

TRIO



# City of Cambridge

Agenda Item No. 3

IN CITY COUNCIL

January 14, 1985

WHEREAS:

The City Council has previously adopted and filed in the Middlesex County Registry of Deeds certain Orders of Taking and made certain other acquisitions concerning and describing certain parcels of land now comprising, in whole or in part, Parcels C and F and Otis Way, as more particularly described in Schedule A attached hereto (the Land) intending said parcels for public improvement, including roadway widenings, public parking and park development to carry out the East Cambridge Riverfront Plan (the Plan); and

WHEREAS:

The City Manager has previously determined that certain parts of the Land so taken or acquired were no longer required for public purposes; and

WHEREAS:

The areas required for the roadways and the future park abutting said Parcels C and F and occupying the surface area of Otis Way have now been made precise; and

WHEREAS:

Pursuant to the applicable legal procedures, a developer was designated to develop those portions of the Land not required for public purposes as private mixed use development pursuant to the Plan; and

WHEREAS:

Canal Park Associates is a partnership established by the Marcus Organization, Inc., the successor in interest to the originally designated developer, as the development entity for said Land (the Developer); and

WHEREAS:

The Massachusetts Government Land Bank loaned the City funds for the above-mentioned acquisitions and takings; and

WHEREAS:

The Developer is now prepared to acquire Parcel C and Otis Way

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SEE PLAN IN RECORDS BOOK 16006 PAGE 474

and to purchase or lease on an interim basis Parcel F and to commence construction of the private development thereon in accordance with the Plan; and

WHEREAS:

The Land Bank has agreed to substitute the Developer for the City with respect to the obligations to the Land Bank relating to Parcel C and Otis Way and to discharge that portion of the City's obligations relating to said Parcel C and Otis Way;

NOW, THEREFORE, BE IT ORDERED:

1. The City Council hereby adopts the Confirmatory Order of Taking attached hereto.

2. The City Council hereby authorized and directs the City Manager to execute and deliver the following documents related to the development of Parcels C and F and Otis Way: deed to the Developer for Parcel C and Otis Way; deed to or lease for Parcel F; and such further documents as the City Manager shall determine from time to time to be necessary and appropriate to carry out the development in accordance with the purposes of the Plan and the public interest.

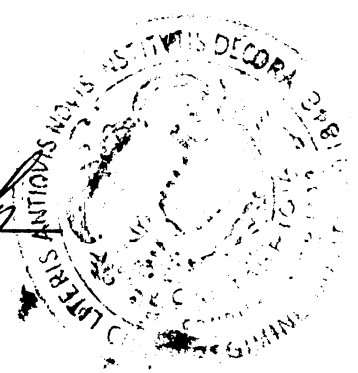
The above referred to parcels of land are shown on a plan entitled "Plan of Property owned by the City of Cambridge, Cambridge Street and First Street, Cambridge, Massachusetts; dated January 26, 1984" and prepared by Cullinan Engineering Co., Inc. which plan is filed herewith.

A detailed description of the above referred to parcels is contained in Scheduled A which is appended to this order and incorporated by reference.

In City Council January 14, 1985.  
Adopted by a ye and nay vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:- Paul E. Healy  
Paul E. Healy, City Clerk.



RECEIVED & ENTERED  
MIDDLESEX COUNTY  
REGISTRY OF DEEDS  
SOUTHERN DISTRICT

ATTEST:  
*John F. Stangorilli*  
REGISTER

8/5

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

CITY OF CAMBRIDGE

In City Council  
January 14, 1985

CONFIRMATORY ORDER OF TAKING

WHEREAS, the City of Cambridge, in accordance with Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 79 of the General Laws, adopted and filed in the Middlesex County Registry of Deeds, certain ORDERS OF TAKING, for the purpose of public improvements and made certain other acquisitions concerning and describing certain parcels of land now comprising, in whole or in part, Parcel C and F and Otis Way as more particularly described on Schedule A hereof; and

WHEREAS, the City of Cambridge has paid such damages as were awarded in accordance with law to the owner or owners of said area, as required by the General Laws.

NOW, THEREFORE, BE IT ORDERED that the City of Cambridge acting under the provisions of said chapters 40, 43 and 79 and all other authority thereunto enabling and pursuant to the applicable provisions of said chapter 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the land located in the City of Cambridge as hereinafter described on Schedule A, together with any and all easements and privileges and appurtenances thereto, as well as all trees and structures thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned.

AND FURTHER ORDERED that in accordance with the provisions of the said chapter 79, as amended, awards are made by the City of Cambridge, for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described on Schedule A and entitled to any damages by reason of the taking hereby made.

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16006  
PAGE 474

RECORD BOOK 16006 PAGE 474

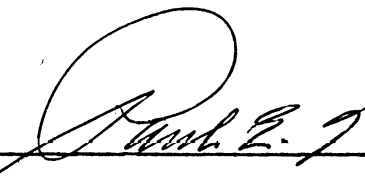
The damages awarded with respect to said property are ONE DOLLAR (\$1.00) and any owners other than the City of Cambridge are Owners Unknown. The City of Cambridge reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown.

AND FURTHER ORDERED that the City Manager of the City of Cambridge cause this instrument of Taking to be recorded in the office of the Middlesex County Registry of Deeds.

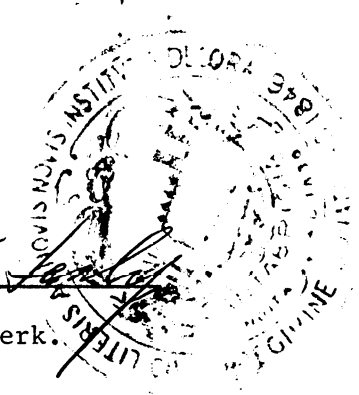
In City Council January 14, 1985.  
Adopted by a yea and nay vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-



Paul E. Healy, City Clerk.



## SCHEDULE A

Three certain parcels of land located on First Street, Cambridge, Middlesex County, Massachusetts, being further described as follows:

Parcel 1

Being shown as Parcel C on a plan of land entitled "Plan of Property Owned by CITY OF CAMBRIDGE, Cambridge Street and First Street, Cambridge, Massachusetts, dated January 26, 1984 by Cullinan Engineering Co., Inc." and recorded herewith, further described as follows:

BEGINNING at the northwest corner of land now or formerly of the City of Cambridge, which is the southwest corner of the land herein described; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, Two Hundred and 00/100 (200.00) feet; thence Southeasterly (S 80° 31' 11" E) along the southerly sideline of Otis Way as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet; thence Southwesterly (S 9° 28' 49" W) by land now or formerly of the City of Cambridge as indicated on said plan, Two Hundred and 00/100 (200.00) feet; thence Northwesterly (N 80° 31' 11" W) by land now or formerly of the City of Cambridge as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet to the point of beginning.

Containing 30,400 square feet, more or less, according to said plan.

Parcel 2

Being shown as Otis Way on said plan, further described as follows: BEGINNING at the northwest corner of Parcel C as shown on said plan; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, Fifty and 00/100 (50.00) feet; thence Southeasterly (S 80° 31' 11" E) by Parcel F as indicated on said plan, One Hundred Fifty-Two and

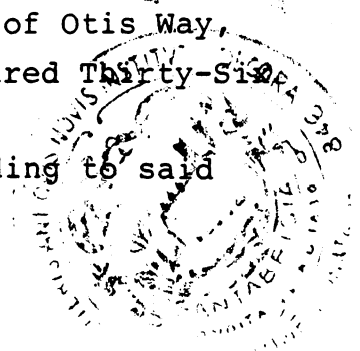
00/100 (152.00) feet; thence Southwesterly (S 09° 28' 49" W) by land now or formerly of the City of Cambridge as indicated on said plan, Fifty and 00/100 (50.00) feet; thence Northwesterly (N 80° 31' 11" W) by Parcel "C" as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet to the point of beginning.

Containing 7,600 square feet, more or less, according to said plan.

Parcel 3

Being shown as Parcel F on said plan, further described as follows:

BEGINNING at the intersection of the easterly sideline of First Street and the northerly sideline of Otis Way as shown on said plan; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, One Hundred Forty-Nine and 91/100 (149.91) feet; thence Northeasterly along a curve with a radius of Thirty-Eight and 00/100 (38.00) feet at the intersection of the easterly sideline of First Street and the southerly sideline of Cambridge Street as indicated on said plan, Sixty and 32/100 (50.32) feet; thence Southeasterly (S 79° 34' 01" E) along the southerly sideline of Cambridge Street as indicated on said plan, Two Hundred Thirty and 59/100 (230.59) feet; thence Southeasterly along a curve with a radius of Seventy and 00/100 (70.00) feet on the southerly sideline of Cambridge Street as indicated on said plan, Twenty-Nine and 18/100 (29.18) feet; thence Southeasterly (S 55° 40' 57" E) along the southerly sideline of Cambridge Street as indicated on said plan, Forty-Five and 91/100 (45.91) feet; thence Southwesterly (S 10° 18' 55" W) by land now or formerly of the City of Cambridge as indicated on said plan, One Hundred Fifty-Eight and 33/100 (158.33) feet; thence Northwesterly (N 80° 31' 11" W) by land now or formerly of the City of Cambridge and along the northerly sideline of Otis Way, respectively, as indicated on said plan, Three Hundred Thirty-Six and 79/100 (336.79) feet to the point of beginning. Containing 61,780 square feet, more or less, according to said plan.



RECEIVED & ENTERED  
MIDDLESEX COUNTY  
REGISTRY OF DEEDS  
SOUTHERN DISTRICT  
ATTEST:

*John F. Fitzgerald*

REGISTER

# CHARGE SLIP

## REGISTRY OF DEEDS SOUTHERN DISTRICT MIDDLESEX COUNTY

JOHN F. ZAMPARELLI  
REGISTER

Date 2/8/1985

Name City Clerk Office

Address 195 Main Street  
City Hall Cambridge

Fees Due \$ 0 2139  
36 00

Return Postage \_\_\_\_\_

TOTAL \$ 36 00

SIGNATURE Paul E. J. Leahy

- Date of Filing - 2/8/1985

- Payment Numbers - #112 #113

- Pk# Number - 154

Agenda Item # 3 of  
January 14, 1985



# City of Cambridge

Agenda Item No. 3

IN CITY COUNCIL

January 14, 1985

WHEREAS:

The City Council has previously adopted and filed in the Middlesex County Registry of Deeds certain Orders of Taking and made certain other acquisitions concerning and describing certain parcels of land now comprising in whole or in part, Parcels C and F and Otis Way, as more particularly described in Schedule A attached hereto (the Land) intending said parcels for public improvement, including roadway widenings, public parking and park development to carry out the East Cambridge Riverfront Plan (the Plan); and

WHEREAS:

The City Manager has previously determined that certain parts of the Land so taken or acquired were no longer required for public purposes; and

WHEREAS:

The areas required for the roadways and the future park abutting said Parcels C and F and occupying the surface area of Otis Way have now been made precise; and

WHEREAS:

Pursuant to the applicable legal procedures, a developer was designated to develop those portions of the Land not required for public purposes as private mixed use development pursuant to the Plan; and

WHEREAS:

Canal Park Associates is a partnership established by the Marcus Organization, Inc., the successor in interest to the originally designated developer, as the development entity for said Land (the Developer); and

WHEREAS:

The Massachusetts Government Land Bank loaned the City funds for the above-mentioned acquisitions and takings; and

WHEREAS:

The Developer is now prepared to acquire Parcel C and Otis Way

and to purchase or lease on an interim basis Parcel F and to commence construction of the private development thereon in accordance with the Plan; and

WHEREAS:

The Land Bank has agreed to substitute the Developer for the City with respect to the obligations to the Land Bank relating to Parcel C and Otis Way and to discharge that portion of the City's obligations relating to said Parcel C and Otis Way;

NOW, THEREFORE, BE IT ORDERED:

1. The City Council hereby adopts the Confirmatory Order of Taking attached hereto.

2. The City Council hereby authorized and directs the City Manager to execute and deliver the following documents related to the development of Parcels C and F and Otis Way: deed to the Developer for Parcel C and Otis Way; deed to or lease for Parcel F; and such further documents as the City Manager shall determine from time to time to be necessary and appropriate to carry out the development in accordance with the purposes of the Plan and the public interest.

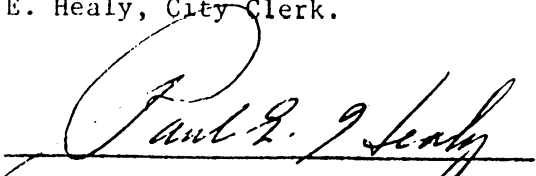
The above referred to parcels of land are shown on a plan entitled "Plan of Property owned by the City of Cambridge, Cambridge Street and First Street, Cambridge, Massachusetts, dated January 26, 1984" and prepared by Cullinan Engineering Co., Inc. which plan is filed herewith.

A detailed description of the above referred to parcels is contained in Scheduled A which is appended to this order and incorporated by reference.

In City Council January 14, 1985.  
Adopted by a yeas and nays vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

  
Paul E. Healy, City Clerk.

## SCHEDULE A

Three certain parcels of land located on First Street, Cambridge, Middlesex County, Massachusetts, being further described as follows:

### Parcel 1

Being shown as Parcel C on a plan of land entitled "Plan of Property Owned by CITY OF CAMBRIDGE, Cambridge Street and First Street, Cambridge, Massachusetts, dated January 26, 1984 by Cullinan Engineering Co., Inc." and recorded herewith, further described as follows:

BEGINNING at the northwest corner of land now or formerly of the City of Cambridge, which is the southwest corner of the land herein described; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, Two Hundred and 00/100 (200.00) feet; thence Southeasterly (S 80° 31' 11" E) along the southerly sideline of Otis Way as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet; thence Southwesterly (S 09° 28' 49" W) by land now or formerly of the City of Cambridge as indicated on said plan, Two Hundred and 00/100 (200.00) feet; thence Northwesterly (N 80° 31' 11" W) by land now or formerly of the City of Cambridge as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet to the point of beginning.

Containing 30,400 square feet, more or less, according to said plan.

### Parcel 2

Being shown as Otis Way on said plan, further described as follows: BEGINNING at the northwest corner of Parcel C as shown on said plan; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, Fifty and 00/100 (50.00) feet; thence Southeasterly (S 80° 31' 11" E) by Parcel F as indicated on said plan, One Hundred Fifty-Two and

00/100 (152.00) feet; thence Southwesterly (S 09° 28' 49" W) by land now or formerly of the City of Cambridge as indicated on said plan, Fifty and 00/100 (50.00) feet; thence Northwesterly (N 80° 31' 11" W) by Parcel "C" as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet to the point of beginning.

Containing 7,600 square feet, more or less, according to said plan.

Parcel 3

Being shown as Parcel F on said plan, further described as follows:

BEGINNING at the intersection of the easterly sideline of First Street and the northerly sideline of Otis Way as shown on said plan; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, One Hundred Forty-Nine and 91/100 (149.91) feet; thence Northeasterly along a curve with a radius of Thirty-Eight and 00/100 (38.00) feet at the intersection of the easterly sideline of First Street and the southerly sideline of Cambridge Street as indicated on said plan, Sixty and 32/100 (60.32) feet; thence Southeasterly (S 79° 34' 01" E) along the southerly sideline of Cambridge Street as indicated on said plan, Two Hundred Thirty and 59/100 (230.59) feet; thence Southeasterly along a curve with a radius of Seventy and 00/100 (70.00) feet on the southerly sideline of Cambridge Street as indicated on said plan, Twenty-Nine and 18/100 (29.18) feet; thence Southeasterly (S 55° 40' 57" E) along the southerly sideline of Cambridge Street as indicated on said plan, Forty-Five and 91/100 (45.91) feet; thence Southwesterly (S 10° 18' 55" W) by land now or formerly of the City of Cambridge as indicated on said plan, One Hundred Fifty-Eight and 33/100 (158.33) feet; thence Northwesterly (N 80° 31' 11" W) by land now or formerly of the City of Cambridge and along the northerly sideline of Otis Way, respectively, as indicated on said plan, Three Hundred Thirty-Six and 79/100 (336.79) feet to the point of beginning.

Containing 61,780 square feet, more or less, according to said plan.

*Copy of Filing - 2/6/1985*

# City of Cambridge

Agenda Item No. 3

IN CITY COUNCIL

January 14, 1985

WHEREAS:

The City Council has previously adopted and filed in the Middlesex County Registry of Deeds certain Orders of Taking and made certain other acquisitions concerning and describing certain parcels of land now comprising in whole or in part, Parcels C and F and Otis Way, as more particularly described in Schedule A attached hereto (the Land) intending said parcels for public improvement, including roadway widenings, public parking and park development to carry out the East Cambridge Riverfront Plan (the Plan); and

WHEREAS:

The City Manager has previously determined that certain parts of the Land so taken or acquired were no longer required for public purposes; and

WHEREAS:

The areas required for the roadways and the future park abutting said Parcels C and F and occupying the surface area of Otis Way have now been made precise; and

WHEREAS:

Pursuant to the applicable legal procedures, a developer was designated to develop those portions of the Land not required for public purposes as private mixed use development pursuant to the Plan; and

WHEREAS:

Canal Park Associates is a partnership established by the Marcus Organization, Inc., the successor in interest to the originally designated developer, as the development entity for said Land (the Developer); and

WHEREAS:

The Massachusetts Government Land Bank loaned the City funds for the above-mentioned acquisitions and takings; and

WHEREAS:

The Developer is now prepared to acquire Parcel C and Otis Way

and to purchase or lease on an interim basis Parcel F and to commence construction of the private development thereon in accordance with the Plan; and

WHEREAS:

The Land Bank has agreed to substitute the Developer for the City with respect to the obligations to the Land Bank relating to Parcel C and Otis Way and to discharge that portion of the City's obligations relating to said Parcel C and Otis Way;

NOW, THEREFORE, BE IT ORDERED:

1. The City Council hereby adopts the Confirmatory Order of Taking attached hereto.

2. The City Council hereby authorized and directs the City Manager to execute and deliver the following documents related to the development of Parcels C and F and Otis Way: deed to the Developer for Parcel C and Otis Way; deed to or lease for Parcel F; and such further documents as the City Manager shall determine from time to time to be necessary and appropriate to carry out the development in accordance with the purposes of the Plan and the public interest.

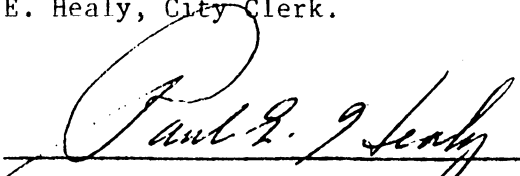
The above referred to parcels of land are shown on a plan entitled "Plan of Property owned by the City of Cambridge, Cambridge Street and First Street, Cambridge, Massachusetts, dated January 26, 1984" and prepared by Cullinan Engineering Co., Inc. which plan is filed herewith.

A detailed description of the above referred to parcels is contained in Scheduled A which is appended to this order and incorporated by reference.

In City Council January 14, 1985.  
Adopted by a yea and nay vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

  
Paul E. Healy, City Clerk.

and to purchase or lease on an interim basis Parcel F and to commence construction of the private development thereon in accordance with the Plan; and

WHEREAS:

The Land Bank has agreed to substitute the Developer for the City with respect to the obligations to the Land Bank relating to Parcel C and Otis Way and to discharge that portion of the City's obligations relating to said Parcel C and Otis Way;

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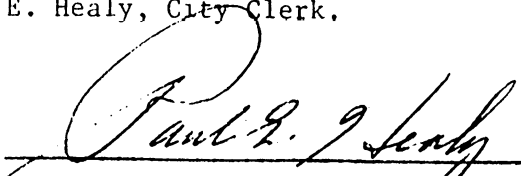
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In City Council January 14, 1985.  
Adopted by a yea and nay vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

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# City of Cambridge

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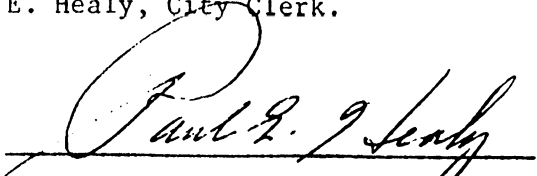
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A true copy;

ATTEST:-

  
Paul E. Healy, City Clerk.

## SCHEDULE A

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Containing 30,400 square feet, more or less, according to said plan.

### Parcel 2

Being shown as Otis Way on said plan, further described as follows: BEGINNING at the northwest corner of Parcel C as shown on said plan; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, Fifty and 00/100 (50.00) feet; thence Southeasterly (S 80° 31' 11" E) by Parcel F as indicated on said plan, One Hundred Fifty-Two and

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Parcel 3

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Containing 61,780 square feet, more or less, according to said plan.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

CITY OF CAMBRIDGE

In City Council  
January 14, 1985

CONFIRMATORY ORDER OF TAKING

WHEREAS, the City of Cambridge, in accordance with Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 79 of the General Laws, adopted and filed in the Middlesex County Registry of Deeds, certain ORDERS OF TAKING, for the purpose of public improvements and made certain other acquisitions concerning and describing certain parcels of land now comprising, in whole or in part, Parcel C and F and Otis Way as more particularly described on Schedule A hereof; and

WHEREAS, the City of Cambridge has paid such damages as were awarded in accordance with law to the owner or owners of said area, as required by the General Laws.

NOW, THEREFORE, BE IT ORDERED that the City of Cambridge acting under the provisions of said chapters 40, 43 and 79 and all other authority thereunto enabling and pursuant to the applicable provisions of said chapter 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the land located in the City of Cambridge as hereinafter described on Schedule A, together with any and all easements and privileges and appurtenances thereto, as well as all trees and structures thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned.

AND FURTHER ORDERED that in accordance with the provisions of the said chapter 79, as amended, awards are made by the City of Cambridge, for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described on Schedule A and entitled to any damages by reason of the taking hereby made.

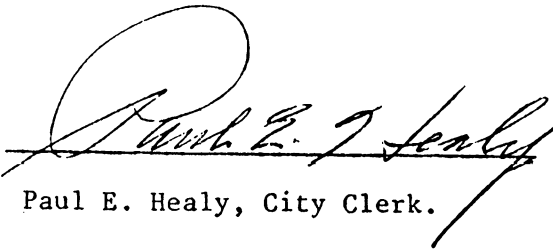
The damages awarded with respect to said property are ONE DOLLAR (\$1.00) and any owners other than the City of Cambridge are Owners Unknown. The City of Cambridge reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown.

AND FURTHER ORDERED that the City Manager of the City of Cambridge cause this instrument of Taking to be recorded in the office of the Middlesex County Registry of Deeds.

In City Council January 14, 1985.  
Adopted by a yea and nay vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

  
Paul E. Healy, City Clerk.

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

CITY OF CAMBRIDGE

In City Council  
January 14, 1985

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WHEREAS, the City of Cambridge has paid such damages as were awarded in accordance with law to the owner or owners of said area, as required by the General Laws.

NOW, THEREFORE, BE IT ORDERED that the City of Cambridge acting under the provisions of said chapters 40, 43 and 79 and all other authority thereunto enabling and pursuant to the applicable provisions of said chapter 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the land located in the City of Cambridge as hereinafter described on Schedule A, together with any and all easements and privileges and appurtenances thereto, as well as all trees and structures thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned.

AND FURTHER ORDERED that in accordance with the provisions of the said chapter 79, as amended, awards are made by the City of Cambridge, for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described on Schedule A and entitled to any damages by reason of the taking hereby made.

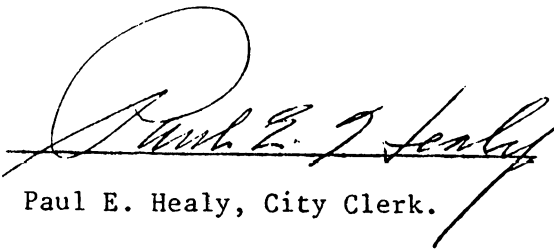
The damages awarded with respect to said property are ONE DOLLAR (\$1.00) and any owners other than the City of Cambridge are Owners Unknown. The City of Cambridge reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown.

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WHEREAS, the City of Cambridge has paid such damages as were awarded in accordance with law to the owner or owners of said area, as required by the General Laws.

NOW, THEREFORE, BE IT ORDERED that the City of Cambridge acting under the provisions of said chapters 40, 43 and 79 and all other authority thereunto enabling and pursuant to the applicable provisions of said chapter 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the land located in the City of Cambridge as hereinafter described on Schedule A, together with any and all easements and privileges and appurtenances thereto, as well as all trees and structures thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned.

AND FURTHER ORDERED that in accordance with the provisions of the said chapter 79, as amended, awards are made by the City of Cambridge, for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described on Schedule A and entitled to any damages by reason of the taking hereby made.

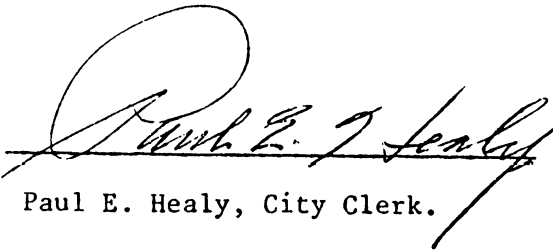
The damages awarded with respect to said property are ONE DOLLAR (\$1.00) and any owners other than the City of Cambridge are Owners Unknown. The City of Cambridge reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown.

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WHEREAS, the City of Cambridge has paid such damages as were awarded in accordance with law to the owner or owners of said area, as required by the General Laws.

NOW, THEREFORE, BE IT ORDERED that the City of Cambridge acting under the provisions of said chapters 40, 43 and 79 and all other authority thereunto enabling and pursuant to the applicable provisions of said chapter 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the land located in the City of Cambridge as hereinafter described on Schedule A, together with any and all easements and privileges and appurtenances thereto, as well as all trees and structures thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned.

AND FURTHER ORDERED that in accordance with the provisions of the said chapter 79, as amended, awards are made by the City of Cambridge, for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described on Schedule A and entitled to any damages by reason of the taking hereby made.

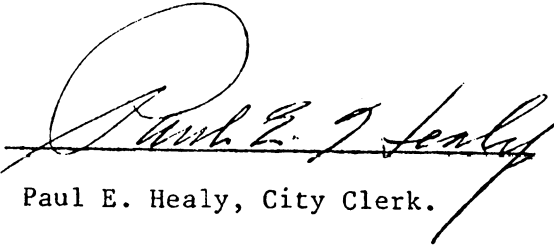
The damages awarded with respect to said property are ONE DOLLAR (\$1.00) and any owners other than the City of Cambridge are Owners Unknown. The City of Cambridge reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown.

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A true copy;

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January 14, 1985

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WHEREAS, the City of Cambridge has paid such damages as were awarded in accordance with law to the owner or owners of said area, as required by the General Laws.

NOW, THEREFORE, BE IT ORDERED that the City of Cambridge acting under the provisions of said chapters 40, 43 and 79 and all other authority thereunto enabling and pursuant to the applicable provisions of said chapter 79, and of any and every power and authority to it, granted or implied, hereby takes for itself in fee simple by eminent domain, for the purposes hereinbefore set forth or referred to, the land located in the City of Cambridge as hereinafter described on Schedule A, together with any and all easements and privileges and appurtenances thereto, as well as all trees and structures thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned.

AND FURTHER ORDERED that in accordance with the provisions of the said chapter 79, as amended, awards are made by the City of Cambridge, for damages sustained by the owner or owners and all other persons, including all mortgagees of record, having any and all interest in each parcel described on Schedule A and entitled to any damages by reason of the taking hereby made.

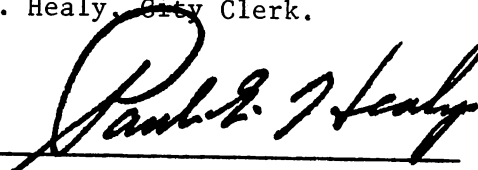
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Adopted by a yea and nay vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "Paul E. Healy", written over a horizontal line.

Paul E. Healy, City Clerk.

## SCHEDULE A

Three certain parcels of land located on First Street, Cambridge, Middlesex County, Massachusetts, being further described as follows:

### Parcel 1

Being shown as Parcel C on a plan of land entitled "Plan of Property Owned by CITY OF CAMBRIDGE, Cambridge Street and First Street, Cambridge, Massachusetts, dated January 26, 1984 by Cullinan Engineering Co., Inc." and recorded herewith, further described as follows:

BEGINNING at the northwest corner of land now or formerly of the City of Cambridge, which is the southwest corner of the land herein described; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, Two Hundred and 00/100 (200.00) feet; thence Southeasterly (S 80° 31' 11" E) along the southerly sideline of Otis Way as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet; thence Southwesterly (S 09° 28' 49" W) by land now or formerly of the City of Cambridge as indicated on said plan, Two Hundred and 00/100 (200.00) feet; thence Northwesterly (N 80° 31' 11" W) by land now or formerly of the City of Cambridge as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet to the point of beginning.

Containing 30,400 square feet, more or less, according to said plan.

### Parcel 2

Being shown as Otis Way on said plan, further described as follows: BEGINNING at the northwest corner of Parcel C as shown on said plan; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, Fifty and 00/100 (50.00) feet; thence Southeasterly (S 80° 31' 11" E) by Parcel F as indicated on said plan, One Hundred Fifty-Two and

00/100 (152.00) feet; thence Southwesterly (S 09° 28' 49" W) by land now or formerly of the City of Cambridge as indicated on said plan, Fifty and 00/100 (50.00) feet; thence Northwesterly (N 80° 31' 11" W) by Parcel "C" as indicated on said plan, One Hundred Fifty-Two and 00/100 (152.00) feet to the point of beginning.

Containing 7,600 square feet, more or less, according to said plan.

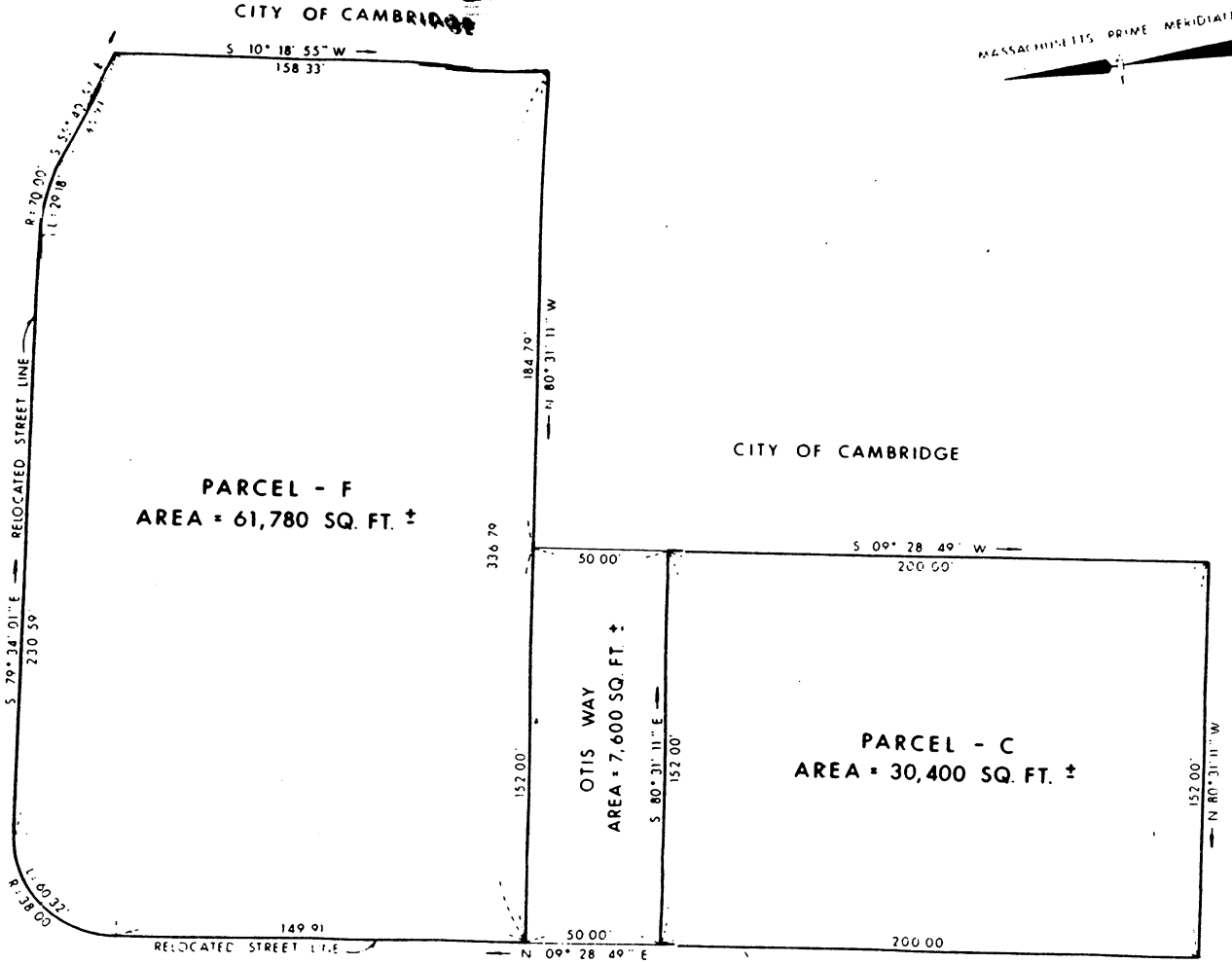
Parcel 3

Being shown as Parcel F on said plan, further described as follows:

BEGINNING at the intersection of the easterly sideline of First Street and the northerly sideline of Otis Way as shown on said plan; thence Northeasterly (N 09° 28' 49" E) along the easterly sideline of First Street as indicated on said plan, One Hundred Forty-Nine and 91/100 (149.91) feet; thence Northeasterly along a curve with a radius of Thirty-Eight and 00/100 (38.00) feet at the intersection of the easterly sideline of First Street and the southerly sideline of Cambridge Street as indicated on said plan, Sixty and 32/100 (60.32) feet; thence Southeasterly (S 79° 34' 01" E) along the southerly sideline of Cambridge Street as indicated on said plan, Two Hundred Thirty and 59/100 (230.59) feet; thence Southeasterly along a curve with a radius of Seventy and 00/100 (70.00) feet on the southerly sideline of Cambridge Street as indicated on said plan, Twenty-Nine and 18/100 (29.18) feet; thence Southeasterly (S 55° 40' 57" E) along the southerly sideline of Cambridge Street as indicated on said plan, Forty-Five and 91/100 (45.91) feet; thence Southwesterly (S 10° 18' 55" W) by land now or formerly of the City of Cambridge as indicated on said plan, One Hundred Fifty-Eight and 33/100 (158.33) feet; thence Northwesterly (N 80° 31' 11" W) by land now or formerly of the City of Cambridge and along the northerly sideline of Otis Way, respectively, as indicated on said plan, Three Hundred Thirty-Six and 79/100 (336.79) feet to the point of beginning.

Containing 61,780 square feet, more or less, according to said plan.

CAMBRIDGE STREET (PUBLIC)



FIRST STREET

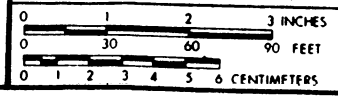
(PUBLIC)

STREET

I HEREBY CERTIFY THAT THIS IS A TRUE PLAN BASED ON  
FIELD SURVEYS AND LATEST DEEDS AND PLANS OF RECORD,  
AND THAT THIS PLAN CONFORMS TO THE RULES AND  
REGULATIONS OF THE REGISTERS OF DEEDS

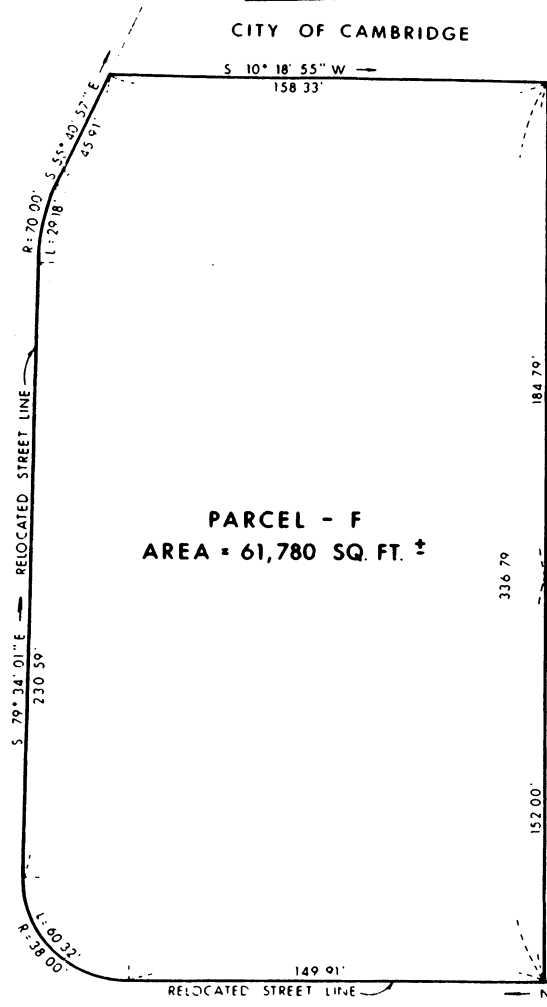
**CULLINAN ENGINEERING CO., INC.**  
Auburn - Boston - Massachusetts  
Consulting Civil Engineers - Land Surveyors

PLAN OF PROPERTY  
OWNED BY  
**CITY OF CAMBRIDGE**  
CAMBRIDGE STREET & FIRST STREET  
CAMBRIDGE, MASSACHUSETTS



SCALE 1 INCH = 30 FEET	DRAWN C L B	CHECKED R D R
DATE JANUARY 26, 1984	PLAN NUMBER 0204 - P6 - 84	

CAMBRIDGE STREET (PUBLIC)



PARCEL - F  
AREA = 61,780 SQ. FT. ±

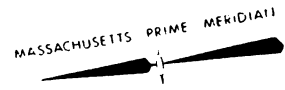
OTIS WAY  
AREA = 7,600 SQ. FT. ±

PARCEL - C  
AREA = 30,400 SQ. FT. ±

FIRST STREET (PUBLIC)

CITY OF CAMBRIDGE

CITY OF CAMBRIDGE



I HEREBY CERTIFY THAT THIS IS A TRUE PLAN BASED ON FIELD SURVEYS AND LATEST DEEDS AND PLANS OF RECORD, AND THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS

\_\_\_\_\_

**CULLINAN ENGINEERING CO., INC.**  
Auburn-Boston, Massachusetts

Consulting Civil Engineers - Land Surveyors

PLAN OF PROPERTY OWNED BY

**CITY OF CAMBRIDGE**

**CAMBRIDGE STREET & FIRST STREET**  
**CAMBRIDGE, MASSACHUSETTS**

0 1 2 3 INCHES	SCALE 1 INCH = 30 FEET	DRAWN C L B	CHECKED R D R
0 30 60 90 FEET	DATE JANUARY 26, 1984	PLAN NUMBER 0204 - P6 - 84	
0 1 2 3 4 5 6 CENTIMETERS			

# City of Cambridge

MASSACHUSETTS

In City Council January 14, 1985

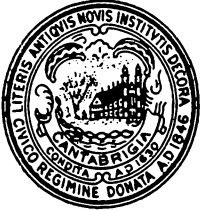
AGENDA ITEM NO. 3

RE: PROPOSED ORDER ON THE DISPOSITION OF THE LAND ADJACENT TO THE LECHMERE CANAL

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

*Handwritten signature/initials:*  
 CWSA  
 RE  
 P

*Handwritten numbers:*  
 8      0      1



# CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139  
Tel. 498-9011

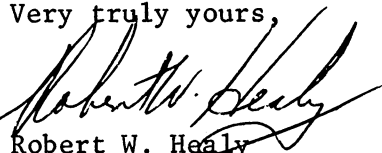
EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

January 14, 1985

To the Honorable, the City Council:

Attached for your review and action is a proposed order related to the disposition of the land adjacent to the Lechmere Canal. The proposed Order is necessary for legal purposes to enable the land to be transferred to the Marcus Organization and for construction to begin. The Order would (1) ensure a totally clear title to the property through a "confirmatory taking" (the City has already actually acquired the property); and (2) authorize the City Manager to execute the transfer of deed on Parcel C and lease on Parcel F, as specified in the Developer Agreement.

The City acquired the property adjacent to the Lechmere Canal with funds from the Massachusetts Government Land Bank and selected a developer -- the Marcus Organization -- to develop a mixed use, office/retail buildings on the site. Marcus, with assistance from the City's Lechmere Canal Development UDAG, was able to receive a commitment for financing. They have now completed all design work, received their necessary permits to begin construction, and plan to close on the financing as soon as possible. The Council actions in the proposed Order are necessary for their bank in order for the land to be transferred and construction financing to be released.

Very truly yours,  
  
Robert W. Healy  
City Manager

RWH/mbf  
Enc.

5-52

Re: proposed order on the disposition of land adjacent to the Lechmere Canal.

1/31/85

Mr. Campbell from  
County Rec. will pick  
up and record -

In City Council,

January 14, 1985

1/14/85

Order Approved  
8-0-1  
LVP/PP/A