



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 498-9017

OFFICE OF
THE CITY CLERK

August 20, 1980

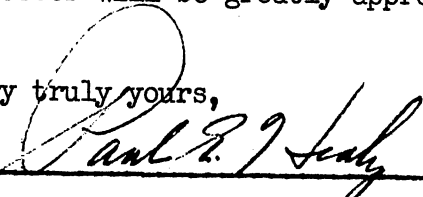
Mr. James L. Sullivan
City Manager
City Hall
Cambridge, MA 02139

Dear Sir:

Enclosed you will find a revised copy of an order adopted by the City Council on March 10, 1980 and recorded in Book-11597, Page 536 in the Registry of Deeds, Middlesex South District.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,



Paul E. Healy, City Clerk.

PEH/dl

Enc. Order re: New Street.

c.c. City Solicitor
Assessors



City of Cambridge

REVISED ORDER
 CALENDAR ITEM NO. 3
 IN CITY COUNCIL
 February 11, 1980

ORDERED:

That the sale of lot B on New Street, by deed of the City of Cambridge by its City Manager, James L. Sullivan, to Anthony J. Uglietto, Salvatore R. Uglietto and Dominic R. Uglietto recorded on November 5, 1968 in the Middlesex South District Registry of Deeds in Book 11597, Page 536, is hereby ratified; and be it further

ORDERED:

That the condition that "the property therein referred to will not be sold by the grantee prior to the construction of the building thereon" which appears in said deed in Book 11597, Page 536 is hereby waived; and be it further

ORDERED:

That said waiver be conditional upon Cubby Oil Company executing immediately and, in any event prior to the removal of the deed restriction, an agreement releasing the Cambridge Redevelopment Authority from any present or future claims relative to the acquisition of the so-called non-conforming Porter Street property in the Wellington-Harrington Urban Renewal Area in excess of the fair market value determined by the Authority and already paid as pro-tanto payment since any court award of damages may be borne by the City and that said waiver be further conditional upon any land proceeds derived by Cubby Oil Company in excess of One Hundred and Sixty Thousand Dollars (\$160,000) for the 35,895 sq. ft. parcel of land be forwarded to the City of Cambridge.

In City Council March 10, 1980
 Adopted by a yea and nay vote:
 Yeas 7; Nays 1; Absent 1.
 Attest: Paul E. Healy, City Clerk

A true copy,

ATTEST:

Paul E. Healy



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In City Council March 10, 1980

Adopted by a yea and nay vote:

Yeas 7; Nays 1; Absent 1.

Attest: Paul E. Healy, City Clerk

A true copy,

ATTEST:

A handwritten signature in cursive script that reads "Paul E. Healy".

MAY 12-80 AM 11:37 082RE ***5.00

CCM-101

BK 13964 PG 495

15-15



City of Cambridge

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Yeas 7; Nays 1; Absent 1.
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

Paul E. Healy
Paul E. Healy, City Clerk.

To : Members of the City Council

From : James L. Sullivan

Date : February 29, 1980

Re : Removal of Deed Restriction Lot 97 / New Street

Background

By vote of the City Council, on June 24, 1968, the City Manager was authorized to sell land owned by the City of Cambridge in the New Street area to Cubby Oil Company for the purpose of relocating its operation from the Wellington-Harrington Urban Renewal Area because that operation was, and is, a non-conforming commercial use.

For a variety of reasons, Cubby Oil Company did not develop the New Street land and now has a willing purchaser. J & C Adams Company, owner of the abutting land and business, wishes to purchase the land in order to accommodate future expansion of its present business. Sale of the land is not possible at this time due to the restrictive covenant which the City included in the Deed; i.e., "This conveyance is made with the condition that the property will not be sold by the grantees prior to construction of the building thereon..."

Over the years, there have been several attempts to resolve this matter and it now appears that final resolution may be possible.

Recommended Action

Assuming that the removal of the Deed restriction is acceptable to both the City of Cambridge and the owners of Cubby Oil Company, the following recommendations are transmitted for your consideration:

- (1) That the City Solicitor prepare the necessary documents rescinding and/or clarifying the Council action approving the sale of the New Street property as a relocation resource and the removal of the subsequent restrictive covenant in the Deed;
- (2) That the Department of Community Development prepare a report outlining the proposed zoning change affecting this parcel, including a determination that the use contemplated by the buyer, J & C Adams Company, would be a permitted use;
- (3) That the Department of Community Development review development plans for the "Dump Site" in order to ensure that such a land transfer and subsequent use would not negatively affect that development;

(continued on next page...)

-
- (4) That Cubby Oil Company execute, immediately, and, in any event, prior to the removal of the Deed restriction, an agreement releasing the Cambridge Redevelopment Authority from any present or future claims relative to the acquisition of the so-called non-conforming Porter Street property in the Wellington-Harrington Urban Renewal Area in excess of the fair market value determined by the Authority and already paid as a pro-tanto payment since any court award of damages may be borne by the City; and
 - (5) That any land proceeds derived by Cubby Oil Company in excess of \$160,000 for the 35,895 s.f. parcel of land be forwarded to the City of Cambridge. [This figure is based on the original purchase price of \$80,000 and all reasonable and documented costs reflected in the attached Schedule.]
-

EXPENSES RELATED TO NEW STREET PROPERTY

(a) Purchase price			\$ 80,763.75
(b) Taxes			
(1) 1969	\$1,316.16		
(2) 1970	1,575.36		
(3) 1971	1,906.56		
(4) 1972	2,145.60		
(5) 1973	2,193.12		
(6) 1974	1,096.56		
(7) 1975	2,668.32		
(8) 1976	2,589.12		
(9) 1977	2,584.80		
(10) 1978	2,581.92		
(11) 1979	2,715.84		
(12) 1980	<u>2,712.96</u>		
(13) Total Taxes			\$ 26,086.32
(c) Interest			
(1) On purchase price of \$80,763.75 from October 30, 1968 until March 1, 1980 @ 5% per annum.			\$ 45,764.78
(d) Development Costs			
(1) Redson Printing Corp. for production of colored brochures.		\$2,727.44	
(2) Robert F. Emmens & Company, Inc. for preparation of appraisal to determine mortgage loan potential.		\$2,500.00	
(3) Patti Associates Consulting Engineers for preparation of feasibility study, preliminary design and drawing, and architectural renderings and photographs and coordination of work.		\$4,600.00	\$ 9,827.44
(e) Legal Services			<u>307.75</u>
Total Expenses			<u>\$162,750.04</u>



City of Cambridge

SEE REVISED ORDER RECORDED IN REGISTRY

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Attest: Paul E. Healy, City Clerk

A true copy,

ATTEST:

A handwritten signature in black ink that reads "Paul E. Healy".



See Revised Order
City of Cambridge

Recorded in Record

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Tel. 498-9011

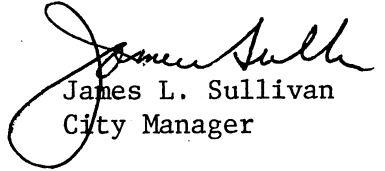
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

March 10, 1980

To the Honorable, the City Council:

Enclosed is additional information relative to the
removal of Deed Restriction for Lot 97 (New Street).

Very truly yours,


James L. Sullivan
City Manager

JLS/mbf
Enc.

P. 90

Additional information relative to the
removal of Deed Restriction for Lot 97
(New Street).

Copies sent to: Mgr.
C. Solicitor
Assessors

8/20/80 (dl)

In City Council,

March 10, 1980

- 3/10/1980 -

Referred to
Calendar #3

Recorded at
Registry of Deeds

May 12, 1980

Book 11597 page 536