

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9020

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

MICHAEL C. COSTELLO
ASSISTANT CITY SOLICITOR

EDWARD A. CUNNINGHAM
SEVERLIN B. SINGLETON
DAVID B. O'CONNOR
BIRGE ALBRIGHT
LEGAL COUNSEL

November 12, 1982

Mr. Robert W. Healy
City Manager
City Hall
Cambridge, Mass.

Dear Mr. Healy:

At your direction, in response to Order No. 22 of the City Council of October 25, I have researched the law relating to the sale, leasing or rental of City owned land or ways. The ordinance which controls procedure for such sale, lease or rental is Ordinance No. 733 enacted on January 18, 1965, and re-enacted as section 2-10 of the Code of the City of Cambridge on May 8, 1972. This ordinance would be applicable to all sales, leases or rentals of City owned land except for land acquired by tax title foreclosure.

The ordinance sets forth certain steps or actions which must take place prior to the sale, lease or rental of property or ways. These steps are:

- ✓ 1) Upon receipt of an offer to purchase or recommendation to sell a property, the City Council shall refer the matter to the Planning Board.
- ✓ 2) The Planning Board studies the matter and reports its findings to the City Council.
- ✓ 3) The Council sets the date for a public hearing relative to the proposed sale, lease or rental, such date to be within a month of the date the City Council receives the Planning Board's report.
- ✓ 4) At least 10 days prior to the public hearing, the City Clerk shall give notice of the hearing by the following means:

RECEIVED

Nov 12 11 44 AM '82

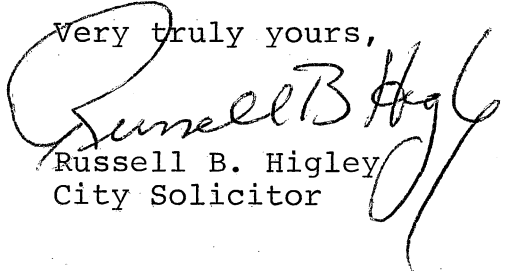
OFFICE OF THE
CITY MANAGER

NOV 12 11 44 AM '82

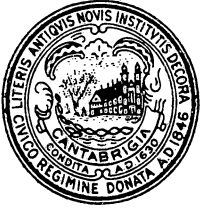
- a) Posting the locus.
- b) Sending a notice to owners of property within 200 feet of the locus.
- c) Sending notices to other property owners and civic groups if the City Clerk deems them to be affected.
- d) Publishing the notice in newspapers.

The ordinance contains no provisions as to penalties for its violation and is silent as to what recourse the City Council or any official or citizen would have if the ordinance is violated.

Very truly yours,


Russell B. Higley
City Solicitor

RBH/jl



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

November 15, 1982

To the Honorable, the City Council:

With respect to City Council Order No. 22 of October 25, 1982 relative to the sale, leasing or rental of City-owned property or land as controlled by Ordinance No. 733, enclosed please find copy of a report from Russell B. Higley, City Solicitor.

Very truly yours,

Robert W. Healy
City Manager

RWH/mbf
Enc.

Re: sale, lease or rental of City-owned
land or property as controlled by Ordinance
No. 733.

In City Council,

November 15, 1982

11/15/82
-Placed on File-