

WENDELL E. RYERSON

ATTORNEY AT LAW

975 GREAT PLAIN AVENUE
NEEDHAM, MASSACHUSETTS

June 10, '35

The Honorable Richard M. Russell
City Hall
Cambridge Mass.

Dear Sir:

On behalf of William H. Carter and Horace A. Carter, of Needham Mass., trustees under a declaration of trust of land in Cambridgeport, for the benefit of certain named individuals, I am presenting this petition to His Honor the Mayor and the City Council of the City of Cambridge for their consideration.

If I can be of any assistance to you in furnishing any information in addition to the facts set forth in the enclosed petition, please do not hesitate to call on me.

Very truly yours,

Wendell E. Ryerson.

To His Honor the Mayor and the City Council of the City of Cambridge

1. Respectfully represents William H. Carter and Horace A. Carter that they are trustees under a declaration of trust of land in Cambridge, Massachusetts, dated Mar. 1, 1933 recorded with Middlesex South District Deeds, Book 5710 Page 213, and as such present the following facts to His Honor the Mayor and City Council of the City of Cambridge, for their consideration.

1. On November 30, 1896, Noah S. King, Sinia W. King his wife, Rufus King, Jennie G. Carter and William Carter her husband, were all of the parties having an interest in a certain tract of land in Cambridge Port, Middlesex County, and shown on a Plan of Land of Jennie G. Carter, a copy of which is annexed to this petition for the purpose of reference.

2. On or about the said November 30, 1896, the City of Cambridge was constructing a highway along the bank of the Charles River, to be known as the Charles River Parkway, and a portion of the land of said Noah S. King, et al, lying on the bank of the River having been required for that purpose, was conveyed to the City of Cambridge by deed, recorded with Middlesex South District Deeds, Book 2518, Page 498, and is described in said deed as follows:

Beginning at a point in the northwesterly boundary line of the Charles River Parkway fifty-two and seventy-six hundredths (52.76) feet, northeasterly from its intersection with the present northeasterly line of Putnam Avenue produced and extended southeasterly at the intersection of said Parkway line with the division line between land of said grantors and land now or formerly of the Charles River Embankment Company; thence running in a southeasterly direction along said division line two hundred and twenty-seven and eighty one hundredths (227.81) feet to its intersection with the line described in an Act of the Legislature of Massachusetts of 1881 Chapter 221, Section 2, said line being about one hundred (100) feet southerly from the Harbor Commissions line of Charles River as established in 1878; thence running southwesterly along said line as described in said Act five hundred and four and eleven hundredths (504.11) feet to its intersection with the division line between land of said grantors and land now or formerly of George Prentiss; thence northwesterly along said division line between land of said grantors and land of said Prentiss two hundred and eight and fifty-four hundredths (208.54) feet to its intersection with the northwesterly boundary line of the Charles River Parkway; thence northeasterly along said Parkway line one hundred twenty-seven and thirty-two hundredths (127.32) feet to a point of Compound Curvature, thence easterly and northerly along a curve of (20) feet radius thirty-two and three hundredths (32.03) feet to the tangent point of said curve in the southwesterly line of the proposed extension Putnam Avenue; thence north-easterly fifty and one hundredths (50.01) feet to the tangent point of a curve in the northeasterly line of the proposed extension of Putnam Avenue.; thence southerly and easterly along said curve of twenty (20) feet radius thirty-one and forty-two hundredths (31.42) feet to the other tangent point of said curve in the northwesterly boundary line of the Charles River Parkway; thence north-easterly along said boundary line one hundred seventy-seven and thirty-three hundredths (177.33) feet to its intersection with the division line between land of said grantors and land now or formerly of the Charles River Embankment Company at the point of beginning. Containing ninety-one thousand six hundred and seventy (91,670) square feet. The above described parcel of land is shown on a plan hereinafter referred to.

3. There was included in the same conveyance a small parcel of land (under-scored in the above description) adjoined at the northerly

line of the proposed Parkway and intended to be used as an entrance from the Parkway to a proposed street running back over the land of the aforesaid owners, to be known as Putnam Street.

4. By deed dated January 15, 1921, recorded with Middlesex South District Deeds, Book 4412, Page 169 shown on map filed at Middlesex Registry of Deeds number 681, the City of Cambridge conveyed the Charles River Parkway to the Commonwealth of Massachusetts, and this transfer included all the land conveyed by the aforesaid owners to the City of Cambridge on November 30, 1896, with the exception of the small parcel previously mentioned as an entrance to the proposed Putnam Street.

5. No street has ever been constructed through the land of the aforesaid owners as originally intended, and it now appears that any intention of constructing Putnam Street has been definitely abandoned.

6. Your petitioners are the true and record owners of the original tract of land owned by the aforesaid Noah S. King et al, exclusive of the tract conveyed on November 30, 1896 to the City of Cambridge. Their property has a frontage on Memorial Drive, originally Charles River Parkway, in two distances broken by the aforesaid parcel of land referred to in paragraph three of this petition, now owned by the City of Cambridge the same having a frontage of approximately ninety (90) feet on said Memorial Drive. Your petitioners now are and in the future will continue to be greatly inconvenienced in the use of their property and the value of their land has been greatly reduced by the loss of this small parcel.

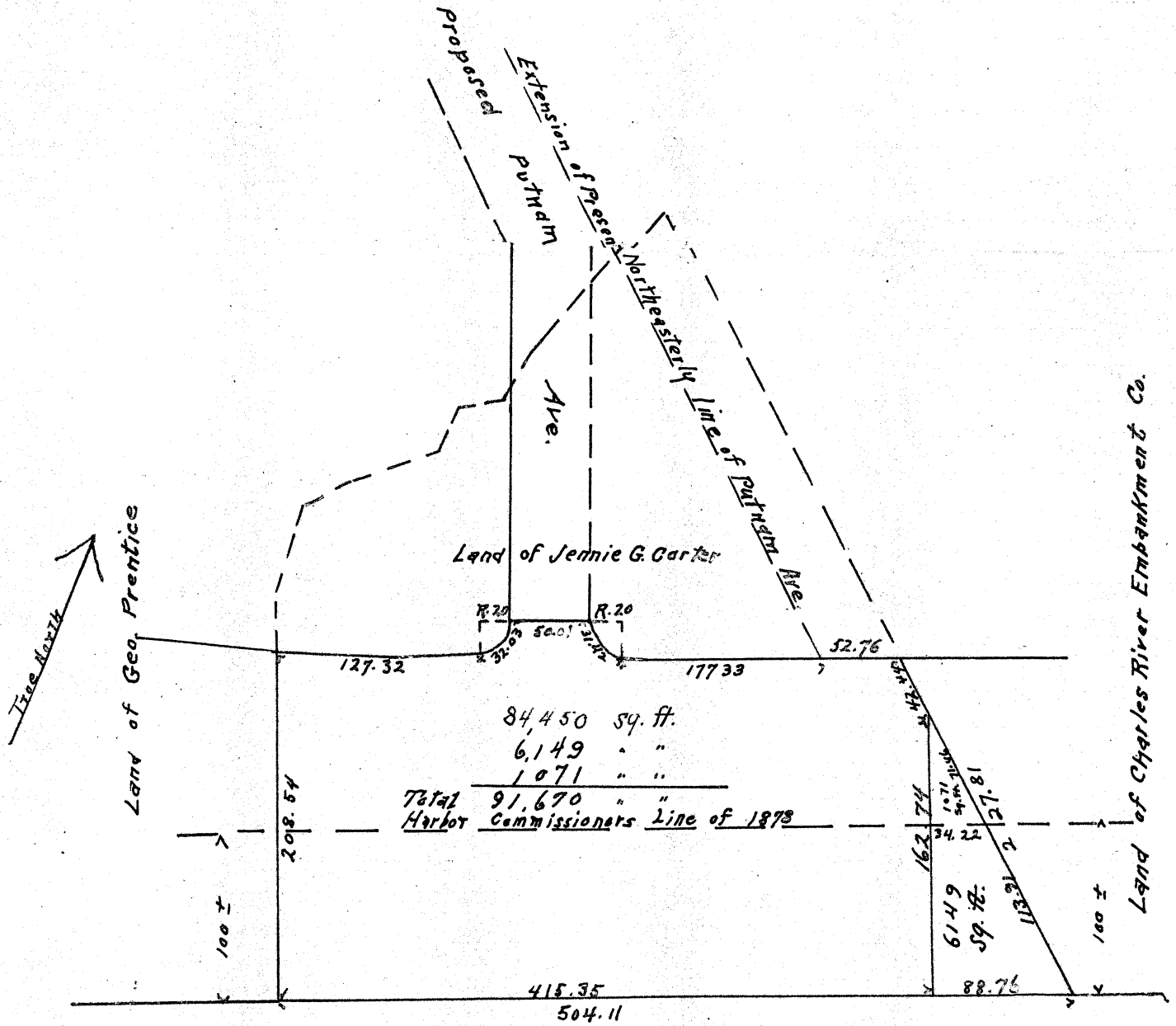
WHEREFORE, it appearing that the City does not propose to construct Putnam Street as originally intended and it further appearing that the City of Cambridge will make no use of the said parcel referred to in paragraph three of this description, your petitioners respectfully request that the said parcel be returned to them, by a proper instrument of conveyance.

By their attorney,

Mendell E. Ryerson

Map S.D.

Book 2518-503.



*This petition transmitted by Mayor
on July 20, 1935*

P E T I T I O N

TO HIS HONOR THE MAYOR AND THE
CITY COUNCIL OF THE CITY OF
CAMBRIDGE

JUL 30 1935

In City Council

Referred to the Committee on
PUBLIC PROPERTY AND
PUBLIC INSTITUTIONS

Frederick H. Burke
City Clerk

From the office of
Wendell E. Ryerson
975 Great Plain Ave.
Needham Mass.

WENDELL E. RYERSON

ATTORNEY AT LAW

975 GREAT PLAIN AVENUE
NEEDHAM, MASSACHUSETTS

July 8, '35

City Council of The City of Cambridge
City Hall
Cambridge Mass.

Gentlemen:

On behalf of William H. Carter and Horace A. Carter, trustees under a declaration of trust of land in Cambridgeport, for the benefit of certain named beneficiaries, I am presenting this petition to you and to Mayor Russell for your consideration. Mayor Russell has in his possession a duplicate of this petition.

If I can be of any assistance to you in furnishing any information not contained in the enclosed petition, please do not hesitate to call on me.

Very truly yours,

Wendell E. Ryerson.

To His Honor the Mayor and the City Council of the City of Cambridge:

Respectfully represents William H. Carter and Horace A. Carter that they are trustees under a declaration of trust of land in Cambridge, Massachusetts, dated March 1, 1933 recorded with Middlesex South District Deeds, Book 5710 Page 213, and as such present the following facts to His Honor the Mayor and City Council of the City of Cambridge, for their consideration.

On November 30, 1896, Noah S. King, Sinia W. King, his wife, Rufus King, Jennie G. Carter and William Carter, her husband, were all of the parties having an interest in a certain tract of land in Cambridge Port, Middlesex County, and shown on a plan of land of Jennie G. Carter, a copy of which is annexed to this petition for the purpose of reference.

On or about the said November 30, 1896, the City of Cambridge was constructing a highway along the bank of the Charles River, to be known as the Charles River Parkway, and a portion of the land of said Noah S. King, et al, lying on the bank of the river having been required for that purpose, was conveyed to the City of Cambridge by deed, recorded with Middlesex South District Deeds, Book 2518, Page 498, and is described in said deed as follows:

Beginning at a point in the northwesterly boundary line of the Charles River Parkway fifty-two and seventy-six hundredths (52.76) feet, northeasterly from its intersection with the present northeasterly line of Putnam Avenue produced and extended southeasterly at the intersection of said Parkway line with the division line between land of said grantors and land now or formerly of the Charles River Embankment Company; thence running in a southeasterly direction along said division line two hundred and twenty-seven and eighty one hundredths (227.81) feet to its intersection with the line described in an Act of the Legislature of Massachusetts of 1881 Chapter 221, Section 2, said line being about one hundred (100) feet southerly from the Harbor Commissions line of Charles River as established in 1878; thence running southwesterly along said line as described in said Act five hundred and four and eleven hundredths (504.11) feet to its intersection with the division line between land of said grantors and land now or formerly of George Prentiss; thence northwesterly along said division line between land of said grantors and land of said Prentiss two hundred and eight and fifty-four hundredths (208.54) feet to its intersection with the northwesterly boundary line of the Charles River Parkway; thence northeasterly along said Parkway line one hundred twenty seven and thirty-two hundredths (127.32) feet to a point of Compound Curvature, thence easterly and northerly along a curve of (20) feet radius thirty-two and three hundredths (32.03) feet to the tangent point of said curve in the southwesterly line of the proposed extension Putnam Avenue; thence northeasterly fifty and one hundredths (50.01) feet to the tangent point of a curve in the northeasterly line of the proposed extension of Putnam Avenue; thence southerly and easterly along said curve of twenty (20) feet radius thirty-one and forty-two hundredths (31.42) feet to the other tangent point of said curve in the northwesterly boundary line of the Charles River Parkway; thence northeasterly along said boundary line one hundred seventy-seven and thirty-three hundredths (177.33) feet to its intersection with the division line between land of said grantors and land now or formerly of the Charles River Embankment Company at the point of beginning. Containing ninety-one thousand six hundred and seventy (91,670) square feet. The above described parcel of land is shown on a plan hereinafter referred to.

There was included in the same conveyance a small parcel of land (underscored in the above description) adjoined at the northerly line of the proposed Parkway and intended to be used as an entrance from the Parkway to a proposed street running back over the land of the aforesaid owners, to be known as Putnam Street.

By deed dated January 15, 1921, recorded with Middlesex South District Deeds, Book 4412, Page 169 shown on map filed at Middlesex Registry of Deeds number 681, the City of Cambridge conveyed the Charles River Parkway to the Commonwealth of Massachusetts, and this transfer included all the land conveyed by the aforesaid owners to the City of Cambridge on November 30, 1896, with the exception of the small parcel previously mentioned as an entrance to the proposed Putnam Street.

No street has ever been constructed through the land of the aforesaid owners as originally intended, and it now appears that any intention of constructing Putnam Street has been definitely abandoned.

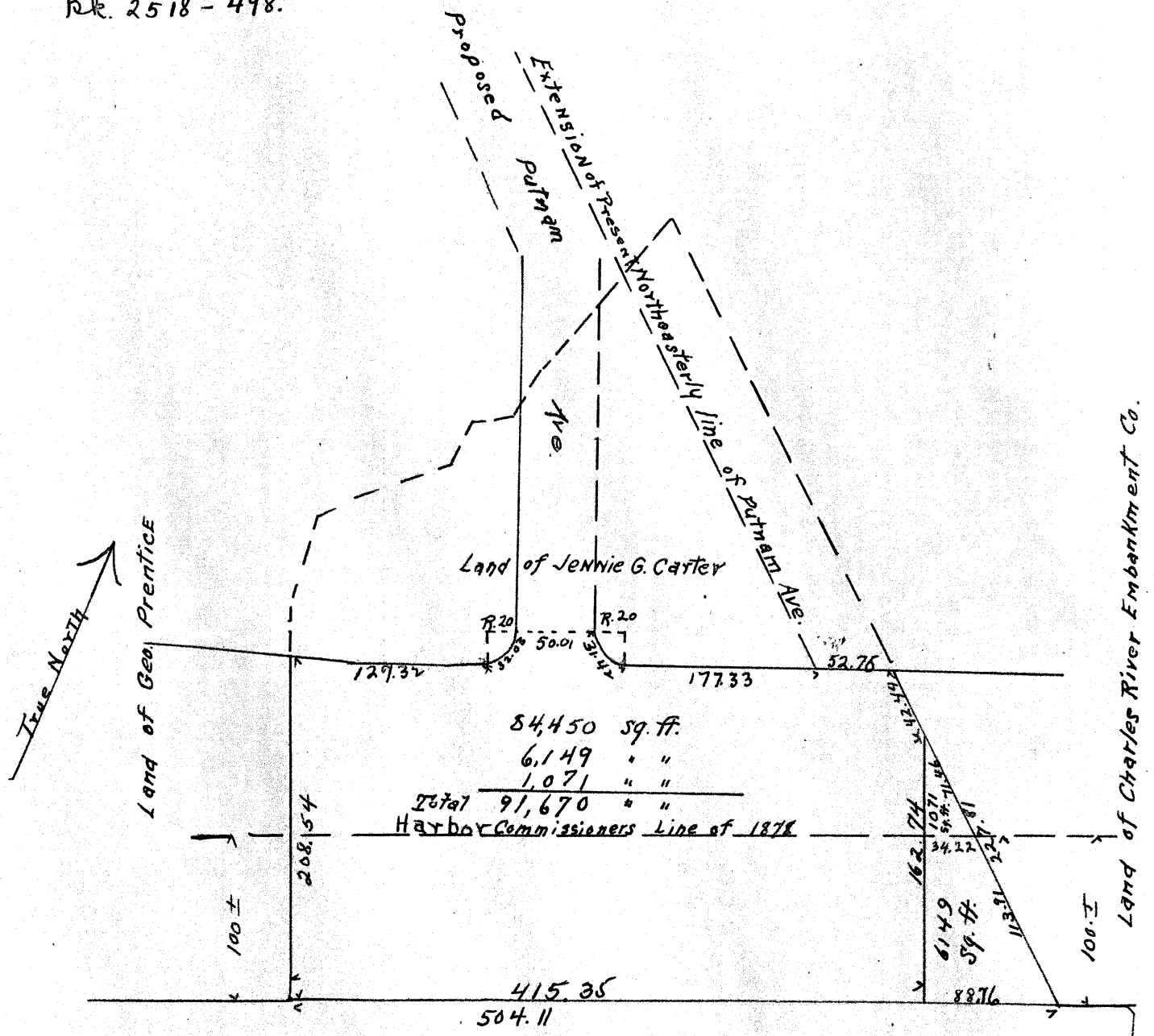
Your petitioners are the true and record owners of the original tract of land owned by the aforesaid Noah S. King et al, exclusive of the tract conveyed on November 30, 1896 to the City of Cambridge. Their property has a frontage on Memorial Drive, originally Charles River Parkway, in two distances broken by the aforesaid parcel of land referred to in paragraph five of this petition, now owned by the City of Cambridge the same having a frontage of approximately ninety (90) feet on said Memorial Drive. Your petitioners now are and in the future will continue to be greatly inconvenienced in the use of their property and the value of their land has been greatly reduced by the loss of this small parcel.

WHEREFORE, it appearing that the City does not propose to construct Putnam Street as originally intended and it further appearing that the City of Cambridge will make no use of the said parcel referred to in paragraph five of this description, your petitioners respectfully request that the said parcel be returned to them, by a proper instrument of conveyance.

By their attorney,

Mendell E. Ryerson

Rk. 2518-498.



Petition of William H. Carter and Horace A. Carter (by Atty. Wendell E. Ryerson, 975 Great Plain Ave., Needham, Mass.) stating that they are trustees under a declaration of trust of land in Cambridge, Mass. dated March 1, 1933, recorded with Middlesex South District Deeds, Book 5710, Page 213, and requesting that a parcel of land to be used for the proposed extension of Putnam Avenue be returned to them by a proper instrument of conveyance, said parcel being a portion of land conveyed to the City of Cambridge by deed recorded with Middlesex South District Deeds, book 2518, page 498, when the City of Cambridge, on or about

PETITION TO HIS
HONOR THE MAYOR AND THE
CITY COUNCIL OF THE
CITY OF CAMBRIDGE

November 30, 1896 was constructing a highway along the bank of the Charles River to be known as "The Charles River Parkway".

In City Clerk's Office JUL 9 1935

Referred to the Committee on
PUBLIC PROPERTY AND
PUBLIC INSTITUTIONS

Frederick H. Barker City Clerk

KNOW ALL MEN BY THESE PRESENTS that the City of Cambridge, a municipal corporation organized and existing under the laws of the Commonwealth of Massachusetts, in the County of Middlesex, in consideration of Eight Hundred Dollars, (\$800.00), to it paid by William H. Carter and Horace A. Carter, Trustees under a declaration of trust of land in Cambridge, Massachusetts, dated March 1, 1933, recorded with Middlesex South District Deeds, Book 5710, Page 213, hereby grants to the said William H. Carter and Horace A. Carter, Trustees, ^{with quitclaim covenants} a certain parcel of land bounded and described as follows:

"Beginning at a point in the Northerly line of Memorial Drive, said point being one hundred twenty-seven and thirty-two one hundredths (127.32) feet distant Easterly from the intersection of said Northerly line of Memorial Drive and the Easterly line of Andrey Street as measured along said Northerly line of Memorial Drive; thence Easterly and Northerly along a curve of twenty (20) feet radius thirty-two and three one hundredths (32.03) feet to a point; thence Easterly along a straight line fifty and one one hundredth (50.01) feet to the Northerly tangent point of a curve of twenty (20) feet radius; thence Southerly and Easterly along said curve of twenty (20) feet radius thirty-one and forty-two one hundredths (31.42) feet to its Easterly tangent point in the aforementioned Northerly line of Memorial Drive; thence Westerly along said Northerly line of Memorial Drive ninety and sixty-four one hundredths (90.64) feet to the point of beginning, containing 1194.0 square feet. All of the above measurements and area are more or less.

The above described parcel of land is shown as Lot No. 14 on Assessors' Block Plan No. 62, dated May, 1931, which is on file in the Assessors' Office of the City of Cambridge, Massachusetts".

IN WITNESS WHEREOF the City of Cambridge has caused these presents to be executed and its corporate seal impressed hereon by John D. Lynch, its Mayor, (herunto duly authorized by an order of the City Council of the City of Cambridge, dated March 3, 1936), a copy of which is attached

hereto and made a part hereof, this 17th day
of April in the Year Nineteen Hundred
and Thirty-Six.

CITY OF CAMBRIDGE

By John D. Lynch

Mayor.



THE COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, ss.

April 17 1936.

Then personally appeared the above named
John D. Lynch, Mayor of the City of Cambridge, and
acknowledged the foregoing instrument to be the
free act and deed of the City of Cambridge,
before me

Theodore A. Lynch
NOTARY PUBLIC.

THE FORM OF THIS DEED
IS APPROVED IN QUADRUPLICATE.

Theodore A. Lynch
CITY SOLICITOR.

C I T Y O F
C A M B R I D G E.

In City Council,
March 3, 1936.

WHEREAS:-

An offer has been received by the City Council for the purchase of city-owned land situated on Memorial Drive formerly known as Charles River Parkway, it is

ORDERED:-

That his Honor, the Mayor, be and hereby is authorized in the name of, and in behalf of the City of Cambridge to sell and convey to William H. Carter and Horace A. Carter, Trustees under a declaration of trust of land in Cambridge, Massachusetts, dated March 1, 1933, recorded with Middlesex South District Deeds, Book 5710, Page 213, for a sum not less than eight hundred (\$800) dollars a parcel of land situated and described as follows:

Beginning at a point in the northerly line of Memorial Drive said point being one hundred twenty-seven and thirty-two one hundredths (127.32) feet distant easterly from the intersection of said northerly line of Memorial Drive and the easterly line of Audrey Street as measured along said northerly line of Memorial Drive; thence easterly and northerly along a curve of twenty (20) feet radius thirty-two and three one hundredths (32.03) feet to a point; thence easterly along a straight line fifty and one one hundredths (50.01) feet to the northerly tangent point of a curve of twenty (20) feet radius; thence southerly and easterly along said curve of twenty (20) feet radius thirty-one and forty-two one hundredths (31.42) feet to its easterly tangent point in the aforementioned northerly line of Memorial Drive; thence westerly along said northerly line of Memorial Drive ninety and sixty-four one hundredths (90.64) feet to the point of beginning, containing 1194.0 square feet. All above measurements and area are more or less.

The above described parcel of land is shown as Lot No. 14 on Assessors' Block Plan No. 62, dated May, 1931, which is on file in the Assessors' Office of the City of Cambridge, Massachusetts.

Adopted by the affirmative vote of 15 members.

A true copy, Attest: - (Signed) Frederick H. Burke
City Clerk

D E E D

CITY OF CAMBRIDGE

to

WILLIAM H. CARTER and
HORACE A. CARTER, Trustees.

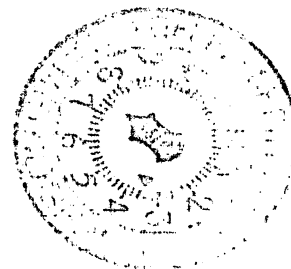
Memorial Drive

*File With No. 2. Public Property &
Public Institutions 1936.*

FROM THE OFFICE OF:

Theodore A. Lynch,
City Solicitor,
City Hall,
Cambridge, Mass.

APR 22 1936 PM



RECEIVED

TRUSTEES OF
THE ESTATE OF WILLIAM CARTER
NEEDHAM HEIGHTS, MASS.

March 2, 1936.

To His Honor The Mayor
and the City Council
Cambridge, Mass.

Gentlemen:

We hereby offer a sum of \$800.00 to the City of Cambridge for the entrance from Memorial Drive to a proposed extension of Putnam Avenue, being a portion of land conveyed by Jennie G. A. Carter et als to the City of Cambridge by deed dated November 30, 1896 recorded with Middlesex South District Registry of Deeds, Book 2518, Page 498 said entrance being shown on a plan of land in Cambridge, Massachusetts owned by William Carter Trust dated July 19, 1935 W. A. Mason & Son Company surveyors and according to said plan having a frontage of ninety and sixty-three one hundredths (90.63) feet on Memorial Drive.

Very truly yours,

WILLIAM CARTER TRUST


Trustee

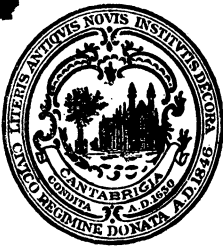
38/19

In City Council March 3, 1936.

Referred to the Committee on

Public Property & Public Institutions

Frederick H. Brooke City Clerk.



LAW DEPARTMENT OF THE CITY OF CAMBRIDGE

EDMUND L. TWOMEY, CITY SOLICITOR
HAROLD G. JACKSON
ASSISTANT CITY SOLICITOR
53 STATE STREET, ROOM 735
BOSTON, MASS.
TELEPHONE: HUBBARD 2670

July 23, 1935.

The Honorable Richard M. Russell,
Mayor of the City of Cambridge,
City Hall, Cambridge, Massachusetts.

Dear Sir:-

Some time ago you referred to me a petition filed by Wendell E. Ryerson in behalf of William H. Carter and Horace A. Carter, requesting my opinion as to whether the city still had the right to continue Putnam Avenue to the Parkway.

I find that this property was conveyed to the City of Cambridge by deed dated November 30, 1896, and recorded with Middlesex South District Deeds, Book 2518, Page 498. This deed purports to convey the property to the city in fee simple. I see no reason, therefore, why the city could not now use this land for the purpose of extending Putnam Avenue to the Parkway.

Yours very truly,

E. L. Twomey
City Solicitor.

ELT:C



RICHARD M. RUSSELL
MAYOR

OFFICE OF THE MAYOR
CAMBRIDGE, MASSACHUSETTS

July 30, 1935.

To The Honorable, The City Council:-

I transmit herewith communication from Wendell E.
Ryerson together with petition therein referred to; also communication from the City Solicitor with reference thereto.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Richard M. Russell", written in a cursive style.

Mayor

COMMUNICATION
STATE OF MOYON, transmitting

~~from~~ Wendell C. Ryerson Attorney
enclosing a petition on behalf of William
H. Carter and Horace A. Carter requesting
the City to convey to them a certain
parcel of land on Charles River Parkway,
also communication from City Engineer
relative to the matter.

JUL 30 1935

Referred to the Committee on
PUBLIC PROPERTY AND
PUBLIC INSTITUTIONS

Frederick H. Danks
City Clerk



City of Cambridge

IN CITY COUNCIL

March 3, 1936.

WHEREAS:-

An offer has been received by the City Council for the purchase of City-owned land situated on Memorial Drive formerly known as Charles River Parkway, it is

ORDERED:-

That His Honor, the Mayor, be and hereby is authorized, in the name of, and in behalf of the City of Cambridge to sell and convey to William H. Carter and Horace A. Carter, Trustees under a declaration of trust of land in Cambridge, Massachusetts, dated March 1, 1933 recorded with Middlesex South District Deeds, Book 5710, Page 213, for a sum not less than eight hundred (\$800) dollars a parcel of land situated and described as follows:-

Beginning at a point in the Northerly line of Memorial Drive said point being one hundred twenty-seven and thirty-two one hundredths (127.32) feet distant Easterly from the intersection of said Northerly line of Memorial Drive and the Easterly line of Audrey Street as measured along said Northerly line of Memorial Drive; thence Easterly and Northerly along a curve of twenty (20) feet radius thirty-two and three one hundredths (32.03) feet to a point; thence Easterly along a straight line fifty and one one hundredth (50.01) feet to the Northerly tangent point of a curve of twenty (20) feet radius; thence Southerly and Easterly along said curve of twenty (20) feet radius thirty-one and forty-two one hundredths (31.42) feet to its Easterly tangent point in the aforementioned Northerly line of Memorial Drive; thence Westerly along said Northerly line of Memorial Drive Ninety and sixty-four one hundredths (90.64) feet to the point of beginning containing 1194.0 square feet, All above measurements and area are more or less.

The above-described parcel of land is shown as Lot No. 14 on Assessors' Block Plan No. 62, dated May, 1931 which is on file in the Assessors' Office of the City of Cambridge, Massachusetts.

MAR 31936

By City Council

Adopted by the affirmative vote

of 15 members.

Frederick H. Burck City Clerk

City of Cambridge

In City Council March 3, 1936.

The

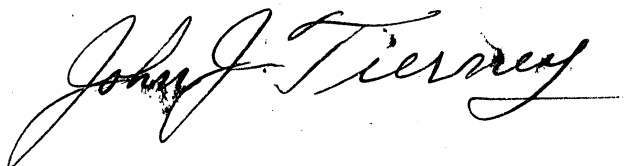
Committee on Public Property
and
Public Institutions

to which was referred a communication from the Mayor transmitting one from Wendell E. Ryerson, Atty. together with petition on behalf of William H. Carter and Horace A. Carter, Trustees, requesting city to convey to them a parcel of land on Charles River Parkway, and communication from City Solicitor relative to the matter; also offer of \$800 to cover the purchase price of land conveyed.

Reports,

Recommending the adoption
of the accompanying order authorizing His Honor, the Mayor, to convey said
land for a price of not less than \$800.00

For the Committee.



REPORT

Committee on

*Public Property and
Public Institutions*

*recommending and authorizing
sale of land on Memorial Drive*

March 3, 1936