



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Legislation Details (With Text)

<b>File #:</b>	20-255	<b>Version:</b>	1	<b>Name:</b>	
<b>Type:</b>	Order	<b>Status:</b>		Passed	
<b>File created:</b>	11/19/2020	<b>In control:</b>		Town Council	
<b>On agenda:</b>	11/24/2020	<b>Final action:</b>		11/24/2020	
<b>Title:</b>	To consent to an "Access, Utilities and Communications Easement" as amended, between Laurence and Kathryn Clark and TPE ME WHO2, LLC, which includes an existing right of way granted by the Town of Windham known as Old Swett Road or Old Range Road; and to further authorize the Town Manager to take any other action related thereto to finalize the action.				

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 20-255 Cover Sheet, 2. WH02 Access and Utilities Easement 20201118

Date	Ver.	Action By	Action	Result
11/24/2020	1	Town Council	approved	Pass

### I. Council Action Requested.

To consent to an "Access, Utilities and Communications Easement" as amended, between Laurence and Kathryn Clark and TPE ME WHO2, LLC, which includes an existing right of way granted by the Town of Windham known as Old Swett Road or Old Range Road; and to further authorize the Town Manager to take any other action related thereto to finalize the action.

### II. Basis for Council Action.

Council approval of this item is required because;

- Article I, Section 2 of the Charter provides that "The Town may acquire property for any Town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation and may sell, lease, mortgage, hold, manage and control such property as its interest may require," and
- Article II, Section 3(I) of the Charter authorizes the Council to "Exercise all the legislative, financial, borrowing and other powers now or hereafter given by statute to inhabitants of towns acting in Town Meeting except as otherwise provided herein, and also exercise all the powers now or hereafter given by statute to municipal officers of towns."

### III. Issue Summary.

Please refer to the attached supporting materials.