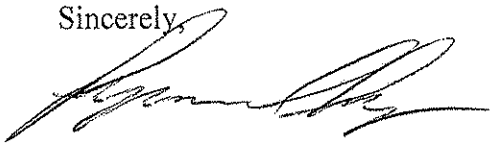
Please be advised that my firm serves as Town Counsel to the Town of Chatham (the "Town"). It is my understanding that MassDOT has requested a letter from Town Counsel setting out any legal rights the public holds in and to the property located at 157 Bridge Street, Chatham (the "Property"). The purpose of this inquiry is to determine whether the reconstruction of the Mitchell River Bridge will affect any public access rights over Property, thereby triggering a review under Section 4(f) of the Department of Transportation Act of 1966.

Initially, it is important to understand that the Property consists of Registered Land. The Town has obtained a title report of the Property dating back to before the Property was Registered by the Massachusetts Land Court. The title report has revealed that the public holds no legal interest in the Property. The Land Court Registration, Certificate of Title contains no easement or other interest conveyed for the purpose of public access over the Property. Because the Property is Registered, it is impossible for the public or any other entity to acquire prescriptive rights in and to the Property.

Accordingly, based on the title, it is apparent that the pubic has no legal interest in the Property for public access to the Mitchell River or for any other purpose.[1] Please contact me with any questions regarding this matter.

[1] On September 2, 1981, the owner of the Property conveyed an easement to the Chatham Water Company over a portion of the Property. The purpose of the easement is to "lay, maintain, operate, repair and to remove wrought iron pip and/or pipes of other materials." This does not in any way convey a public right in or to the Property.

Sincerely,



Lynnea Thody

cc: Client
Mike Bastoni