

## **ADDENDUM “A”**

### **Request for Modification of a Definitive Subdivision Plan**

ML Real Estate Trust LLC, a Massachusetts limited liability company and Randolph Road Realty, LLC, a Massachusetts limited liability company both with addresses at 11 Randolph Road, Randolph, MA (collectively, the “Applicant”) respectfully request Planning Board approval for a modification of a certain Subdivision Plan, entitled: “Plan of Braintreeville Manor” Randolph Mass. Owned and Developed by HUB Realty Company, Inc., Boston, Mass., drawn by A.P. Trufant, C.E., Brockton & Whitman, dated October 24, 1925 recorded with the Norfolk County Registry of Deeds as Plan 998 of 1925 in Plan Book 1671, annexed hereto as Exhibit “A” (the “Original Plan”). The Original Plan laid out various streets in a grid-like pattern running north to south and east to west. The streets abutting the Applicant’s parcels were never built and remain unimproved, specifically, the following streets, as shown on the Original Plan:

- Genesee Street
- East Ave.
- Huntington Ave.
- Norwood Ave.
- Lincoln Ave.
- Wilson Boulevard.
- Garfield Avenue

The Applicant has prepared a plan entitled: “Road Abandonment Plan”, dated January 6, 2023 prepared by DiPrete Engineering (the “Plan”) showing the ownership of the lots as well as the consolidation of the lots and streets. The owners of record that will be affected by the modification of the Subdivision Plan are as follows:

1. ML Real Estate Trust LLC (“ML LLC”) is the record title holder of the parcels identified on the Town of Randolph Assessor’s Map as Parcel IDs: 17-F-1.01 and 17-G-2.3, as shown on the Plan.
2. Randolph Road Realty LLC (“RR LLC”) is the record title holder of the parcels identified on the Town of Randolph Assessor’s Map as Parcel IDs: 17-G-1.9; 17-D-1.02; 17-1-3; 17-1-2.192; 17-1-4.201; 17-H-1.Q; 17-H-2.554-5; 17-H-3.528-5; 17-1-D-1.Y; 17-K-1.R; 17-K-2; 17-J-7.1; 17-J-8.225-2; 17-L-1.S; 17-L-2.695; 17-D-5.704-7; 34-A-2.713-7; 17-J-15.756-7; 17-J-14.785; 34-A-3.739-7, all as shown on the Plan.
3. Phil Carlino (“Carlino”) is the record title holder of the parcels identified on the Town of Randolph Assessor’s Map as Parcel IDs: 17-D-3.583-5 and 17-D-4.650-6, as shown on the Plan<sup>1</sup>.

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<sup>1</sup> It is noted that the Carlino Parcels have recorded Instruments of Tax Takings which were recorded with the Norfolk County Registry of Deeds on April 24, 1998 in Book 12532, Pages 514 and 515. The Applicant and Carlino are in discussions regarding the conveyance of those parcels to the Applicant. However, because Applicant does not have control of the Carlino parcels and for purposes of this Request for Modification of a Definitive Subdivision Plan, portions of Garfield Avenue will not be included in this modification.

3. The Town of Randolph is the record title holder of the parcel identified on the Town of Randolph's Assessor's Map as Parcel ID: 17-K-2, as shown on the Plan (the "Town Parcel"). The Town Parcel is an undeveloped landlocked parcel which was recently voted and declared by Town Council as surplus property at its meeting on October 17, 2022. The Town intends to sell the Town Parcel by public auction in early February 2023. This Request for Modification of a Definitive Subdivision Plan assumes that the Applicant will be the successful bidder in the public auction and if the Plan is approved by the Planning Board, the Applicant will not record the approved Plan with the Norfolk Registry of Deeds until such time as the conveyance of the Town Parcel to the Applicant is consummated.

The Applicant is seeking to modify the Original Plan by eliminating the undeveloped private roads in the areas shown on the Plan so that all the lots can be combined into one or two larger developable lots. M.G.L. Chapter 183, Section 58 and otherwise known as the Derelict Fee Statute provides that title to the way "shall be to the center line of such a way." Therefore, as shown on the Plan, the resulting lots show ownership to the centerline of each private way. Access to a public street from the newly created lots will be from Randolph Road to North Street.