

THURSDAY, SEPTEMBER 17, 1987

Suit charges program with fund abuse

By J. Barry Mothes
Staff writer

A former employee of the Cambridge Access Job Training Center has filed a complaint charging that the state-funded jobs center for minorities abused public funds.

And, the employee, Paul Guldenzoph, further says that his firing from the center in November 1986 was because of his race and was in retaliation for his protests of the center's alleged misuse of funds.

The center and its board members — six of whom are named as defendants in the complaint — have denied the charges.

Guldenzoph, who is white, is seeking compensation for lost earnings and mental anguish. He filed the

complaint in Middlesex Superior Court this summer.

Guldenzoph worked at the center from June 23, 1986, until Nov. 7, 1986. He was employed as a director of education-employment services and contract monitor, according to the complaint.

He filed a racial discrimination complaint with the Massachusetts Commission Against Discrimination in April. He alleged at the time that he was fired because of race. That complaint was closed and the charge included in the current complaint filed in June.

Guldenzoph claims he was fired for protesting "the individual defendants' misuse of public funds" and for his efforts to secure the defan-

dants' compliance with fiscal and contractual obligations."

He further claims he was fired to silence his criticisms of the defendants' "unlawful and/or unethical fiscal practices and/or conflicts of interest."

The center, launched in May 1986, provides job referral, education and training to Cambridge's minority community.

Center board members named as defendants include six past or current directors of better-known agencies serving the city's minority community.

Defendants listed in the complaint are: Cambridge Access Job Training Center; Pablo Calderon, former director of the Riverside-

Cambridgeport Community Corporation; Gloria Smith, director of the Margaret Fuller House; Dawn Swan, director of the Cambridge Community Center; Jorge Luna, director of Concilio Hispano; Roland LaForest, director of the Cambridge Haitian-American Association; and Connie Kane, director of the Cambridge Economic Opportunity Committee.

The defendants filed a motion to dismiss the case on Sept. 1 and a hearing on that motion is scheduled for Sept. 25 in Middlesex Superior Court.

Should the judge deny that motion, the defendants would then have to file a formal answer to Guldenzoph's complaint.



CONVERSATIONS AND COFFEE is the name of a discussion group presented by the North Cambridge Senior Center Tuesdays at 10:30 am at the center, 2050 Mass. Ave. Topics to be discussed include changing morality, today's politics and more. For information, call Helene Corry at 495-0110.

Cable corner

Cable sets Johnny Most 'sound-alike' contest

SportsChannel New England, the regional cable television sports network and American Cablesystems of Cambridge, are finalizing plans for the third annual Johnny Most Sound-Alike Contest to be held Sunday, September 20 at 8:30 pm at Catch a Rising Star Comedy Club in Cambridge.

Johnny Most is entering his 35th season as the radio play by play announcer for the Boston Celtics. Generations of fans have tuned in to

his gravely voice from his perch "high above courtside".

The Cambridge Sound-Alike Contest is the fourth of six regional contests. Each regional winner will compete in a final competition to be held in Boston this fall and televised by SportsChannel. The grand prize winner will receive an all expense paid trip for two to Los Angeles to see the Celtics play the Lakers.

Most has attended every contest since the inaugural one in 1985, and

will make no exception in Cambridge.

"Imitation is truly the greatest form of flattery," said Most. "What I've heard before indicates that people listen very carefully. Some of the material is very, very clever."

There are still plenty of openings for contestants at Catch a Rising Star this Sunday. Please call SportsChannel at (617) 933-9300 to sign up, or you may do so at the contest.

SportsChannel, on channel 40 in Cambridge, is a regional, live, prime-time sports service specializing in events like Celtics and Whalers games that are of most interest to New Englanders. SportsChannel games are exclusive, including 40 Celtics and 30 Whalers games that are live and cannot be seen anywhere else. If you want complete coverage - to see all the games, call American Cablesystems of Cambridge at 876-2323.

Pre-season b-ball program for girls

Young female athletes who want to develop better basketball skills before the high school season begins now have that opportunity.

The Athletic Enrichment Program will offer basketball players between the ages of 15 and 19 the opportunity to practice all facets of the game.

The program will be held at the War Memorial Gymnasium, 1640 Cambridge St., next to the Cam-

bridge Rindge and Latin School. The 10-week program, which begins Sept. 19 and runs through Nov. 22, will be held on Saturdays from 11:30 am to 2 pm and Sundays from 12:30 pm to 2 pm.

The program is limited to 24 participants; registration fee is \$10. For more information, call program director Valerie Bonds at 498-9216.

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CITY OF CAMBRIDGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

REVIEW OF CDBG GRANTEE PERFORMANCE REPORT

The Fiscal Year 1986-87 Grantee Performance Report for the Federally-funded Community Development Block Grant (CDBG) Program will be available for review in draft form at the Community Development Department Office, 57 Inman Street, from September 21st through September 25th during office hours. For further information, please call Edward Handy at 498-9034.

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YOUR JOB AND YOUR FEET

If your feet hurt when you come home from work at night, the problem may not be in the kind of work you do but in a foot problem that needs attention.

Many foot problems are caused by imbalances between the bone and muscle structure that throw, not only your feet, but the rest of your body out of balance. Corns and calluses are indications of foot problems, and so are itching and excessive perspiration. Any foot infection should be treated before it gets worse and leads to other problems.

Aching, tired feet not only affect your health, they can also affect your disposition and your efficiency on the job. When they are out of balance they can also cause aches in your legs and back because those structures are thrown out of balance, too.

Some jobs require a lot of walking or standing. Others require more strenuous activity, such as climbing or bending at uncomfortable angles. No matter what the activity, your feet support your body up to four times its weight. If your feet hurt, have the problem treated by your foot specialist.

387 Highland Ave., Davis Sq., Somerville
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Salvation Army to mark birthday

The Salvation Army Cambridge Citadel Corps, located at 402 Massachusetts Ave. in Central Square, Cambridge, will be celebrating 100 years of community service since Captain May Harris opened the Corps on or about Thanksgiving of 1887.

The Corps has planned a week of special activities to be held from Monday, October 5 through Sunday, October 11, 1987. One of the major highlights of these festivities will be a Civic Dinner held at the Cambridge Marriott Hotel in Kendall Square at 6:30 pm on Thursday, October 8.

Featured speakers will be retired Salvation Army Commissioner George Nelting, and Tufts University President Dr. Jean Mayer. Commissioner Nelting was formerly Territorial Commander for the Salvation Army in the eleven Central States of the USA, and with his wife, formerly president of the Salvation Army's Women Organizations, also served the Salvation Army in New York, London, and the Netherlands. Mayer is a world-renowned nutritionist with a distinguished history of com-

munity service, especially addressing the nutritional problems of the poor in America. He has also chaired the National Council on Hunger and Malnutrition, the Health Committee of the President's Consumer Advisory Council, and served as a consultant to the United Nations Children's Fund (UNICEF).

Somerville Mayor Eugene C. Brune and Cambridge Mayor Walter Sullivan will also speak at the civic dinner. The Cambridge Citadel Silver Band and the Cambridge Citadel Songsters will perform several musical selections in the course of the evening. Two Salvation Army Civic Awards and one Salvation Army Others Award will also be presented to those who have made a substantial contribution in helping others in the community. William E. Shea, chairman of the Salvation Army Advisory Board, will be the master of ceremonies.

Attendance at the dinner is by reservation only. Tickets are available at \$100 per person by calling Robert Jones at the Athenaeum Group, 492-2155, prior to September 30.



ON ICE—The Cambridge Youth Hockey Pee Wee team is looking for boys and girls aged 11 to 13 to join the team. Last year's team skated in the international Pee Wee Tournament in Lake Placid, NY. Practice for this year has already begun. Interested skaters should call league President Sil Ferreira at 227-7032 (days) or Coach Jim Ferreira at 868-8848. Members of last year's team include, in front from the left, Sara Hsia, Jared Vincent, Nick McQuaid, Keith Faye, Jamey Corcoran Matt Tierney and Piet Gauchat. Second row: Sean Lawless, Corty Turner, Billy Megan, Albert Macozzi, Elias Wolfberg, Ben Coon, Chris Dowling, Evan Bageris, Jonathan Brill, Timur Yidez and Jamie Ferreira. In back is Coach Jim Ferreira.



WELCOME TO CAMBRIDGE—Archie Epps, left, dean of students at Harvard, and the Rev. Peter Gomes of Harvard center, welcome the Rev. Robert W. Tobin to his new post as rector of Christ Church during a special service at the church last week.

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Raindate is Sept. 27.

All boys and girls who will be eight by Aug. 1 and younger than 13 by

Aug. 1 should register at this time for the 1988 season.

All those who played in the minors and who will be 10 by Aug. 1, 1988, must try out on these days.

Anyone interested in umpiring should attend one of the tryouts.

NOTICE OF PUBLIC MEETING

The Cambridge City Council will conduct a public meeting on Monday, September 21, 1987 at 5:00 p.m. in the Sullivan Chamber, second floor, City Hall on

PROPERTY TAX RATE CLASSIFICATION

Under the laws of the Commonwealth the City has the option of taxing residential and commercial/industrial property at different tax rates. At this public meeting the City Council will review tax rates proposed by the City Manager and the Board of Assessors, and will entertain comment and opinion on the subject from interested citizens and taxpayers.

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City Manager

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NOTICE OF PUBLIC HEARING

The Cambridge City Council pursuant to Chapter 82 Section 21 et seq. M.G.L.A. will conduct a public hearing relative to the proposed discontinuance and acceptance of a portion of Cogswell Avenue area bounded by Cogswell Avenue, Massachusetts Avenue and Mead Street on Monday, September 28, 1987 at 6:00 p.m.

This public hearing will be held in the Sullivan Chamber, second floor, City Hall. All interested individuals are invited to attend.

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City Clerk

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REAL ESTATE WEEKLY

By Don and Joetta Silva
Century 21 Silva Realty Associates



TERMITE SERVICE CONTRACTS

If you own a home in an area where termite activity is common it's a good idea to investigate some of the termite "insurance" options offered by local pest control companies.

First, they will inspect your home for evidence of termites or termite damage. If they find bugs, they will discuss the various treatment options with you. Once your home is termite free, they will offer you a service contract which includes an annual property inspection. If any further treatment or repair is needed, the costs are covered by your service policy.

Because termites can cause serious damage to beams and joists, it's a good idea to have your home checked regularly. A professional will be able to spot termite trouble before it becomes a structural problem that can compromise the structural integrity of your home. If you're planning to sell your home in the near future, you might have an expert check it for termites before their existence becomes an issue in the sales transaction.

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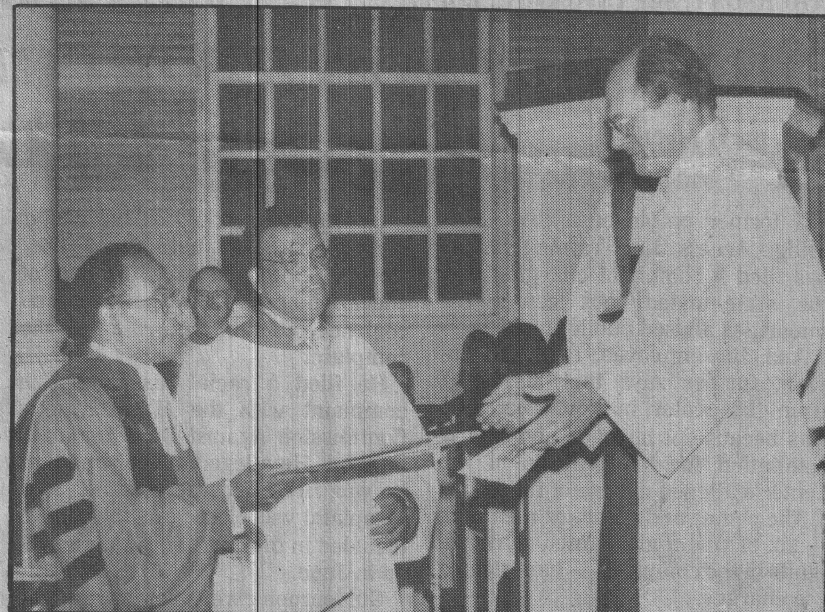
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He further claims he was fired to silence his criticisms of the defendants' "unlawful and-or unethical fiscal practices and-or conflicts of interest."

The center, launched in May 1986, provides job referral, education and training to Cambridge's minority community.

Center board members named as defendants include six past or current directors of better-known agencies serving the city's minority community.

Defendants listed in the complaint are: Cambridge Access Job Training Center; Pablo Calderon, former director of the Riverside-

Cambridgeport Community Corporation; Gloria Smith, director of the Margaret Fuller House; Dawn Swan, director of the Cambridge Community Center; Jorge Luna, director of Concilio Hispano; Roland LaForest, director of the Cambridge Haitian-American Association; and Connie Kane, director of the Cambridge Economic Opportunity Committee.

The defendants filed a motion to dismiss the case on Sept. 1 and a hearing on that motion is scheduled for Sept. 25 in Middlesex Superior Court.

Should the judge deny that motion, the defendants would then have to file a formal answer to Guldenzoph's complaint.



CONVERSATIONS AND COFFEE is the name of a discussion group presented by the North Cambridge Senior Center Tuesdays at 10:30 am at the center, 2050 Mass. Ave. Topics to be discussed include changing morality, today's politics and more. For information, call Helene Corry at 495-0110.

Cable corner

Cable sets Johnny Most 'sound-alike' contest

SportsChannel New England, the regional cable television sports network and American Cablesystems of Cambridge, are finalizing plans for the third annual Johnny Most Sound-Alike Contest to be held Sunday, September 20 at 8:30 pm at Catch a Rising Star Comedy Club in Cambridge.

Johnny Most is entering his 35th season as the radio play by play announcer for the Boston Celtics. Generations of fans have tuned in to

his gravely voice from his perch "high above courtside".

The Cambridge Sound-Alike Contest is the fourth of six regional contests. Each regional winner will compete in a final competition to be held in Boston this fall and televised by SportsChannel. The grand prize winner will receive an all expense paid trip for two to Los Angeles to see the Celtics play the Lakers.

Most has attended every contest since the inaugural one in 1985, and

will make no exception in Cambridge.

"Imitation is truly the greatest form of flattery," said Most. "What I've heard before indicates that people listen very carefully. Some of the material is very, very clever."

There are still plenty of openings for contestants at Catch a Rising Star this Sunday. Please call SportsChannel at (617) 933-9300 to sign up, or you may do so at the contest.

SportsChannel, on channel 40 in Cambridge, is a regional, live, prime-time sports service specializing in events like Celtics and Whalers games that are of most interest to New Englanders. SportsChannel games are exclusive, including 40 Celtics and 30 Whalers games that are live and cannot be seen anywhere else. If you want complete coverage to see all the games, call American Cablesystems of Cambridge at 876-2323.

Pre-season b-ball program for girls

Young female athletes who want to develop better basketball skills before the high school season begins now have that opportunity.

The Athletic Enrichment Program will offer basketball players between the ages of 15 and 19 the opportunity to practice all facets of the game.

The program will be held at the War Memorial Gymnasium, 1640 Cambridge St., next to the Cam-

bridge Rindge and Latin School. The 10-week program, which begins Sept. 19 and runs through Nov. 22, will be held on Saturdays from 11:30 am to 2 pm and Sundays from 12:30 pm to 2 pm.

The program is limited to 24 participants; registration fee is \$10. For more information, call program director Valerie Bonds at 498-9216.

BLUEPRINTS

Ample Parking

X-Press Graphics

285 Washington St.
776-7200 Somerville

CITY OF CAMBRIDGE

DEPARTMENT OF COMMUNITY DEVELOPMENT

REVIEW OF CDBG GRANTEE PERFORMANCE REPORT

The Fiscal Year 1986-87 Grantee Performance Report for the Federally funded Community Development Block Grant (CDBG) Program will be available for review in draft form at the Community Development Department Office, 57 Inman Street, from September 21st through September 25th during office hours. For further information, please call Edward Handy at 498-9034.

OCEAN REEF

SEAFOOD RESTAURANT

13 Elm Street, Somerville
776-7890

Lunch or Dinner

- Fish & Chips 2.95
- Broiled Marinated
- Swordfish w/FF 4.95

ATTENTION LEAGUE BOWLERS!

Bowling Shoe Sale

at the

HYDE FACTORY OUTLET

1066 Cambridge St., Cambridge, Ma.

Men's & Women's
Discontinued Bowling
Shoes

ONLY \$988 per pair

Values to \$59.88

Saturday, Sept. 12 to Sat., Sept. 19 - 1 week only

•All Sales Final •Cambridge Store Only

Open Monday-Saturday - 10 a.m. to 6 p.m.

NOW OPEN

Need to lose those unwanted inches?
Visit our new Unisex Motorized Toning and Tanning Salon.

Come comfortably dressed for a FREE demonstration on our safe, effective, effortless machines.

"Shape Up The Unique Way"

at SACHE'S TONING AND TANNING SALON

259 Elm St., Somerville, MA
On the Red Line in Davis Square

625-2256 625-2259

Style and More Style

We pour on the style power with every cut, colour and perm. We have a complete line of professional hair & skin care products: Redken, Nexus/skin-care products, Sebastian, Matrixx

Good till Jan. 1 '88
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SAVVY HAIR DESIGN

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Call for an Appointment or Just Walk in

354-9344 354-8344

1462 Cambridge St. Cambridge
(Just outside Inman Square)

Ribeiro DeSousa

INSURANCE AGENCY

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Same-Day Plate Service
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ARAM'S

No. 1 HOUSE OF PIZZA

Pizza • Pizza • Pizza

The Best Pizza in Town; Subs and Salads Too!

DELIVERY NOW AVAILABLE
Every night 5 to 10 p.m.

In Cambridge
Call... **868-9749**

1238 Cambridge St., Cambridge

Garelick Milk

1 Gallon
\$1.69

With coupon 1 per customer

Land-o-Lake American Cheese

\$1.59 lb.

With coupon 1 per customer

25¢ For a bagel & butter and a cup of coffee with coupon. 1 per customer.

Available only at
PORTER SQUARE 1868 MASS AVE., CAMBRIDGE

When You Run Out, Run Out To...

White Hen Pantry

A Different Kind Of Convenience Store

To Play's the Thing

Whether you play violin or piano, whether you are a soloist or a member of the chorus, you will find plenty of opportunities to play and sing at the Longy School of Music... in chamber ensembles, orchestra, Early Music sorts, jazz bands, opera workshop, world music and improvisation workshops, theory classes, plus private lessons at all levels for all ages... All with Boston's finest teachers and performers, and the city's most interested and interesting music-lovers.

Longy School of Music

The Professional Music School for the Whole Community

One Follen Street, Cambridge;
just 3 blocks from Harvard Square.

For a complete list of Fall offerings, call 876-0956.

ELEANOR M. BOYLE

SCHOOL OF DANCE, Inc.

IMMACULATE CONCEPTION PARISH CENTER

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Cambridge, MA 02140

Registration
Still Opened
2 to 4 PM

Member of Dance Teachers' Club of Boston, Inc.,
Dance Educators of America, Inc.
Prof. Dance Teachers, Inc.

CLASSES FOR PRE-SCHOOL TO ADULTS IN BALLET-POINTE-TAP-JAZZ-GYMNASTICS

Please call **864-1563**

Located Just Off Route 16

FAMILY FOOT CARE GROUP

Medicine & Surgery of the Foot

Steven Senneville, DPM Charles W. Connolly, Jr., DPM

YOUR JOB AND YOUR FEET

If your feet hurt when you come home from work at night, the problem may not be in the kind of work you do but in a foot problem that needs attention.

Many foot problems are caused by imbalances between the bone and muscle structure that throw, not only your feet, but the rest of your body out of balance. Corns and calluses are indications of foot problems, and so are itching and excessive perspiration. Any foot infection should be treated before it gets worse and leads to other problems.

Aching, tired feet not only affect your health, they can also affect your disposition and your efficiency on the job. When they are out of balance they can also cause aches in your legs and back because those structures are thrown out of balance, too.

Some jobs require a lot of walking or standing. Others require more strenuous activity, such as climbing or bending at uncomfortable angles. No matter what the activity, your feet support your body up to four times its weight. If your feet hurt, have the problem treated by your foot specialist.

387 Highland Ave., Davis Sq., Somerville
776-2450

HOMEOWNERS REHAB, INC.

678 Massachusetts Avenue
Room 303
Cambridge, Massachusetts 02139
868-4858

October 22, 1987

Joseph E. Connorton
City Clerk
Cambridge City Hall
795 Mass. Ave.
Cambridge, MA. 02139

RE: 51 Cogswell Avenue

Dear Mr. Connorton:

For your records, I am enclosing a copy of a deed which transfers a small lot at the end of Cogswell Avenue to the City of Cambridge. This deed was executed following the September 28, 1987 City Council meeting at which the Council voted to accept the lot.

Upon receipt from your office of the original copy of the Council's vote, I will record both the deed and vote.

Again, thank you for your cooperation.

Sincerely,



David Koven
Work Equity Program Coordinator

enclosure

Q U I T C L A I M D E E D

HOMEOWNER'S REHAB, INC., a Massachusetts non-profit corporation, with a principal place of business at 678 Massachusetts Avenue, Cambridge, Massachusetts 02139 (the "Grantor"), in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, GRANTS to the City of Cambridge, Massachusetts, a body corporate and politic of the Commonwealth of Massachusetts with QUITCLAIM COVENANTS, the land designated as "Lot B" and "Lot C" on a plan entitled "Proposed Addition to Cogswell Avenue, Cambridge, Mass." by E. H. Fagerstrom, Registered Surveyor, dated July 15, 1987 to be recorded together with this deed, containing approximately 613 square feet, all as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference. Notwithstanding the foregoing, the Grantor reserves for itself, its successors and assigns, an EASEMENT for the bottom step of the building currently located at 51 Cogswell Avenue for so long as such building remains at its current location. This EASEMENT shall run with the land.

For our title see deed of Douglas Bell and Gerald Fandetti, Trustees, dated August 3, 1987 and recorded at the Middlesex South District Registry of Deeds on August 7, 1987 as Instrument No. 876, and deed of Theodore T. Clausen, Jr., and James S. Rogers dated August 5, 1987 and recorded at the Middlesex South Registry of Deeds on August 7, 1987 as Instrument No. 878.

EXECUTED under seal this 7th day of October, 1987.

HOMEOWNER'S REHAB, INC.

By: Harry L. Johnson, II
Harry L. Johnson, II,
President

By: Chuck Kull
Treasurer

COMMONWEALTH OF MASSACHUSETTS

County:

On October 7, 1987, Harry L. Johnson, II, President, personally appeared before me, and acknowledged the foregoing to be his free act and deed on behalf of Homeowner's Rehab, Inc.

Mary M. Bennett
Notary Public
Print Name: MARY M. BENNETT
My Commission Expires: Nov 27, 1992

Exhibit A

The land, with all improvements thereon, shown on a plan entitled "Proposed Addition to Cogswell Avenue, Cambridge, Mass.," by E.H. Fagerstrom, Registered Surveyor, dated July 15, 1987, (the "Plan") and shown on the Plan as Lot B and Lot C, each having a more particular description as follows:

Lot B

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then running along a line with a radius 27.50 feet in a northerly then a northeasterly direction a total of 36.42 feet;

then turning and running along a separate line with a radius of 27.50 feet in a southwesterly and then a southerly direction a total of 28.41 feet;

then turning and running S 81° 33' 00" W a distance of 10.05 feet to the point of beginning;

containing approximately 181 square feet.

Lot C

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Plan;

then proceeding along a line with a radius of 27.50 feet in a southerly and then a southeasterly direction, a distance of 35.58 feet;

then turning and running S 32° 47' 54" W a distance of 11.66 feet;

then turning and running N 81° 33' 00" E a distance of 15.91 feet;

then turning and running N 8° 27' 00" W a distance of 11.00 feet;

then turning and running along a line with a radius of 27.50 feet in a northwesterly and then a northerly direction a distance of 32.27 feet;

then turning and running S 81° 33' 00" W a distance of 10.05 feet to the point of beginning;

containing approximately 432 square feet.

COMMONWEALTH OF MASSACHUSETTS

County:

On October 15, 1987, Charles Sullivan, Treasurer, personally appeared before me, and acknowledged the foregoing to be his free act and deed on behalf of Homeowner's Rehab, Inc.

Mary M. Bennett (MARY M. BENNETT)
Notary Public

My Commission Expires: Nov. 27, 1992



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

November 23, 1987

Mr. David Koven
Work Equity Program Coordinator
Homeowners Rehab, Inc.
678 Massachusetts Avenue
Room 303
Cambridge, MA 02139

Dear David:

Enclosed you will find the original copy of the order of discontinuance of 200 square feet of land in the rear of Cogswell Avenue, in conjunction with the acceptance by deed of 613 square feet of land on Cogswell Avenue, as adopted by the City Council at a regular meeting held on September 21, 1987. The enclosed document has been reviewed by the City Solicitor's Office for form and content and with the exception of the wording on Page 2, Line 2, specifically, that "the City shall accept the grant by deed from Homeowners Rehab", Mr. Drisdell, the Deputy City Solicitor, will contact you to clarify the meaning of that language.

I apologize for the delay in transmitting this to you and it is my understanding that you will now record the order and the other pertinent documents at the Middlesex County Registry of Deeds. Upon completion of the recording, would you please forward a copy to me in care of the City Clerk's Office.

Sincerely yours,

A handwritten signature in dark ink, reading "Joseph E. Connarton".

Joseph E. Connarton
City Clerk.

JEC/mh

Enclosure

cc: Donald Drisdell, Deputy City Solicitor



City of Cambridge

COUNCILLOR DUEHAY

IN CITY COUNCIL

September 28, 1987

WHEREAS: A communication has been received from the City Manager transmitting the request of Homeowner's Rehab, Inc. of Cambridge requesting that a portion of Cogswell Avenue containing 200 square feet, more or less, be discontinued as a public way in the City of Cambridge; and

WHEREAS: Due notice has been given to the intention of this City Council to discontinue as a public way in the City of Cambridge a portion of Cogswell Avenue in the manner prescribed by law and hearings were held before the City Council on September 28, 1987; now therefore be it

ORDERED: That that portion of Cogswell Avenue containing 200 square feet more or less and referred to as the rear portion of Cogswell Avenue be and hereby is discontinued as a public way in the City of Cambridge, all as shown as Lot A on a plan entitled "Discontinuance of a Part of Cogswell Avenue, Cambridge, Massachusetts," dated July 15, 1987 (the "Discontinuance Plan"), prepared by Ernest H. Fagerstrom, Registered Land Engineer, a copy of which is filed with this order and which is bounded and described as follows:

Lot A

Beginning at a point at the northern side of Cogswell Avenue, which point is the southeasterly corner of Lot 13 as shown on the Discontinuance Plan;

then proceeding along a line with a radius of 27.50 feet in an easterly and then a southeasterly direction, a distance of 42.75 feet;

then turning and running S 81° 33' 00" W a distance of 5.63 feet;

then turning and running N 54° 35' 11" W a distance of 16.69 feet;

then proceeding along a line with a radius of 27.50 feet in a westerly and then a southwesterly direction a distance of 17.86 feet to the point of beginning;

containing approximately 200 square feet.

Provided that the City shall retain an easement for the use and maintenance of the water and sewer lines running through Lot A, if any;

ORDERED: That in connection with the above-referred to discontinuance of a part of Cogswell Avenue and in consideration thereof, the City shall accept the grant by deed from Homeowner's Rehab, Inc., subject to its reservation of an easement, to the City of Cambridge of an addition to the public way known as Cogswell Avenue containing 613 square feet more or less, shown as Lots B and C on a plan to be filed with the deed and this order entitled "Proposed Addition to Cogswell Avenue, Cambridge, Massachusetts," dated July 15, 1987 (the "Addition Plan"), prepared by Registered Land Engineer Ernest H. Fagerstrom, and which Lots are bounded and described as follows:

Lot B

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then running along a line with a radius 27.50 feet in a northerly then a northeasterly direction a total of 36.42 feet;

then turning and running along a separate line with a radius of 27.50 feet in a southwesterly and then a southerly direction a total of 28.41 feet;

then turning and running S $81^{\circ} 33' 00''$ W a distance of 10.05 feet to the point of beginning;

containing approximately 181 square feet.

Lot C

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then proceeding along a line with a radius of 27.50 feet in a southerly and then a southeasterly direction, a distance of 35.58 feet;

then turning and running S $32^{\circ} 47' 54''$ W a distance of 11.66 feet;

then turning and running N $81^{\circ} 33' 00''$ E a distance of 15.91 feet;

then turning and running N $8^{\circ} 27' 00''$ W a distance of 11.00 feet;

then turning and running along a line with a radius of 27.50 feet in a northwesterly and then a northerly direction a distance of 32.27 feet;

then turning and running S $81^{\circ} 33' 00''$ W a distance of 10.05 feet to the point of beginning;

containing approximately 432 square feet.

In City Council September 28, 1987.

Adotped by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton
Joseph E. Connarton, City Clerk.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Donald Drisdell, Deputy City Solicitor

Date November 2, 1987

From Joseph E. Connarton, City Clerk *JEC*

Reference

Subject Discontinuance order for Cogswell Avenue

Enclosed you will find a copy of the order calling for the discontinuance of a portion of Cogswell Avenue; which discontinuance was approved by the City Council after its public hearing on Monday, September 28, 1987.

Would you please be so kind as to review said order at your earliest convenience, in order that this office may forward same to Homeowner's Rehab.

Your very kind assistance and attention in this matter will be greatly appreciated, both by this office and the City Council.

LAW DEPARTMENT
27 NOV 2 AM 11 30

JEC/mh

Enclosure



City of Cambridge

COUNCILLOR DUEHAY

IN CITY COUNCIL

September 28, 1987

- WHEREAS: A communication has been received from the City Manager transmitting the request of Homeowner's Rehab, Inc. of Cambridge requesting that a portion of Cogswell Avenue containing 200 square feet, more or less, be discontinued as a public way in the City of Cambridge; and
- WHEREAS: Due notice has been given to the intention of this City Council to discontinue as a public way in the City of Cambridge a portion of Cogswell Avenue in the manner prescribed by law and hearings were held before the City Council on September 28, 1987; now therefore be it
- ORDERED: That that portion of Cogswell Avenue containing 200 square feet more or less and referred to as the rear portion of Cogswell Avenue be and hereby is discontinued as a public way in the City of Cambridge, all as shown as Lot A on a plan entitled "Discontinuance of a Part of Cogswell Avenue, Cambridge, Massachusetts," dated July 15, 1987 (the "Discontinuance Plan"), prepared by Ernest H. Fagerstrom, Registered Land Engineer, a copy of which is filed with this order and which is bounded and described as follows:
- Lot A
- Beginning at a point at the northern side of Cogswell Avenue, which point is the southeasterly corner of Lot 13 as shown on the Discontinuance Plan;
- then proceeding along a line with a radius of 27.50 feet in an easterly and then a southeasterly direction, a distance of 42.75 feet;
- then turning and running S 81° 33' 00" W a distance of 5.63 feet;
- then turning and running N 54° 35' 11" W a distance of 16.69 feet;
- then proceeding along a line with a radius of 27.50 feet in a westerly and then a southwesterly direction a distance of 17.86 feet to the point of beginning;
- containing approximately 200 square feet.

Provided that the City shall retain an easement for the use and maintenance of the water and sewer lines running through Lot A, if any;

ORDERED: That in connection with the above-referred to discontinuance of a part of Cogswell Avenue and in consideration thereof, the City shall accept the grant by deed from Homeowner's Rehab, Inc., subject to its reservation of an easement, to the City of Cambridge of an addition to the public way known as Cogswell Avenue containing 613 square feet more or less, shown as Lots B and C on a plan to be filed with the deed and this order entitled "Proposed Addition to Cogswell Avenue, Cambridge, Massachusetts," dated July 15, 1987 (the "Addition Plan"), prepared by Registered Land Engineer Ernest H. Fagerstrom, and which Lots are bounded and described as follows:

Lot B

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then running along a line with a radius 27.50 feet in a northerly then a northeasterly direction a total of 36.42 feet;

then turning and running along a separate line with a radius of 27.50 feet in a southwesterly and then a southerly direction a total of 28.41 feet;

then turning and running S $81^{\circ} 33' 00''$ W a distance of 10.05 feet to the point of beginning;

containing approximately 181 square feet.

Lot C

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then proceeding along a line with a radius of 27.50 feet in a southerly and then a southeasterly direction, a distance of 35.58 feet;

then turning and running S $32^{\circ} 47' 54''$ W a distance of 11.66 feet;

then turning and running N $81^{\circ} 33' 00''$ E a distance of 15.91 feet;

then turning and running N $8^{\circ} 27' 00''$ W a distance of 11.00 feet;

then turning and running along a line with a radius of 27.50 feet in a northwesterly and then a northerly direction a distance of 32.27 feet;

then turning and running S $81^{\circ} 33' 00''$ W a distance of 10.05 feet to the point of beginning;

containing approximately 432 square feet.

In City Council September 28, 1987.

Adotped by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Donald Drisdell, Deputy City Solicitor

Date November 2, 1987

From Joseph E. Connarton, City Clerk *JEC*

Reference

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Your very kind assistance and attention in this matter will be greatly appreciated, both by this office and the City Council.

JEC/mh

Enclosure



City of Cambridge

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IN CITY COUNCIL

September 28, 1987

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- WHEREAS: Due notice has been given to the intention of this City Council to discontinue as a public way in the City of Cambridge a portion of Cogswell Avenue in the manner prescribed by law and hearings were held before the City Council on September 28, 1987; now therefore be it
- ORDERED: That that portion of Cogswell Avenue containing 200 square feet more or less and referred to as the rear portion of Cogswell Avenue be and hereby is discontinued as a public way in the City of Cambridge, all as shown as Lot A on a plan entitled "Discontinuance of a Part of Cogswell Avenue, Cambridge, Massachusetts," dated July 15, 1987 (the "Discontinuance Plan"), prepared by Ernest H. Fagerstrom, Registered Land Engineer, a copy of which is filed with this order and which is bounded and described as follows:
- Lot A
- Beginning at a point at the northern side of Cogswell Avenue, which point is the southeasterly corner of Lot 13 as shown on the Discontinuance Plan;
- then proceeding along a line with a radius of 27.50 feet in an easterly and then a southeasterly direction, a distance of 42.75 feet;
- then turning and running S 81° 33' 00" W a distance of 5.63 feet;
- then turning and running N 54° 35' 11" W a distance of 16.69 feet;
- then proceeding along a line with a radius of 27.50 feet in a westerly and then a southwesterly direction, a distance of 17.86 feet to the point of beginning;
- containing approximately 200 square feet.

Provided that the City shall retain an easement for the use and maintenance of the water and sewer lines running through Lot A, if any;

ORDERED: That in connection with the above-referred to discontinuance of a part of Cogswell Avenue and in consideration thereof, the City shall accept the grant by deed from Homeowner's Rehab, Inc., subject to its reservation of an easement, to the City of Cambridge of an addition to the public way known as Cogswell Avenue containing 613 square feet more or less, shown as Lots B and C on a plan to be filed with the deed and this order entitled "Proposed Addition to Cogswell Avenue, Cambridge, Massachusetts," dated July 15, 1987 (the "Addition Plan"), prepared by Registered Land Engineer Ernest H. Fagerstrom, and which Lots are bounded and described as follows:

Lot B

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then running along a line with a radius 27.50 feet in a northerly then a northeasterly direction a total of 36.42 feet;

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then proceeding along a line with a radius of 27.50 feet in a southerly and then a southeasterly direction, a distance of 35.58 feet;

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then turning and running S $81^{\circ} 33' 00''$ W a distance of 10.05 feet to the point of beginning;

containing approximately 432 square feet.

In City Council September 28, 1987.

Adotped by a yea and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

Joseph E. Connarton, City Clerk.

City of Cambridge

MASSACHUSETTS

In City Council

Sept. 28

1987

<i>C. Duehay - Motion to Discontinue a Portion of Cogswell Avenue</i>				
	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Saundra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Walter J. Sullivan	✓			

C. Duehay
MS
AK

9

0

0

NOTICE OF PUBLIC HEARING

The Cambridge City Council pursuant to Chapter 82 Section 21 et seq. M.G.L.A. will conduct a public hearing relative to the proposed discontinuance and acceptance of a portion of Cogswell Avenue area bounded by Cogswell Avenue, Massachusetts Avenue and Mead Street on Monday, September 28, 1987 at 6:00 p.m.

This public hearing will be held in the Sullivan Chamber, second floor, City Hall. All interested individuals are invited to attend.

By Order of the City Council

Joseph E. Connarton
City Clerk

NOTICE OF PUBLIC HEARING

The Cambridge City Council pursuant to Chapter 82 Section 21 et seq. M.G.L.A. will conduct a public hearing relative to the proposed discontinuance and acceptance of a portion of Cogswell Avenue area bounded by Cogswell Avenue, Massachusetts Avenue and Mead Street on Monday, September 28, 1987 at 6:00 p.m.

This public hearing will be held in the Sullivan Chamber, second floor, City Hall. All interested individuals are invited to attend.

By Order of the City Council

Joseph E. Connarton
City Clerk

NOTICE OF PUBLIC HEARING

The Cambridge City Council pursuant to Chapter 82 Section 21 et seq. M.G.L.A. will conduct a public hearing relative to the proposed discontinuance and acceptance of a portion of Cogswell Avenue area bounded by Cogswell Avenue, Massachusetts Avenue and Mead Street on Monday, September 28, 1987 at 6:00 p.m.

This public hearing will be held in the Sullivan Chamber, second floor, City Hall. All interested individuals are invited to attend.

By Order of the City Council

Joseph E. Connarton
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council

Sept. 28

1987

C. Duehay - Motion to accept a Portion of Cogswell Avenue

	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Walter J. Sullivan	✓			

9

0

0

C. Graham
MS
MS

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BROWN, RUDNICK, FREED & GESMER

OFFICE OF CITY CLERK

1987 AUG 18 AM 10:03
COUNSELLORS AT LAW
ONE FINANCIAL CENTER
CAMBRIDGE, MA
BOSTON, MASS. 02111

MATTHEW BROWN
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HIRSH FREED
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CRAIG M.R. NEWFIELD

TELECOPIER: 439-3278 • CABLE: "LAWFIRM" BOSTON

TLX: 92-8362 BRFG BOS UD

TELEPHONE (617) 330-9000

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OF COUNSEL
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GEORGE A. BACHRACH

745 FIFTH AVENUE
NEW YORK, NEW YORK 10151
(212) 832-0049

TELECOPIER (212) 758-5442

*ADMITTED ONLY IN NEW YORK AND FLORIDA
**ADMITTED IN NEW YORK

August 13, 1987

Mr. Joseph E. Connarton,
City Clerk
City of Cambridge
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Connarton:

This is a follow-up letter to my letter to you of August 4th in which I requested that the City Council schedule hearings and a vote on a proposed discontinuance of Cogswell Avenue. As part of that request, I submitted a draft Order and a proposed Deed from Homeowner's Rehab, Inc. to the City of Cambridge. At the time of last writing, the closing where Homeowner's took title had not yet taken place, so there were some blank title references in the proposed Deed.

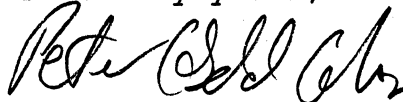
The closing finally took place on August 6th, and the various recordable documents were recorded August 7th. A few days ago I heard from Attorney Donald Drisdell of the City Solicitor's office. Attorney Drisdell informed me that he foresaw no problems with the proposed discontinuance and that a hearing and vote on the matter could be scheduled for October. He suggested that I contact you and provide you with the updated title reference information. Therefore, I am now enclosing a copy of the proposed Deed with the completed title reference.

BROWN, RUDNICK, FREED & GESMER

Mr. Joseph E. Connarton,
City Clerk
August 13, 1987
Page Two

Please contact me if you have any questions in regard to this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Peter Lebold Cohen". The signature is fluid and cursive, with the first name "Peter" being the most prominent.

Peter Lebold Cohen

PLC:kap
Enclosures

cc: Jonathan Klein, Esq.
Daniel J. Violi
Michael Rosenberg
Joan Lastovica
Donald Drisdell, Esq.

Q U I T C L A I M D E E D

HOMEOWNER'S REHAB, INC., a Massachusetts non-profit corporation, with a principal place of business at 678 Massachusetts Avenue, Cambridge, Massachusetts 02139 (the "Grantor"), in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, GRANTS to the City of Cambridge, Massachusetts, a body corporate and politic of the Commonwealth of Massachusetts with QUITCLAIM COVENANTS, the land designated as "Lot B" and "Lot C" on a plan entitled "Proposed Addition to Cogswell Avenue, Cambridge, Mass." by E. H. Fagerstrom, Registered Surveyor, dated July 15, 1987 to be recorded together with this deed, containing approximately 613 square feet, all as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference. Notwithstanding the foregoing, the Grantor reserves for itself, its successors and assigns, an EASEMENT for the bottom step of the building currently located at 51 Cogswell Avenue for so long as such building remains at its current location. This EASEMENT shall run with the land.

For our title see deed of Douglas Bell and Gerald Fandetti, Trustees, dated August 3, 1987 and recorded at the Middlesex South District Registry of Deeds on August 7, 1987 as Instrument No. 876, and deed of Theodore T. Clausen, Jr., and James S. Rogers dated August 5, 1987 and recorded at the Middlesex South Registry of Deeds on August 7, 1987 as Instrument No. 878.

EXECUTED under seal this ____ day of _____, 1987.

HOMEOWNER'S REHAB, INC.

By: _____
Harry L. Johnson, II,
President

By: _____
Treasurer

COMMONWEALTH OF MASSACHUSETTS

County:

On _____, 1987, Harry L. Johnson, II, President, personally appeared before me, and acknowledged the foregoing to be his free act and deed on behalf of Homeowner's Rehab, Inc.

Notary Public
Print Name: _____
My Commission Expires: _____

Exhibit A

The land, with all improvements thereon, shown on a plan entitled "Proposed Addition to Cogswell Avenue, Cambridge, Mass.," by E.H. Fagerstrom, Registered Surveyor, dated July 15, 1987, (the "Plan") and shown on the Plan as Lot B and Lot C, each having a more particular description as follows:

Lot B

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then running along a line with a radius 27.50 feet in a northerly then a northeasterly direction a total of 36.42 feet;

then turning and running along a separate line with a radius of 27.50 feet in a southwesterly and then a southerly direction a total of 28.41 feet;

then turning and running S 81° 33' 00" W a distance of 10.05 feet to the point of beginning;

containing approximately 181 square feet.

Lot C

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Plan;

then proceeding along a line with a radius of 27.50 feet in a southerly and then a southeasterly direction, a distance of 35.58 feet;

then turning and running S 32° 47' 54" W a distance of 11.66 feet;

then turning and running N 81° 33' 00" E a distance of 15.91 feet;

then turning and running N 8° 27' 00" W a distance of 11.00 feet;

then turning and running along a line with a radius of 27.50 feet in a northwesterly and then a northerly direction a distance of 32.27 feet;

then turning and running S 81° 33' 00" W a distance of 10.05 feet to the point of beginning;

containing approximately 432 square feet.

NOTICE OF PUBLIC HEARING

The Cambridge City Council pursuant to Chapter 82 Section 21 et seq. M.G.L.A. will conduct a public hearing relative to the proposed discontinuance and acceptance of a portion of Cogswell Avenue area bounded by Cogswell Avenue, Massachusetts Avenue and Mead Street on Monday, September 28, 1987 at 6:00 p.m.

This public hearing will be held in the Sullivan Chamber, second floor, City Hall. All interested individuals are invited to attend.

By Order of the City Council

Joseph E. Connarton
City Clerk



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

RECEIVED BY
OFFICE OF CITY CLERK
1987 AUG 11 PM 3:33

CAMBRIDGE MA.

To Joseph Connarton
City Clerk

Date August 6, 1987

From Joan Lastovica
City Engineer

JL.

Reference August 4, 1987
correspondence by
Peter Lebold Cohen,
of Brown, Rudnick,

Subject

The Engineering Office recommends the City Council approve both the discontinuance and acceptance of portions of Cogswell Avenue as detailed in the referenced correspondence.

Additionally, The Engineering Office is requesting the project proponent also provide reproducible plans for filing in the Engineering Vault.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy, City Manager

Date August 11, 1987

From Joseph E. Connarton, City Clerk *JEC*

Reference

Subject Discontinuance and Acceptance of a portion of
Cogswell Avenue

Please be advised that pursuant to the attached communication from the law firm of Brown, Rednick, Freed and Gesmer, I believe it is necessary for you to forward said communication to the City Council for the purpose of conducting a public hearing and voting on the proposed discontinuance and acceptance. I have reviewed these documents with the Deputy City Solicitor and he agrees that pursuant to C. 82, §32A, such a hearing along with due public notice is required prior to a vote being taken by the City Council.

If you are able to place this on your Agenda for the Council meeting of September 14, 1987, I believe a public hearing could be scheduled within three to four weeks.

Thank you for your cooperation in this matter.

JEC/mh

Enclosure

cc: Donald Drisdell, Deputy City Solicitor



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

September 14, 1987

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The legal description of the area in question is as follows:

Lot A - Beginning at a point at the northern side of Cogswell Avenue, which point is the southeasterly corner of Lot 13 as shown on the Discontinuance Plan;

then proceeding along a line with a radius of 27.50 feet in an easterly and then a southeasterly direction, a distance of 42.75 feet;

then turning and running S 81 degrees 33' 00" W a distance of 5.63 feet;

then turning and running N 54 degrees 35' 11" W a distance of 16.69 feet;

then proceeding along a line with a radius of 27.50 feet in a westerly and then a southwesterly direction of distance of 17.86 feet to the point of beginning;

containing approximately 200 square feet;

provided that the City shall retain an easement for the use and maintenance of the water and sewer lines running through Lot A, if any;

Lot B - Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then running along a line with a radius of 27.50 feet in a northerly then a northeasterly direction a total of 36.42 feet;

then turning and running along a separate line with a radius of 27.50 feet in a southwesterly and then a southerly direction a total of 28.41 feet;

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containing approximately 181 square feet.

Lot C - Beginning at a point at the end of the northern side of Gogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then proceeding along a line with a radius of 27.50 feet in a southerly and then a southeasterly direction, a distance of 35.58 feet;

then turning and running S 32 degrees 47' 54" W a distance of 11.66 feet;

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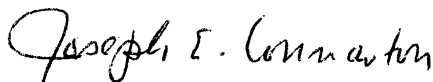
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You are invited to attend this public hearing: a full description is available in this office.

Sincerely yours,



Joseph E. Connarton
City Clerk



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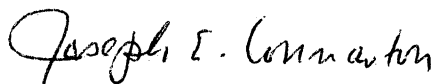
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KEVIN L. NULTON
ROMAN PETYK
FRANKLIN G. STEARNS
JENNIFER WEISS
BETH D. ZELNICK

*ADMITTED ONLY IN NEW YORK AND FLORIDA
**ADMITTED IN NEW YORK

August 4, 1987

Mr. Joseph E. Connarton,
City Clerk
City of Cambridge
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Mr. Connarton:

This firm is representing Homeowner's Rehab, Inc. a non-profit housing developer ("Homeowner's"), which is attempting to acquire the property known as 51 Cogswell Avenue. As part of the acquisition, Homeowner's is proposing certain changes in the layout of Cogswell Avenue. More specifically, Homeowner's proposes to discontinue approximately 200 square feet of Cogswell Avenue and in exchange to donate approximately 613 square feet of its property as part of the transaction.

These changes were originally proposed on a plan entitled "Proposed Revision to a Public Way, Cogswell Avenue, Cambridge, Massachusetts" by E.H. Fagerstrom, dated September 13, 1983 and which has been recorded as Plan Number 1161 of 1983. It is our understanding that the City of Cambridge has already functionally adopted the proposed changes by recently making improvements to the road and sidewalk which reflect the proposed changes.

Ms. Joan Lastovica, the Cambridge City Engineer, is aware of proposed changes and changes actually made, and she

BROWN, RUDNICK, FREED & GESMER

Mr. Joseph E. Connarton
August 4, 1987
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has endorsed them in an interoffice correspondence to Robert W. Healy, City Manager, dated May 12, 1987. I enclose a copy of this with this letter for your convenience.

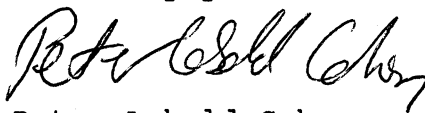
Based on conversations with the City Clerk's office it is my understanding that, in order to implement a discontinuance, the City Council must first give notice to appropriate interested parties including various city agencies and that it must hold public hearings. We are requesting that you now set this process in motion.

I am enclosing a proposed Order to be issued by the Cambridge City Council following all necessary hearings. I am also enclosing copies of two new plans detailing the proposed discontinuance and proposed addition; I am holding the original mylar plans for recording. Following approval by the Cambridge City Council, the original plans will be recorded with the Order issued by the City.

I am also enclosing a copy of a proposed deed from Homeowner's to the City conveying lots B and C. As you will see, there are some incomplete references on the deed. This is due to the fact that Homeowner's has not yet closed on the property. We expect that Homeowner's will take title to the property this week and that we will soon have all of the correct references.

Please contact me if you have any questions or comments in regard to this matter.

Sincerely yours,



Peter Lebold Cohen

PLC/rd

Enclosures

cc: Jonathan Klein, Esq.
Daniel J. Violi
Michael Rosenberg
Joan Lastovica

CITY OF CAMBRIDGE

IN CITY COUNCIL

SEPT. 28, 1987

COUNCILLOR

DUEHAY

WHEREAS:

A communication has been received from the City Manager transmitting the request of Homeowner's Rehab, Inc. of Cambridge requesting that a portion of Cogswell Avenue containing 200 square feet, more or less, be discontinued as a public way in the City of Cambridge; and

WHEREAS:

Due notice has been given to the intention of this City Council to discontinue as a public way in the City of Cambridge a portion of Cogswell Avenue in the manner prescribed by law and hearings were held before the City Council on SEPT. 28, 1987; now therefore be it

ORDERED:

That that portion of Cogswell Avenue containing 200 square feet more or less and referred to as the rear portion of Cogswell Avenue be and hereby is discontinued as a public way in the City of Cambridge, all as shown as Lot A on a plan entitled "Discontinuance of a Part of Cogswell Avenue, Cambridge Massachusetts," dated July 15, 1987 (the "Discontinuance Plan"), prepared by Ernest H. Fagerstrom, Registered Land Engineer, a copy of which is filed with this order and which is bounded and described as follows:

Lot A

Beginning at a point at the northern side of Cogswell Avenue, which point is the southeasterly corner of Lot 13 as shown on the Discontinuance Plan;

then proceeding along a line with a radius of 27.50 feet in an easterly and then a southeasterly direction, a distance of 42.75 feet;

then turning and running S 81° 33' 00" W a distance of 5.63 feet;

then turning and running N 54° 35' 11" W a distance of 16.69 feet;

then proceeding along a line with a radius of 27.50 feet in a westerly and then a southwesterly direction a distance of 17.86 feet to the point of beginning;

containing approximately 200 square feet.

Provided that the City shall retain an easement for the use and maintenance of the water and sewer lines running through Lot A, if any;

ORDERED:

That in connection with the above-referred to discontinuance of a part of Cogswell Avenue and in consideration thereof, the City shall accept the grant by deed from Homeowner's Rehab, Inc., subject to its reservation of an easement, to the City of Cambridge of an addition to the public way known as Cogswell Avenue containing 613 square feet more or less, shown as Lots B and C on a plan to be filed with the deed and this order entitled "Proposed Addition to Cogswell Avenue, Cambridge, Massachusetts," dated July 15, 1987 (the "Addition Plan"), prepared by Registered Land Engineer Ernest H. Fagerstrom, and which Lots are bounded and described as follows:

Lot B

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then running along a line with a radius 27.50 feet in a northerly then a northeasterly direction a total of 36.42 feet;

then turning and running along a separate line with a radius of 27.50 feet in a southwesterly and then a southerly direction a total of 28.41 feet;

then turning and running S 81° 33' 00" W a distance of 10.05 feet to the point of beginning;

containing approximately 181 square feet.

Lot C

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then proceeding along a line with a radius of 27.50 feet in a southerly and then a southeasterly direction, a distance of 35.58 feet;

then turning and running S 32° 47' 54" W a distance of 11.66 feet;

then turning and running N 81° 33' 00" E a distance of 15.91 feet;

then turning and running N 8° 27' 00" W a distance of 11.00 feet;

then turning and running along a line with a radius of 27.50 feet in a northwesterly and then a northerly direction a distance of 32.27 feet;

then turning and running S 81° 33' 00" W a distance of 10.05 feet to the point of beginning;

containing approximately 432 square feet.

In City Council Sept. 28, 1987

Adopted by a yeas and nays vote: -

Yeas 9; Nays 0; Absent 4.

Attest:- _____

A true copy:

ATTEST:- _____
_____ City Clerk

KLEINJ

HRI7

PROPOSED COUNCIL ORDER

Q U I T C L A I M D E E D

HOMEOWNER'S REHAB, INC., a Massachusetts non-profit corporation, with a principal place of business at 678 Massachusetts Avenue, Cambridge, Massachusetts 02139 (the "Grantor"), in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, GRANTS to the City of Cambridge, Massachusetts, a body corporate and politic of the Commonwealth of Massachusetts with QUITCLAIM COVENANTS, the land designated as "Lot B" and "Lot C" on a plan entitled "Proposed Addition to Cogswell Avenue, Cambridge, Mass." by E. H. Fagerstrom, Registered Surveyor, dated July 15, 1987 to be recorded together with this deed, containing approximately 613 square feet, all as more particularly described in Exhibit A, attached hereto and incorporated herein by this reference. Notwithstanding the foregoing, the Grantor reserves for itself, its successors and assigns, an EASEMENT for the bottom step of the building currently located at 51 Cogswell Avenue for so long as such building remains at its current location. This EASEMENT shall run with the land.

For our title see deed of Douglas Bell and Gerald Fandetti, Trustees, dated _____, 1987 and recorded at the Middlesex South District Registry of Deeds at Book ___, Page ___, and deed of Theodore T. Clausen, Jr., and James S. Rogers dated _____, 1987 and recorded at Book ___, Page ____.

EXECUTED under seal this _____ day of _____, 1987.

HOMEOWNER'S REHAB, INC.

By: _____
Harry L. Johnson, II,
President

By: _____
Treasurer

COMMONWEALTH OF MASSACHUSETTS

County:

On _____, 1987, Harry L. Johnson, II, President, personally appeared before me, and acknowledged the foregoing to be his free act and deed on behalf of Homeowner's Rehab, Inc.

Notary Public
Print Name: _____

My Commission Expires: _____

Exhibit A

The land, with all improvements thereon, shown on a plan entitled "Proposed Addition to Cogswell Avenue, Cambridge, Mass.," by E.H. Fagerstrom, Registered Surveyor, dated July 15, 1987, (the "Plan") and shown on the Plan as Lot B and Lot C, each having a more particular description as follows:

Lot B

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Addition Plan;

then running along a line with a radius 27.50 feet in a northerly then a northeasterly direction a total of 36.42 feet;

then turning and running along a separate line with a radius of 27.50 feet in a southwesterly and then a southerly direction a total of 28.41 feet;

then turning and running S 81° 33' 00" W a distance of 10.05 feet to the point of beginning;

containing approximately 181 square feet.

Lot C

Beginning at a point at the end of the northern side of Cogswell Avenue, which point is the northeasterly corner of Lot 30, as shown on the Plan;

then proceeding along a line with a radius of 27.50 feet in a southerly and then a southeasterly direction, a distance of 35.58 feet;

then turning and running S 32° 47' 54" W a distance of 11.66 feet;

then turning and running N 81° 33' 00" E a distance of 15.91 feet;

then turning and running N 8° 27' 00" W a distance of 11.00 feet;

then turning and running along a line with a radius of 27.50 feet in a northwesterly and then a northerly direction a distance of 32.27 feet;

then turning and running S 81° 33' 00" W a distance of 10.05 feet to the point of beginning;

containing approximately 432 square feet.



CITY OF CAMBRIDGE
INTEROFFICE CORRESPONDENCE

To Robert W. Healy
City Manager

Date May 12, 1987

From Joan Lastovica
City Engineer

Reference

Subject Cogswell Avenue: Apparent discrepancies
in the status of the Public Way

It appears that land exchanges at Cogswell Avenue, including changes to the public way, have occurred without necessary action by the City to accept and record the changes. The situation has come to light presently, because prospective property owners are unable to close on a parcel as the parcel does not abut a recorded public way.

The attached correspondence from Jonathon Klein of Brown, Rudmick, Freed & Gesmer alerted the Engineering Office to the situation and research of the documents took place. After review of the documents and calculations in both the Engineering Vault and the attorney's correspondence, the following recommendations are made:

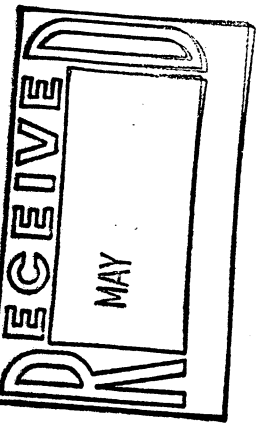
The project proponent prepare a plan and legal discription defining the "proposed discontinuance of part of Cogswell Avenue", approximately 200 square feet; and the "proposed addition to Cogswell Avenue", approximately 604 square feet.

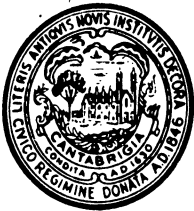
The City Council accept both the discontinuance and the addtion.

The City Clerk file the plan and legal description with the Middlesex Registry of Deeds and the City Engineer's Office.

The Assessors' obtain deeds of the involved abuttors and verify that tax records are updated.

Please note that recent road and sidewalk improvements at Cogswell Avenue were constructed according to the "proposed" alignments. Also note an apparent encroachment of steps of the building at 51 Cogswell





CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL. 498-9011

EXECUTIVE DEPARTMENT

ROBERT W. HEALY

City Manager

RICHARD C. ROSSI

Deputy City Manager

September 14, 1987

To the Honorable, the City Council:

Enclosed please find copy of a communication from Joseph E. Con-
narton, City Clerk, relative to scheduling a public hearing on the proposed
discontinuance and acceptance of a portion of Cogswell Avenue, as requested
by Brown, Rudnick, Freed & Gesmer for Homeowner's Rehab, Inc.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert W. Healy", is written over a horizontal line.

Robert W. Healy
City Manager

RWH/mbf

Enc.

Re: request for the scheduling of a public hearing on the proposed discontinuance & acceptance of a portion of Cogswell Ave.

*copy of discontinuance order for Cogswell Ave.
sent to Don Driscoll, Deputy City Solicitor for Law
Dept. review 11/2/87 - copy of letter within
wh*

In City Council,

September 14, 1987

C. Donahay

*Hearing, Scheduled for
Sept. 28, 1987 @ 6:30m*

*vmv
ms
ni*

*September 28, 1987 Discontinuance
order in conjunction with the acceptance
of 613 sq. ft. adopted on Roll call 87-
9-0-0. Order approved by Law Dept. + original
sent to David Koven, Homeowners Rep. for Court
recording purposes on November 23, 1987. (copy*