



City of Cambridge

Calendar Item #1a

IN CITY COUNCIL
September 13, 1999

WHEREAS: The City of Cambridge through its Conservation Commission acquired 58.57 acres + of watershed land in the Town of Lincoln by quitclaim deed dated May 28, 1999 from D'Arrigo Bros. Co. of Massachusetts. The property is shown on "Plan of Land in Lincoln, Massachusetts dated March 29, 1999 by Snelling & Hamel Associates." The deed and the plan were recorded at the Middlesex South County Registry of Deeds on May 28, 1999 as instrument #662 and plan #563 respectively. A copy of the executed deed containing the metes and bounds description of the three parcels acquired is attached herewith; and

WHEREAS: The City of Cambridge worked cooperatively with the Town of Lincoln and the Lincoln Land Conservation Trust to acquire the above property and an adjacent 24 acre parcel that D'Arrigo Bros. Co. of Massachusetts donated to the Lincoln Land Conservation Trust. For its acquisition, the City received a Self-Help Grant from the State of \$98,600, a donation of \$44,000 from the Lincoln Land Conservation Trust, and contributed \$47,400 of City money;

WHEREAS: As a final piece of this acquisition, the Town of Lincoln and the Lincoln Land Conservation Trust request that the City of Cambridge grant a conservation restriction easement to the Lincoln Conservation Commission which gives added assurances that the land will remain conservation land in perpetuity; now therefore be it

ORDERED: That the City Council hereby approves and authorizes the City Manager to grant, on behalf of the City of Cambridge, a conservation restriction easement to the Lincoln Conservation Commission to ensure that the above-referenced 58.54 acres + of Cambridge watershed land in the Town of Lincoln shall remain conservation land in perpetuity. The easement may be granted in such form and substance as the City Manager deems necessary or advisable.

In City Council September 13, 1999

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

QUITCLAIM DEED

87

D'Arrigo Bros. Co. of Massachusetts also known as D'Arrigo Brothers Co. of
IN CONSIDERATION OF TWO HUNDRED (\$200,000.00) DOLLARS PAID,
Massachusetts, a corporation duly organized and existing by law, hereby grants to the
City of Cambridge through its Conservation Commission for administration, control, and
maintenance under the provisions of General Laws, Chapter 40, Section 8C, as amended,
with quitclaim covenants, the three parcels in Lincoln, Middlesex County, Massachusetts,
totaling 58.57 acres $\pm$, being shown on "Plan of Land in Lincoln, Massachusetts dated
March 29, 1999 by Snelling & Hamel Associates", recorded herewith, as follows:

Parcel 1. Shown as Lot "B", 33 $\pm$ acres on "Compiled Plan of Lands in Lincoln,
Mass. Rowland H. Barnes & Co. C.E." dated September 1951, Plan #1765 of 1951,
bounded and described as follows:

Southerly by Concord Turnpike, one thousand one hundred thirty (1130) feet
more or less;

Westerly by Lot C on plan hereinafter mentioned, one thousand four (1004) feet
more or less;

Southwesterly by Lot C, five hundred ninety-seven (597) feet more or less;

Northwesterly by a ditch, three hundred thirty-two (332) feet more or less;

Northeasterly by a ditch, two hundred sixty (260) feet more or less;

Northwesterly again by a ditch two hundred ten (210) feet more or less;

Northeasterly again by a ditch, two hundred twenty-four (224) feet more or less;

25/28/99 PLAN NUMBER: 00000563

33.25

662

190 05/28/99 11:45:40

SEE PLAN IN RECORD BOOK PAGE

CONCORD TURNPIKE, LINCOLN, MA.

Northwesterly again by a ditch, one hundred ninety-six (196) feet more or less;
the last five courses and distances being by land now or formerly of Danosky;
Northerly by a ditch by land now or formerly of Bean, seven hundred eighty (780)
feet more or less;
Easterly by land now or formerly of Nelson and by land now or formerly of Flint
by a ditch, one thousand two hundred forty (1240) feet more or less;
Northeasterly by a ditch by land now or formerly of said Flint, five hundred
eighty-three (583) feet more or less;
Easterly again by another ditch one hundred fifteen (115) feet more or less;
containing thirty-three (33) acres more or less and being shown as Lot B on the
above mentioned plan.

This being described as "Parcel Two" in deed of James DeNormandie to D'Arrigo
Brothers Co. of Massachusetts dated October 9, 1951 recorded with Plan #1765 of 1951
at Book 7815, page 242.

Said Parcel 1 is subject to a Taking by the Commonwealth of Massachusetts,
Department of Public Works, dated January 17, 1933, and recorded at Middlesex South
District Deeds at Book 5706, page 297 for Route 2 Turnpike purposes, in fee.

Parcel 1 is also subject to the terms of a deed from Mary Louise Wheeler and
Elizabeth French Wheeler to the Commonwealth of Massachusetts, Dated June 21, 1934,
recorded with said Deeds at Book 6002, page 180, acting through its Department of
Public Works conveying the parcels taken by the Commonwealth for said Turnpike

purposes, and releasing said Commonwealth from all damages, actions, and causes of action arising from or connected to said Taking.

Parcel 1 is also subject to an Order of Taking by the Commonwealth of Massachusetts, through its Department of Public Works, dated March 25, 1987, and recorded with said Deeds at Book 18036, Page 186, for the layout of two sections of the Turnpike on behalf of the Town of Lincoln, and the easement in Parcel 4-D-5, containing about 300 square feet, for the purposes of draining and maintaining the aforesaid State Highway and consisting of the right to enter upon said land at any time and construct thereon and to use and maintain drainage structures and/or drainage ditches, together with the right to discharge surface water upon said land.

Parcel 1 is also subject to the terms of an Order of Conditions from the Lincoln Conservation Commission issued to the Algonquin Gas Transmission Co., dated March 15, 1995 and recorded with said Deeds at Book 25339, page 258, located north of Route 2 West, within the existing right-of-way but abutting our within Parcel 1 (assessors' parcel 30-7), as amended by Amended Order of Conditions dated February 7, 1996, recorded with said Deeds at Book 26120, Page 340.

Parcel 2. Shown as "George B. Flint Lot" on "Plan of Land in Lincoln, Mass. Compiled By Horace F. Tuttle, C.E., for D'Arrigo Bros. Co." dated September 12, 1953, Plan #1526 of 1955 recorded Book 8538 page End, comprising 11.58 acres $\pm$, bounded and described as follows:

Land in Lincoln situated on the northerly side of Route 2 and being a portion of the lot shown as situated on the northerly side of the turnpike and containing 29.53 acres on plan entitled "Plan of the Farm of George Flint, Lincoln, Mass." dated November 1901, Albert E. Woods, Surveyor, recorded with Middlesex South District Registry of Deeds, Plan Book 155, Plan 28, said portion of said lot—beginning at a point on the northerly side of the turnpike at land shown on said plan as of J.B. Wheeler, thence the line runs in a general northerly direction by six courses as shown on said plan to a corner; thence in a westerly direction by a wall to the center of an old wood road; thence in a general southerly direction by the center of said wood road to the turn pike; thence northerly by said turnpike 202 feet to the point of beginning; except so much thereof as was conveyed to Loring by deed dated February 4, 1921 and recorded with said Deeds in Book 4417, page 174, and except so much thereof as was taken by the Commonwealth of Massachusetts by an instrument of taking dated January 17, 1933 and recorded with said Deeds in Book 5706, Page 297, and conveyed to said Commonwealth by deed dated February 3, 1934 and recorded with said Deeds in Book 5802, Page 227.

Deed from Edith F. Flint to D'Arrigo Bros. Co. of Massachusetts dated July 2, 1955 is recorded at Book 8515, page 443.

Said Parcel 2 is subject to a Taking by the Commonwealth of Massachusetts through its Department of Public Works dated January 17, 1933, recorded with said Deeds at Book 5706, Page 297, for Turnpike purposes, in fee.

Parcel 2 is also subject to the terms of a deed from Ephraim B. Flint to the Commonwealth of Massachusetts, dated June 21, 1934, recorded with said Deeds at Book 6002, Page 180, through its Department of Public Works, conveying the parcel taken by the Commonwealth for said Turnpike purposes, and releasing said Commonwealth from all damages, actions and causes of action arising from or connected to said Taking.

Parcel 2 is also subject to an Order of Taking by the Commonwealth of Massachusetts through its Department of Public Works, dated March 25, 1987, recorded with said Deeds at Book 18036, Page 186 for the layout of 2 portions of the highway (Route 2) on behalf of the Town of Lincoln, to the extent as said Taking may affect Parcel 2.

Parcel 3. Shown as "D'Arrigo Bros. Co.—Nelson Lot 14.5+ acres" on a plan of "Land in Lincoln, owned by W. Newton Nelson and Eleanor R. Nelson, Horace F. Tuttle, C.E., dated September 12, 1953", Plan #1293 of 1955, bounded and described as:

Beginning at a point at the junction of land now or formerly owned by heirs of George Flint and land now of D'Arrigo Bros. Co., and land of Nelson, and running in a NORTHEASTERLY direction along the land now of D'Arrigo Bros. Co., a distance of 682 feet, more or less; thence turning and running along a ditch in a SOUTHEASTERLY direction by land formerly of Elmer A. Bean, a distance of 78 feet; thence turning and running in a NORTHEASTERLY direction by a ditch along land formerly of Elmer A. Bean, a distance of 116 feet more or less; thence turning and running in a NORTHEASTERLY direction again by a ditch

along land formerly of Elmer A. Bean, a distance of 152 feet more or less; thence turning and running in a SOUTHERLY direction by land formerly of Francois B. Sargent, a distance of 18.63 feet; thence turning and running in a SOUTHEASTERLY direction by land formerly of Francis B. Sargent, a distance of 217 feet more or less to a stone bound; thence turning and running in a NORTHEASTERLY direction by land formerly of Francis B. Sargent, a distance of 106.16 feet; thence turning and running in a NORTHEASTERLY direction again by land formerly of Francis B. Sargent, a distance of 140.90 feet; thence turning and running in a SOUTHEASTERLY direction by land formerly of Dominick Dominichella, a distance of 363.90 feet to a stone wall; thence continuing in a SOUTHEASTERLY direction by land formerly of Dominick Dominichella, a distance of 97 feet; thence turning and running in a SOUTHWESTERLY direction by land formerly of heirs of George Flint, a distance of 1010 feet more or less; thence continuing in a SOUTHWESTERLY direction by land formerly of heirs of George Flint, a distance of 132 feet; thence turning and running in a NORTHWESTERLY direction along a stone wall by land formerly of heirs of George Flint, 164 feet more or less; thence continuing in a NORTHWESTERLY direction by land formerly of heirs of George Flint, a distance of 222 feet more or less; thence continuing in a NORTHWESTERLY direction by land formerly of heirs of George Flint, a distance of 187 feet more or less to the point of beginning, and containing 14.5 acres, more or less. Together with the right to use of the twenty (20) foot right of way across the land formerly

of Francis B. Sargent and across the land of Nelson and across the land formerly
of Francis B. Sargent again to Massachusetts Avenue as shown on said plan.

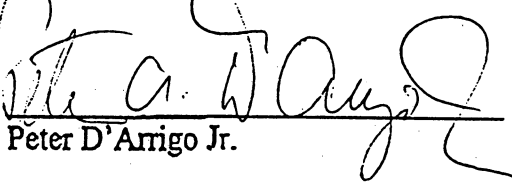
The 1953 plan with deed to D'Arrigo Bros. Co. of Massachusetts from W. Newton
Nelson and Eleanor R. Nelson is recorded at Book 8515 page 441.

Subject to any other easements and restrictions of record insofar as now in force
and applicable.

The above premises do not constitute all or substantially all of the corporate assets
of the Grantor.

Witness the seal of D'Arrigo Bros. Co. of Massachusetts, Inc. this 28 day of
May, 1999.

D'Arrigo Bros. Co. of Massachusetts,
By its President, duly authorized,


Peter D'Arrigo Jr.

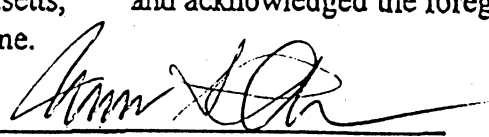
Commonwealth of Massachusetts

Middlesex, ss.

Date: MAY 28, 1999

Then personally appeared the above-named Peter D'Arrigo Jr. on behalf of
D'Arrigo Bros. Co. of Massachusetts, and acknowledged the foregoing instrument to
be free act and deed, before me.

THE
OF THE
CORPORATION


Notary Public

My Commission Expires:

BRUCE I. MILLER, Notary Public
My Commission Expires August 27, 2004



City of Cambridge

Calendar Item #1b

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WHEREAS: The City of Cambridge through its Conservation Commission acquired 58.57 acres ± of watershed land in the Town of Lincoln by quitclaim deed dated May 28, 1999 from D'Arrigo Bros. Co. of Massachusetts. The property is shown on "Plan of Land in Lincoln, Massachusetts dated March 29, 1999 by Snelling & Hamel Associates." The deed and the plan were recorded at the Middlesex South County Registry of Deeds on May 28, 1999 as instrument #662 and plan #563 respectively; and

WHEREAS: The significance of the disposition of a conservation restriction easement to the Lincoln Conservation Commission to ensure that such watershed land is preserved is such that the full disposition process described in Chapter 2.110 of the Cambridge Municipal Code would be unduly burdensome; now therefore be it

ORDERED: That pursuant to Sec. 2.110.010G of the Cambridge Municipal Code, the City Council hereby orders that the City Council shall utilize a diminished process for the disposition of a conservation restriction easement to the Lincoln Conservation Commission to ensure that above-referenced 58.57 acres ± of Cambridge watershed land in the Town of Lincoln shall remain conservation land in perpetuity.

In City Council September 13, 1999

Adopted by a yeas and nays vote

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "D. Margaret Drury".

D. Margaret Drury
City Clerk

QUITCLAIM DEED

87

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City of Cambridge through its Conservation Commission for administration, control, and
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with quitclaim covenants, the three parcels in Lincoln, Middlesex County, Massachusetts,
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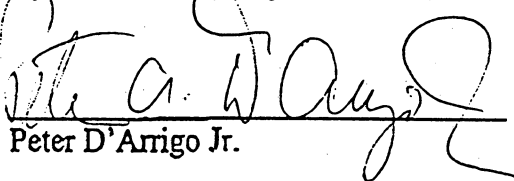
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Subject to any other easements and restrictions of record insofar as now in force
 and applicable.

The above premises do not constitute all or substantially all of the corporate assets
 of the Grantor.

Witness the seal of D'Arrigo Bros. Co. of Massachusetts, Inc. this 28 day of
 May, 1999.

D'Arrigo Bros. Co. of Massachusetts,
 By its President, duly authorized,


 Peter D'Arrigo Jr.

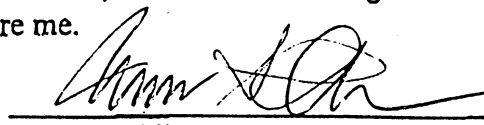
Commonwealth of Massachusetts

Middlesex, ss.

Date: MAY 28, 1999

Then personally appeared the above-named Peter D'Arrigo Jr. on behalf of
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 be free act and deed, before me.

THE
 OF THE
 CORPORATION


 Notary Public

My Commission Expires:

BRUCE I. MILLER, Notary Public
 My Commission Expires August 27, 2004



City of Cambridge

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D. Margaret Drury
D. Margaret Drury
City Clerk



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D. Margaret Drury

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City Clerk

QUITCLAIM DEED

87

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SEE PLAN IN RECORD BOOK PAGE

CONCORD TURNPIKE, LINCOLN, MA.

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Northerly by a ditch by land now or formerly of Bean, seven hundred eighty (780)
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Easterly by land now or formerly of Nelson and by land now or formerly of Flint
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eighty-three (583) feet more or less;
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at Book 7815, page 242.

Said Parcel 1 is subject to a Taking by the Commonwealth of Massachusetts,
Department of Public Works, dated January 17, 1933, and recorded at Middlesex South
District Deeds at Book 5706, page 297 for Route 2 Turnpike purposes, in fee.

Parcel 1 is also subject to the terms of a deed from Mary Louise Wheeler and
Elizabeth French Wheeler to the Commonwealth of Massachusetts, Dated June 21, 1934,
recorded with said Deeds at Book 6002, page 180, acting through its Department of
Public Works conveying the parcels taken by the Commonwealth for said Turnpike

purposes, and releasing said Commonwealth from all damages, actions, and causes of action arising from or connected to said Taking.

Parcel 1 is also subject to an Order of Taking by the Commonwealth of Massachusetts, through its Department of Public Works, dated March 25, 1987, and recorded with said Deeds at Book 18036, Page 186, for the layout of two sections of the Turnpike on behalf of the Town of Lincoln, and the easement in Parcel 4-D-5, containing about 300 square feet, for the purposes of draining and maintaining the aforesaid State Highway and consisting of the right to enter upon said land at any time and construct thereon and to use and maintain drainage structures and/or drainage ditches, together with the right to discharge surface water upon said land.

Parcel 1 is also subject to the terms of an Order of Conditions from the Lincoln Conservation Commission issued to the Algonquin Gas Transmission Co., dated March 15, 1995 and recorded with said Deeds at Book 25339, page 258, located north of Route 2 West, within the existing right-of-way but abutting our within Parcel 1 (assessors' parcel 30-7), as amended by Amended Order of Conditions dated February 7, 1996, recorded with said Deeds at Book 26120, Page 340.

Parcel 2. Shown as "George B. Flint Lot" on "Plan of Land in Lincoln, Mass. Compiled By Horace F. Tuttle, C.E., for D'Arrigo Bros. Co." dated September 12, 1953, Plan #1526 of 1955 recorded Book 8538 page End, comprising 11.58 acres $\pm$, bounded and described as follows:

Land in Lincoln situated on the northerly side of Route 2 and being a portion of the lot shown as situated on the northerly side of the turnpike and containing 29.53 acres on plan entitled "Plan of the Farm of George Flint, Lincoln, Mass." dated November 1901, Albert E. Woods, Surveyor, recorded with Middlesex South District Registry of Deeds, Plan Book 155, Plan 28, said portion of said lot—beginning at a point on the northerly side of the turnpike at land shown on said plan as of J.B. Wheeler, thence the line runs in a general northerly direction by six courses as shown on said plan to a corner; thence in a westerly direction by a wall to the center of an old wood road; thence in a general southerly direction by the center of said wood road to the turn pike; thence northerly by said turnpike 202 feet to the point of beginning; except so much thereof as was conveyed to Loring by deed dated February 4, 1921 and recorded with said Deeds in Book 4417, page 174, and except so much thereof as was taken by the Commonwealth of Massachusetts by an instrument of taking dated January 17, 1933 and recorded with said Deeds in Book 5706, Page 297, and conveyed to said Commonwealth by deed dated February 3, 1934 and recorded with said Deeds in Book 5802, Page 227.

Deed from Edith F. Flint to D'Arrigo Bros. Co. of Massachusetts dated July 2, 1955 is recorded at Book 8515, page 443.

Said Parcel 2 is subject to a Taking by the Commonwealth of Massachusetts through its Department of Public Works dated January 17, 1933, recorded with said Deeds at Book 5706, Page 297, for Turnpike purposes, in fee.

Parcel 2 is also subject to the terms of a deed from Ephraim B. Flint to the Commonwealth of Massachusetts, dated June 21, 1934, recorded with said Deeds at Book 6002, Page 180, through its Department of Public Works, conveying the parcel taken by the Commonwealth for said Turnpike purposes, and releasing said Commonwealth from all damages, actions and causes of action arising from or connected to said Taking.

Parcel 2 is also subject to an Order of Taking by the Commonwealth of Massachusetts through its Department of Public Works, dated March 25, 1987, recorded with said Deeds at Book 18036, Page 186 for the layout of 2 portions of the highway (Route 2) on behalf of the Town of Lincoln, to the extent as said Taking may affect Parcel 2.

Parcel 3. Shown as "D'Arrigo Bros. Co.—Nelson Lot 14.5+ acres" on a plan of "Land in Lincoln, owned by W. Newton Nelson and Eleanor R. Nelson, Horace F. Tuttle, C.E., dated September 12, 1953", Plan #1293 of 1955, bounded and described as:

Beginning at a point at the junction of land now or formerly owned by heirs of George Flint and land now of D'Arrigo Bros. Co., and land of Nelson, and running in a NORTHEASTERLY direction along the land now of D'Arrigo Bros. Co., a distance of 682 feet, more or less; thence turning and running along a ditch in a SOUTHEASTERLY direction by land formerly of Elmer A. Bean, a distance of 78 feet; thence turning and running in a NORTHEASTERLY direction by a ditch along land formerly of Elmer A. Bean, a distance of 116 feet more or less; thence turning and running in a NORTHEASTERLY direction again by a ditch

along land formerly of Elmer A. Bean, a distance of 152 feet more or less; thence turning and running in a SOUTHERLY direction by land formerly of Francois B. Sargent, a distance of 18.63 feet; thence turning and running in a SOUTHEASTERLY direction by land formerly of Francis B. Sargent, a distance of 217 feet more or less to a stone bound; thence turning and running in a NORTHEASTERLY direction by land formerly of Francis B. Sargent, a distance of 106.16 feet; thence turning and running in a NORTHEASTERLY direction again by land formerly of Francis B. Sargent, a distance of 140.90 feet; thence turning and running in a SOUTHEASTERLY direction by land formerly of Dominick Dominichella, a distance of 363.90 feet to a stone wall; thence continuing in a SOUTHEASTERLY direction by land formerly of Dominick Dominichella, a distance of 97 feet; thence turning and running in a SOUTHWESTERLY direction by land formerly of heirs of George Flint, a distance of 1010 feet more or less; thence continuing in a SOUTHWESTERLY direction by land formerly of heirs of George Flint, a distance of 132 feet; thence turning and running in a NORTHWESTERLY direction along a stone wall by land formerly of heirs of George Flint, 164 feet more or less; thence continuing in a NORTHWESTERLY direction by land formerly of heirs of George Flint, a distance of 222 feet more or less; thence continuing in a NORTHWESTERLY direction by land formerly of heirs of George Flint, a distance of 187 feet more or less to the point of beginning, and containing 14.5 acres, more or less. Together with the right to use of the twenty (20) foot right of way across the land formerly

of Francis B. Sargent and across the land of Nelson and across the land formerly
of Francis B. Sargent again to Massachusetts Avenue as shown on said plan.

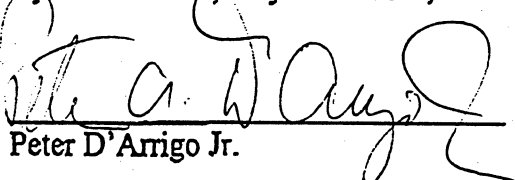
The 1953 plan with deed to D'Arrigo Bros. Co. of Massachusetts from W. Newton
Nelson and Eleanor R. Nelson is recorded at Book 8515 page 441.

Subject to any other easements and restrictions of record insofar as now in force
and applicable.

The above premises do not constitute all or substantially all of the corporate assets
of the Grantor.

Witness the seal of D'Arrigo Bros. Co. of Massachusetts, Inc. this 28 day of
May, 1999.

D'Arrigo Bros. Co. of Massachusetts,
By its President, duly authorized,


Peter D'Arrigo Jr.

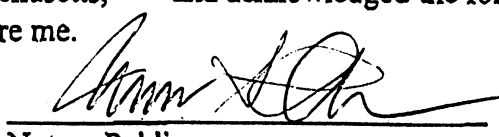
Commonwealth of Massachusetts

Middlesex, ss.

Date: MAY 28, 1999

Then personally appeared the above-named Peter D'Arrigo Jr. on behalf of
D'Arrigo Bros. Co. of Massachusetts, and acknowledged the foregoing instrument to
be free act and deed, before me.

THE
OF THE
CORPORATION


Notary Public

My Commission Expires:

BRUCE I. MILLER, Notary Public
My Commission Expires August 27, 2004

City of Cambridge

MASSACHUSETTS

In City Council 9-13, 1999

MS Chart #1

Garry Emerson

	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born	✓			
Ms. Henrietta Davis	✓			
V. Mayor Anthony Galluccio	✓			
Mr. Kenneth E. Reeves	✓			
Ms. Sheila T. Russell	✓			
Mr. Michael A. Sullivan	✓			
Mr. Timothy J. Toomey, Jr.	✓			
Ms. Katherine Triantafillou	✓			
Mayor Francis H. Duehay	✓			

9 0 0 0

City of Cambridge

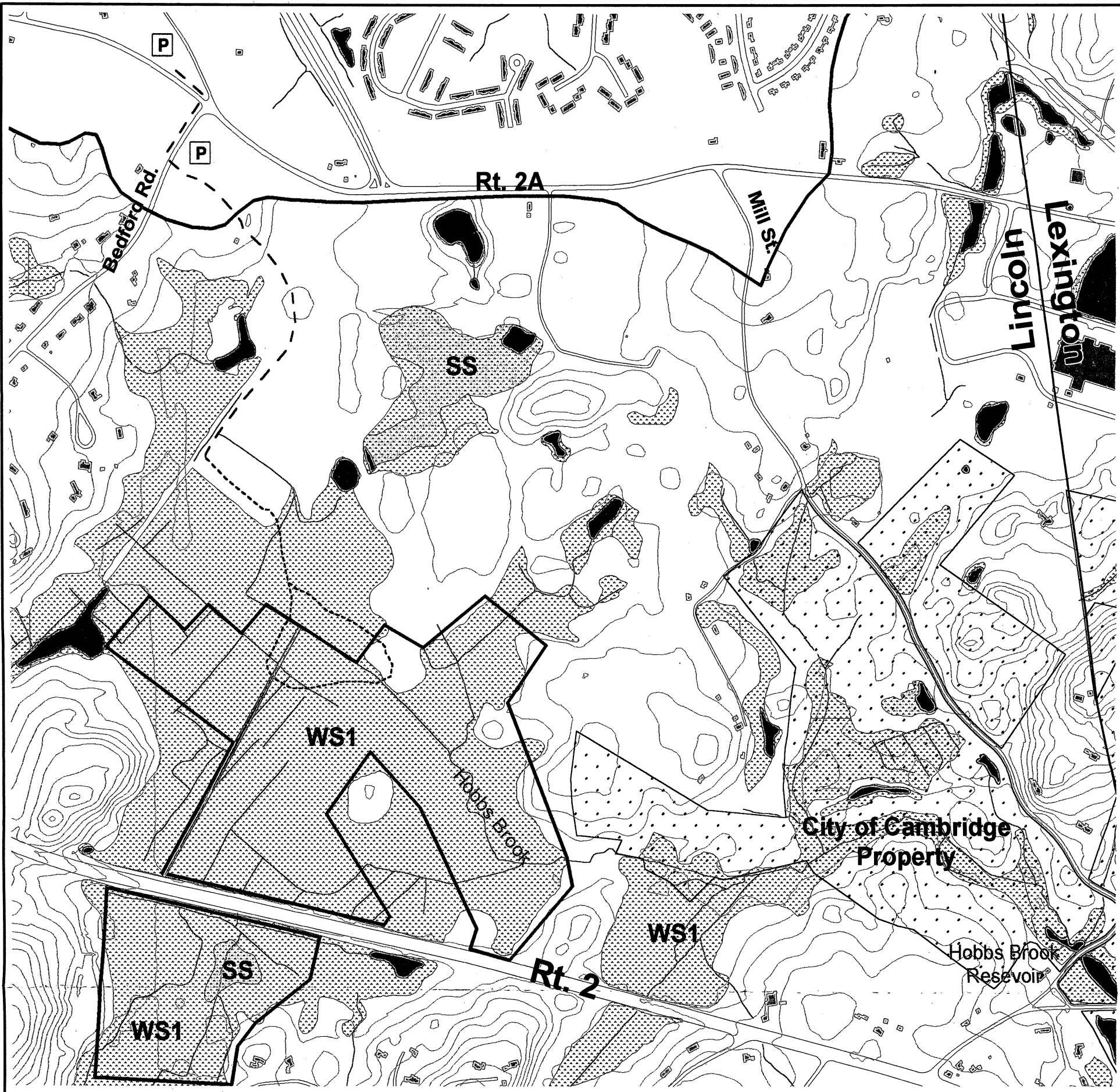
MASSACHUSETTS

In City Council 9-13, 1999

Ch Rt #1 Denomination of the Purse for
Disposals

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

9 0 0 0



D'Arrigo Water Supply Land

Land Use and Management Plan

- Parking - Town of Lincoln
- Parking - Minuteman National Park
- Town Boundary
- Ponds and Reservoirs
- Proposed Footpath
- Existing Footpath
- Land Purchased by City of Cambridge
- Land Donated to Town of Lincoln
- CWD Property
- Streams
- Contour Lines (10ft.)
- Upcountry Watershed Boundary
- Buildings
- Streets and Highways
- Wetlands Categories**
 - Wetlands & Seasonal Surface Water
 - Wetlands
- SS** Shrub Swamp
- WS1** Wooded Swamp - Deciduous



Sources:

Basemap data including roads, rail lines, hydrography, buildings and town boundaries:
Boston Edison Co., 1991.

Wetlands:
DEPWetlands Conservancy Program

10 foot Contour Lines:
MassGIS

800 0 800 1600 2400 Feet

Figure 1

First, the proposal must be considered by the Council pursuant to Chapter 2.110 of the Cambridge Municipal Code which governs the disposition of city-owned property. I believe this disposition may properly be subject to Section 2.110.010(G) of that ordinance. Section G provides for the disposition of city-owned property when the full process of the ordinance would be unduly burdensome. Under this section, the City Manager may request of the City Council a diminution of the process in the ordinance; approval of this diminution request requires a two-thirds vote of the City Council. I recommend such approval at this time.

Secondly, Section 2.110.010 also requires a two-thirds vote of the City Council to authorize the City Manager to grant the easement. I also recommend that the City Council vote to grant the easement and to execute and deliver such easement in form and substance as I determine is necessary or advisable.

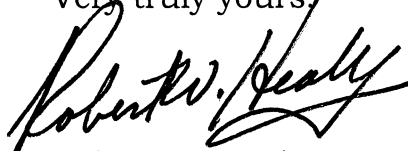
Request for Diminution of Process Stipulated in Chapter 2.110

Chapter 2.110 of the Cambridge Municipal Code on the disposition of city property outlines an extensive process to be applied to the "sale, transfer, lease or rental, or exchange of any city-owned property rights or interests." Paragraph G of section 2.110.010 allows for the diminution of the procedural requirements, by 2/3 vote of the City Council, for property for which the described process would be unduly burdensome. I believe that Paragraph G is appropriate for review of the Town of Lincoln's request for this easement, and request that a limited review process be approved.

The stated purpose of this Chapter of the Municipal Code is "to protect the citizens of Cambridge and to achieve land uses that best serve the City's public purpose." The request for an easement is a request for the conveyance of an interest in land and consequently falls within the purview of this Chapter; however, the purposes of this Chapter and references to the property interests therein, indicate that the detailed and comprehensive process set forth in the Section pertains to property that is of significant value or use to the City or the public, and not necessarily for a conservation easement such as this.

I appreciate your consideration of this matter, and welcome any questions you may have.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Healy", written in a cursive style.

Robert W. Healy
City Manager

Attachments: Map of Easement Area



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 26, 1999

To the Honorable, the City Council:

The Lincoln Conservation Commission is requesting the grant of a conservation easement from City on the 57 acres of watershed land recently acquired by the City of Cambridge.

For the past year, the City of Cambridge has been working in a cooperative effort with the Town of Lincoln and the Lincoln Land Conservation Trust (LLCT) to acquire 81 acres of land adjacent to Route 2 for the purposes of conservation and water supply protection. The Town of Lincoln developed an option agreement with the landowner that if the Town of Lincoln bought a 57-acre parcel for \$190,000, he would donate the adjacent 24-acre parcel to the Town. Since this land is in the Cambridge Watershed, and in fact the Hobbs Brook (see attached map) flows through this parcel, the Town of Lincoln and the LLCT asked the City of Cambridge to assist in purchasing the 57-acre parcel.

The Town of Lincoln was not eligible to apply to the State for a Self-help Grant, however, the City of Cambridge was. The City received a Self-Help Grant for \$98,600 and a donation of \$44,000 from the LLCT. Since the grant is a reimbursement grant, the City needed to appropriate the full acquisition price (\$190,000), which the City Council did on March 22, 1999. After reimbursement, the cost for the 81-acre transaction to the City is \$47,400, funded through water receipts.

As a final piece of this acquisition, the Town of Lincoln and the LLCT request that the City grant a conservation easement to the Lincoln Conservation Commission, which gives added assurances that the land will remain conservation land in perpetuity. This proposal requires action by the City Council.

Consent Agenda #28

Cal. 1

Relative to the grant of
a conservation easement
from the City on the 57
acres of watershed land
recently acquired by the
City of Cambridge

7/1/0

In City Council July 26, 1999

CHARTER RIGHT EXERCISED
BY COUNCILLOR SULLIVAN

9/13/99

diminution of Process 9-0-0.

Granting of Easement 9-0-0.