

**LEGEND**

Ⓝ ... denotes Easement (Parcel) Number

--- denotes Easement Boundary

--- denotes Property Line

--- denotes Street Line

PARCEL ID: ... denotes Assessor's Parcel ID Number

**NOTES:**

The heirs of Joseph W. Dubis (the senior) and Elizabeth R. Dubis believed that they own the fee interest in the subdivision roads known as Earle's Way and Jane's Way as conveyances were made "by the sideline of" these roads.

The general rule regarding boundaries was set forth in Boston v. Richardson, 95 Mass. (13 Allen) 146 (1866) as follows:

"Whenever land is described as bounded by ... an object, whether natural or artificial, which has width, as in the case of a way, the centerline of the thing... is the boundary of the lot granted."

A statutory exception to the above rule was made, January 1, 1972, in M.G.L.c. 183 §58, which reads:

Every instrument passing title to real estate abutting a way, whether public or private, watercourse, wall, fence or other similar linear monument, shall be construed to include any fee interest of the grantor in such way, watercourse or monument, unless

(a) the grantor retains other real estate abutting such way, watercourse or monument, in which case,

i. if the retained real estate is on the same side, the division line between the land granted and the land retained shall be continued into such way, watercourse or monument as far as the grantor owns, or

ii. if the retained real estate is on the other side of such way, watercourse or monument between the division lines extended, the title conveyed shall be to the center line of such way, watercourse or monument as far as the grantor owns, or

(b) the instrument evidences a different intent by an express exception or reservation and not alone by bounding by a side line.

Therefore, the current owners Earle's Way and Jane's Way are the owners of the abutting lots shown hereon.

2. No fee interest in Earle's Way because the subject lot as conveyed in Deed Book 1,584, Page 117, referenced a plan that was prepared prior to the plan that created Earle's Way. No reference to Earle's Way was made.

PARCEL ID: 12G-39-M7  
Barry P. Desilets  
Violet E. Desilets  
Deed Book 28,804, Page 285  
Plan Book 207, Page 1, Lot 7

PARCEL ID: 12G-50-M11  
Marcia Matsik  
Deed Book 11,731, Page 207  
Plan Book 207, Page 1, Lot 1

PARCEL ID: 12G-49-M12  
Richard T. Kalbko  
Kathryn M. Kalbko  
Deed Book 14,112, Page 13  
Plan Book 207, Page 1, Lot 12

PARCEL ID: 12G-48-M13  
John D. DeFelice  
Deed Book 24,975, Page 206  
Plan Book 207, Page 1, Lot 13

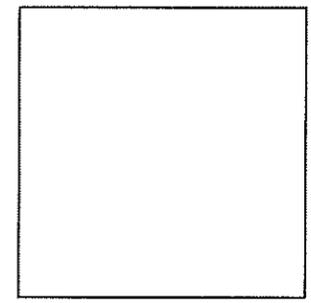
PARCEL ID: 12G-47-M14  
Gloria J. Hanlon, Trustee  
Chatham Earle's Way Realty Trust  
Deed Book 13,065, Page 334  
Plan Book 207, Page 1, Lot 14

PARCEL ID: 12G-46-M15  
Arjen C. Hoogenboom  
Christine N. Hoogenboom  
Deed Book 28,138, Page 178  
Plan Book 207, Page 1, Lot 15

PARCEL ID: 12G-45-M16  
Linda Louise White, Trustee  
Linda Louise White Living Trust  
Agreement dated March 21, 2012  
Deed Book 26,197, Page 315  
Plan Book 207, Page 1, Lot 16

PARCEL ID: 12G-44-M17  
Kenneth M. Friend  
Nancy L. Friend  
Deed Book 12,337, Page 88  
Plan Book 207, Page 1, Lot 17

PARCEL ID: 12G-57-M24  
Mary J. DiGiacomantonio  
Deed Book 12,788, Page 290  
Plan Book 207, Page 1, Lot 24



I certify that this plan was prepared in accordance with the rules and regulations of the Registrars of Deeds as adopted June 19, 1975 and amended January 7, 1988.

Date \_\_\_\_\_  
L.S.

Accepted by the Chatham Board of Selectmen pursuant to C. 83, §1 M.G.L.

Date \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Water, Sewer and Utility Easement Plan  
**EARLE'S WAY and JANE'S WAY**  
Chatham, Massachusetts

TOWN OF CHATHAM  
**ELDRIDGE SURVEYING & ENGINEERING, LLC**  
103B Main Street, Chatham, MA; (508) 945-3965; Fax: (508) 945-5865

Date: 11-16-2015  
Scale: 1" = 40'  
Project No.: C-3146-07.5  
Sheet No.: 1 of 1