

CSAPLAR & BOK
ONE WINTHROP SQUARE
BOSTON, MASSACHUSETTS 02110
(617) 357-4400

CARL E. HEILMAN
COUNSEL

November 16, 1976

Edward A. Cunningham, Esquire
City Solicitor's Office
City Hall
Cambridge, Massachusetts

Re: Amesbury Street Documents

Dear Ed:

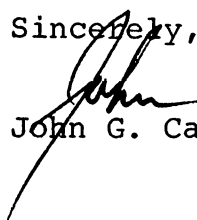
The recording of all necessary documents for the re-alignment and acceptance of Amesbury Street was accomplished on November 12, 1976 at 12:05 p.m. The list of recorded documents is as follows:

<u>Instrument Number</u>	<u>Item</u>
216	Plan of Amesbury Street and Deed of Land to the City of Cambridge
217	Acceptance of Amesbury Street as a public way
218	Deed of Land to Northeastern Realty
219	Deed of Easement covering land owned by Northeastern Realty

We have requested that after recording the Deed to the City of Cambridge is delivered to you.

Now that this particular matter has been cleared up, I trust that everything will continue in a mutually satisfactory manner. However, if any problems do crop up concerning this transaction, please do not hesitate to contact me.

Sincerely,


John G. Carberry

Enclosures

NOV 12-76 PM 12:05 216RE-14.25

13.25
14.25

.46

①

QUITCLAIM DEED OF CONVEYANCE

CAMBRIDGE HYATT JOINT VENTURE, a joint venture composed of Graham Gund, having an address c/o Graham Gund Architects, Inc., 12 Arrow Street, Cambridge, Massachusetts, Refco-Cambridge, Inc., a Delaware corporation, having an address at 30 South La Salle Street, Chicago, Illinois, and The Prudential Insurance Company of America, a New Jersey corporation, having an address at the Prudential Tower, Boston, Massachusetts (the "Grantor"), for consideration of One Dollar (\$1.00) grants to the CITY OF CAMBRIDGE, having an address at Cambridge City Hall, Cambridge, Massachusetts (the "Grantee"), with quitclaim covenants, all of the Grantor's right, title and interest in a certain parcel of land, together with any improvements situated thereon located in the City of Cambridge, County of Middlesex and Commonwealth of Massachusetts as shown as Parcel "A" on a plan entitled, "Plan of Amesbury Street A Public Way and Abutting Land", dated June 8, 1976, by Whitman & Howard, Inc., recorded herewith, and as more particularly described, as shown on said plan, as follows:

BEGINNING at a point on the southerly sideline of Vassar Street at the P. C. to Amesbury Street;

Thence, by a curve to the right the radius of which is 15.00 feet, twenty-seven and fourteen hundredths (27.14) feet;

Thence, S 20° 11' 26" E, by Amesbury Street, one hundred thirty-four and ninety-seven hundredths (134.97) feet;

Thence, by a curve to the left the radius of which is 240.00 feet, fifty-seven and nineteen hundredths (57.19) feet;

Thence, N 33° 50' 38" W, seventy-eight and four hundredths (78.04) feet;

Thence, by a curve to the left the radius of which is 15.00 feet, twenty-three and fifty-six hundredths (23.56) feet to the sideline of Vassar Street;

Thence, N 56° 09' 22" E, by Vassar Street twenty-five and fifty hundredths (25.50) feet to the point of beginning and containing 1800 square feet of land according to said plan.

Being a portion of the premises conveyed to the Grantor by deed from Graham D. Gund to PIC Realty Corporation, Refco-Cambridge, Inc. and Graham Gund, d/b/a Cambridge Hyatt Joint Venture, dated July 24, 1974, recorded in the Middlesex Southern District Registry of Deeds in Book 12674, Page 226 (see also deed from PIC Realty Corporation to The Prudential Insurance Company of America, dated December 22, 1975, recorded in the Middlesex County Southern District Registry of Deeds in Book 12915, Page 627).

125x 13092 PAGE 339

The above-described premises are being conveyed subject to any easements, restrictions, liens and encumbrances of record, as the same may be now in force and effect.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its duly authorized joint venturers on the 18th day of June, 1976.

CAMBRIDGE HYATT JOINT VENTURE

By the Joint Venturers:

REFCO-CAMBRIDGE, INC.

By

President

By

Frank Milhorne
Treasurer

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

By

Theodore M. Gashart
Vice President

By

Treasurer

Graham Gund
Graham Gund, Individually

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF) ss:

On this 18th day of June, 1976, before me appeared GRAHAM GUND to me personally known and he did acknowledge the foregoing instrument to be his free act and deed.

Amos P. Salloum
Notary Public

(SEAL)

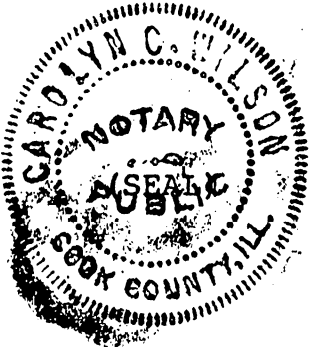
My commission expires:

SEPT 18, 1981

STATE OF *ILLINOIS*
COUNTY OF *COOK*

) ss:

On this *27th* day of *May*, 1976, before me appeared *Allen M. Turner & Frank G. Culham* the *President & Treasurer* of REFCO-CAMBRIDGE, INC., and acknowledged said instrument to be the free act and deed of said corporation.

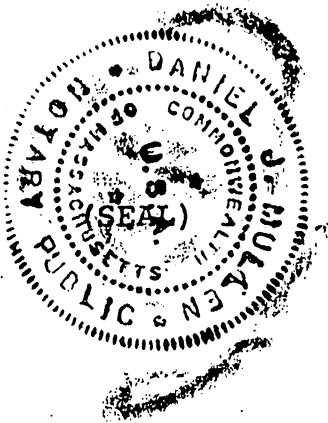


Carolyn C. Wilson
Notary Public

My commission expires: *2-13-76*

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF) ss:

On this 18th day of *June*, 1976, before me appeared Theodore M. Garhart, the *Vice President* of THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, and acknowledged said instrument to be the free act and deed of said corporation.



Daniel J. Miller
Notary Public

My commission expires:

June 12, 1981

COMMONWEALTH OF MASSACHUSETTS)
) ss.:
 COUNTY OF SUFFOLK)

Before me, a Notary Public, in and for the above County and Commonwealth, personally appeared Thomas P. Pendergast, to me personally known and known to me to be an Assistant Secretary of The Prudential Insurance Company of America, who, being by me duly sworn according to law, on his oath deposes and says that he is an Assistant Secretary of The Prudential Insurance Company of America, having custody of the records of the said Company, and that Section 9 of the By-Laws of The Prudential Insurance Company of America, as now in full force and effect, contains among other provisions, the following, viz:

"The Chairman of the Board and Chief Executive Officer, the President, and any one of the vice presidents shall have power to execute on behalf of the corporation all instruments, deeds, contracts and other corporate acts and papers, subject only to the provisions of By-Law 24."

Deponent further says that By-Law 24 deals only with contracts of annuity and insurance.

Deponent further says that Theodore M. Garhart is one of the Vice Presidents of the said Company, and that the above officer was a Vice President having authority to perform the above mentioned duties, on the 18th day of June, 1976

Subscribed and sworn to)
 before me this 18th day)
 of June 1976)

David J. Miller
 Assistant Secretary

Ruth E. Altieri
 Notary Public

RUTH E. ALTIERI
 NOTARY PUBLIC
 My Commission Expires
 February 27, 1981



DEED OF CONVEYANCE

Recital. NORTHEASTERN REALTY, INC. OF CAMBRIDGE, a Massachusetts corporation, having an address at 304 Vassar Street, Cambridge, Massachusetts, is the owner of certain land (its "present land"), bounded in part by Vassar Street and by Amesbury Street, formerly a private way (for title of Northeastern Realty, Inc. of Cambridge to its said presently owned land, see deeds to Northeastern Realty, Inc. of Cambridge, both dated December 29, 1954, one from Sara S. Mishel, et al, recorded with Middlesex South District Deeds, Book 8383, Page 188, and the other from Audrey Realty Co., recorded with said Deeds, Book 8383, Page 191). Said Amesbury Street has been partially relocated and as so relocated has been accepted by the City of Cambridge as a public way in Cambridge; and by agreement between Northeastern Realty, Inc. of Cambridge and the Grantors herein, certain land lying between Amesbury Street, a public way, and the present land of Northeastern Realty, Inc. of Cambridge, is to be conveyed to Northeastern Realty, Inc. of Cambridge.

KNOW ALL MEN BY THESE PRESENTS:

THAT the City of Cambridge, a municipal corporation in the Commonwealth of Massachusetts, the Cambridge Hyatt Joint Venture, a Massachusetts joint venture, having its usual place of business in Boston, Massachusetts, and Massachusetts Institute of Technology, a Massachusetts corporation, having its usual place of business in said Cambridge (collectively, the "Grantors"), for consideration of One Dollar (\$1.00), hereby grant to Northeastern Realty, Inc. of Cambridge, having a usual place of business at 304 Vassar Street, in said Cambridge, without covenants expressed or implied all their right, title and interest in and to a certain parcel of land shown as "Parcel C" on the Plan entitled "Plan of Amesbury Street A Public Way and Abutting Land in Cambridge, Mass.," dated June 8, 1976 by Whitman & Howard Inc. recorded with the land records of Middlesex County, and as more particularly described, as shown on said plan, as follows:

BEGINNING AT A POINT on the easterly sideline of Amesbury Street, a public way in the City of Cambridge, which point is the point of curvature of a curve with a 15 foot radius to Vassar Street;

THENCE, Northerly by said curve 23.56 feet along the southerly sideline of Vassar Street;

THENCE, N56°09'22" E, 27.54 feet along said Southerly sideline of Vassar Street to a Point of Curvature of a curve with a radius of 15 feet;

THENCE, Southerly by said curve 19.99 feet;

THENCE, S20°11'26" E, 98.56 feet;

THENCE, N69°48'34" E, one (1) foot by the land of Northeastern Realty, Inc. according to said plan;

THENCE, S20°11'26" E, 68 feet by the land of Northeastern Realty, Inc. according to said plan;

THENCE, S69°48'34" W, one (1) foot by the land of the Massachusetts Institute of Technology according to said plan to the Easterly sideline of Amesbury Street;

THENCE, by said Easterly sideline of Amesbury Street, N20°11'26" W, 14.59 feet to a Point of Curvature of a curve with a radius of 280.00 feet;

THENCE, Northerly by said curve 66.72 feet;

THENCE, N33°50'38" W, 78.04 feet along the easterly sideline of Amesbury Street to the POINT OF BEGINNING.

Said parcel contains an area of 2037 square feet, more or less, as shown on Plan of Land.

Being part of the land formerly lying in Amesbury Street as it existed when it was a private way and not included in Amesbury Street as relocated and accepted as a public way, and other land lying between Grantee's other land and Amesbury Street, a public way.

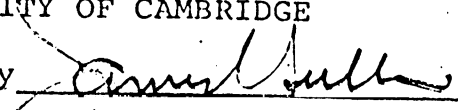
The above-described premises are being conveyed subject to any easements, restrictions, liens and encumbrances of record, as the same may be now in force and effect.

The undersigned joint venturers of the Cambridge Hyatt Joint Venture, REFCO-Cambridge, Inc., The Prudential Insurance Company of America, and Graham D. Gund, are all of the joint venturers of the Cambridge Hyatt Joint Venture, which is the owner of the land abutting the western boundary of Amesbury Street. For title of the Cambridge Hyatt Joint Venture to this land, see Middlesex County Southern District Registry of Deeds Book 12674, Page 226. (See also deed of PIC Realty Corporation to the Prudential Insurance Company of America recorded in Middlesex County Southern District Registry of Deeds Book 12915, Page 627.)

IN WITNESS WHEREOF, the Grantors, Cambridge Hyatt Joint Venture, City of Cambridge and Massachusetts Institute of Technology have caused this instrument to be executed under seal by their duly authorized officers on the 18th day of October, 1976.

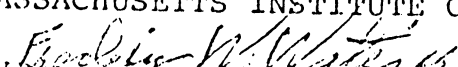
CITY OF CAMBRIDGE

By


City Manager

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

By



By the Joint Venturers:

REFCO-CAMBRIDGE, INC.

By [Signature]

President

By Frank Philhorne

Treasurer

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

By Theodore M. Gachet

Vice President

By _____

Treasurer

Graham Gund
Graham Gund, Individually

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF) ss:

On this 18th day of June, 1976, before me appeared
GRAHAM GUND to me personally known and he did acknowledge
the foregoing instrument to be his free act and deed.

(SEAL)

Notary Public

My commission expires:

STATE OF *ILLINOIS*
COUNTY OF *COOK*

) ss:
)

On this *21st* day of *May*, 1976, before me appeared *Allen M. Turner & Frank G. Wilham* the *President & Chairman* of REFCO-CAMBRIDGE, INC., and acknowledged said instrument to be the free act and deed of said corporation.

Carol A. Wilson

Notary Public

(SEAL)

My commission expires: *2-13-77*

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF) ss:

On this 18th day of June, 1976, before me appeared Theodore M. Garhart, the Vice President of THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, and acknowledged said instrument to be the free act and deed of said corporation.

Donald J. Muller

Notary Public

(SEAL)

My commission expires:
June 12, 1981

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF)

On this 5th day of October , 1976, before me appeared
James L. Sullivan, City Manager
of the City of Cambridge, and acknowledged said instrument to be
the free act and deed of said City.

(SEAL)

Edward A. Cunningham
Notary Public
My Commission expires: 3-15-79

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF Middlesex)

On this 18th day of October , 1976, before me appeared
Frederic W. Watriss, Associate ^{and} Treasurer
of the Massachusetts Institute of Technology, and acknowledged
said instrument to be the free act and deed of said Institute.

(SEAL)

Virginia T. O'Brien
Notary Public
My Commission expires: June 16, 1978

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF BUFFOLK) ss.:

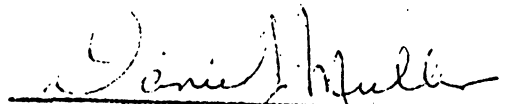
Before me, a Notary Public, in and for the above County and Commonwealth, personally appeared Daniel J. Mullen, to me personally known and known to me to be an Assistant Secretary of The Prudential Insurance Company of America, who, being by me duly sworn according to law, on his oath deposes and says that he is an Assistant Secretary of The Prudential Insurance Company of America, having custody of the records of the said Company, and that Section 9 of the By-Laws of The Prudential Insurance Company of America, as now in full force and effect, contains among other provisions, the following, viz:

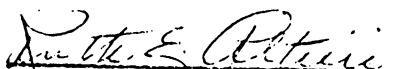
"The Chairman of the Board and Chief Executive Officer, the President, and any one of the vice presidents shall have power to execute on behalf of the corporation all instruments, deeds, contracts and other corporate acts and papers, subject only to the provisions of By-Law 24."

Deponent further says that By-Law 24 deals only with contracts of annuity and insurance.

Deponent further says that Theodore M. Garhart is one of the Vice Presidents of the said Company, and that the above officer was a Vice President having authority to perform the above mentioned duties, on the 18th day of June, 1976.

Subscribed and sworn to)
before me this 18th day)
of June 1976.)


Assistant Secretary


Notary Public

RUTH E. ALTIERI
NOTARY PUBLIC
My Commission Expires
February 27, 1981



OFFICE OF THE
PRESIDENT AND CHANCELLOR

I, C. B. Simonides, do hereby certify that I am Secretary of the Executive Committee of the Corporation of Massachusetts Institute of Technology and that the following is a true and correct copy of a vote duly adopted by said Executive Committee held on September 10, 1976, at which a quorum was present and voting throughout:

VOTED: That Frederic W. Watriss, Associate Treasurer of the Corporation, be and he hereby is authorized on behalf of, and in the name of, the Corporation to execute and deliver a deed from the Corporation and others to Northeastern Realty, Inc. conveying without covenants express or implied all the right, title and interest of the Corporation in and to a certain parcel of land in Cambridge, Massachusetts shown as "Parcel C" on the Plan entitled "Plan of Amesbury Street A Public Way and Abutting Land in Cambridge, Mass." dated June 8, 1976 by Whitman & Howard, Inc. and said deed to be in such form and contain such terms as said Associate Treasurer shall determine best, and his execution thereof shall be sufficient evidence of such determination.

I further certify that Frederic W. Watriss is the Associate Treasurer of the Corporation and that the aforesaid vote has been neither amended nor rescinded and remains in full force and effect.

IN WITNESS HEREOF I have hereunto set my hand and seal of the Massachusetts Institute of Technology on this tenth day of September, 1976.

A handwritten signature in dark ink, appearing to read "C. B. Simonides", is written over a horizontal line.

C. B. Simonides
Secretary of the Executive Committee
of the Corporation of
Massachusetts Institute of Technology



City of Cambridge

IN CITY COUNCIL

September 20, 1976

Councillor Sullivan

ORDERED:

That the City Manager be and hereby is authorized to take the necessary action to release any right title and interest that the City of Cambridge now possesses or ever possessed in two parcels of land in the Amesbury Street area resulting from the realignment of Amesbury Street and its acceptance as a public way by the City of Cambridge on July 7, 1976, and be it further

ORDERED:

That the City Manager be and hereby is authorized to direct the City Solicitor to draft a deed which will convey to Northeastern Realty, Inc. any interest that the City of Cambridge has in the aforesaid land parcels on Amesbury Street, and be it further

ORDERED:

That the City Manager be and hereby is requested to direct the City Solicitor to record the deed in the Middlesex South Registry of Deeds and to do what ever else is necessary to finalize the conveyance of the two parcels of land as requested by Attorney Carberry of the law firm of Csaplar and Bok.

City of Cambridge

MASSACHUSETTS

In City Council *September 20* 1976

Order Re Voted to Propose - Amendment & Realignment -

	YEA	NAY	ABSENT	PRESENT
Mrs. Ackermann	✓			
Mr. Clem	✓			
Mr. Clinton	✓			
Mr. Danehy	✓			
Mr. Duehay	✓			
Mrs. Graham	✓			
Mr. Russell	✓			
Mr. Sullivan	✓			
Mayor Vellucci	✓			

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*LSM
RF
A*

City of Cambridge

9/13/76

MASSACHUSETTS

In City Council Sept 13 1976*VOTE OF City Council to Table*

	YEA	NAY	ABSENT	PRESENT
Mrs. Ackermann			✓	
Mr. Clem		✓		
Mr. Clinton	✓			
Mr. Danehy	✓			
Mr. Duehay	✓			
Mrs. Graham		✓		
Mr. Russell	✓			
Mr. Sullivan	✓			
Mayor Vellucci	✓			

6

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1

*Tabled
Consensus*

Communication -

Conveyance of Land By
City of Cambridge

On July 7, 1976, this Honorable Council voted to accept Amesbury Street as a public way in the City of Cambridge. As a result of discussions among administrative officials of the City of Cambridge and abutters, it was agreed that the street line of Amesbury Street at the intersection of Vassar Street should be realigned to facilitate traffic flow and to permit Northeastern Distributors to continue their operations without interfering with the rights of the public. This realignment results in the creation of a triangular shaped parcel of land of 2037 square feet on the easterly side of Amesbury Street at Vassar Street, the ownership of which cannot be ascertained by a review of relevant land records.

To settle this issue of ownership, Cambridge Hyatt Joint Venture and Massachusetts Institute of Technology have agreed to deed all of their right, title and interest, if any, to Northeastern Distributors. The petition before you tonight requests that the City of Cambridge join in this deed in order to settle the issue of ownership. The proposed deed to Northeastern Distributors has been reviewed by an Assistant City Solicitor and as it contains no warranties of title, he has approved it as to form.

As the realignment of Amesbury Street results in the roadway passing over a triangular shaped parcel of 1800 square feet owned by Cambridge Hyatt Joint Venture, Cambridge Hyatt Joint Venture has agreed to deed this parcel to the City

of Cambridge for the minimum legal consideration (\$1.00). The form of the proposed deed for this conveyance has also been reviewed by an Assistant City Solicitor and found acceptable as to form.

VASSAR

R=15.00
L=19.99

S 20°-11'-26" E
98.56

Parcel "C"
Area = 2,037 S.F.

R=15.00
L=23.56

78.04
N 33°-50'-38" W

S 20°-11'-26" E
134.97

Parcel "A"
Area = 1,800 S.F.

L=27.14
R=15.00

78.04
N 33°-50'-38" W

L=23.56
R=15.00

N 69°-48'-34" E

22.5

68.0

S 20°-11'-26" E
68.00

R=280.00

L=66.72

14.59
N 20°-11'-26" W

22.5
1.00 S 69°-48'-34" W

AMESBURY

CONVEYANCE OF LAND

Parcel "A" to be deeded to
City of Cambridge

Parcel "B" to be deeded to
Northeastern Distributors

Cambridge Hyatt Join

*Proposed Order
for Council -*

Cambridge August 12 1976

To the Honorable, the City Council of the
City of Cambridge

July 7, 1976 -

On June 7, 1976, this Honorable Body accepted Amesbury Street as relocated on a plan entitled "Plan of Amesbury Street in Cambridge a Public Way June 8, 1976" by Whitman & Howard, Inc., engineers and architects, as a public way of the City of Cambridge. In order to complete all steps necessary to effect the relocation of Amesbury Street and to settle issues of ownership regarding a 2,037 square foot parcel at the southeastern corner of Vassar and Amesbury Streets, the City of Cambridge, Massachusetts Institute of Technology and the Cambridge Hyatt Joint Venture must deed over their right, title and interest to this parcel to Northeastern Realty, Inc. of Cambridge.

NOW, THEREFORE, the undersigned respectfully prays that the City of Cambridge join in the deed of conveyance in the attached form conveying the following property to said Northeastern Realty, Inc. of Cambridge.

Beginning at a point on the Easterly sideline of Amesbury Street, a public way in the City of Cambridge, which point is the Point of Curvature of a curve with a 15' radius to Vassar Street;

THENCE, by said Easterly sideline of said Amesbury Street N. 33° 50' 38"W., 78.04 feet to a Point of Curvature of a curve with a radius of 280' and continuing Southerly by said curve 66.72 feet to a point in said Easterly sideline and continuing farther by said Easterly sideline N. 20° 11' 26"W., 14.59 feet;

THENCE, S. 69° 48' 34" W., one (1) foot by land of Massachusetts Institute of Technology to other land of the Grantee;

Thence, S. 20° 11' 26" E., 68 feet by other land of the Grantee;

Thence, N. 69° 48' 34" E., one (1) foot by other land of the Grantee;

Thence, S. 20° 11' 26" E., 98.56 feet to a Point of Curvature of a curve with a 15' radius to Vassar Street;

Thence, Northerly by said curve 19.99 feet to a point on the Southerly sideline of Vassar Street;

Thence, N. 56° 09' 22" E , 27.54 feet along the Southerly sideline of Vassar Street to a Point of Curvature of a curve with a 15' radius;

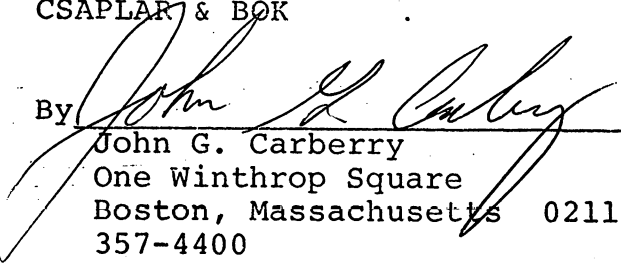
Thence, Southerly by said curve 23.56 feet to the point of beginning.

Said parcel contains an area of 2037 square feet, more or less, as shown on Plan of Land.

Being part of the land formerly lying in Amesbury Street as it existed when it was a private way and not included in Amesbury Street as relocated and accepted as a public way, and other land lying between Grantee's other land and Amesbury Street, a public way.

CAMBRIDGE HYATT JOINT VENTURE
By Its Attorney,
CSAPLAR & BOK

By


John G. Carberry
One Winthrop Square
Boston, Massachusetts 02110
357-4400

PETITION

of CAMBRIDGE-HYATT JOINT VENTURE

for Conveyance of Real Estate
Pursuant to July 7, 1976 Vote to
Accept Amesbury Street as a Public Way

August 12, 1976

In City Council,

19

Referred to the Committee on Roads
and Bridges

Attest:

City Clerk

DEED OF CONVEYANCE

*Copy of Deed
of Conveyance.*

Recital. NORTHEASTERN REALTY, INC. OF CAMBRIDGE, a Massachusetts corporation, having an address at 304 Vassar Street, Cambridge, Massachusetts, is the owner of certain land (its "present land"), bounded in part by Vassar Street and by Amesbury Street, formerly a private way (for title of Northeastern Realty, Inc. of Cambridge to its said presently owned land, see deeds to Northeastern Realty, Inc. of Cambridge, both dated December 29, 1954, one from Sara S. Mishel, et al, recorded with Middlesex South District Deeds, Book 8383, Page 188, and the other from Audrey Realty Co., recorded with said Deeds, Book 8383, Page 191). Said Amesbury Street has been partially relocated and as so relocated has been accepted by the City of Cambridge as a public way in Cambridge; and by agreement between Northeastern Realty, Inc. of Cambridge and the Grantors herein, certain land lying between Amesbury Street, a public way, and the present land of Northeastern Realty, Inc. of Cambridge, is to be conveyed to Northeastern Realty, Inc. of Cambridge.

KNOW ALL MEN BY THESE PRESENTS:

THAT the City of Cambridge, a municipal corporation in the Commonwealth of Massachusetts, the Cambridge Hyatt Joint Venture, a Massachusetts joint venture, having its usual place of business in Boston, Massachusetts, and Massachusetts Institute of Technology, a Massachusetts corporation, having its usual place of business in said Cambridge (collectively, the "Grantors"), for consideration of One Dollar (\$1.00), hereby grant to Northeastern Realty, Inc. of Cambridge, having an usual place of business at 304 Vassar Street, in said Cambridge, without covenants expressed or implied all their right, title and interest in and to a certain parcel of land shown as "Parcel C" on the Plan entitled "Plan of Amesbury Street A Public Way and Abutting Land in Cambridge, Massachusetts" dated June 8, 1976 by Whitman & Howard Inc. recorded with the land records of Middlesex County, and as more particularly described, as shown on said plan, as follows:

Beginning at a point on the Easterly sideline of Amesbury Street, a public way in the City of Cambridge, which point is the Point of Curvature of a curve with a 15' radius to Vassar Street;

Thence, by said Easterly sideline of said Amesbury Street N. $33^{\circ} 50' 38''$ W., 78.04 feet to a Point of Curvature of a curve with a radius of 280' and continuing Southerly by said curve 66.72 feet to a point in said Easterly sideline and continuing farther by said Easterly sideline N. $20^{\circ} 11' 26''$ W., 14.59 feet;

Thence, S. $69^{\circ} 48' 34''$ W., one (1) foot by land of Massachusetts Institute of Technology to other land of the Grantee;

Thence, S. $20^{\circ} 11' 26''$ E., 68 feet by other land of the Grantee;

Thence, N. 69° 48' 34" E., one (1) foot by other land of the Grantee;

Thence, S. 20° 11' 26" E., 98.56 feet to a Point of Curvature of a curve with a 15' radius to Vassar Street;

Thence, Northerly by said curve 19.99 feet to a point on the Southerly sideline of Vassar Street;

Thence, N. 56° 09' 22" E , 27.54 feet along the Southerly sideline of Vassar Street to a Point of Curvature of a curve with a 15' radius;

Thence, Southerly by said curve 23.56 feet to the point of beginning.

Said parcel contains an area of 2037 square feet, more or less, as shown on Plan of Land.

Being part of the land formerly lying in Amesbury Street as it existed when it was a private way and not included in Amesbury Street as relocated and accepted as a public way, and other land lying between Grantee's other land and Amesbury Street, a public way.

The above-described premises are being conveyed subject to any easements, restrictions, liens and encumbrances of record, as the same may be now in force and effect.

The undersigned joint venturers of the Cambridge Hyatt Joint Venture, REFCO-Cambridge, Inc., The Prudential Insurance Company of America, and Graham D. Gund, are all of the joint venturers of the Cambridge Hyatt Joint Venture, which is the owner of the land abutting the western boundary of Amesbury Street. For title of the Cambridge Hyatt Joint Venture to this land, see Middlesex County Southern District Registry of Deeds Book 12674, Page 226. (See also deed of PIC Realty Corporation to the Prudential Insurance Company of America recorded in Middlesex County Southern District Registry of Deeds Book 12915, Page 627.)

IN WITNESS WHEREOF, the Grantors, Cambridge Hyatt Joint Venture, City of Cambridge and Massachusetts Institute of Technology have caused this instrument to be executed under seal by their duly authorized officers on the day of , 1976.

CITY OF CAMBRIDGE

By _____

By _____

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

By _____

IN WITNESS WHEREOF, the Grantor has caused this instrument to be executed by its duly authorized joint venturers on the _____ day of _____, 1976.

CAMBRIDGE HYATT JOINT VENTURE

By the Joint Venturers:

REFCO-CAMBRIDGE, INC.

By _____
President

By Frank Philbone
Treasurer

THE PRUDENTIAL INSURANCE
COMPANY OF AMERICA

By Theodore M. Gachet
Vice President

By _____
Treasurer

Graham Gund
Graham Gund, Individually

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF _____) ss:

On this 18th day of June, 1976, before me appeared GRAHAM GUND to me personally known and he did acknowledge the foregoing instrument to be his free act and deed.

(SEAL)

Notary Public

My commission expires:

STATE OF *ILLINOIS*
COUNTY OF *COOK*

) ss:

On this *21st* day of *May*, 1976, before me appeared *Allen M. Turner & Frank G. Cullane* the *President & Treasurer* of REFCO-CAMBRIDGE, INC., and acknowledged said instrument to be the free act and deed of said corporation.

Carol A. Wilson

Notary Public

(SEAL)

My commission expires: *2-13-77*

COMMONWEALTH OF MASSACHUSETTS)
COUNTY OF) ss:

On this 18th day of June, 1976, before me appeared Theodore M. Garhart, the Vice President of THE PRUDENTIAL INSURANCE COMPANY OF AMERICA, and acknowledged said instrument to be the free act and deed of said corporation.

Daniel J. Muller

Notary Public

(SEAL)

My commission expires:
June 12, 1981

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF)

On this day of , 1976, before me appeared
and

of the City of Cambridge, and acknowledged said instrument to be
the free act and deed of said City.

(SEAL)

Notary Public
My Commission expires:

COMMONWEALTH OF MASSACHUSETTS)
) ss.
COUNTY OF)

On this day of , 1976, before me appeared
and

of the Massachusetts Institute of Technology, and acknowledged
said instrument to be the free act and deed of said Institute.

(SEAL)

Notary Public
My Commission expires:

Cambridge August 12 1976

To the Honorable, the City Council of the
City of Cambridge

July 9, 1976

On ~~June~~ 7, 1976, this Honorable Body accepted Amesbury Street as relocated on a plan entitled "Plan of Amesbury Street in Cambridge a Public Way June 8, 1976" by Whitman & Howard, Inc., engineers and architects, as a public way of the City of Cambridge. In order to complete all steps necessary to effect the relocation of Amesbury Street and to settle issues of ownership regarding a 2,037 square foot parcel at the southeastern corner of Vassar and Amesbury Streets, the City of Cambridge, Massachusetts Institute of Technology and the Cambridge Hyatt Joint Venture must deed over their right, title and interest to this parcel to Northeastern Realty, Inc. of Cambridge.

NOW, THEREFORE, the undersigned respectfully prays that the City of Cambridge join in the deed of conveyance in the attached form conveying the following property to said Northeastern Realty, Inc. of Cambridge.

Beginning at a point on the Easterly sideline of Amesbury Street, a public way in the City of Cambridge, which point is the Point of Curvature of a curve with a 15' radius to Vassar Street;

THENCE, by said Easterly sideline of said Amesbury Street N. $33^{\circ} 50' 38''$ W., 78.04 feet to a Point of Curvature of a curve with a radius of 280' and continuing Southerly by said curve 66.72 feet to a point in said Easterly sideline and continuing farther by said Easterly sideline N. $20^{\circ} 11' 26''$ W., 14.59 feet;

THENCE, S. $69^{\circ} 48' 34''$ W., one (1) foot by land of Massachusetts Institute of Technology to other land of the Grantee;

Thence, S. 20° 11' 26" E., 68 feet by other land of the Grantee;

Thence, N. 69° 48' 34" E., one (1) foot by other land of the Grantee;

Thence, S. 20° 11' 26" E., 98.56 feet to a Point of Curvature of a curve with a 15' radius to Vassar Street;

Thence, Northerly by said curve 19.99 feet to a point on the Southerly sideline of Vassar Street;

Thence, N. 56° 09' 22" E , 27.54 feet along the Southerly sideline of Vassar Street to a Point of Curvature of a curve with a 15' radius;

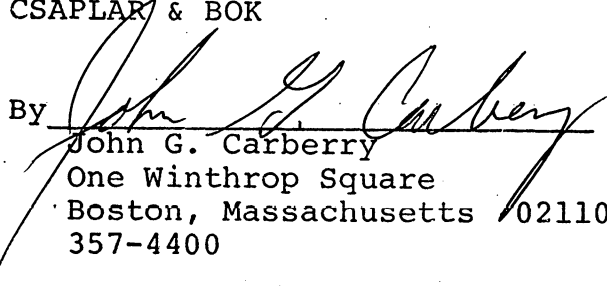
Thence, Southerly by said curve 23.56 feet to the point of beginning.

Said parcel contains an area of 2037 square feet, more or less, as shown on Plan of Land.

Being part of the land formerly lying in Amesbury Street as it existed when it was a private way and not included in Amesbury Street as relocated and accepted as a public way, and other land lying between Grantee's other land and Amesbury Street, a public way.

CAMBRIDGE HYATT JOINT VENTURE
By Its Attorney,
CSAPLAR & BOK

By


John G. Carberry
One Winthrop Square
Boston, Massachusetts 02110
357-4400

PETITION

of CAMBRIDGE-HYATT JOINT VENTURE

for Conveyance of Real Estate
Pursuant to July 7, 1976 Vote to
Accept Amesbury Street as a Public Way

August 12, 1976

In City Council

19

Referred to the Committee on Roads
and Bridges

Attest:

City Clerk

Cambridge August 12 1976

To the Honorable, the City Council of the
City of Cambridge

July 2, 1976
On ~~June~~ 7, 1976, this Honorable Body accepted Ames-

bury Street as relocated on a plan entitled "Plan of Amesbury Street in Cambridge a Public Way June 8, 1976" by Whitman & Howard, Inc., engineers and architects, as a public way of the City of Cambridge. In order to complete all steps necessary to effect the relocation of Amesbury Street and to settle issues of ownership regarding a 2,037 square foot parcel at the southeastern corner of Vassar and Amesbury Streets, the City of Cambridge, Massachusetts Institute of Technology and the Cambridge Hyatt Joint Venture must deed over their right, title and interest to this parcel to Northeastern Realty, Inc. of Cambridge.

NOW, THEREFORE, the undersigned respectfully prays that the City of Cambridge join in the deed of conveyance in the attached form conveying the following property to said Northeastern Realty, Inc. of Cambridge.

Beginning at a point on the Easterly sideline of Amesbury Street, a public way in the City of Cambridge, which point is the Point of Curvature of a curve with a 15' radius to Vassar Street;

THENCE, by said Easterly sideline of said Amesbury Street N. $33^{\circ} 50' 38''$ W., 78.04 feet to a Point of Curvature of a curve with a radius of 280' and continuing Southerly by said curve 66.72 feet to a point in said Easterly sideline and continuing farther by said Easterly sideline N. $20^{\circ} 11' 26''$ W., 14.59 feet;

THENCE, S. $69^{\circ} 48' 34''$ W., one (1) foot by land of Massachusetts Institute of Technology to other land of the Grantee;

Thence, S. 20° 11' 26" E., 68 feet by other land of the Grantee;

Thence, N. 69° 48' 34" E., one (1) foot by other land of the Grantee;

Thence, S. 20° 11' 26" E., 98.56 feet to a Point of Curvature of a curve with a 15' radius to Vassar Street;

Thence, Northerly by said curve 19.99 feet to a point on the Southerly sideline of Vassar Street;

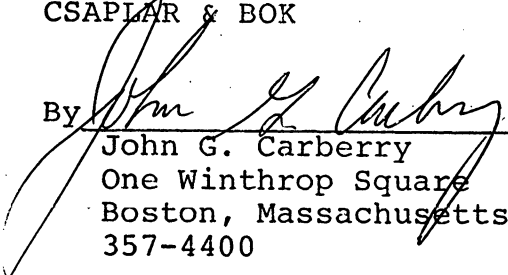
Thence, N. 56° 09' 22" E , 27.54 feet along the Southerly sideline of Vassar Street to a Point of Curvature of a curve with a 15' radius;

Thence, Southerly by said curve 23.56 feet to the point of beginning.

Said parcel contains an area of 2037 square feet, more or less, as shown on Plan of Land.

Being part of the land formerly lying in Amesbury Street as it existed when it was a private way and not included in Amesbury Street as relocated and accepted as a public way, and other land lying between Grantee's other land and Amesbury Street, a public way.

CAMBRIDGE HYATT JOINT VENTURE
By Its Attorney,
CSAPLAR & BOK

By 

John G. Carberry
One Winthrop Square
Boston, Massachusetts 02110
357-4400

PETITION

of CAMBRIDGE-HYATT JOINT VENTURE

for Conveyance of Real Estate
Pursuant to July 7, 1976 Vote to
Accept Amesbury Street as a Public Way

August 12, 1976

In City Council,

19

Referred to the Committee on Roads
and Bridges

Attest:

City Clerk



OFFICE OF
THE CHAIRMAN OF THE CORPORATION

CAMBRIDGE, MASSACHUSETTS 02139

June 18, 1976

To the Honorable, the City Council of
The City of Cambridge:

Reference is made to a petition dated June 18, 1976 filed by Cambridge-Hyatt Joint Venture et als. praying that the City of Cambridge accept Amesbury Street as a public way. The undersigned on behalf of the Massachusetts Institute of Technology hereby assents to the acceptance by the City of Cambridge of Amesbury Street as a public way as relocated on a plan entitled "Plan of Amesbury Street A Public Way and Abutting Land in Cambridge, Mass." dated June 8, 1976 by Whitman and Howard, Inc., Engineers and Architects, provided that no interest in the fee to Amesbury Street shall vest in the City as a result of such acceptance.

Very truly yours,

A handwritten signature in cursive script, reading "Walter L. Milne".

Walter L. Milne
Assistant to the Chairman

CSAPLAR & BOK
ONE WINTHROP SQUARE
BOSTON, MASSACHUSETTS 02110

(617) 357-4400

CARL E. HEILMAN
COUNSEL

August 12, 1976

Mr. Paul E. Healy, City Clerk
City of Cambridge
City Hall
Cambridge, Massachusetts 02139

Re: Conveyance of Land
Abutting Amesbury Street

Dear Mr. Healy:

As a result of a vote of the City Council on July 9, 1976, Amesbury Street was realigned and accepted as a public way in the City of Cambridge. This realignment created a parcel of land of approximately 2,037 square feet, the ownership of which is uncertain. To settle this uncertainty, the parties involved have agreed to execute a deed of the parcel to Northeastern Realty, Inc. of Cambridge. It was anticipated that the Council vote on July 9, 1976 would include this conveyance. As the vote did not mention the enclosed deed of land, I have attached a petition to the City Council requesting they vote their approval of this conveyance. I would appreciate it if you would file this petition so that it can be heard by the Council at the earliest opportunity.

If you have any questions concerning this matter, please contact me.

Sincerely,


John G. Carberry

Enclosure

68 H-136

Comm. from John G. Carberry of the law firm
of Csaplar & Bok re: to the conveyance of
2037 sq. ft. of land to Northeastern Realty,
Inc. of Cambridge resulting from the realign-
ment and acceptance of Amesbury St. as a
public way of the City of Cambridge on
July 7, 1976.

9/24/76 Repeat
Received

9/24/76 Repeat
Advised.

In City Council,

Sept. 13, 1976

Copy sent to C Mgr. 9-16-76

Filed

Need Petition

City Mgr

City Solicitor

Assessors

Letter sent to City
Mgr, City Solicitor &
Assessors 9/15/76