

SENIE & ASSOCIATES, P.C.
A T T O R N E Y S A T L A W

15 Cape Lane
Brewster, MA 02631
Phone (774) 323-3027
Cell (508) 237-1664
vdalmas@senie-law.com
WWW.SENIE-LAW.COM

December 27, 2022

BY HAND DELIVERY

Town Clerk Kaci Fullerton
Town of Truro Town Hall
24 Town Hall Road
P.O. Box 2030
Truro, MA 02666

With email copy to: esturdy@truro-ma.gov

Re: New Planning Board Applications for Two Approval Not Required (“ANR”) Plan Endorsements; 47 Old County Road (Assessor’s Parcel ID 54-11-0), and 4 Fisher Hill Way (Assessor’s Parcel ID 54-120-0)

Dear Ms. Fullerton:

Please find enclosed for filing an original and nine copies of the above referenced two ANR applications (inclusive of plans and supporting information), which are submitted on behalf of our client Sylvia Russianoff (“Applicant”). Also enclosed are two checks made payable to the Town of Truro each in the amount of \$275.

Applicant owns two abutting parcels of land as follows: 47 Old County Road (a public way), which is registered land; and 4 Fisher Hill Way, which is recorded land. Applicant’s ownership of 47 Old County Road and 4 Fisher Hill Way is reflected in enclosed Certificate of Title #174343 and Fiduciary Deed Book 18953, page 155,¹ respectively. Also enclosed is assessor data for both such abutting properties.

Applicant’s overall objectives in the proposed ANR divisions of 47 Old County Road and abutting 4 Fisher Hill Way are as follows:

¹ Fiduciary Deed Book 18953, Page 155 shows Applicant’s ownership of 4 Fisher Hill Way. The reference to 5 Fisher Hill Way is due to Applicant’s prior division of 5 Fisher Hill way into two parcels (*see* enclosed endorsed ANR Plan Book 673, Page 90). Applicant has since retained ownership of 4 Fisher Hill Way (Parcel C1-B).

- create newly combined² parcels B2 and 10 for development of one single-family residence, provided, however, B2 will be made subject to an easement (in the first deed out of combined parcels B2 and 10) requiring that it be kept in its natural state for the benefit of B1 with exception of its limited use as necessary for septic integration for the new single-family residence development on parcel 10; and
- with Applicant’s retention of ownership of newly combined parcels B1 and 9, and on which parcel 9 the Applicant’s existing single-family residence is situated and with its historical access via a title-based easement.³

To achieve Applicant’s above objectives, the proposed ANR plan for the registered land parcel at 47 Old County Road reflects the advance review and feedback of the Massachusetts Land Court Survey/Engineering Division and sets out a division into two parcels as follows: parcel 9 (with a total area of 56,780± sq. ft. and 150 ft. of public way frontage); and parcel 10 (with a total area of 74,720± sq. ft., an upland area of 25,380± sq. ft., and 219± public way frontage).

Regarding the unregistered land at 4 Fisher Hill Way, the division also is of two parcels as follows: parcel B1 (with a total area of 32,480± sq. ft.) and parcel B2 (with a total area of 14,490± sq. ft. and upland area of 10,675± sq. ft.). Parcels B1 and B2 are not intended as standalone buildable lots, which is consistent with their existing (pre-division) status (as Parcel C1-B).

The resulting total area, upland area, and public way frontage, of the newly combined unimproved abutting parcels B2 and 10 will be as follows:

Parcel B2 & 10	Total Area – Sq. Ft.	Upland Area – Sq. Ft.	Public Way Frontage
10 – registered	74,720	25,380	219+
B2 – unregistered	14,490	10,675	-
Total (merged)	89,210	36,055	219+

Applicant’s objectives are illustrated in a site plan enclosed herewith (not for endorsement), which also shows the proposed driveway (at 10% slope) of newly combined unimproved abutting parcels B2 and 10.

² The reference to “combined” refers to the common law merger effect of the contemplated ANR divisions discussed herein.

³ Enclosed Certificate of Title 21010 sets out Lot 5’s existing title-based access easement, which was created at a prior time when current Lot 5 was previously referred to as Lot 2 (in part). See enclosed Land Court Plan #25187A, which shows historical Lot 1 over which there is an access easement to historical Lot 2, and Land Court Plan #25187B, which illustrates the later division of Lots 1 and 2 into Lots 3 & 4.

Town of Truro Planning Board
ANR Applications – 47 Old County Road & 4 Fisher Hill Way
December 27, 2022
Page 3

Once you have had the opportunity to review the applications and other enclosures, please contact me should you have any questions.

Thank you.

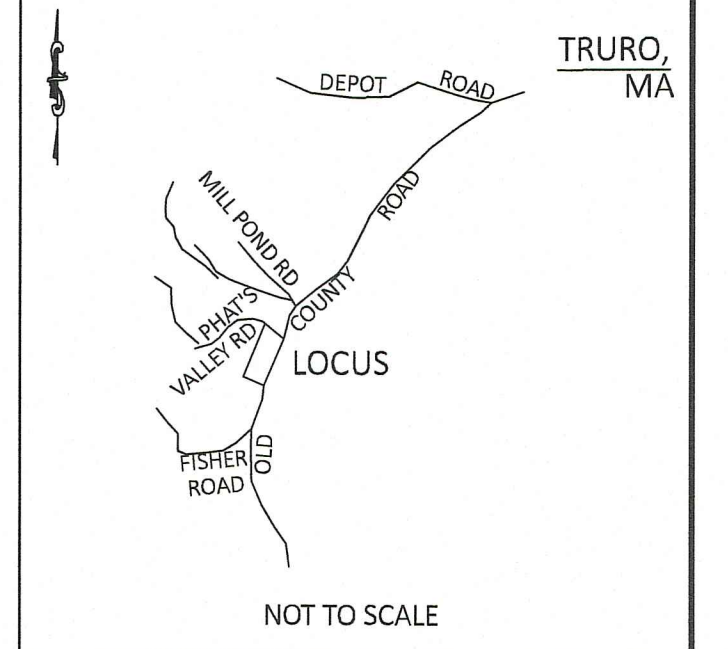
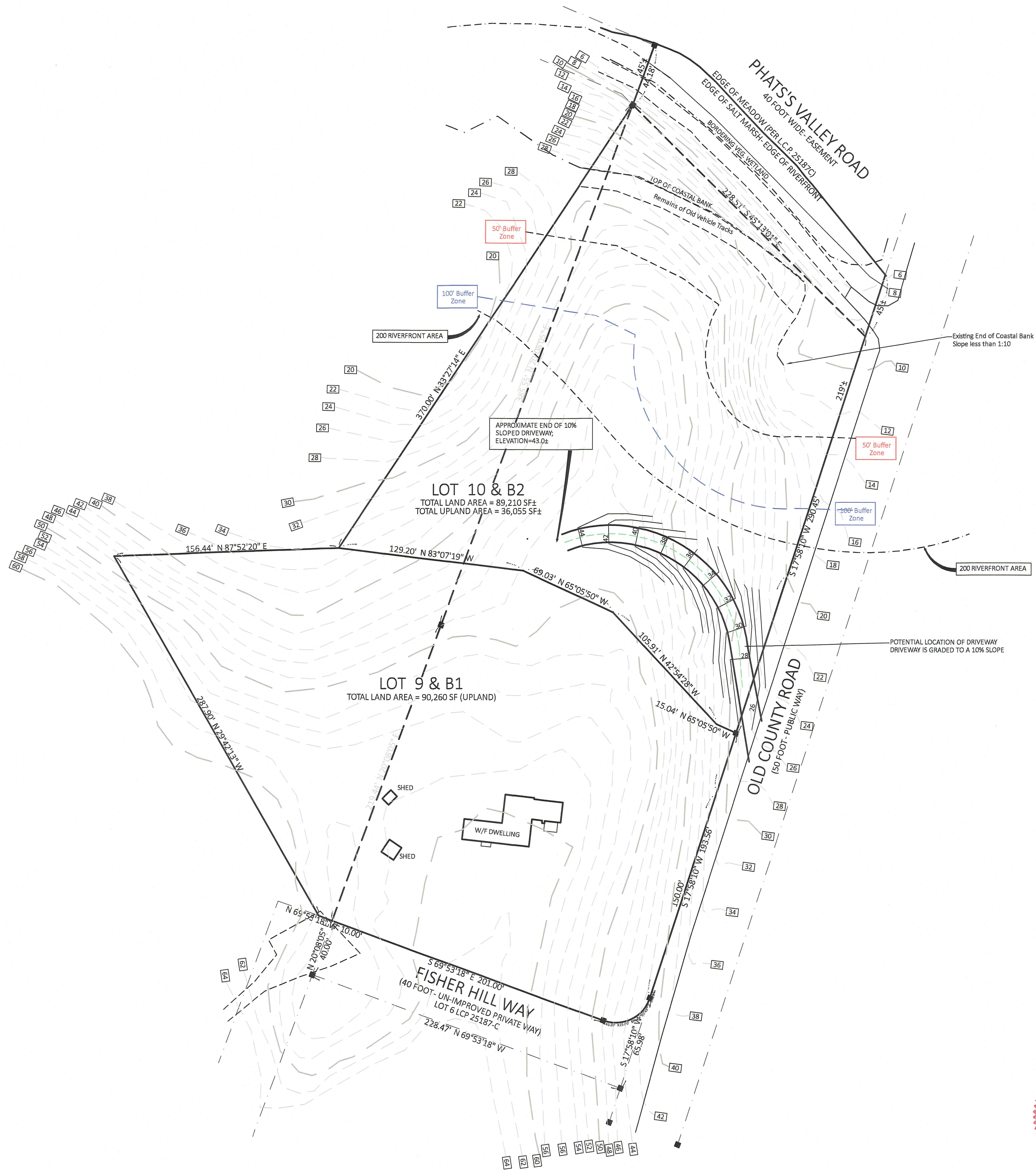
Sincerely,



Victoria A. Dalmas
Senie & Associates, P.C.

Cc: Sylvia Russianoff
John M. O'Reilly, P.E., P.L.S.
Christopher G. Senie, Esq.

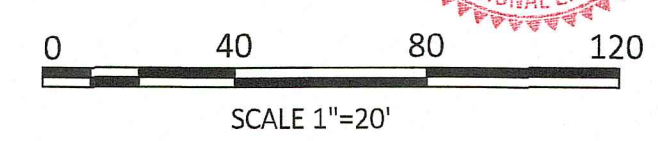
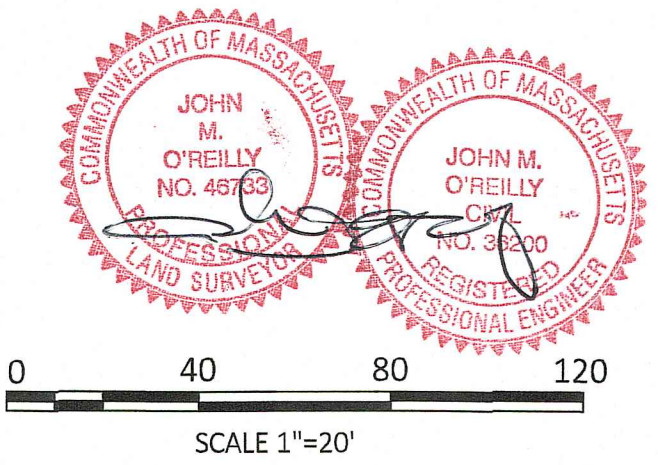
Enc. Ten ANR Applications w/Plans & Supporting Information



LAND COURT PLAN 25187-C
CERTIFICATE 174343
ASSESSORS' MAP 54 PARCEL 11

LEGEND

— 32 —	EXISTING CONTOUR
— 32 —	PROPOSED CONTOUR
— 24x5 —	EXISTING SPOT GRADE
— 24x5 —	PROPOSED SPOT GRADE
— W —	WATER SERVICE LINE
— OH —	OVERHEAD UTILITY SERVICE
— E —	ELECTRIC / COMM. SERVICE LINE
— G —	GAS SERVICE LINE
— T —	TEST HOLE / BORING LOCATION
ST	SEPTIC TANK
DB	DISTRIBUTION BOX
SAS	SOIL ABSORPTION SYSTEM
Reserve	RESERVED FOR FUTURE
U.P.	UTILITY POLE
CB	CATCH BASIN
FH	FIRE HYDRANT
W	WELL
DM	DRAINAGE MANHOLE
CB	CONCRETE BOUND, FOUND
— —	LIMIT OF WORK
— —	FENCE
— —	EDGE OF CLEARING



SYLVIA RUSSIANOFF
128 ROCHELLE AVENUE, PHILADELPHIA, PA 19128

SITE PLAN - LOT 9 & B1 AND LOT 10 & B2
SHOWING COMBINED LOTS AND DRIVE ACCESS FOR LOT 10 & B2

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

1573 Main Street - Route 8A
P.O. Box 1773
Brewster, MA 02631 (508)896-6802 Fax

DATE:	SCALE:	BY:	CHECK:	JOB NUMBER:
11-18-2022	As Noted	jmo	JMO	JMO9144



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

FORM A

APPLICATION FOR DETERMINATION THAT PLAN DOES NOT REQUIRE APPROVAL (ANR)

To the Planning Board of the Town of Truro, MA

Date: **December 27, 2022**

The undersigned owners of all the land described herein submitted the accompanying plan entitled: **Plan of Land in Truro MA 4 Fisher Hill Way** and dated November 18, 2022, requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required.

Property Location: **4 Fisher Hill Way, Truro, MA**

Number of Lots Created: **Two (2) parcels.**

Map(s) and Parcel(s): **554-120-0**

Total Land Area: **46,970 sq. ft. (1.08 acres) +/-**

The owner's title to Parcel 554-120-0 is derived under deed from the Estate of Penelope P. Russianoff, dated August 7, 2004, and recorded in the Barnstable Registry of Deeds Book and Page 18953 and 155 (respectively).

The undersigned believes that such approval is not required for the following reasons: *(check as appropriate)*

The accompanying plan is not a subdivision because the plan does not show a division of land.

The division does not create two standalone buildable lots of land.

The division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as is presently required by the Truro Zoning Bylaw under Section 50.1(A) which requires 150 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:

a public way or way which the Town Clerk certifies is maintained and used as a public way, namely , or

a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely _____ on _____ and subject to the following conditions _____; or

a private way in existence on December 8, 1955, the date when the subdivision control law became effective in the Town of Truro having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely _____.

The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely _____ which adds to/takes away from/changes the size and shape of, lots in such a manner that no lot affected is left without frontage as required by the Truro Zoning Bylaw under Section 50.1(A), which requires 150 feet.

The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically _____ buildings were standing on the property prior to December 8, 1955, the date when the subdivision control law went into effect in the Town of Truro and one of such buildings remains standing on each of the lots/said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the subdivision control law as follows:

Other reasons or comments: (See M.G. L., c.41, §81-L)

All other information as required in the Rules and Regulations Governing Subdivisions of Land shall be submitted as part of the application.

(Printed Name of Owner)

(Signature)

(Printed Name of Owner)

(Signature)

(Address of Owner(s))

(Address of Owner(s))

VICTORIA DALMAS, Esq.

(Printed Name of Agent)

[Handwritten Signature]

(Signature)

Semie + Associates PC, 15 Cape Lane, Brewster MA 02631

(Address of Agent)

File twelve (12) copies each of this form and applicable plan(s) with the Town Clerk; and a complete copy, including all plans and attachments, submitted electronically to the Town Planner at planner1@truro-ma.gov

2.2 - APPROVAL NOT REQUIRED (ANR) PLAN ENDORSEMENT REVIEW CHECKLIST - Applicant

Address: 4 Fisher Hill Way		Applicant Name: <u>Sylvia Russianoff</u>		Date: <u>Dec. 27, 2022</u>
No.	Requirement	Included	Not Included	Explanation, if needed
b.11	The statement "Approval under the Subdivision Control Law Not Required", and sufficient space for the date of the application submittal and the date of endorsement, docket number and the signatures of all Board members.	X		
b.12	The statement "Planning Board endorsement of this plan indicates only that the plan is not a subdivision under MGL, Chapter 41, Section 81-L and does not indicate that a lot is buildable or that it meets Zoning, Health or General Bylaw requirements."	X		

NOT
AN
OFFICIAL
COPY

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53,069.

4

Statute Form of
Quitclaim Deed

George Davis Herron, Jr.
et ux.

TO

Eric H. Pellacsek et ux.

Unstable Registry District

SEP 23 1957

RECEIVED FOR REGISTRATION
AT 11 O'CLOCK 45
BEING CERTIFICATE NO. 21010110
NOTED ON OFF. 194511

_____ 19 ____

at _____ o'clock and _____ minutes _____ m.

Received and entered with _____

_____ Deeds

Book _____ Page _____

Attest:

Register.

FROM THE OFFICE OF

John R. Dyer, Jr.
North Panet Road
Truro, Mass.

LAND COURT, BOSTON. The land & parcels
herein described will be shown on
our approved plan to follow as

SEP 6 1957

Fee 25187^B Lit 4

(Examined as to date of registration)

C. M. Anderson, Engineer ACP

HOBBS & WARREN, INC.
PUBLISHERS STANDARD LEGAL FORMS
BOSTON - MASS.
Form 882

L.C.# 25187.

KNOW ALL MEN BY THESE PRESENTS

N O T

That We, George Davis Herren, Jr. and ~~Anna~~ Ruth Herren, husband and wife ~~and~~ ^{as} tenants by the entirety N O T
O F F I C I A L O F F I C I A L
C O P Y C O P Y

of Truro, Barnstable County, Massachusetts,
~~being unmarried~~, for consideration paid, grant to N O T
A ~~Eric H. Pollaczek and Penelope P. Pollaczek,~~ ^{Eric H. Pollaczek and Penelope P. Pollaczek,} N O T
husband and wife, as joint tenants A N
O F F I C I A L O F F I C I A L
C O P Y C O P Y

of 141 South Broadway, Irvington on Hudson,

State of New York
with quitclaim returns

~~Whereby~~ Two certain parcels of land situate in Truro, in the County of Barnstable, and Commonwealth of Massachusetts, together with all buildings thereon, bounded and described as follows:

Parcel 1. Easterly by Old County Road two hundred fifty nine and 62/100 (259.62) feet;

Southerly by other land of these grantors or remaining portion of Lot 1. two hundred twenty eight and 23/100 (228.23) feet;

Westerly by land of Anthony R. Francis et al. two hundred fifty nine and 44/100 (259.44) feet and

Northerly by Parcel 2 of this conveyance or Lot 2 two hundred eighteen and 50/100 (218.50) feet.

Being a portion of Lot 1 of Land Court Case numbered 25187.

Parcel 2. Easterly by Old County Road three hundred twenty two (322) feet, more or less;

Southerly by Parcel 2 of this conveyance or Lot 1 two hundred eighteen and 50/100 (218.50) feet.

Westerly by land of Anthony R. Francis et al. four hundred thirty (430) feet, more or less, and

Northeasterly by land of Anthony R. Francis et al. about two hundred thirty two (232) feet.

Being Lot 2 of Land Court Case numbered 25187.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by John R. Dyer, Surveyor, dated December 1948 and November 28, 1955 as modified and approved by the Court, filed in the Land Registration Office.

Also further plan by John R. Dyer, Surveyor dated August 1957 to be filed with the Land Registration Office.

Said lot 2 is subject to an electric cable easement as shown on plan 25187 A.

So much of said lot 2 as is included within the limits of Proprietors Read, approximately shown on said plan, is subject to a right of way in favor of land of Henry Vernon

* Individual - Joint Tenants - Tenants in Common - Tenants by the Entirety.

Handwritten: 4 10 25 187-188-189-190-191-192-193-194-195-196-197-198-199-200
Let 2

Peer and Bessie Brewer Peer as set forth in a stipulation between the grantors and Henry Varnum Peer, filed with the papers in this case on December 16, 1954 a copy of which has or will be filed with Barnstable County Registry of Deeds and to the rights of all other persons lawfully entitled thereto in and over the same.

NOT NOT

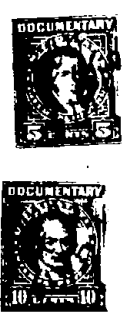
OFFICIAL OFFICIAL
COPY COPY

So much of said lot 2 as is included within the limits of the Old Cartway, approximately shown on said plan, is subject to the rights of all persons lawfully entitled thereto in and over the same.

NOT NOT

OFFICIAL OFFICIAL
COPY COPY

Also included in this conveyance is a right of way for all purposes for which rights of way are commonly used in, through and over that portion of Lot 1 not included in above described premises, to be used as a means of access to above described premises, all as shown on aforementioned plan dated August 1957.



160
SEP 23 57
8-137/159870

~~husband~~ ~~of said grantor~~
~~wife~~

~~release to said grantor all rights of~~ ~~claim by the grantor~~ ~~and claim in construction~~
~~done and to be done~~

Witness OUR hands and seals this 31st day of August 19 57

George Davis Henson, Jr.
Ella Ruelle Henson


N O T
The Commonwealth of Massachusetts
O F F I C I A L
Barnstable
C s . O P Y

N O T
A N
O F F I C I A L
August
C O P Y 19 57

Then personally appeared the above named George Davis Herron, Jr. and Elsa Ruth Herron
A N
O F F I C I A L
C O P Y
and acknowledged the foregoing instrument to be their free act and deed, before me

A N
O F F I C I A L
C O P Y

John N. Dyer
Notary Public
My Commission expires _____



(THE FOLLOWING IS NOT A PART OF THE DEED, AND IS NOT TO BE RECORDED)

CHAPTER 183, SECTION 11, GENERAL LAWS

A deed in substance following the form entitled "Quitclaim Deed" shall when duly executed have the force and effect of a deed in fee simple to the grantee, his heirs and assigns, to his and their own use, with covenants on the part of the grantor, for himself, his heirs, executors, administrators and successors, with the grantee, his heirs, successors and assigns, that at the time of the delivery of such deed the premises were free from all encumbrances made by him, and that he will, and his heirs, executors and administrators shall, warrant and defend the same to the grantee and his heirs and assigns forever against the lawful claims and demands of all persons claiming by, through or under the grantor, but against none other.

Key: 7309

Town of TRURO - Fiscal Year 2023

9/1/2022 6:23 pm SEQ #: 4.497

LEGAL

CURRENT OWNER				PARCEL ID				LOCATION			
RUSSIANOFF SYLVIA 128 ROCHELLE AVE PHILADELPHIA, PA 19128				54-120-0				4 FISHER HILL WAY			
TRANSFER HISTORY				DOS	T	SALE PRICE		BK-PG (Cert)			
RUSSIANOFF SYLVIA				08/19/2004	99			18953-155			

CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD	
1300	100	DEV LAND					1 of 1	
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%
SS20-3	01/23/2018	50	SPLIT SUB		06/28/2019	JN	100	100
SS13-6	04/20/2011	50	SPLIT SUB		12/31/2011		100	100
		30	CHECK DATA		11/19/2013	FC	100	100

LAND

CD	T	AC/SF/UN	Nbhd		Infl1	Infl2	ADJ BASE	SAF	Infl3	Lpi	VC	CREDIT AMT	ADJ VALUE	
100	A	0.775	15	1.00	1	1.00	PR3 0.90	408,596	1.00	1	1.00	R07	1.45	316,660
300	A	0.303	15	1.00	1	1.00	1 1.00	34,655	1.00	1	1.00	R07	1.45	10,500

TOTAL	1.078 Acres	ZONING	RES	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Nbhd	SOUTH TRURO	NOTE	FY20 SPLIT OUT OF 54-12			LAND	327,200	282,000
Infl1	NO ADJ		BUILDING	0	0			
Infl2	PAPER ROAD		DETACHED	0	0			
			OTHER	0	0			
			TOTAL	327,200	282,000			

DETACHED

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO

BUILDING

BUILDING	CD	ADJ	DESC	MEASURE
MODEL				LIST
STYLE				REVIEW
QUALITY				
FRAME				

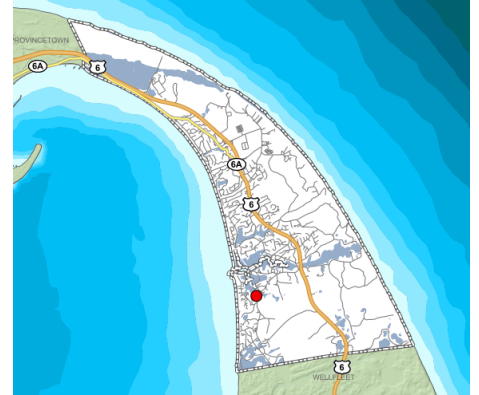
YEAR BLT	NET AREA	\$NLA(RCN)	SIZE ADJ	DETAIL ADJ	OVERALL	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN

TOTAL RCN	
CONDITION ELEM	CD
EFF.YR/AGE	
COND	
FUNC	
ECON	
DEPR	% GD
RCNLD	

TOWN OF TRURO - PROPERTY SUMMARY REPORT

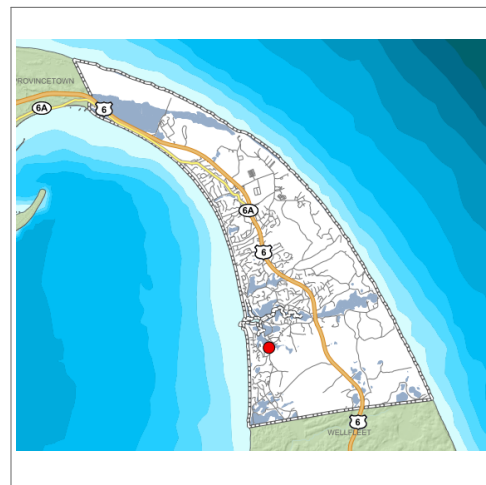
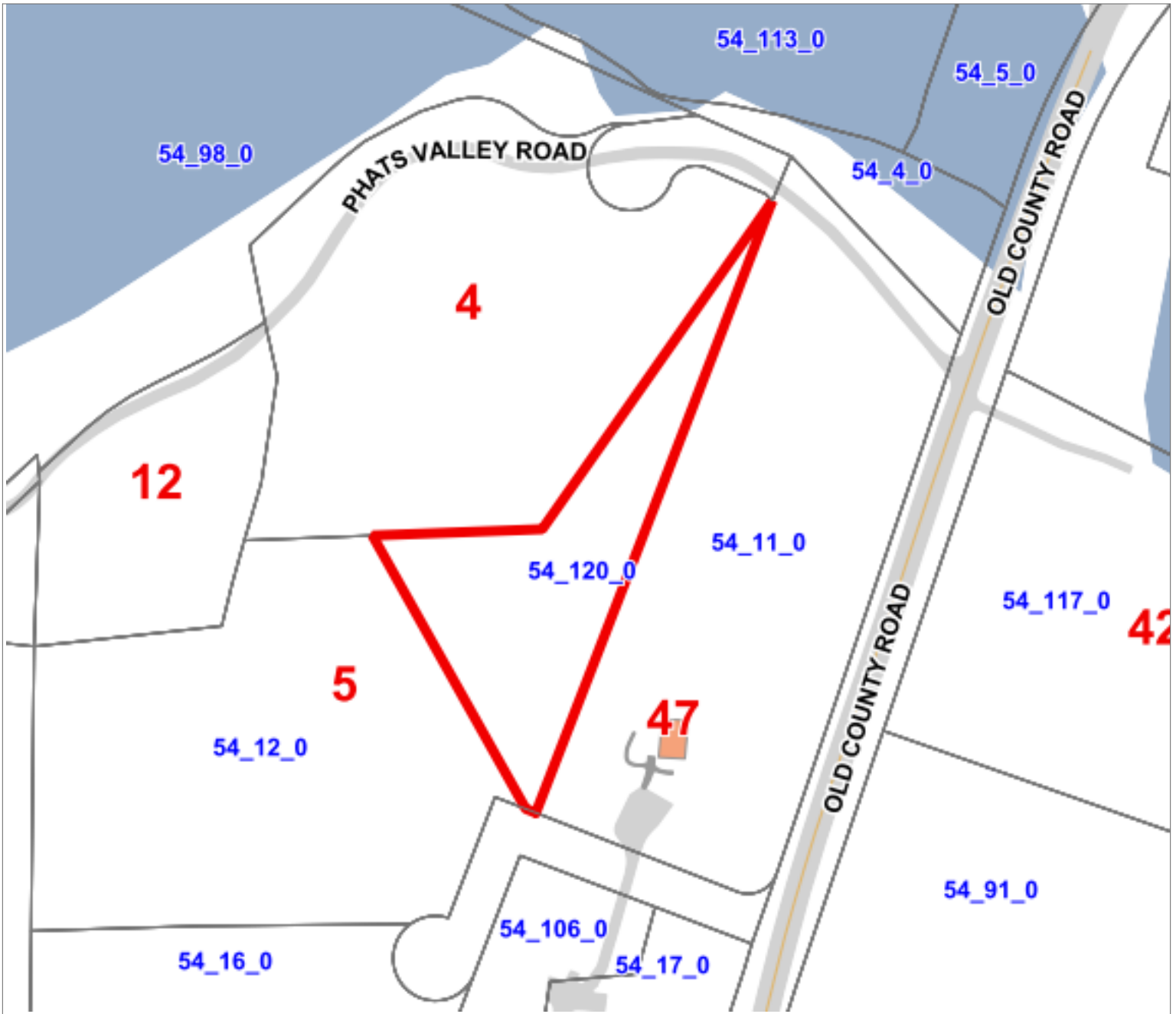
PARCEL	54-120-0	KEY:	7309	LOCATION:	4 FISHER HILL WAY
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CURRENT OWNER		FY 2023 PARCEL VALUE	
RUSSIANOFF SYLVIA,		LAND VAL:	\$327,200.00
128 ROCHELLE AVE		BUILDING VAL:	\$0.00
		DETACH VAL:	\$0.00
PHILADELPHIA, PA 19128		APPR VAL:	\$327,200.00
		TAX VAL:	\$327,200.00



STATE CLASS:	1300	ZONING:	RESIDENTIAL
DESCRIPTION:	DEV LAND	BILL SQ FT:	46970

SALES HISTORY				
OWNER	SALE TYPE	BOOK / PAGE	SALE DATE	SALE PRICE
RUSSIANOFF SYLVIA	99	18953 / 155	19-Aug-2004	\$ 0



N O T F I D U C I A R Y D E E N O T
A N A N

I, SYLVIA RUSSIANOFF, of Philadelphia, Pennsylvania, as Executrix of the
C O P Y C O P Y

Will of Penelope P. Russianoff, late of Sherman, Fairfield County, Connecticut, Barnstable

N O T N O T

County Massachusetts Probate Docket No. 03P1210FE-1, for consideration paid of One Dollar

O F F I C I A L O F F I C I A L

(\$1.00) and in consideration of the provisions of Article One, ~~C~~, ~~E~~, & grant to SYLVIA

RUSSIANOFF, individually, of 128 Rochelle Avenue, Philadelphia, Pennsylvania 19128, those three certain parcels of land in Truro, Barnstable County, Massachusetts, together with the buildings and other improvements, if any, thereon, known and numbered 5 Fisher Hill Way, Truro, Massachusetts, which parcels of land are bounded and described as follows:

Parcel I

Commencing at a concrete monument at the northwest corner of the premises, said monument being on the southern side of a way; thence

S 59°-27'-34" E by said way, a distance of twenty-two and 43/100 (22.43) feet, to a stake; thence

S 53°-56'-22" E still by said way, a distance of fifty-seven and 37/100 (57.37) feet, to a concrete monument by land of Lurana H. Cook et al; thence

S 00°-22'-47" W by land of said Cook, a distance of one hundred ten (110) feet, more or less, to the centerline of Bang's Creek, so called; thence

Southeasterly by the center line of Bang's Creek and by land of Cook, a distance of four hundred and ten (410) feet, more or less to a point; thence

N 25°-15'-00" W+/- by land of said Cook, a distance of eighty-five (85) feet, more or less, to a point; thence

N 28°-15'-00" E +/- by land of said Cook, a distance of one hundred sixty-five (165) feet, more or less, to a point;

S 39°-15'-00" E +/- by land of said Cook, a distance of eighty-two (82) feet, more or less, to a point by land of the Heirs of Adin Newton; thence

S 08°-15'-00" W +/- by land of said Newton Heirs, a distance of two hundred and two (202) feet, more or less, to the centerline of the aforementioned Bang's Creek; thence

Address of property: 5 Fisher Hill Way, Truro, Massachusetts

Southeasterly by the centerline of Bang's Creek and by land of said Newton Heirs and by land of Lurana H. Cook et al, a distance of seven hundred forty-two (742) feet, more or less, to a point on the westerly sideline of the Old County Road; thence

S 17°-58'-10" W by the westerly sideline of the Old County Road, a distance of one hundred thirty-seven (137) feet, more or less, to the edge of the upland of other land of the grantee, said land being Lot 4, as shown on Land Court Plan No. 25187^B; thence

Northwesterly by the edge of the upland of other land of the grantee, a distance of two hundred thirty-two (232) feet, more or less, to a concrete monument at the northeast corner of Parcel B as shown on the "Subdivision Plan" (as hereinafter defined); thence

N 66°-51'-39" W by said Parcel B, a distance of eight hundred forty-six and 37/100 (846.37) feet, to a point by land of Grace Deschamps et al; thence

N 00°-22'-47" E by land of said Deschamps, a distance of four hundred thirty-three and 27/100 (433.27) feet, to the point of commencement.

Reference is hereby made to the following:

(a) a plan entitled "Subdivision Plan of Land in Truro, Made for Penelope P. Russianoff and Harry Kahn, Scale: 1 In. = 80 Ft., Dec., 1976, by Slade Associates, Surveyors, Provincetown; Truro; & Main Street, Wellfleet, Massachusetts 02667", and recorded in the Barnstable County Registry of Deeds in Plan Book 313, Page 38 (referred to herein as the "Subdivision Plan"); and

(b) a plan entitled "Plan of Land in Truro, Made for Penelope P. Russianoff and Harry Kahn, Being a Division of Parcel B As Shown on a Plan entitled 'Subdivision Plan of Land in Truro, Made for Penelope P. Russianoff and Harry Kahn, Dated December, 1976, by Slade Associates, Surveyors,' dated February, 1977, by Slade Associates, Surveyors, East Main Street, Wellfleet, Massachusetts 02667," and recorded in the Barnstable County Registry of Deeds in Plan Book 313, Page 37 (referred to herein as the "Amendatory Plan").

The parcel described above (hereinafter referred to as "Parcel A") contains an area of 2.77 acres, more or less, and is shown as "Parcel A" on the Subdivision Plan referred to above.

There is appurtenant to Parcel A that certain easement for right of way purposes declared and created pursuant to that certain deed of even date herewith and to be recorded simultaneously herewith conveying from Harry Kahn and Penelope P. Russianoff to Harry Kahn the land described as "Parcel B" on the Amendatory Plan. Such easement permits access to Parcel A through and by means of such portions of such Parcel B as are described on the Subdivision Plan (a) as "Proprietors' Road" and (b) to be the right of way of former railroad lands running in a northerly direction along the western boundary of such Parcel B.

N O T Parcel III N O T
A N A N

Commencing at a concrete monument at the southwest corner of the premises by land of Harold C. Field and by Parcel C as shown on the Amendatory Plan referred to above; thence

N 13°-17'-15" E by land of said Field, a distance of thirty-nine and 73/100 (39.73) feet, to a concrete monument; thence

N 14°-15'-50" E by land of said Field, a distance of forty-two and 49/100 (42.49) feet, to a point by Parcel B as shown on the Amendatory Plan; thence

N 87°-52'-20" E by Parcel B, a distance of two hundred seventy-five and 11/100 (275.11) feet, to a concrete monument by Parcel C as shown on the Amendatory Plan; thence

S 72°-59'-48" W by Parcel C, a distance of three hundred seven and 98/100 (307.98) feet, to the point of commencement.

The parcel described above contains an area of 0.25 acres, more or less, and is shown as a triangular-shaped parcel labeled "This parcel to become part and remain part of Parcel C" on the Amendatory Plan.

For grantor's title see deed recorded in Barnstable County Registry of Deeds in Book 2577, Page 309. See also Estate of Penelope Russianoff (Barnstable Probate Docket No. 03P1210FE-1).

Executed as a sealed instrument this 7th day of August, 2004.

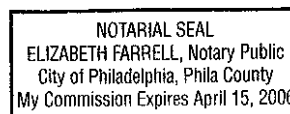
Sylvia Russianoff
Sylvia Russianoff, Executrix of the Will
of Penelope P. Russianoff

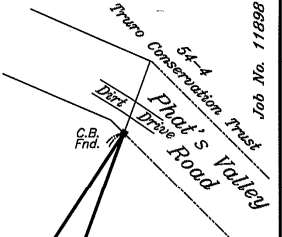
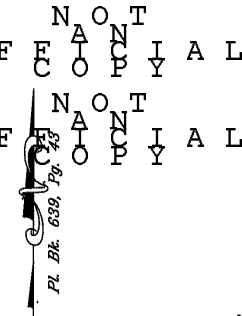
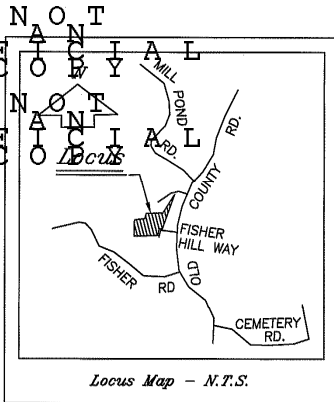
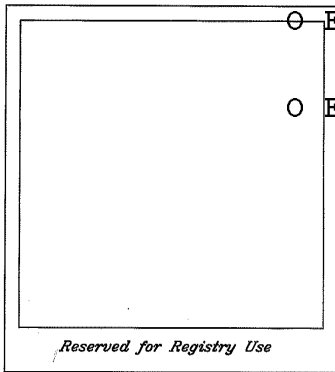
The Commonwealth of Massachusetts

On this 7th day of Aug, 2004, before me, the undersigned notary public, personally appeared SYLVIA RUSSIANOFF, and proved to me through satisfactory evidence of identification, which were PA DRIVER'S, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purposes.



Elizabeth Farrell
Notary Public
My Commission expires:





RECORD OWNER AND APPLICANT:

Sylvia Russianoff

PLAN NOTE:

This plan is a division of Parcel C-1, Pl. Bk. 639 Pg. 43.

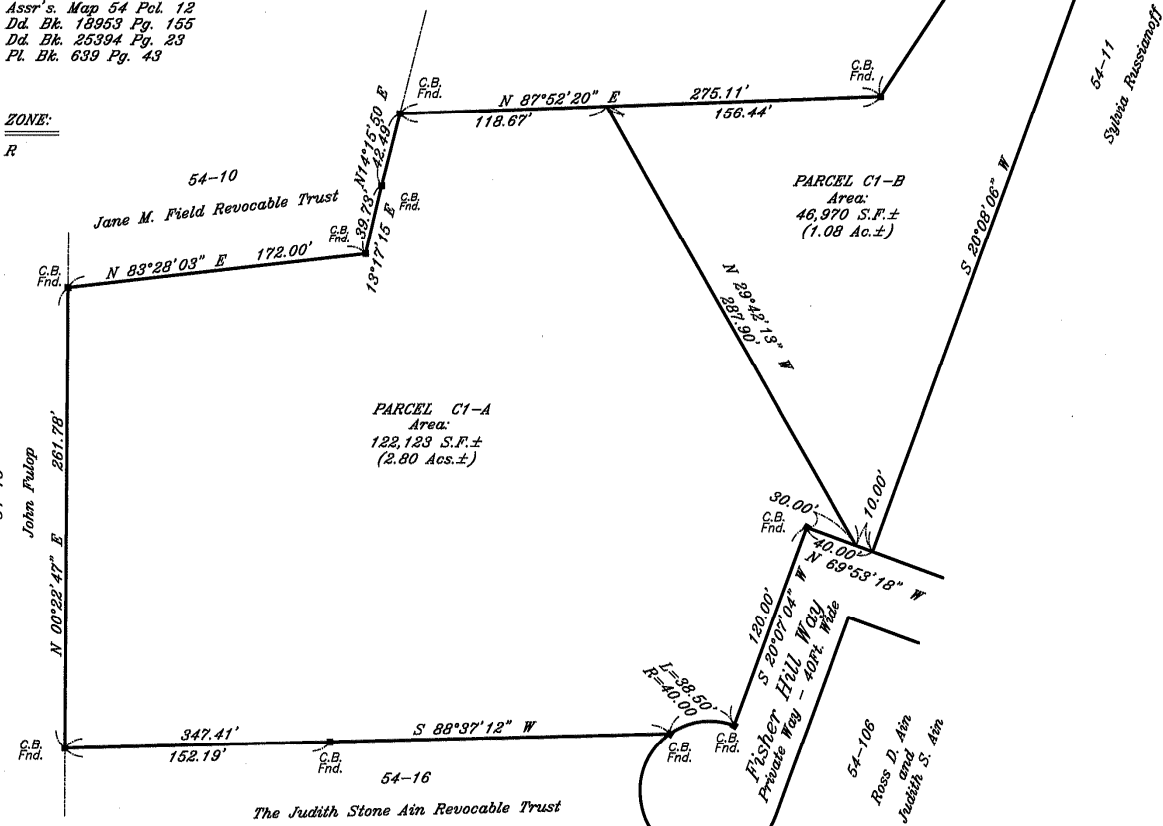
Parcel C1-B is not a buildable lot but is to be combined with abutting land owned by Sylvia Russianoff.

REFERENCES:

- Assr's. Map 54 Pol. 12
- Dd. Bk. 18953 Pg. 155
- Dd. Bk. 25394 Pg. 23
- Pl. Bk. 639 Pg. 43

ZONE:

R



TRURO PLANNING BOARD APPROVAL NOT REQUIRED

Date: Jan. 10, 2018

Henry Salberg
Kevin Walsh
Paul Keenan
Pat Hendley

Planning Board endorsement of this plan indicates only that the plan is not a subdivision under Section 81-L of the Massachusetts General Laws and does not indicate that the lot is buildable or that it meets Zoning, Health, Conservation or General By-Law requirements.

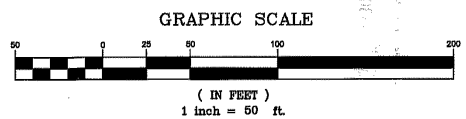
I certify that this plan has been prepared in conformity with the rules and regulations of the registers of deeds.

Philip P. Scholomiti Dec. 6, 2017
 Professional Land Surveyor Date



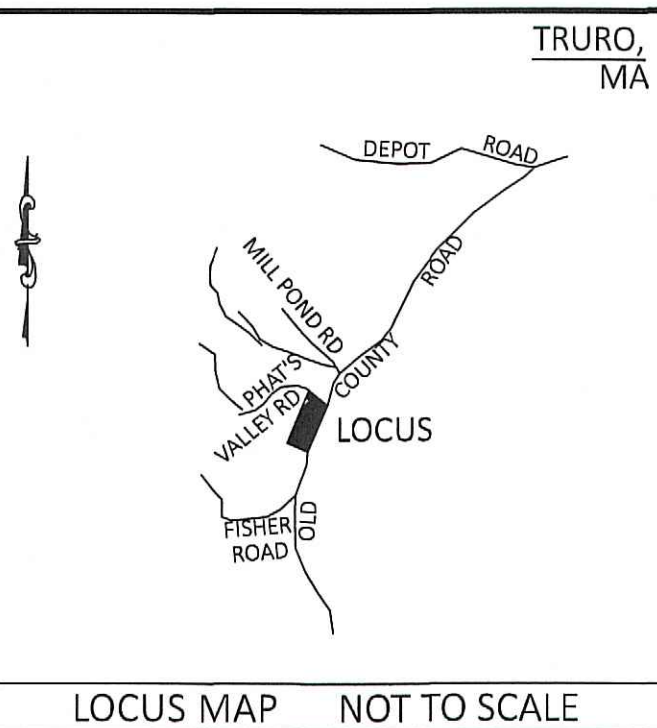
Division of Land
 in
 Truro, MA
 prepared for
 Sylvia Russianoff

Scale: 1" = 50' Date: December 6, 2017



Ryder & Wilcox, Inc.
 P.E. & P.L.S.
 So. Orleans, MA

RECEIVED AND RECORDED
 JAN 23 2 04 PM 2018
 REGISTRY OF DEEDS
 JOHN HEADE



- LEGEND:**
- CB CONCRETE BOUND
 - DH DRILL HOLE
 - FND FOUND

ZONING INFORMATION:

DISTRICT: RESIDENTIAL (R)
 MINIMUM LOT SIZE: 33,750 SF
 MINIMUM FRONTAGE: 150 FEET
 SETBACKS:
 FRONT: 25 FEET
 SIDE: 25 FEET
 REAR: 25 FEET
 MAX. HEIGHT: 30 FEET

OWNER OF RECORD:

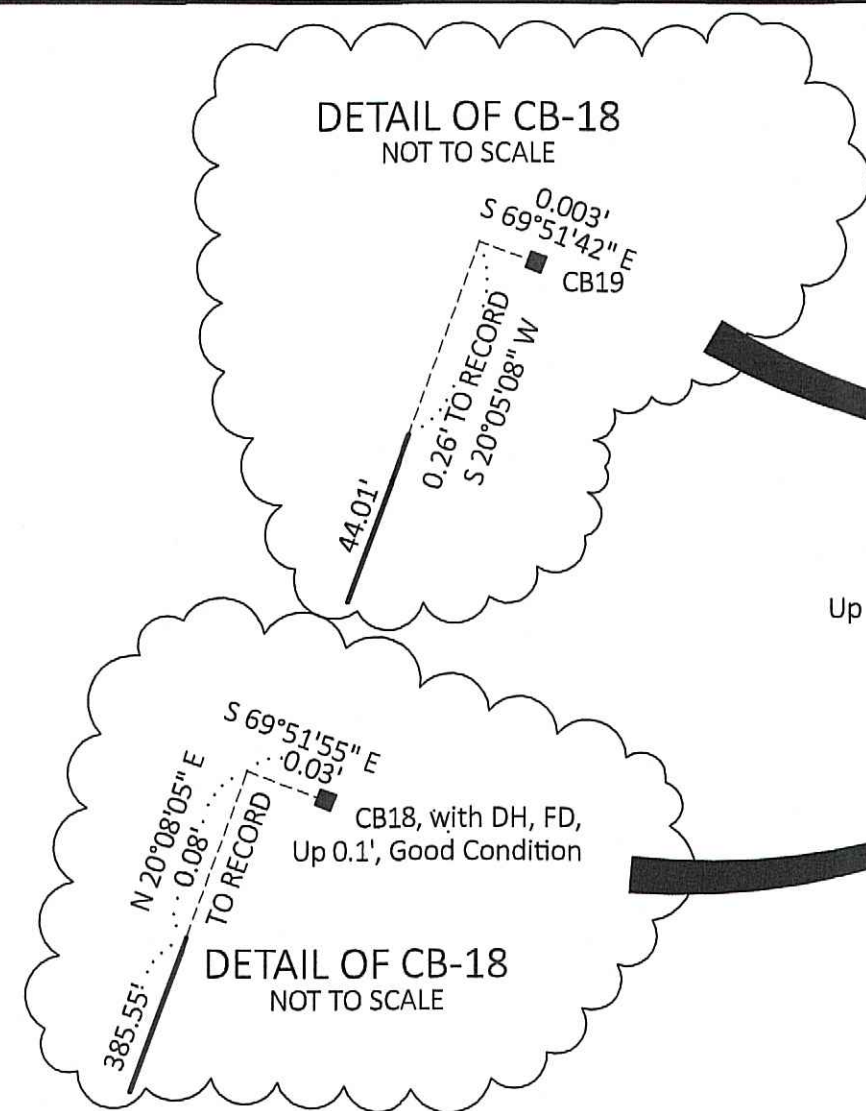
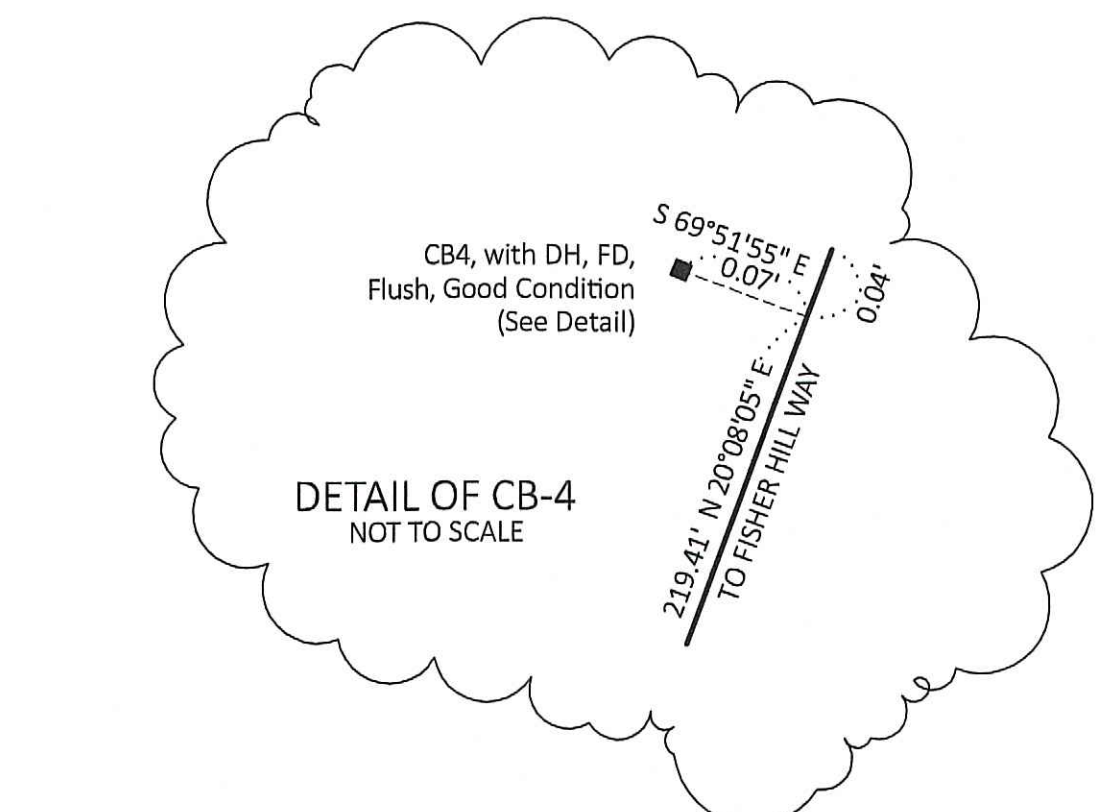
SYLVIA RUSSIANOFF
 128 ROCHELLE AVENUE
 PHILADELPHIA, PA 19128

LOCUS:

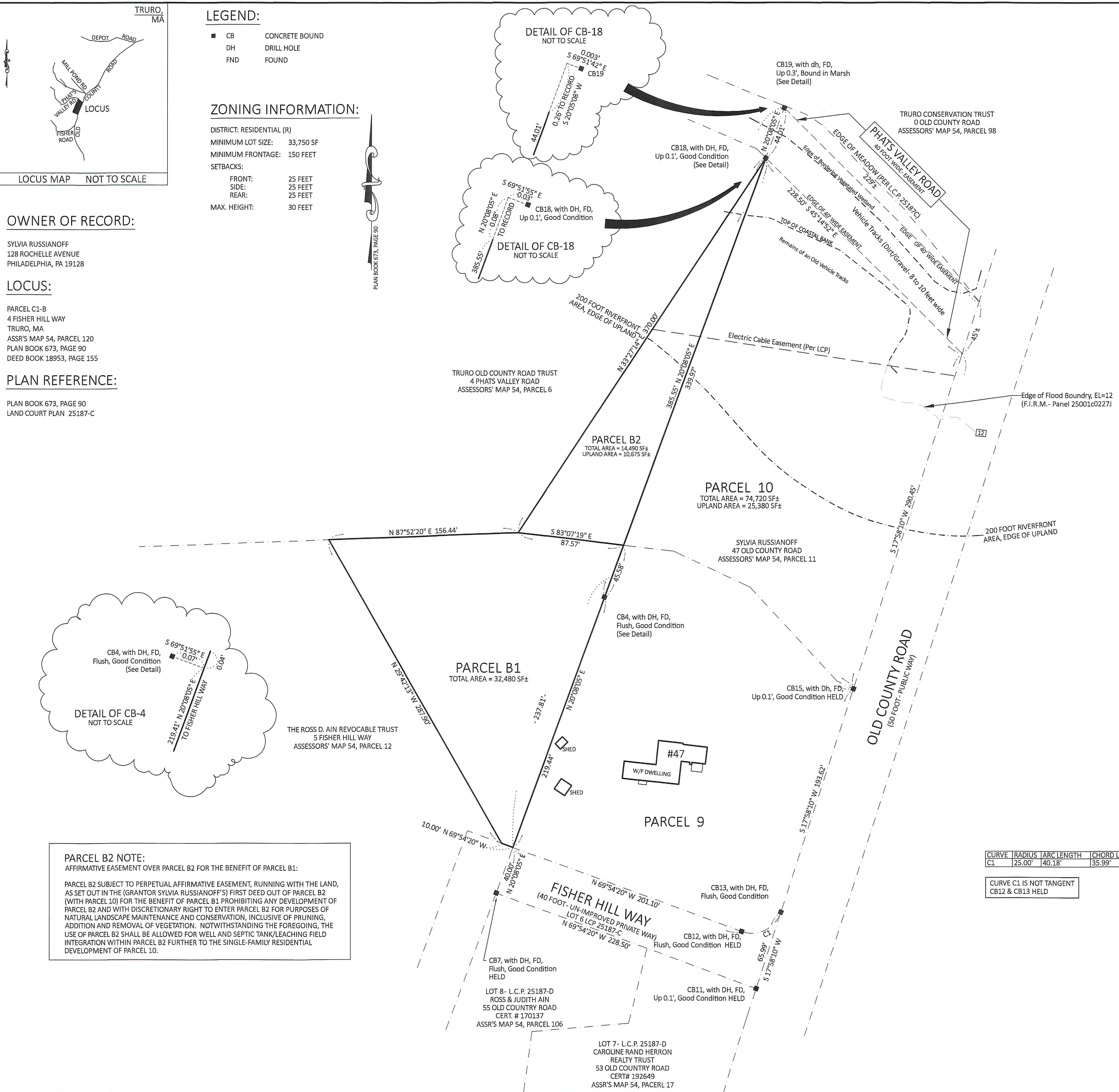
PARCEL C1-B
 4 FISHER HILL WAY
 TRURO, MA
 ASSR'S MAP 54, PARCEL 120
 PLAN BOOK 673, PAGE 90
 DEED BOOK 18953, PAGE 155

PLAN REFERENCE:

PLAN BOOK 673, PAGE 90
 LAND COURT PLAN 25187-C



PARCEL B2 NOTE:
 AFFIRMATIVE EASEMENT OVER PARCEL B2 FOR THE BENEFIT OF PARCEL B1:
 PARCEL B2 SUBJECT TO PERPETUAL AFFIRMATIVE EASEMENT, RUNNING WITH THE LAND, AS SET OUT IN THE (GRANTOR SYLVIA RUSSIANOFF'S) FIRST DEED OUT OF PARCEL B2 (WITH PARCEL 10) FOR THE BENEFIT OF PARCEL B1 PROHIBITING ANY DEVELOPMENT OF PARCEL B2 AND WITH DISCRETIONARY RIGHT TO ENTER PARCEL B2 FOR PURPOSES OF NATURAL LANDSCAPE MAINTENANCE AND CONSERVATION, INCLUSIVE OF PRUNING, ADDITION AND REMOVAL OF VEGETATION. NOTWITHSTANDING THE FOREGOING, THE USE OF PARCEL B2 SHALL BE ALLOWED FOR WELL AND SEPTIC TANK/LEACHING FIELD INTEGRATION WITHIN PARCEL B2 FURTHER TO THE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT OF PARCEL 10.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	40.18'	35.99'	N 63°57'52" E	92°04'38"

CURVE C1 IS NOT TANGENT
 CB12 & CB13 HELD

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS EFFECTIVE JANUARY 1, 1976 AND AMENDED JANUARY 7, 1988.

DATE 11-18-2022
 P.L.S. [Signature]
 JOHN M. O'REILLY
 NO. 46733
 PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON FEBRUARY 24, 2022 AND MARCH 10 & 11, 2022.

DATE 11-18-2022
 P.L.S. [Signature]
 JOHN M. O'REILLY
 NO. 46733
 PROFESSIONAL LAND SURVEYOR

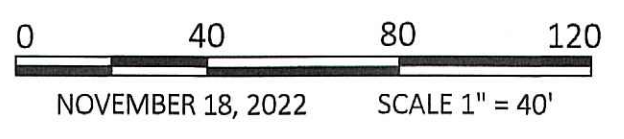
NO DETERMINATION OF COMPLIANCE WITH ZONING REQUIREMENTS HAS BEEN MADE OR IS INTENDED
 PURPOSE OF THIS PLAN IS TO DIVIDE PARCEL C1-B AS SHOWN ON PLAN BOOK 673, PAGE 90 INTO PARCEL B1 AND PARCEL B2. THE TWO LOTS ARE UNBUILDABLE DUE TO LACK OF FRONTAGE AND LAND AREA AND ARE TO BE COMBINED WITH PARCEL 9 AND PARCEL 10 RESPECTIVELY. APPROVAL FROM THE TRURO PLANNING BOARD IS NOT REQUIRED

TRURO PLANNING BOARD

DATE _____

PLAN OF LAND
 IN
 TRURO, MASSACHUSETTS
 4 FISHER HILL WAY
 AS SURVEYED AND PREPARED FOR
 SYLVIA RUSSIANOFF

PARCEL BEING SUBDIVIDED IS PARCEL C1-B AS SHOWN ON PLAN BOOK 673, PAGE 90



MADE BY
J.M. O'REILLY & ASSOCIATES, INC.
 1573 MAIN STREET, P.O. BOX 1773
 BREWSTER, MASSACHUSETTS 02631
 PHONE: (508) 896-6601
 WWW.JOREILLYASSOC.COM