



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To : Robert Healy
City Manager

Date : October 28, 1981

From : Conrad C. Fagone, Commissioner *C Fagone* Reference
Public Works Department

Subject : City Council Order - 9-28-81 - Councillor Crane
Status of Cowperthwaite Street

In accordance with the City Council's request, enclosed is a copy of the City Council Order and vote taken on February 27, 1967 for the discontinuance and sale of McCarthy Road and Cowperthwaite Street to Harvard University. It appears from this Council Order that Harvard University paid the City of Cambridge \$150,000 for this land. The discontinuance was subject to an easement for the water and sewer lines that remained in the street.

I have further inspected the area and without running an actual survey, it's my opinion that Harvard University has not overreached its right on this street.

Enclosure

CITY MANAGER
OFFICE OF THE

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RECEIVED

OCT 29 4 01 AM '81

City of Cambridge

In City Council,
February 27, 1967.

WHEREAS:-

A communication has been received from the City Manager transmitting one from Harvard University requesting that Cowperthwaite Street and McCarthy Road be discontinued as public ways of the City of Cambridge, and

WHEREAS:-

Due notice has been given of the intention of this City Council to discontinue said streets as public ways of the City of Cambridge in the manner prescribed by law, it is therefore

ORDERED:-

A. That McCarthy Road be and hereby is discontinued as a public way of the City of Cambridge according to a Plan on file in the office of the City Engineer of the City of Cambridge entitled "Plan of Land of Proposed Discontinuance of McCarthy Road and Cowperthwaite Street in Cambridge - Mass." dated February 20, 1967, drawn by Joseph P. Carney, Acting City Engineer, a copy of which is recorded herewith. Said McCarthy Road to be discontinued as shown on said Plan is bounded and described as follows:

Beginning at a point in the Northerly line of Flagg Street, said point being three hundred ten and 47/100 feet Westerly from the Westerly line of Banks Street;

Thence Westerly by the Northerly line of Flagg Street forty-two and 07/100 feet;

Thence turning at an angle and running in a Northerly direction by land of the Commonwealth of Massachusetts (Metropolitan District Commission) forty-three and 29/100 feet and by land of the President and Fellows of Harvard College three hundred eighty and 37/100 feet to the Southerly line of Cowperthwaite Street;

Thence turning at a right angle and running in an Easterly direction forty feet; and

Thence turning at a right angle and running in a Southerly direction three hundred sixty-seven and 34/100 feet to said Flagg Street and the point of beginning.

The above described parcel of land contains 14953 square feet of land more or less according to said Plan.

Said discontinuance is subject to an easement for sewer and water purposes in and for the City of Cambridge. Said easement is bounded and described as follows:-

City of Cambridge

-2-

Beginning at a point in the Southerly discontinued end of said McCarthy Road said point being distant ten feet more or less Westerly from the Easterly line of said McCarthy Road;

Thence turning at an angle and running in a Westerly direction by said Flagg Street about twenty-one feet to a point;

Thence turning at an angle and running in a Northerly direction three hundred seventy-five feet more or less by a line parallel to and ten feet Easterly of the Westerly line of said discontinued McCarthy Road to a point on Cowperthwaite Street ten feet Easterly of the Easterly line of said discontinued McCarthy Road;

Thence Easterly by Cowperthwaite Street twenty feet; and

Thence Southerly by a line parallel with and ten feet Westerly from the Easterly line of said discontinued McCarthy Road three hundred seventy-one feet more or less to the point of beginning.

B. That Cowperthwaite Street be and hereby is discontinued as a public way of the City of Cambridge according to said Plan recorded herewith. Said Cowperthwaite Street to be discontinued as shown on said Plan is bounded and described as follows:

Beginning at a point in the Westerly line of Banks Street, said point being two hundred eighty-seven and 03/100 feet Northerly from the Southerly line of Flagg Street;

Thence Westerly by land of President and Fellows of Harvard College two hundred and 53/100 feet, by the end of McCarthy Road forty feet by land of the President and Fellows of Harvard College three hundred thirty-eight and 90/100 feet and by land of the Commonwealth of Massachusetts (Metropolitan District Commission) twenty-eight and 22/100 feet;

Thence turning at an angle and running Northwesterly by land of the Commonwealth of Massachusetts (Metropolitan District Commission) fifty-three and 41/100 feet;

Thence turning at an angle and running Easterly by land of the President and Fellows of Harvard College six hundred twenty-nine and 07/100 feet; and

Thence turning at an angle and running Southerly by the Westerly line of Banks Street forty-two and 37/100 feet to the point of beginning.

The above described parcel of land contains 24734 square feet of land more or less according to said Plan.

Said discontinuance is subject to an easement for sewer and water purposes in and for the City of Cambridge. Said easement is bounded and described as follows:-

Beginning at a point in the Easterly end of said discontinued Cowperthwaite Street ten feet Northerly from the Southerly line of said discontinued Cowperthwaite Street;

City of Cambridge

-3-

Thence running Westerly six hundred thirteen feet more or less by a line parallel to and ten feet Northerly of the Southerly line of said discontinued Cowperthwaite Street;

Thence Northwesterly by land of Commonwealth of Massachusetts (Metropolitan District Commission) about twenty-six and 70/100 feet;

Thence Easterly by a line parallel to and ten feet Southerly from the Northerly line of said discontinued Cowperthwaite Street about six hundred twenty-six feet to the Westerly line of Banks Street; and

Thence turning and running Southerly by the Westerly line of Banks Street about twenty-one and 18/100 feet to the point of beginning.

The President and Fellows of Harvard College may relocate or discontinue such sewer and water lines in McCarthy Road and Cowperthwaite Street provided that such work is done in a good and workmanlike manner in all respects in accordance with the requirements of the Commissioner of Public Works of the City of Cambridge and provided also that in the event of such relocation President and Fellows of Harvard College will grant to the City such easements as said Commissioner shall require.

The foregoing discontinuances are granted in consideration of the sum of One Hundred Fifty Thousand Dollars (\$150,000) paid by the President and Fellows of Harvard College to the City of Cambridge.

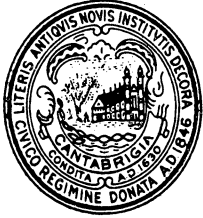
In City Council Feb 27, 1967
 Adopted by yeas and nays Vote
 Yeas 7 Nays 2 Absent 0

Romanus D. D'Amara
 City Clerk

C I T Y O F C A M B R I D G E
M A S S A C H U S E T T S

In City Council February 27 1967

CLK
RF
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CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

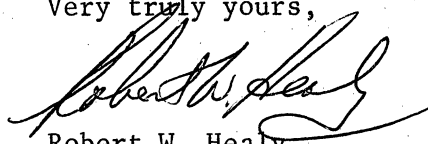
EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

November 2, 1981

To the Honorable, the City Council:

With respect to Awaiting Report Item No. 11 as to whether Cowperthwaite Street is a public or private way, enclosed please find copy of a report from Conrad C. Fagone, Commissioner of Public Works.

Very truly yours,



Robert W. Healy
City Manager

RWH/mbf
Enc.

4-145
Agenda Item Number One

Re: response to Awaiting Report Item No. 11
re: the status of Cowperthwaite Street as
a public way.

In City Council,

November 2, 1981

11/2/1981
Placed
on
File