



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260

FAX (617) 349-4307

tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

June 26, 1997

The Honorable Timothy J. Toomey, Jr.
House of Representatives
State House
Boston, MA 02133

Dear Representative Toomey:

Pursuant to the request of the City Council, I am forwarding to you for filing with the Massachusetts House of Representatives, the enclosed order adopted by the City Council at its meeting of Monday, June 23, 1997 requesting the enactment of a home rule petition entitled:

**"AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT
CERTAIN EASEMENTS ON, OVER AND UNDER CERTAIN
PARKLAND."**

It is my understanding that upon receipt of this legislation you and your staff will review the text of the enclosed legislation to determine its appropriateness for filing and if any changes or corrections are necessary, your office will contract me as soon as possible.

Thank you for your cooperation in this matter.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Donna P. Lopez".

Donna P. Lopez
Deputy City Clerk

DPL/mc

Enclosures

cc: Representative Thompson
Representative Demakis



City of Cambridge

Consent Agenda #12

IN CITY COUNCIL

June 23, 1997

ORDERED: That the City Council petition the General Court of the Commonwealth of Massachusetts to enact the attached home rule petition entitled, "AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT CERTAIN EASEMENTS ON, OVER AND UNDER CERTAIN PARKLAND."

In City Council June 23, 1997.

Adopted by a ye and nay 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

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.

The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation. authorizing the city of
Cambridge to grant certain easements on, over and under certain
parkland

Petitioners are requested to sign names and addresses legibly.

Sheila T. Russell
Michael A. Sullivan
Jennifer E. Peene
Wm. H. Dooling
H. J. Hall
L. J. Loomis
Katherine Triantafyllou
Kathleen L. Born

5 Hawthorne Pl. Camb. 02138
28 Putnam Ave Camb 02139
340 Harvard Street Camb-
26 Lowell Street Cambridge 02138 02139
86 Buckingham Street
88 Sixth St.
90 Reed St. Cambridge 02140
120 Chestnut St Camb 02139
3 Walnut Avenue Cambridge 0214



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY- SEVEN

AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT CERTAIN
EASEMENTS ON, OVER AND UNDER CERTAIN PARKLAND

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The city of Cambridge is hereby authorized to grant, bargain and convey the following rights and easements on, over, and under premises now owned and held by said city for park, playground or recreational purposes:

(A) The right to construct foundations and pile caps in the areas abutting Parcel F, as shown on a Plan entitled "Plan of Property owned by city of Cambridge, First Street, Cambridge Street, Cambridge, Massachusetts" prepared by Cullinan Engineering Co., Inc., dated March 13, 1985, Scale 1 inch = 20 feet, with pile caps to be at least one foot (1') below finished grade;

(B) A construction easement for the purpose of constructing certain improvements as such improvements are more particularly described in that certain decision of the city of Cambridge Planning Board, Decision No. 125, dated June 3, 1997 (the

"Improvements") and a permanent non-exclusive easement to maintain the Improvements, which easement shall be located within an area twenty-five lineal feet (25 l.f.) from Parcel F.

(C) The right to use in common with others that area to the east of Parcel F containing 4,564 square feet, more or less, shown on the Plan and designated "Service Access and Utility Easement" for the purpose of providing off-street loading access and utility connections for the Improvements;

(D) The right to construct parking facilities below grade in that area shown on the Plan and designated "Parking Easement"; and

(E) The right to use, in common with others, Otis Way as shown on the Plan for pedestrian access and to construct foundations and pile caps in an area five (5) lineal feet along the northern boundary of Otis Way and at least one foot below finished grade and to close temporarily (but only in such a manner as not to prevent safe and efficient pedestrian access over or by Otis Way to Parcel C as shown on the Plan) said Otis Way for the purpose of constructing and/or maintaining the Improvements.

The land constituting the above-described easements is more particularly shown on the Plan.

SECTION 2. This act shall take full effect upon its acceptance by vote of the City Council of said city, but not otherwise.



CITY OF CAMBRIDGE

Office of the City Solicitor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139
Tel. (617) 349-4121
Fax. (617) 349-4134

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Legal Counsel

Birge Albright
Gail S. Gabriel
Arthur J. Goldberg
Linda A. Stamper
Deborah R. Cautela
Nancy E. Glowa

June 19, 1997

Mr. Robert W. Healy
City Manager
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Two Canal Park

Dear Mr. Healy:

Enclosed is a Home Rule Petition authorizing the City to grant certain easements relative to parkland at Two Canal Park. Please transmit this Petition to the City Council for its action.

Very truly yours,

Russell B. Higley
Russell B. Higley

RBH/jml
Enclosure



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY- SEVEN

AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT CERTAIN
EASEMENTS ON, OVER AND UNDER CERTAIN PARKLAND

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(B) A construction easement for the purpose of constructing certain improvements as such improvements are more particularly described in that certain decision of the city of Cambridge Planning Board, Decision No. _____, dated June ___, 1997 (the

"Improvements") and a permanent non-exclusive easement to maintain the Improvements, which easement shall be located within an area twenty-five lineal feet (25 l.f.) from Parcel F.

(C) The right to use in common with others that area to the east of Parcel F containing 4,564 square feet, more or less, shown on the Plan and designated "Service Access and Utility Easement" for the purpose of providing off-street loading access and utility connections for the Improvements;

(D) The right to construct parking facilities below grade in that area shown on the Plan and designated "Parking Easement"; and

(E) The right to use, in common with others, Otis Way as shown on the Plan for pedestrian access and to construct foundations and pile caps in an area five (5) lineal feet along the northern boundary of Otis Way and at least one foot below finished grade and to close temporarily (but only in such a manner as not to prevent safe and efficient pedestrian access over or by Otis Way to Parcel C as shown on the Plan) said Otis Way for the purpose of constructing and/or maintaining the Improvements.

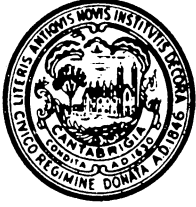
The land constituting the above-described easements is more particularly shown on the Plan.

SECTION 2. This act shall take full effect upon its acceptance by vote of the City Council of said city, but not otherwise.

*To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.*

The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and /or for legislation. authorizing the city of
Cambridge to grant certain easements on, over and under certain
parkland

Petitioners are requested to sign names and addresses legibly.



EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307

12.

June 23, 1997

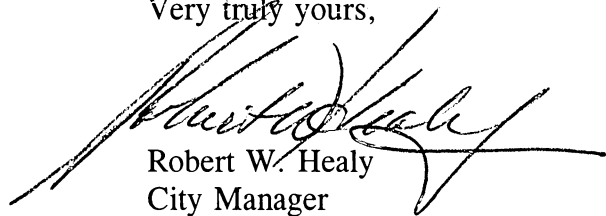
To the Honorable, the City Council:

I am transmitting a Home Rule Petition to authorize the City to grant certain rights and easements on, over, and under premises now owned by the City for park, playground and recreational purposes. The easements are necessary to permit the construction of the proposed building known as Two Canal Park. As you know, Two Canal Park has always been contemplated as a part of the East Cambridge Redevelopment Plan. The proposed easements have always been identified as necessary to accommodate construction, parking, utilities, and loading requirements for the site.

As a result of the creation of the park and recreational facilities in conjunction with the overall redevelopment, it is necessary to obtain approval by the legislature to authorize these rights and easements.

The petition references a plan showing the locations of the rights and easements. Due to the size of the plan, a copy of the plan is attached to the original petition which is in the possession of the City Clerk.

Very truly yours,



Robert W. Healy
City Manager

Consent Agenda #12

H-126

Relative to a Home Rule Petition
authorizing the City to grant certain
easements regarding parkland at Two
Canal Park.

In City Council June 23, 1997

Order adopted
9-0-0