



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

January 12, 1981

RUSSELL SCHOOL FUNDS

Total due December, 1981		\$467,327
amount received to date	\$363,293.50	
amount outstanding	104,033.50	
Project expenditure - development of park		<u>120,000</u>
Russell School Funds - NET TOTAL		\$347,327

PROPOSED PROJECT EXPENDITURE

2050-2070 Mass Ave -- housing development		\$270,000
site acquisition	\$250,000	
legal fees	15,000	
title search, land survey	5,000	
Russell School Fund - BALANCE		<u>\$ 77,327</u>



City of Cambridge

Calendar Item # 12

12.

IN CITY COUNCIL

DEVELOPMENT, June 11, 1979

COUNCILLOR WYLIE

ORDERED:

In order to help assure maximum availability of state and/or Federal Funds for construction of public elderly housing, the City Council wishes to be on record favoring setting aside the proceeds of the sale of the Russell School site into a special sale of land account, for the purpose of elderly housing and for use in supplementing the cost of acquiring construction sites, identified by the Cambridge Housing Authority and the Community Development Department, which will be appropriate and consistent with sound and participatory neighborhood planning.

In City Council June 25, 1979.

Adopted as amended by a yeas and nays vote:-

Yeas 6; Nays 1; Absent 2.

Attest:- Paul E. Healy, City Clerk.

A true copy,

ATTEST:-

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS:

SUPERIOR COURT
NO. 78-131

TRI-MID, INC. ET AL)

v.)

CITY OF CAMBRIDGE, ET AL)
_____)

STIPULATION OF SETTLEMENT AGREEMENT

The City of Cambridge, by counsel, shall take all necessary action to secure approvals and requests from all necessary municipal agencies, including presentation to the City Council no later than January 5, 1981, necessary to approve the expenditure of the sum of \$250,000.00 for the purchase of the locus (which is the subject matter of this action).

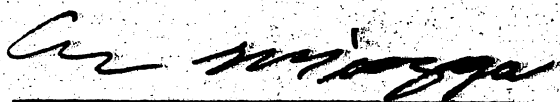
The purchase shall be consummated no later than January 19, 1981, time being of the essence, granting to the City a good and marketable title, free from all encumbrances, except those contained in the deed from Anthony C. Simboli to D & M Realty Trust, taxes to be adjusted. Consideration shall be paid in cash or by a Treasurer's check.

In addition to and simultaneously with the delivery of a deed with tax stamps attached, there shall be delivered to the City of Cambridge a release under seal signed by all plaintiffs exonerating all municipal defendants, dated the day of the passing, together with a stipulation for the dismissal of the present action, with prejudice, each party to pay its own costs, and there shall be delivered to the plaintiffs releases signed by all named municipal defendants.

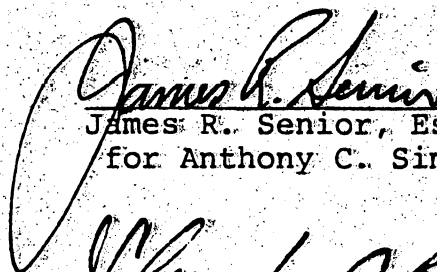
In the event of the failure of the City to approve the expenditure of such funds and to tender the purchase price and releases within the time stated, the obligation of the plaintiffs to complete the settlement herein on the above terms shall then terminate, and the parties agree that the matter shall be advanced for trial on January 26, 1981.

Upon the approval of the expenditure of such funds by the City Council, this agreement shall become binding on all parties. The plaintiffs agree to hold open this offer to sell the locus and to settle the present action on the above terms until January 20, 1981.

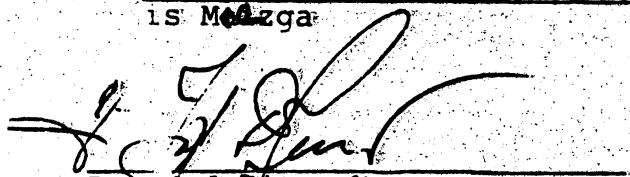
This agreement represents an offer in compromise for the purpose of settling the above-entitled action, and shall not be admissible in any action other than to enforce this agreement, as evidence of value or damages.



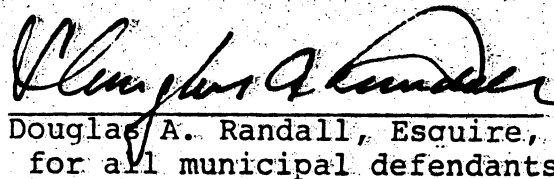
Anthony C. Simboli



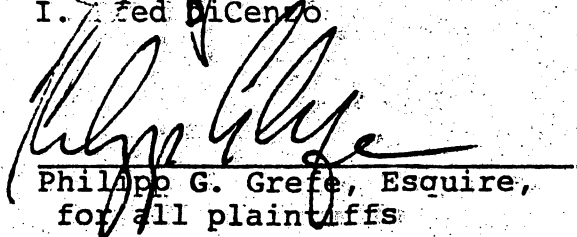
James R. Senior, Esquire,
for Anthony C. Simboli



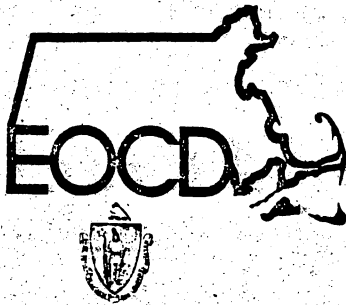
I. Fred DiCenzo



Douglas A. Randall, Esquire,
for all municipal defendants



Philipp G. Grefe, Esquire,
for all plaintiffs



Commonwealth of Massachusetts

Executive Office of Communities and Development

Office of the Secretary

100 Cambridge Street Room 1404 Boston, Massachusetts 02202 (617) 727-7765

Edward J. King, Governor
Byron J. Matthews, Secretary

December 1, 1980

Mr. James Stockard, Chairman
Cambridge Housing Authority
270 Green Street
Cambridge, Massachusetts 02139


Dear Mr. Stockard:

I am very pleased to inform you that the Executive Office of Communities and Development is awarding the Cambridge Housing Authority \$3,450,000 to develop approximately 50 units of elderly housing and 20 units of family housing. Statewide, under this round of funding, the Department is awarding \$48,000,000 to develop approximately 670 units of elderly and 310 units of family housing in 30 communities. Your award is for the development of the Massachusetts Avenue site for elderly housing, as well as for the development of other sites, and is contingent upon the award of federal UDAG funds.

I was most impressed with the overall quality of your proposal and your responsiveness to the selection criteria outlined in the Department's Request for Proposals. Of particular importance was your commitment to family housing, the local support you enlisted, and the management capacity of your housing authority. This award should be of substantial assistance in alleviating the shortage of affordable housing for both low-income families and elderly in Cambridge.

Since this award is being made contingent upon your fulfilling certain specific commitments and requirements, you will shortly be receiving a Contract for Financial Assistance and a letter outlining your obligations under this award. Meanwhile, I extend my congratulations and those of Governor King, and express the hope that the Executive Office of Communities and Development and your Authority will be working together successfully in the coming months to provide better housing in Cambridge.

Sincerely,



Byron J. Matthews
Secretary

BJM/msf

cc: Mr. James Sullivan, City Manager
Senator Michael LoPresti
Senator Francis McCann
Representative Sandra Graham
Representative Michael Lombardi
Metropolitan Area Planning Council

Locus is comprised of two different back title chains, and this abstract is so divided. One chain is for lot J on locus plan, and begins herein on sheet 3 thru sheet 28, where we get title into Porter Chevrolet, Inc.. This chain at that point merges into common ownership, and we again pick it up later in the abstract. Title for locus lots F. & G. begins herein on sheet 30, and continues on through the end of the abstract. Both chains of title can be easily followed by an examination of the various instruments without detailed narrative here, but I do wish to point up the following items for your consideration:

Sketch on sheet 9 shows what starting parcel for later lot J consisted of, as described in beginning deed on sheet 11, with the lower portion of that 8.36 foot parcel constituting said lot J. This is all tied into the recorded plan referred to in the title deed on sheet 8.

Sketch on sheet 10 also shows the location of said lot J in relation to rest of locus, in other chain.

Petition for determination of Value on 15 omits reference to the small lot (out of which J comes) but with specific title reference there, I would not consider this fatal.

Petition for license to sell on 17 omits 100 foot bound down from Mass. Ave. as starting point, but again with specific title reference therein, I would take it.

Deed under license on sheet 18 omits statement of License price

but administrator also only heir...see comment there. Also L-10 filed in estate, so inheritance tax lien no problem. Outstanding mortgage on sheet 24 included lot J, but that has since been partially released as per sheet 26.....and that financing statement on 25 is out by statute.

The chain for lots F and G begins with the 1926 deed on sheet 47 into Edwin J. Dreyfus Properties Inc. Note how the frontgae linear bounds compare favorably with those on locus plan. 41, 44 and 45 are all for reference to show the individual deeds into Etta F. Barron. These parcels are also shown on my sheet 40 sketch for easy reference, with later locus outlined thereon in red! Again the green strip is lot J from the other chain.

The lease on sheet 50 is included for reference because of the option to purchase delineated on 54....the lease has since expired...see remark on sheet 54...apparently never exercised. (There were other leases as shown on the schedule but all of those by their own terms have since expired as well).

Note plan on sheet 60...this was recorded with deed out of Lot A as shown on that plan (said lot A now abuts locus on the south)...this plan is referred to in later instruments but with an error as later pointed out.

Note deed in on sheet 63 runs to Porter Square Chevrolet Co. (goes out on sheet 69, but comes back in the same

way on sheet 72).....later the deeds talk of Porter Chevrolet Inc. as the owner...I found no certificate of corporate change of name either in the Registry of Deeds records, or those up in the Land Court, even though quite a few different banks and other mortgagees were involved. Such a certificate should be acquired and recorded, with a marginal reference to the deed on sheet 97!!

Note deed out on sheet 66, and plan therewith on sheet 67...this lot comprises our total easterly line along the Creighton Street (100 feet on that plan...we are 95.75 feet of that 100 feet...) portion of locus....note however that later descriptions like that on sheet 73 say that we are lots B, D and "C"....then they run us by lot "E" on that sheet 60 plan 100 feet...BUT Lot "E" on the sheet 60 plan only comes up 80 feet, and a portion of lot C projects out to Creighton Street!!! I have indicated that projection on the sheet 60 plan....what they should have done is said that they were conveying lots B, D and 'a portion of lot "C"' as shown on the sheet 60 plan; also they should have referred to the plan on sheet 67 as the easterly abutting lot for the 100 foot bound. All of this now is probably academic as it appears that what they were attempting to convey is geographically identifiable on the sheet 60 plan and the part of Lot C which they could not convey (since it was now a part of the sheet 67 plan) was not and is not claimed as a portion of our locus lot(s)! This last discussed mistake also resulted in their erroneous computation of area, as delineated on sheet 74 !!

Sheets 75, 84 and 88 are all properly discharged mortgages, but are included herein because of assignments thereof which had to be checked together with the later discharges against those mortgages.

For easier title chain history, Abbot's deed of lot J from the other back title is shown on sheet 93 with Porter's deed out to Abbot of Lot H on locus plan.

Note some errors in description on sheet 97...not really fatal since lots on a plan...but also note that they erroneously recite lot H instead of Lot J...this mistake appears to have been properly rectified by the deed on sheet 102 wherein both Herman and the corporation join.

Note that current trust is a nominee trust...we do not know if sole trustee is also sole beneficiary...if so, no trust. You should get a certificate in reference to this!! Rest of trust okay in all respects!!!

Linear description on 108 good except for one error there noted...again lots on a plan, so not fatal, but if your deed uses a linear description, make sure this error is corrected as noted.

NOTE also other comments which appear on respective sheets in abstract which might point up other possible points of import.

REPORT

LOCUS: 2050-2070 Massachusetts Avenue & 12 Walden Street, Cambridge

OWNER: Dorothy M. Waskiewicz, tr'ee of D & M Realty Trust (104)

PLAN:: sheet 94A CURRENT DEED 107 DESCRIPTION 108 as
corrected

BACK TITLE REFERENCE: -none-

ENCUMBRANCES

MORTGAGE	1. Atlantic Savings Bank	108
	2. Anthony C. Simboli	109
FEDERAL LIENS	x	
BANKRUPTCY	x	
ATTACHMENTS	x	
RESTRICTIONS	x	
EASEMENTS	x=see Notice/Prevent/ Easement=92	
TAX TITLES	outstdg tax takings=110, 111	
STREET TAKINGS	x	
ASSESSMENTS	sheet 68 not our sidewalk	
LEASES	none of record	
INHERITANCE TAX DUE	x	
CURRENT PROBATES	x	
CURRENT DIVORCE	x	
MASS. ESTATE TAX	x	
MISSING INTERESTS	x	
MISCELLANEOUS	Notice/Variances=99; 100	
REMARKS-SEE	sheet 2 !!!	

Run thru: 12/30/1980

From the Office of:
Harrington, Smith & Harrington
71 Trapelo Road
Belmont, Massachusetts
489-1030


Examiner

ew 11 - 13

JUN 17 11 12 AM '77 293RE * 11.05

KNOW ALL MEN BY THESE PRESENTS THAT I, DOROTHY M. WASKIEWICZ, Trustee of D & M REALTY TRUST under a Declaration of Trust dated June 16, 1977 duly recorded with Middlesex South District Registry of Deeds as herewith

hereinafter called the "MORTGAGOR", for consideration paid, hereby grants to the ATLANTIC SAVINGS BANK a corporation duly established by the laws of the Commonwealth of Massachusetts, and located at Chelsea in the County of Suffolk in said Commonwealth, with mortgage covenants to secure the payment of Two Hundred Forty Five Thousand dollars in five (5) years from the date hereof, with interest thereon ~~XXXXXXXXXX~~ ~~XXXXXXXXXXXXXXXXXXXX~~ payable as provided in note of even date, and also to secure the performance of all covenants and agreements herein contained, the land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts shown as Lots F, G and J, Massachusetts Avenue and Walden Street on plan entitled "Subdivision Plan of Land in Cambridge, Mass." dated June 23, 1969, Fred R. Joyce, Surveyor, duly recorded with Middlesex South District Registry of Deeds, Book 11747, Page 536. Together said Lots F, G and J are bounded and described as follows:

Beginning at a steel pin on Walden Street,

NORTHWESTERLY: by said Walden Street, as shown on said plan, 47.14 feet;

NORTHEASTERLY: by land now or formerly of Annie Minkowitz, as shown on said plan, 75.22 feet;

NORTHWESTERLY: again by land now or formerly of Annie Minkowitz, as shown on said plan, 113.10 feet;

NORTHEASTERLY: by Massachusetts Avenue, as shown on said plan, 148.74 feet;

95.75 FT!

SOUTHEASTERLY: by land now or formerly of Edmund J. Cote and John D. Shine, as shown on said plan, 100 feet;

SOUTHWESTERLY: by land now or formerly of Edmund W. Abbott, as shown on said plan, 66.08 feet;

SOUTHEASTERLY: again by land of said Edmund W. Abbott and also by land of William J. and Winnie F. Swinamer, as shown on said plan, by two bounds measuring 44.98 and 10.28 feet respectively; and,

SOUTHWESTERLY: by land now or formerly of Margaret P. Staskunas, as shown on said plan, by three bounds measuring 63.05, 14.52 and 72.48 feet respectively.

Said Lot F contains 18,267 square feet, more or less, according to said plan.

Said Lot G contains 3,263 square feet, more or less, according to said plan.

Said Lot J contains 167 square feet, more or less, according to said plan.

For title see Deed of Anthony Simboli to the Mortgagor as herewith.

6/16/1977 S/S/A: D.M.W. tree by the Daniel R. Parker At.



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Received at Postroom 1/12/1981 AT 5:40/PM



City of Cambridge

Calendar Item # 12

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DEVELOPMENT II, DE 1979

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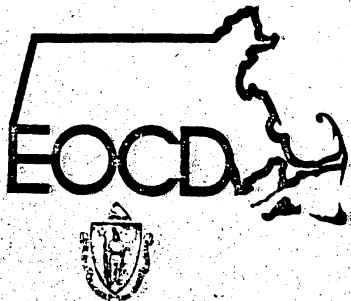
Adopted as amended by a yea and nay vote:-

Yeas 6; Nays 1; Absent 2.

Attest:- Paul E. Healy, City Clerk.

A true copy,

ATTEST:-



Commonwealth of Massachusetts

Executive Office of Communities and Development

Office of the Secretary

100 Cambridge Street, Room 1404, Boston, Massachusetts 02202 (617) 727-7765

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December 1, 1980

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Metropolitan Area Planning Council

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS:

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NO. 78-131

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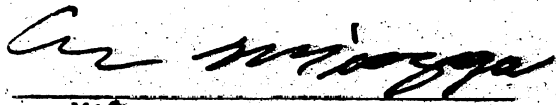
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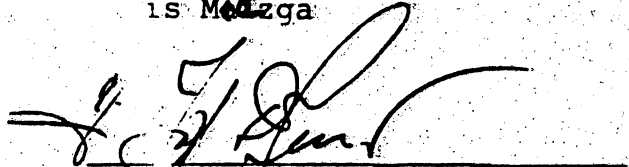
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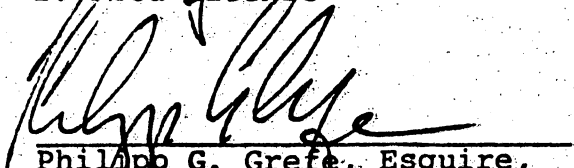
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Is Meazza




I. Fred DiCenzo



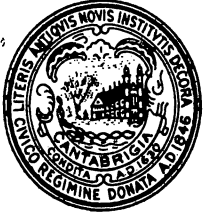
Philipp G. Grefe, Esquire,
for all plaintiffs



James R. Senior, Esquire,
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Douglas A. Randall, Esquire,
for all municipal defendants



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

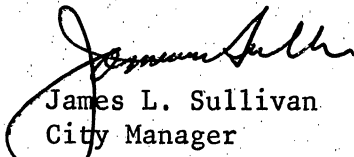
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

January 12, 1981

To the Honorable, the City Council:

Enclosed per your request is a copy of the key sections of the title search on the property at 2050-2070 Massachusetts Avenue. I will have the complete package available for review on Monday evening.

Very truly yours,



James L. Sullivan
City Manager

JLS/mbf
Enc.

Agenda # 4

F-19

Copy of key sections of the title search
on property at 2050-2070 Mass. Ave.

In City Council,

January 12, 1981

1/12/1981

Referred to Order

in Committee on Finance

Request for Appropriation

Order of 12/22/80 in

Amount of \$270,000

See Order Adopted