

July 31, 1995

and the order was -  
Adopted.

The following order was now considered, the question being on adoption, to wit:

**ORDERED:** That the City Council authorizes the City Manager to convey these two parcels of land in Waltham to the Polaroid Corporation and to establish a minimum price acceptable to the City for the disposition of said parcels of \$34,500.

The question now came on authorizing the conveyance of these parcels and the roll was called and resulted as follows:

**YEAS:** Mayor Reeves, Councillors Born, Duehay, Galluccio, Myers, Russell, Sullivan, Toomey and Triantafillou  
-9

**NAYS:** None  
-0

**ABSENT:** None  
-0

and the order was -  
Adopted.

A communication was received from Robert W. Healy, City Manager, relative to a request from Polaroid Corporation by buy from the City of Cambridge, two small slivers of land abutting its property on Winter Street in Waltham.

The following order was now considered, the question being on adoption, to wit:

**ORDERED:** That this City Council go on record favoring the filing of the attached Home Rule Legislation entitled: "AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND SELL CERTAIN WATER RESOURCE LAND IN WALTHAM", which reads as follows:

The Commonwealth of Massachusetts

In The Year One Thousand Nine Hundred and Ninety-Five

An Act Authorizing the City of Cambridge to transfer and sell certain water resource land in waltham

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

POLAROID  
CORPORATION

July 31, 1995

and the order was -  
Adopted.

The following order was now considered, the question being on adoption, to wit:

**ORDERED:** That the City Council authorizes the City Manager to convey these two parcels of land in Waltham to the Polaroid Corporation and to establish a minimum price acceptable to the City for the disposition of said parcels of \$34,500.

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<b>YEAS:</b>	Mayor Reeves, Councillors Born, Duehay, Galluccio, Myers, Russell, Sullivan, Toomey and Triantafillou	-9
<b>NAYS:</b>	None	-0
<b>ABSENT:</b>	None	-0

and the order was -  
Adopted.

A communication was received from Robert W. Healy, City Manager, relative to a request from Polaroid Corporation by buy from the City of Cambridge, two small slivers of land abutting its property on Winter Street in Waltham.

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An Act Authorizing the City of Cambridge to transfer and sell certain water resource land in waltham

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

**POLAROID  
CORPORATION**

July 31, 1995

SALARY AND  
WAGES: ---

OTHER  
ORDINARY  
MAINTENANCE: \$20,000

TRAVEL AND  
TRAINING: ---

EXTRAORDINARY  
EXPENDITURES: ---

APPROPRIATIONS: \$20,000.00

BE IT FURTHER ORDERED: That the above appropriation in the General Fund to be financed by estimated revenues drawn from the following sources:

FINANCING PLAN: Property Taxes

REVENUE: \$20,000.00

The question now came on the adoption of the order and the roll was called and resulted as follows:

YEAS: Mayor Reeves, Councillors Born, Duehay,  
Galluccio, Myers, Russell, Sullivan,  
Toomey and Triantafillou -9

NAYS: None -0

ABSENT: None -0

and the order was -  
Adopted.

The following order was now considered, the question being on adoption,  
to wit:

ORDERED: That the City Council go on record declaring 6236 square feet of land located in Waltham available for sale pursuant to Chapter 30B of the Massachusetts General Laws.

The question now came on Declaring the availability under M.G.L. Chapter 30B of 6,236 Sq. Ft. of Cambridge land located in Waltham and the roll was called and resulted as follows:

YEAS: Mayor Reeves, Councillors Born, Duehay, Galluccio, Myers,  
Russell, Sullivan, Toomey and Triantafillou -9

NAYS: None -0

ABSENT: None -0



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

FAX (617) 349-4307

D. MARGARET DRURY  
CITY CLERK

JOHN E. FLYNN  
DEPUTY CITY CLERK

August 3, 1995

The Honorable Timothy J. Toomey, Jr.  
House of Representatives  
State House  
Boston, MA 02133

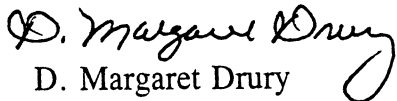
Dear Representative Toomey:

Pursuant to the request of the City Council in accordance with the arrangements made previously with Speaker Flaherty, I am forwarding to you for filing with the Massachusetts House of Representatives, the enclosed order adopted by the Cambridge City Council at its meeting held on July 31, 1995 approving the filing of the following attached legislation as follows:

**AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND SELL CERTAIN WATER RESOURCE LAND IN WALTHAM.**

It is my understanding that upon receipt of this legislation you and your staff will review the text of the enclosed legislation to determine its appropriateness for filing and if any changes or corrections are necessary, your office will contact me as soon as possible.

Very truly yours,

  
D. Margaret Drury  
City Clerk

DMD/dl

Enc. (1)

c.c. Speaker Charles F. Flaherty  
Representative Alvin Thompson



# City of Cambridge

Agenda Item No. 26

IN CITY COUNCIL  
July 31, 1995

ORDERED: That this City Council go on record favoring the filing of the attached Home Rule Legislation entitled: "AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND SELL CERTAIN WATER RESOURCE LAND IN WALTHAM."

In City Council July 31, 1995.  
Adopted by a yea and nay vote:-  
Yeas 9; Nays 0; Absent 0.  
Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-  
D. Margaret Drury  
City Clerk

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts  
in General Court assembled.

The undersigned, citizens of Cambridge, respectfully  
petition for the passage of the accompanying bill or resolve, and/or for legislation.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND SELL  
CERTAIN WATER RESOURCE LAND IN WALTHAM.

Petitioners are requested to sign names and addresses legibly.

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Michael A. Kelly  
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Sheela T. Gunesel  
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5 Hawthorne Park Camb MA  
02138  
88 Sixth St Cambridge 0214  
31 Chalk St  
3 Walnut Ave Cambridge 021



# The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-

## AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND  
SELL CERTAIN WATER RESOURCE LAND IN WALTHAM

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The City of Cambridge is hereby authorized to sell and transfer two, small, triangular parcels of land which are no longer required for public purposes. The land consists of the following described premises now owned and held by said City for the public purpose of providing clean natural water resources: -

A portion of the land owned by the City of Cambridge, on the westerly side of Winter Street in the City of Waltham, Middlesex County, Massachusetts, said portion being shown as Lots A and B on a plan entitled "Plan of Land in Waltham, Massachusetts Showing Land Owned by the City of Cambridge to be Conveyed to Polaroid Corporation," Scale 1" = 80', dated July 17, 1995, prepared by Martinage Engineering Associates, Inc. Civil - Environmental Engineers and Land Surveyors, 131 Main Street, Reading, Massachusetts, said lots being further bounded and described as follows:

LOT A

Beginning at the northernmost point of Lot A, on the westerly sideline of Winter Street as shown on said plan;

thence running southerly by the westerly sideline of Winter Street, by a curved line to the left having a radius of two thousand forty and 00/100 feet (2040.00'), a length of one hundred fifty-two and 35/100 feet (152.35') to a point;

thence running southerly by the westerly sideline of Winter Street, S 16 degrees 54' 34" W, a distance of eighty and 40/100 feet (80.40') to a point at the remaining land of the City of Cambridge;

thence running northwesterly by the remaining land of said City of Cambridge, N 66 degrees 34' 05" W, a distance of thirty seven and 82/100 feet (37.82') to a point at the land of Polaroid Corporation as shown on Land Court Plan 30618B;

thence running northeasterly by the land of said Polaroid Corporation, N 27 degrees 38' 25" E, a distance of two hundred

thirty-two and 38/100 feet (232.38') to a point on the westerly sideline of Winter Street as shown on Land Court Plan 30618B and the point of beginning.

Said Lot A containing 4,010 square feet, more or less as shown on said plan.

Meaning and intending to convey all of the land of the City of Cambridge between the land of Polaroid Corporation as shown on Land Court Plan 30618B and the westerly sideline of Winter Street which lies northerly of the easterly extension of the southerly property line of said Polaroid Corporation.

LOT B

Beginning at the northernmost point of Lot B, on the easterly property line of the land of Polaroid Corporation as shown on Land Court Plan 30618B, at the land of London & Leeds, NDAI Bay Colony I Realty Trust as shown on Land Court Plan 41218C;

thence running southeasterly by the remaining land of the City of Cambridge, S 58 degrees 07' 15" E, a distance of eighteen and 35/100 feet (18.35) to a point on the westerly sideline of Winter Street as shown on Land Court Plan 30618B;

thence running southwesterly by the westerly sideline of said Winter Street, by a curved line to the right having a radius of one thousand five hundred sixty and 00/100 feet (1560.00'), a length of one hundred ninety-seven and 82/100 feet (197.82') to a point at the land of Polaroid Corporation as shown on Land Court Plan 30618B;

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ninety-eight and 20/100 feet (198.20) to a point at the land of London & Leeds, NDAI Bay Colony I Realty Trust as shown on Land Court Plan 41218C and the point of beginning.

Said Lot B containing 2,226 square feet, more or less as shown on said plan.

Meaning and intending to convey all of the land of the City of Cambridge between the land of Polaroid Corporation as shown on Land Court Plan 30618B and the westerly sideline of Winter Street which lies southerly of the easterly extension of the northerly property line of said Polaroid Corporation.

**SECTION 2.** This act shall take full effect upon its passage.

Approved: [date]



# City of Cambridge

Agenda Item No. 26

IN CITY COUNCIL  
July 31, 1995

**ORDERED:** That this City Council go on record favoring the filing of the attached Home Rule Legislation entitled: "AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND SELL CERTAIN WATER RESOURCE LAND IN WALTHAM."

In City Council July 31, 1995.  
Adopted by a yea and nay vote:-  
Yeas 9; Nays 0; Absent 0.  
Attest:- D. Margaret Drury, City Clerk.

A true copy;

*D. Margaret Drury*

ATTEST:-

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To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts  
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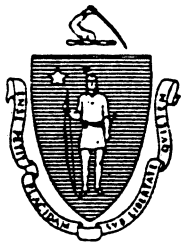
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IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-

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# City of Cambridge

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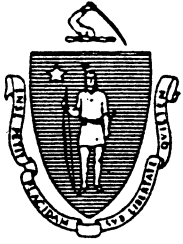
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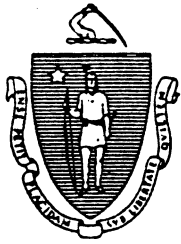
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Adopted by a yea and nay vote:-  
Yeas 9; Nays 0; Absent 0.  
Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

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To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts  
in General Court assembled.

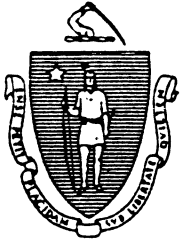
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Petitioners are requested to sign names and addresses legibly.

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# The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-

## AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND  
SELL CERTAIN WATER RESOURCE LAND IN WALTHAM

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The City of Cambridge is hereby authorized to sell and transfer two, small, triangular parcels of land which are no longer required for public purposes. The land consists of the following described premises now owned and held by said City for the public purpose of providing clean natural water resources: -

A portion of the land owned by the City of Cambridge, on the westerly side of Winter Street in the City of Waltham, Middlesex County, Massachusetts, said portion being shown as Lots A and B on a plan entitled "Plan of Land in Waltham, Massachusetts Showing Land Owned by the City of Cambridge to be Conveyed to Polaroid Corporation," Scale 1" = 80', dated July 17, 1995, prepared by Martinage Engineering Associates, Inc. Civil - Environmental Engineers and Land Surveyors, 131 Main Street, Reading, Massachusetts, said lots being further bounded and described as follows:

LOT A

Beginning at the northernmost point of Lot A, on the westerly sideline of Winter Street as shown on said plan;

thence running southerly by the westerly sideline of Winter Street, by a curved line to the left having a radius of two thousand forty and 00/100 feet (2040.00'), a length of one hundred fifty-two and 35/100 feet (152.35') to a point;

thence running southerly by the westerly sideline of Winter Street, S 16 degrees 54' 34" W, a distance of eighty and 40/100 feet (80.40') to a point at the remaining land of the City of Cambridge;

thence running northwesterly by the remaining land of said City of Cambridge, N 66 degrees 34' 05" W, a distance of thirty seven and 82/100 feet (37.82') to a point at the land of Polaroid Corporation as shown on Land Court Plan 30618B;

thence running northeasterly by the land of said Polaroid Corporation, N 27 degrees 38' 25" E, a distance of two hundred

thirty-two and 38/100 feet (232.38') to a point on the westerly sideline of Winter Street as shown on Land Court Plan 30618B and the point of beginning.

Said Lot A containing 4,010 square feet, more or less as shown on said plan.

Meaning and intending to convey all of the land of the City of Cambridge between the land of Polaroid Corporation as shown on Land Court Plan 30618B and the westerly sideline of Winter Street which lies northerly of the easterly extension of the southerly property line of said Polaroid Corporation.

LOT B

Beginning at the northernmost point of Lot B, on the easterly property line of the land of Polaroid Corporation as shown on Land Court Plan 30618B, at the land of London & Leeds, NDAI Bay Colony I Realty Trust as shown on Land Court Plan 41218C;

thence running southeasterly by the remaining land of the City of Cambridge, S 58 degrees 07' 15" E, a distance of eighteen and 35/100 feet (18.35) to a point on the westerly sideline of Winter Street as shown on Land Court Plan 30618B;

thence running southwesterly by the westerly sideline of said Winter Street, by a curved line to the right having a radius of one thousand five hundred sixty and 00/100 feet (1560.00'), a length of one hundred ninety-seven and 82/100 feet (197.82') to a point at the land of Polaroid Corporation as shown on Land Court Plan 30618B;

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ninety-eight and 20/100 feet (198.20) to a point at the land of London & Leeds, NDAI Bay Colony I Realty Trust as shown on Land Court Plan 41218C and the point of beginning.

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**SECTION 2.** This act shall take full effect upon its passage.

Approved: [date]



# City of Cambridge

Agenda Item No. 26

IN CITY COUNCIL  
July 31, 1995

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Yeas 9; Nays 0; Absent 0.  
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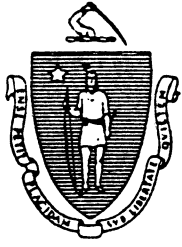
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# The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-

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Approved: [date]



# City of Cambridge

Agenda Item No. 26

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July 31, 1995

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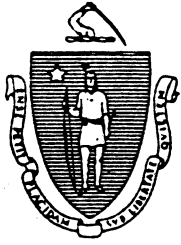
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# The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-

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Approved: [date]



# City of Cambridge

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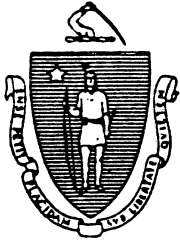
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# The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-

## AN ACT

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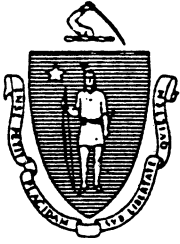
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In City Council July 31, 1995.  
Adopted by a yea and nay vote:-  
Yeas 9; Nays 0; Absent 0.  
Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-  
D. Margaret Drury  
City Clerk

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts  
in General Court assembled.

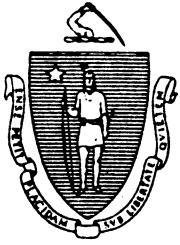
The undersigned, citizens of Cambridge, respectfully  
petition for the passage of the accompanying bill or resolve, and/or for legislation.

AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND SELL  
CERTAIN WATER RESOURCE LAND IN WALTHAM.

Petitioners are requested to sign names and addresses legibly.

*Catherine Triantafyllou*  
*Kenneth E. Reena*  
*Michael A. Skell*  
*Wm. S. Dooling*  
*Anthony D. Hallis*  
*Sheela T. Gussner*  
*Ernest J. ...*  
*Matthew S. Myers*  
*Kathleen S. Bern*

50 Reed St.  
11 Everett Street  
28 Putnam Avenue  
26 LOWELL STREET  
86 Buckingham St Cambridge Ma  
5 Hawthorne Park Camb Ma  
02138  
88 Sixth St Cambridge 02141  
31 Chalk St  
3 Walnut Ave Cambridge 02141



# The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-

## AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO TRANSFER AND  
SELL CERTAIN WATER RESOURCE LAND IN WALTHAM

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. The City of Cambridge is hereby authorized to sell and transfer two, small, triangular parcels of land which are no longer required for public purposes. The land consists of the following described premises now owned and held by said City for the public purpose of providing clean natural water resources: -

A portion of the land owned by the City of Cambridge, on the westerly side of Winter Street in the City of Waltham, Middlesex County, Massachusetts, said portion being shown as Lots A and B on a plan entitled "Plan of Land in Waltham, Massachusetts Showing Land Owned by the City of Cambridge to be Conveyed to Polaroid Corporation," Scale 1" = 80', dated July 17, 1995, prepared by Martinage Engineering Associates, Inc. Civil - Environmental Engineers and Land Surveyors, 131 Main Street, Reading, Massachusetts, said lots being further bounded and described as follows:

LOT A

Beginning at the northernmost point of Lot A, on the westerly sideline of Winter Street as shown on said plan;

thence running southerly by the westerly sideline of Winter Street, by a curved line to the left having a radius of two thousand forty and 00/100 feet (2040.00'), a length of one hundred fifty-two and 35/100 feet (152.35') to a point;

thence running southerly by the westerly sideline of Winter Street, S 16 degrees 54' 34" W, a distance of eighty and 40/100 feet (80.40') to a point at the remaining land of the City of Cambridge;

thence running northwesterly by the remaining land of said City of Cambridge, N 66 degrees 34' 05" W, a distance of thirty seven and 82/100 feet (37.82') to a point at the land of Polaroid Corporation as shown on Land Court Plan 30618B;

thence running northeasterly by the land of said Polaroid Corporation, N 27 degrees 38' 25" E, a distance of two hundred

thirty-two and 38/100 feet (232.38') to a point on the westerly sideline of Winter Street as shown on Land Court Plan 30618B and the point of beginning.

Said Lot A containing 4,010 square feet, more or less as shown on said plan.

Meaning and intending to convey all of the land of the City of Cambridge between the land of Polaroid Corporation as shown on Land Court Plan 30618B and the westerly sideline of Winter Street which lies northerly of the easterly extension of the southerly property line of said Polaroid Corporation.

LOT B

Beginning at the northernmost point of Lot B, on the easterly property line of the land of Polaroid Corporation as shown on Land Court Plan 30618B, at the land of London & Leeds, NDAI Bay Colony I Realty Trust as shown on Land Court Plan 41218C;

thence running southeasterly by the remaining land of the City of Cambridge, S 58 degrees 07' 15" E, a distance of eighteen and 35/100 feet (18.35) to a point on the westerly sideline of Winter Street as shown on Land Court Plan 30618B;

thence running southwesterly by the westerly sideline of said Winter Street, by a curved line to the right having a radius of one thousand five hundred sixty and 00/100 feet (1560.00'), a length of one hundred ninety-seven and 82/100 feet (197.82') to a point at the land of Polaroid Corporation as shown on Land Court Plan 30618B;

thence running northeasterly by the land of said Polaroid Corporation, N 27 degrees 38' 25" E, a distance of one hundred

ninety-eight and 20/100 feet (198.20) to a point at the land of London & Leeds, NDAI Bay Colony I Realty Trust as shown on Land Court Plan 41218C and the point of beginning.

Said Lot B containing 2,226 square feet, more or less as shown on said plan.

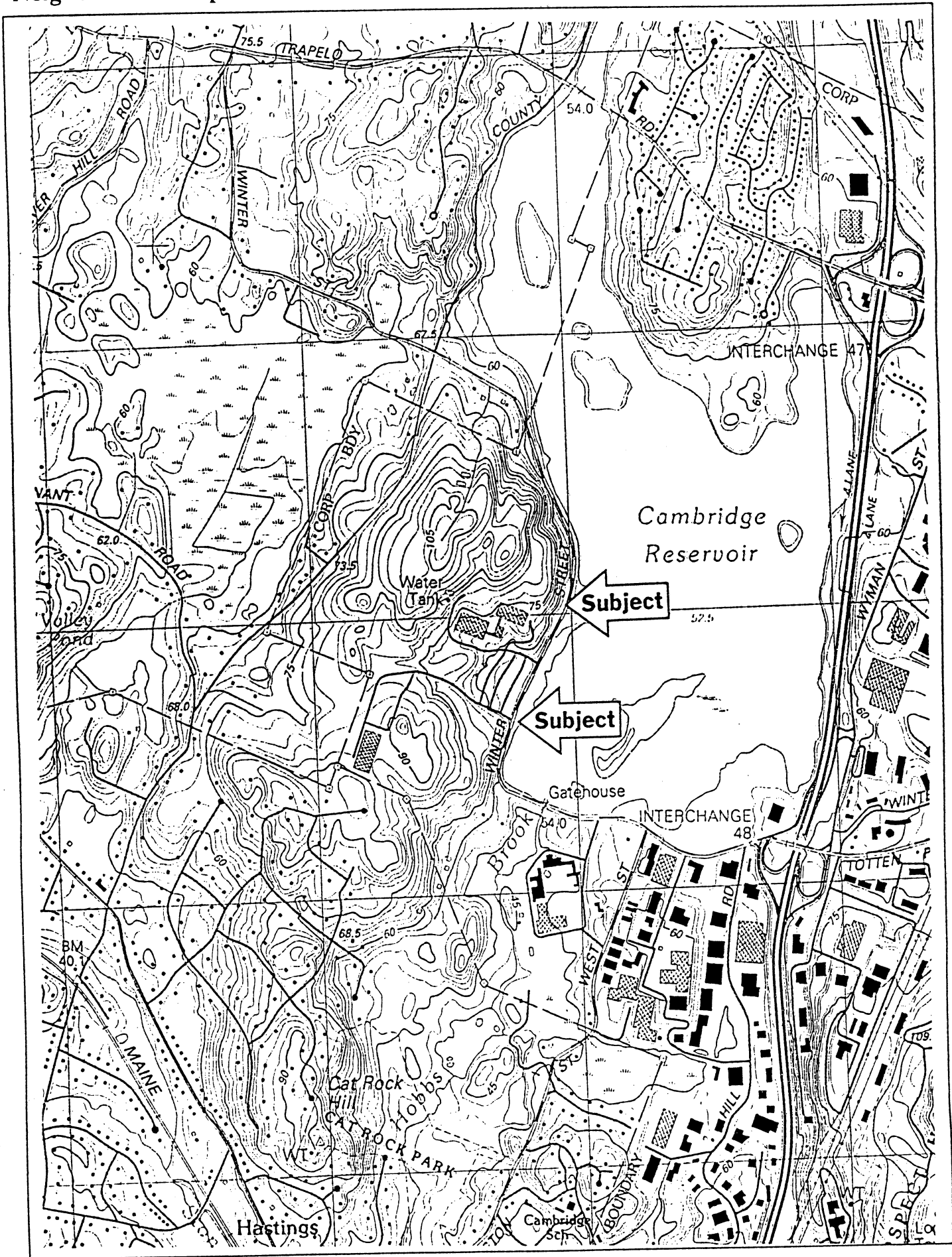
Meaning and intending to convey all of the land of the City of Cambridge between the land of Polaroid Corporation as shown on Land Court Plan 30618B and the westerly sideline of Winter Street which lies southerly of the easterly extension of the northerly property line of said Polaroid Corporation.

**SECTION 2.** This act shall take full effect upon its passage.

Approved: [date]

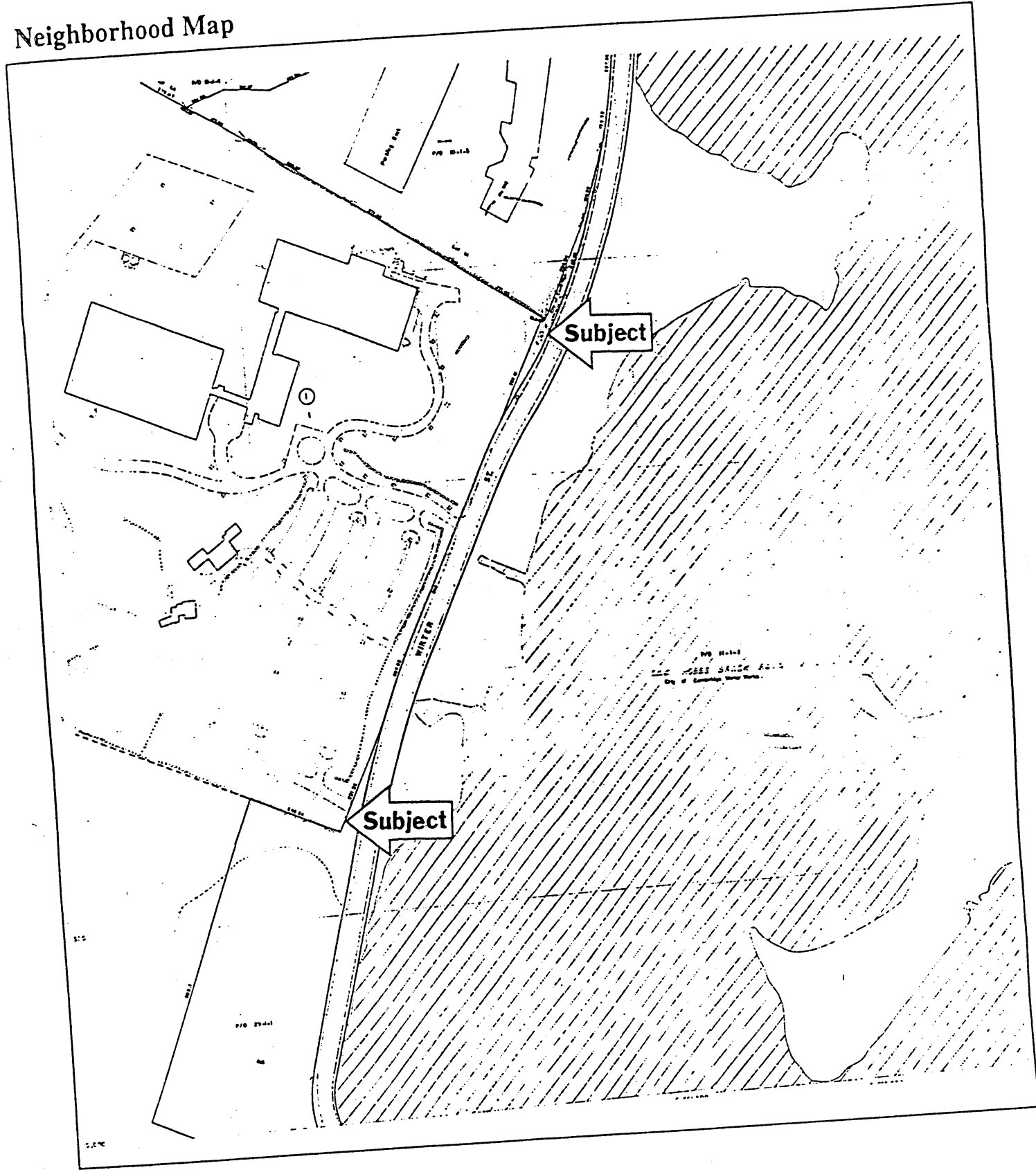
Winter Street  
Waltham, Massachusetts

Neighborhood Map

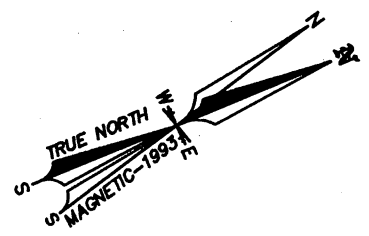


Winter Street  
Waltham, Massachusetts

### Neighborhood Map

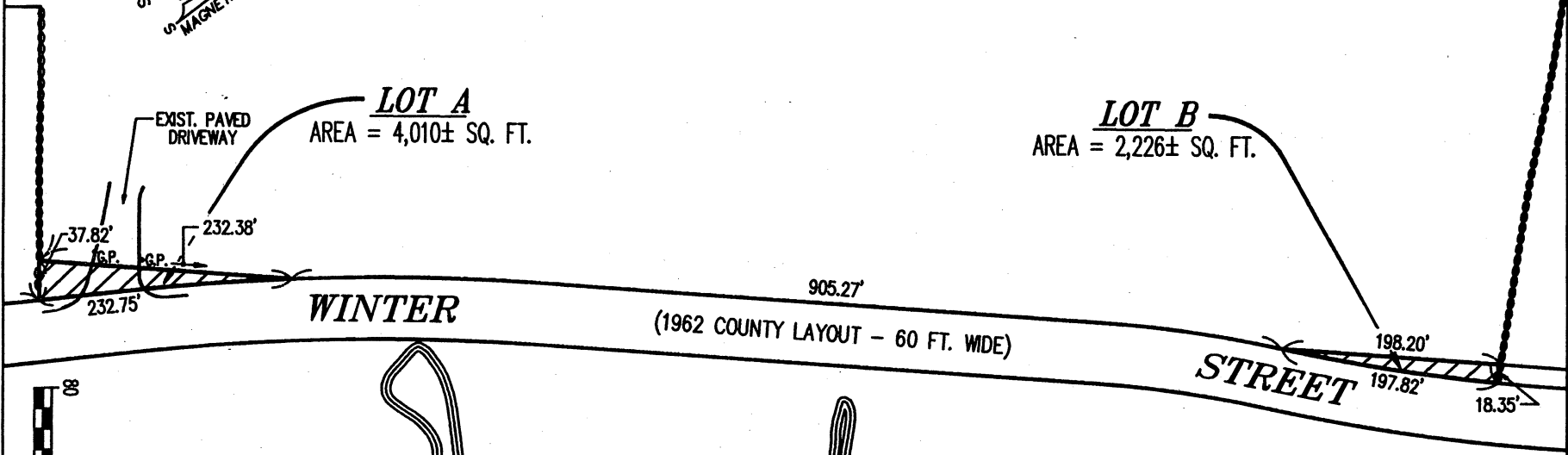


**POLAROID CORPORATION**  
**LOT 1 - L.C.C. 30618-B**  
AREA = 102.05± ACRES



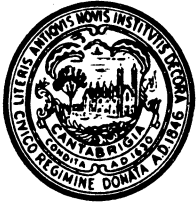
**LOT A**  
AREA = 4,010± SQ. FT.

**LOT B**  
AREA = 2,226± SQ. FT.



PORTION OF LAND  
OWNED BY THE  
CITY OF CAMBRIDGE  
ON THE WESTERN SIDE OF  
WINTER STREET  
WALTHAM, MASS.

**CITY OF CAMBRIDGE**  
**(CAMBRIDGE RESERVOIR)**



CITY OF CAMBRIDGE  
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300  
FAX. 349-4307

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

RICHARD C. ROSSI  
Deputy City Manager

July 31, 1995

To the Honorable, the City Council:

INTRODUCTION:

Polaroid Corporation, which has a facility in Waltham near the Cambridge Reservoir, has asked the City to sell it two small slivers of land abutting its property on Winter Street in Waltham. This land totals 6,236 square feet in size, and would complete Polaroid's frontage along Winter Street. Initially, this transaction began in 1961 and due to several complications outlined in the background section below, was never consummated. At this time, Polaroid is interested in completing the disposition.

As you know, in order to dispose of city-owned land the City must comply with its City ordinance as well as State law. In addition because this land is technically a part of the Cambridge Reservoir and was taken by eminent domain for this purpose in the 1890's, additional State laws apply as well. These are also outlined below.

RECOMMENDATIONS:

- (1) Declare 6,236 square feet (sf) of Cambridge land located in Waltham available for disposition, pursuant to M.G.L. Chapter 30B, the Uniform Procurement Act. This land abuts Winter Street in Waltham, and consists of two small slivers of land. This land is technically within the Cambridge Watershed; the Cambridge Water Board has declared the land to be no longer required for purposes related to the waterworks.

The slivers consists of two triangular parcels of land. The first contains approximately 4,010 square feet, with the legs of the triangle being approximately 38 feet, 232 feet and 233 feet in length, respectively. The second contains approximately 2,226 square feet, with the legs of the triangle being approximately 18 feet, 198 feet and 198 feet respectively.

- (2) Authorize the conveyance of these parcels and set the minimum price acceptable to the City for this disposition, pursuant to M.G.L. chapter 40 sections 15 and 15B. Since the parcels are located in Waltham, State law requires that the City first offer the land, at the minimum price set by the City Council, to the City of Waltham. I recommend this to be \$34,500.

The City hired two independent appraisers to appraise the value of this land. These appraisals came in at \$25,000 and \$44,000. I am recommending that the minimum price be set at the average of these two appraisals or \$34,500.

- (3) **Vote to submit the attached home rule petition to the State Legislature.** Article 97 of the Amendments to the Massachusetts Constitution requires a two-thirds vote of each branch of the Legislature to dispose of land taken or acquired for, among other purposes, protection of the people in their right to conserve water. This land, as part of a much larger parcel, was taken by eminent domain in the 1800's for the Cambridge Reservoir.

**BACKGROUND:**

In December, 1960 Waltham Resources Corporation (WRC), a wholly owned subsidiary of Polaroid Corporation, acquired land on Winter Street in Waltham. The land acquired had no direct frontage on Winter Street, being separated from Winter Street by a strip of City of Cambridge land approximately seven feet wide. This area is part of the large area originally acquired for the Cambridge Reservoir. The narrow strip of land was created when the City of Waltham relocated Winter Street to accommodate the borders of the Reservoir.

WRC requested that of Cambridge convey the strip of land to WRC in order to obtain frontage for its property. The Cambridge Water Board voted to release the land at its October, 1960 meeting. The City Council voted to convey the property to WRC on June 12, 1961. The vote authorized the City Manager to sell 0.54 acres of land (approximately 23,500 sf of land) to WRC.

The sale authorized by the vote never took place, due to several complicating factors. First, Winter Street was widened by the Middlesex County Commissioners on December 28, 1962; this involved the taking of most of the Cambridge land to be conveyed to WRC. As a result of this taking, WRC was provided with substantial direct frontage on Winter Street. The only portion of the 23,500 sf parcel not taken by the County were two small slivers of land totaling approximately 6,300 sf. The second factor which deferred the sale was that the City of Cambridge was required to offer the property to the City of Waltham as provided in a then recently enacted law regarding disposition of land owned by one municipality but located in another (M.G.L. c. 40 section 15). A court case involving the conveyance by Cambridge of another unrelated parcel of land in Waltham dealt with the interpretation of the new law requiring Cambridge to first offer the property to the City of Waltham. This case was not resolved until 1969, further delaying the completion of the transaction contemplated by the 1961 City Council vote.

In 1963 WRC was dissolved and Polaroid Corporation became the owner of its Waltham land. Polaroid developed the property in the mid-1960's.

Polaroid would now like to conclude acquisition of these two remaining slivers of land to complete its frontage on Winter Street along the entire length of its property. One of the driveways to Polaroid's facility goes over one of these slivers, and Polaroid would like to ensure its rights to maintain this access.

On February 2, 1995, the Cambridge Water Board, which has jurisdiction over land in the Cambridge watershed, voted unanimously on the motion: "...having taken into account the absence of water quality implications, the Water Board does not object to

the sale of two slivers of land to Polaroid." This motion was amended at its April 6, 1995 meeting to state that the slivers "are not required for public purposes of the Cambridge Water Board."

#### LEGAL REQUIREMENTS:

As you know, in order to dispose of land owned by the City of Cambridge, we must comply with section 2.110 of the Cambridge Municipal Code on the Disposition of City Property, as well as M.G.L. Chapter 30B, the Massachusetts Procurement Act. Since this land is located in the Cambridge Watershed, a number of state laws are applicable as well. These include: M.G.L. Chapter 40, Section 15 which requires the approval of the Cambridge Water Board (obtained in April, 1995); M.G.L. Chapter 40, Section 15B which requires the approval of the Massachusetts Department of Environmental Protection; M.G.L. Chapter 40, sections 15 and 15B which require an offer to the City of Waltham; and pursuant to Article 97 of the Articles of Amendment to the Massachusetts Constitution, a two-thirds vote of each branch of the State legislature is required.

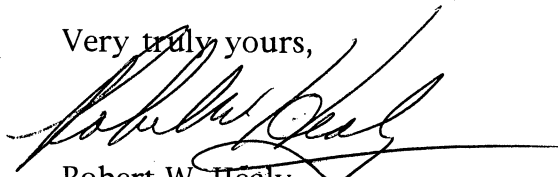
#### PROCESS:

After the City Council votes declaring the land available for disposition, setting the minimum price for the land, and authorizing the home rule petition, the following steps must occur for this conveyance of property to take place:

- (1) City will approach the City of Waltham. Waltham has up to six months to accept or decline the offer. (M.G.L. c. 40, section 15 and 15B)
- (2) Release Request-For-Proposals (RFP) to solicit proposals for the disposition of land. Advertise RFP. Evaluate proposals. (M.G.L. c. 30B)
- (3) Approach the Massachusetts Department of Environmental Protection for approval (M.G.L. c. 40, section 15B).
- (4) Submit City Manager's recommendation to the City Council pursuant to Chapter 2.110 of the Cambridge Municipal Code on the Disposition of City-Owned Land. City Council vote needed to dispose of property (two-thirds vote).

I urge your acceptance of my recommendations on this matter.

Very truly yours,



Robert W. Healy  
City Manager

Attachments

S-246

**Home Rule Legislation entitled: AN ACT  
AUTHORIZING THE CITY OF CAMBRIDGE TO  
TRANSFER AND SELL CERTAIN WATER RESOURCE  
LAND IN WALTHAM.**

**In City Council,**

**July 31, 1995**

- ① Vote to declare availability  
under 30B- 9-0-0
- ② Vote to authorize conveyance  
of parcels. 9-0-0
- ③ Vote favoring filing Home  
Rule Legislation 9-0-0.