



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NEW ENGLAND DISTRICT
696 VIRGINIA ROAD
CONCORD MA 01742-2751

December 14, 2021

Mr. Farooq Ansari, President
Ansari Builders, Inc.
6 Edgewood Road
Westborough, MA 01581

Dear Mr. Ansari:

Enclosed for signature is Consent No. 22-03 for Tract No. D-417E-1 easement lands associated with the Hodges Village Dam flood damage reduction project in Oxford, MA.

The document should be countersigned by the grantee. Kindly return one original to this office.

Questions may be addressed to Scott Barr of this office by email at Robert.S.Barr@USACE.ARMY.MIL or by phone at 978-318-8618.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Shugert", is written over a red digital signature line.

Digitally signed by
SHUGERT.TIMOTHY.W.12385872
43
Date: 2021.12.14 14:17:47 -05'00'

Timothy W. Shugert
Chief, Real Estate Division

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS
NEW ENGLAND DISTRICT

Consent No. 22-03
Project: Hodges Village Dam
Tract No. D-417E-1

CONSENT TO EASEMENT STRUCTURES

WHEREAS, the United States has acquired a perpetual easement over Tract No. D-417E-1, Hodges Village Dam Project by virtue of a condemnation action captioned "United States of America, Plaintiff, v. 153.14 Acres of Land, More or Less, Situate in the Town of Oxford, County of Worcester, Commonwealth of Massachusetts, and Alfred B. Chaffee, Et Al., Defendants", being Civil Action No. 59-949-S filed in the United States District Court for the District of Massachusetts on December 23, 1959, and the Judgment on the Declaration of Taking which is recorded in Deed Book 4085 Page 211 in the records of Worcester County Registry of Deeds, Massachusetts, and the Amended Judgment on the Declaration of Taking recorded in Deed Book 4173 Page 518; and

WHEREAS, said easement grants to the United States the right of prior approval for any structure to be located within the easement area, which area is under the administrative control of the New England District, U.S. Army Corps of Engineers; and

WHEREAS, Ansari Builders, Inc., current owner of the underlying fee encumbered by Tract No. D-417E-1, has requested consent of the United States for the placement of a retaining wall and driveway with two culverts within the easement;

NOW, THEREFORE, the United States hereby gives consent to Ansari Builders, Inc. for the placement of retaining wall and driveway on Hodges Village Dam Project Tract No. D-417E-1 as shown on Exhibits "A" (3 pages) and "B", attached hereto and made a part hereof;

PROVIDED, HOWEVER, that this consent is subject to the following conditions:

1. All activities conducted on the premises shall comply with all applicable Federal, State, county and municipal laws, ordinances and regulations wherein the premises are located.
2. The giving of this consent does not in any way subordinate the United States' prior easement rights. The United States shall in no case be liable for any damage or injury to the structures herein consented to, which may be

caused by any action of the United States under its easement, or that may result from future operations undertaken by the United States, and no claim or right to compensation shall accrue from such exercise of the United States' easement rights.

3. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the exercise of the consented activity.

4. This instrument is effective only insofar as the rights of the United States in the premises are concerned; and the consentee shall obtain such permission as may be required on account of any other existing rights. It is understood that this consent does not eliminate the necessity for obtaining any Department of the Army permit which may be required pursuant to the provisions of Section 10 of the Rivers and Harbors Act of 3 March 1899 (30 Stat. 1151; 33 U.S.C. § 403), Section 404 of the Clean Water Act (33 U.S.C. § 1344) or any other permit or license which may be required by Federal, state, interstate or local laws in connection with the use of the premises.

5. ADDITIONAL CONDITIONS.

a. The consentee is hereby advised that Tract No. D-417E-1 is subject to inundation during extreme water storage events, and during these times the consentee may not be able to gain access to or use the subject area.

b. The consentee is hereby advised that the Government easement is established by the elevation of 504 feet National Geodetic Vertical Datum of 1929 (NGVD29) contour. The front part of the property (adjacent to Main Street) is encumbered by the Government easement. The plans comprising Exhibit "A" attached (3 pages) show a guide taking line of 504 feet North American Vertical Datum of 1988 (NAVD88). Therefore, the representation of the Government easement to elevation 504 feet NGVD29 is not accurately depicted on Exhibit "A". (Elevation 504 ft NAVD88 is equal to about 504.6 ft NGVD29 at this location.)

c. The consentee excavation and fill activities during construction shall not deviate from the Cut/Fill Report as shown on Exhibit "C" (2 pages), attached hereto and made a part hereof, without prior approval from the Hodges Village Dam Project Manager.

d. Prior to the commencement of construction, the consentee shall provide the Hodges Village Dam Project Manager with copies of permits or other approvals from the appropriate local, county, and state agencies.

*Consent No 22-03
Hodges Village Dam Project, MA*

e. The Hodges Village Dam Project Manager or designated representative shall have the right to inspect Tract No. D-417E-1 for the purpose of ensuring compliance with the terms and conditions of this Consent.

f. The consentee is hereby advised that any activity within 100 feet of a wetland and/or 200 feet of a riverfront area is subject to state and local review under the Massachusetts Wetland Protection Act.

g. The consentee shall use erosion control methods to prevent debris or sediment deposition within the easement area during construction.

h. Highly volatile, hazardous, toxic, or water reactive materials may not be stored within the Government easement area subject to inundation, including during construction.

i. Only clean "uncontaminated" fill materials will be imported onto the site during construction. A certification of fill materials from a commercial source will be provided to the Hodges Village Dam Project Manager. If imported fill materials are not from a commercial source, the consentee must engage a Licensed Site Professional (LSP) to oversee and report on testing to ensure there are no hazardous materials present.

IN WITNESS WHEREOF, I have hereunto set my hand by the authority of the Secretary of the Army, this 17th day of December, 2021.

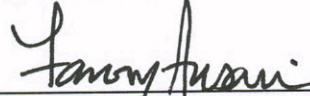
UNITED STATES OF AMERICA

Maureen B. Davi
Realty Specialits
Real Estate Contracting Officer

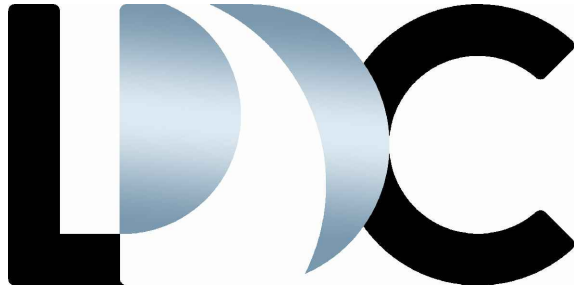
Consent No 22-03
Hodges Village Dam Project, MA

THIS CONSENT is also executed by the consentee this 15th day of
December, 2021.

Ansari Builders, Inc.

A handwritten signature in black ink, appearing to read 'Farooq Ansari', written over a horizontal line.

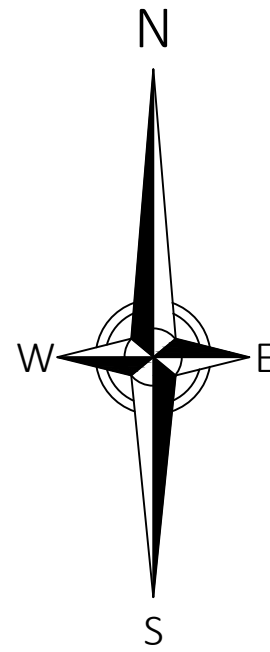
FAROOQ ANSARI
President, Ansari Builders, Inc.



LAND DESIGN COLLABORATIVE
Chauncy Place | Terrace North | Suite 1
45 Lyman Street
Westborough, MA 01581

508.952.6300 | LDCollaborative.com

THE CONTENT, INFORMATION AND DESIGN OF THIS PLAN ARE PROPRIETARY AND DUPLICATION AND/OR UTILIZATION FOR ANY PURPOSES IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN AUTHORIZATION FROM LAND DESIGN COLLABORATIVE. ONLY APPROVED, SIGNED AND SEALED PLANS SHALL BE UTILIZED FOR CONSTRUCTION PURPOSES.
© LAND DESIGN COLLABORATIVE, LLC



Project Owner:

**Ansari
Builders**
6 Edgewood Road
Westborough, MA

Project Applicant:

**Ansari
Builders**
6 Edgewood Road
Westborough, MA

Project Title:

Zain Place
580 Main Street
North Oxford, MA
(Worcester County)

Sheet Title:

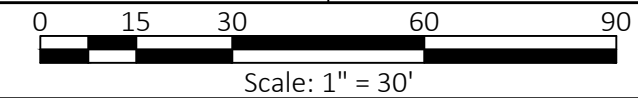
**EXISTING CONDITIONS
PLAN**

Design Development

No: Date: Revision | Issue:

Drawn By: Checked By:

Date: 1/18/2020 Project No.: 20-0017



Sheet No.:

V-101

GENERAL NOTES:

- EXISTING CONDITIONS INFORMATION COMPILED FROM AN ON-THE-GROUND SURVEY PERFORMED BY JARVIS LAND SURVEY, INC. IN AUGUST 2020.
- ADDITIONAL OFFSITE EXISTING CARTOGRAPHIC INFORMATION COMPILED FROM AVAILABLE GIS DATABASES, INCLUDING TOWN OF OXFORD ASSESSOR AND GIS DATALAYERS, MASSGIS DATA LAYERS, AND GOOGLE AND BING MAP IMAGES.

PLAN REFERENCES:

PLAN BOOK 441 PLAN 55
PLAN BOOK 569 PLAN 9 (LOCUS)
PLAN BOOK 630 PLAN 61
PLAN BOOK 652 PLAN 76

DEED REFERENCES:

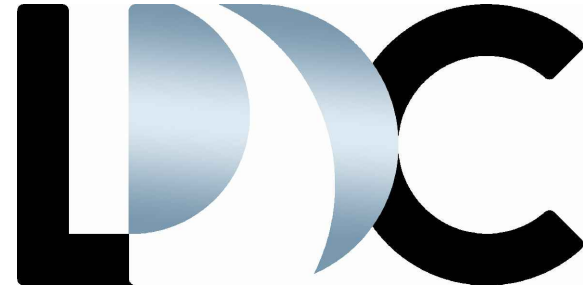
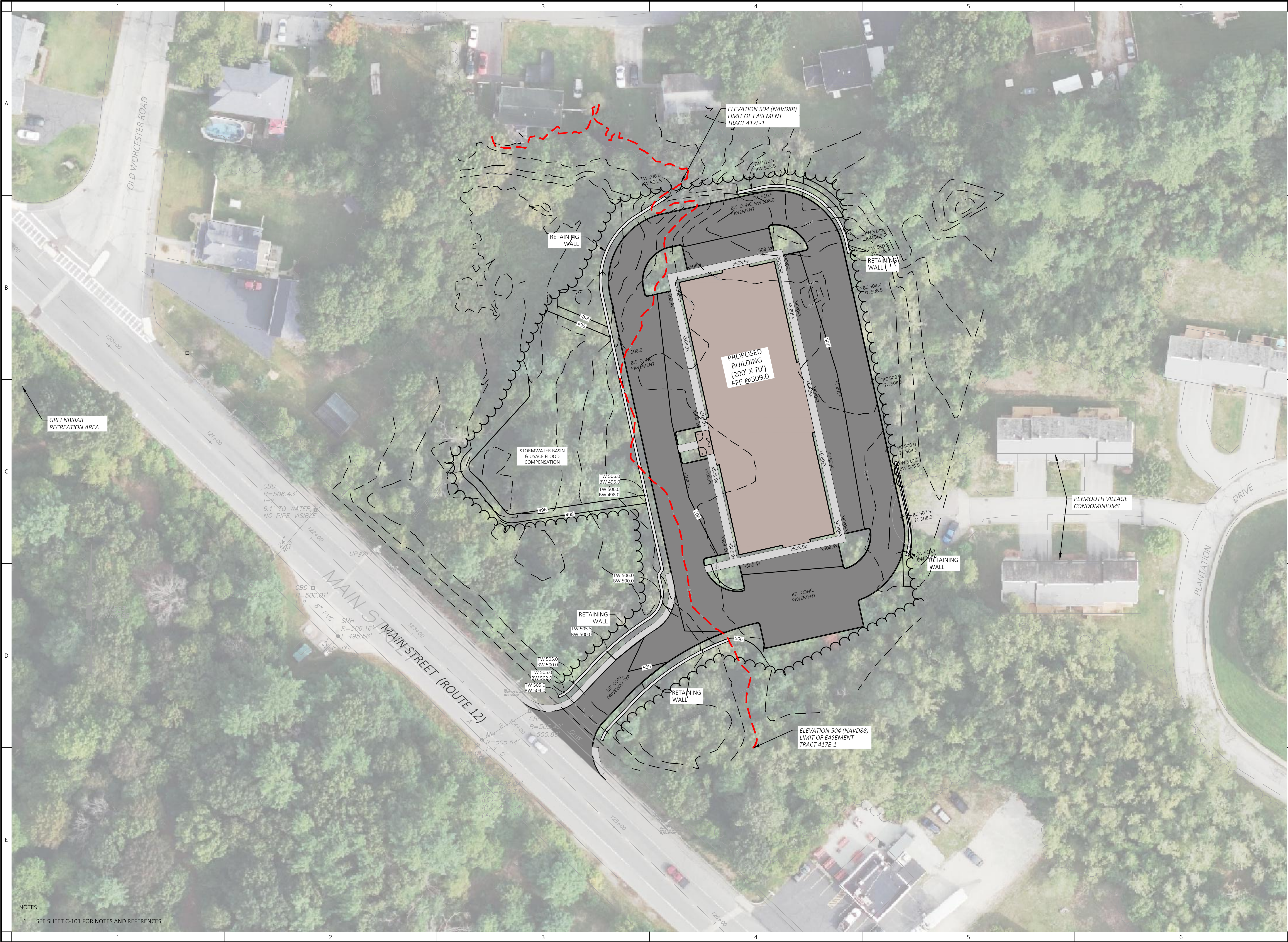
DEED BOOK 13699 PAGE 125

ASSESSORS MAP REFERENCES:

MAP 17, PARCEL 7.4

ZONING CLASSIFICATION:

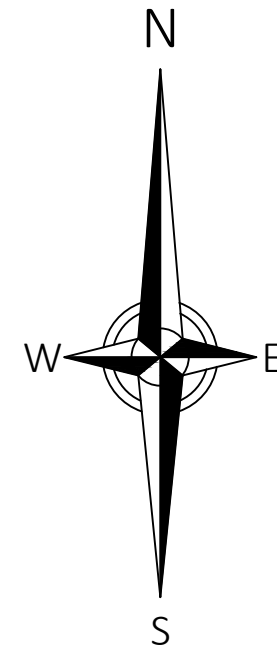
GB, R-2 AND R-3



LAND DESIGN COLLABORATIVE
Chauncy Place | Terrace North | Suite 1
45 Lyman Street
Westborough, MA 01581

508.952.6300 | LDCollaborative.com

THE CONTENT, INFORMATION AND DESIGN OF THIS PLAN ARE PROPRIETARY AND DUPLICATION AND/OR UTILIZATION FOR ANY PURPOSES IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN AUTHORIZATION FROM LAND DESIGN COLLABORATIVE. ONLY APPROVED, SIGNED AND SEALED PLANS SHALL BE UTILIZED FOR CONSTRUCTION PURPOSES.
© LAND DESIGN COLLABORATIVE, LLC



Project Owner:

Ansari Builders
6 Edgewood Road
Westborough, MA

Project Applicant:

Ansari Builders
6 Edgewood Road
Westborough, MA

Project Title:

Zain Place
580 Main Street
North Oxford, MA
(Worcester County)

Sheet Title:

GRADING AND DRAINAGE PLAN

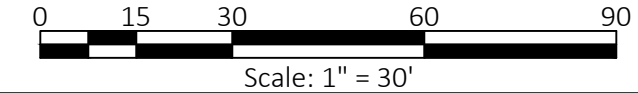
Design Development

6	1/28/2021	NOTES AND PARKING LAYOUT
5	1/18/2021	NOTE AND DIMENSIONS
4	12/9/2020	DESIGN DEVELOPMENT
3	12/4/2020	DESIGN DEVELOPMENT
2	11/10/2020	DESIGN DEVELOPMENT
1	6/19/2020	NOTES

No: Date: Revision Issue:

Drawn By: Checked By: MIS

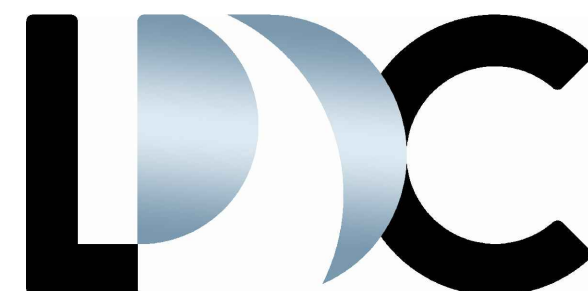
Date: 10/02/2020 Project No.: 20-0017



Sheet No.:

C-201

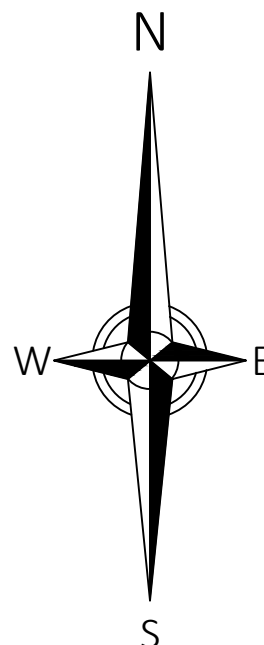
- NOTES:
- SEE SHEET C-101 FOR NOTES AND REFERENCES.



LAND DESIGN COLLABORATIVE
Chauncy Place | Terrace North | Suite 1
45 Lyman Street
Westborough, MA 01581

508.952.6300 | LDCollaborative.com

THE CONTENT, INFORMATION AND DESIGN OF THIS PLAN ARE PROPRIETARY AND DUPLICATION AND/OR UTILIZATION FOR ANY PURPOSES IS STRICTLY PROHIBITED WITHOUT PRIOR WRITTEN AUTHORIZATION FROM LAND DESIGN COLLABORATIVE. ONLY APPROVED, SIGNED AND SEALED PLANS SHALL BE UTILIZED FOR CONSTRUCTION PURPOSES.
© LAND DESIGN COLLABORATIVE, LLC.



Project Owner:
Ansari Builders

6 Edgewood Road
Westborough, MA

Project Applicant:
Ansari Builders

6 Edgewood Road
Westborough, MA

Project Title:
Zain Place
580 Main Street
North Oxford, MA
(Worcester County)

Sheet Title:
**PROPOSED FLOOD
VOLUME PLAN**

Design Development

No: Date: Revision | Issue:

Drawn By: CMP Checked By: MJS
Date: 10/5/2021 Project No.: 20-0017

0 00 00 00 000
Scale: 1" = 30'

Sheet No.:

C-202





CONSENT 22-03
Ansari Builders, Inc.
Hodges Village Dam
Exhibit B

D-417E-1

 Tract D-417E-1 (HVD)

0 50 100 200 Ft



1 inch = 100 feet

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Cut/Fill Report

Generated: 2021-10-05 10:07:20

By user: ChrisPeretti

Drawing: C:\Users\ChrisPeretti\Land Design Collaborative\Land Design Collaborative - Documents__L-datto New\projects (landdesigndato)\PROJECTS\20-0017 - Oxford_Shortcuts\Surfaces\504 EG Surface\C:\Users\ChrisPeretti\Land Design Collaborative\Land Design Collaborative - Documents__L-datto New\projects (landdesigndato)\PROJECTS\20-0017 - Oxford_Shortcuts\Surfaces\504 EG Surface\504 EG surface.dwg

Volume Summary							
Name	Type	Cut Factor	Fill Factor	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
504 vs EG	full	1.000	1.000	61190.79	9987.51	0.00	9987.51<Cut>

Totals				
	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Total	61190.79	9987.51	0.00	9987.51<Cut>

* Value adjusted by cut or fill factor other than 1.0

Cut/Fill Report

Generated: 2021-10-05 10:03:39

By user: ChrisPeretti

Drawing: C:\Users\ChrisPeretti\Land Design Collaborative\Land Design Collaborative - Documents__L-datto New\projects (landdesigndato)\PROJECTS\20-0017 - Oxford_Shortcuts\Surfaces\504 EG Surface\C:\Users\ChrisPeretti\Land Design Collaborative\Land Design Collaborative - Documents__L-datto New\projects (landdesigndato)\PROJECTS\20-0017 - Oxford_Shortcuts\Surfaces\504 EG Surface\504 PR surface.dwg

Volume Summary							
Name	Type	Cut Factor	Fill Factor	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
504 vs PR	full	1.000	1.000	61190.81	10596.69	544.39	10052.30<Cut>

Totals				
	2d Area (Sq. Ft.)	Cut (Cu. Yd.)	Fill (Cu. Yd.)	Net (Cu. Yd.)
Total	61190.81	10596.69	544.39	10052.30<Cut>

* Value adjusted by cut or fill factor other than 1.0