

August 4, 1997

LAYOUT NO. 7437
AND ORDER OF TAKING
DATED: July 2, 1997

Town Clerk
Town Hall
Cambridge, MA 02139

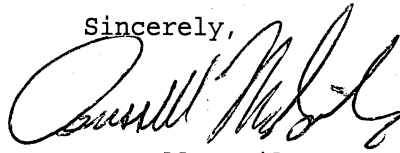
Dear Sir/Madam:

Acting under the provisions of Chapter 81 of the General Laws, Ter. Ed., the Massachusetts Highway Department did, under date of July 2, 1997 alter the location of a section of State Highway in the City of Cambridge that had been previously altered.

A plan thereof and a certificate that said Massachusetts Highway Department has laid out and taken charge of said State highway as altered in accordance with said plan, are sent you herewith for filing in your office according to the law. An attested copy of the adjudication and vote of the Commissioners relative to the laying out and taking charge of said State highway as altered in accordance with said plan is enclosed.

Kindly sign and return to this office as soon as possible the enclosed form of receipt. If you have any questions I can be reached at 973-7913.

Sincerely,



Russell McGilvray
Administrative Manager
Right of Way Bureau

RECEIVED BY
OFFICE OF CITY CLERK

97 AUG 11 PM 1:17

CAMBRIDGE MA.

ML/dd

Enclosure:

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF HIGHWAYS

- 0000000 -

**Cambridge
Layout No. 7437
And Order of Taking**

Whereas, the Department of Public Works, now the Department of Highways, did, under order dated July 15, 1987, make takings (which included parcel 2-E-8) in parcels of land in the City of Cambridge, in conjunction with the construction and/or reconstruction of Interstate Route 93 (I-93), said takings being filed in the Middlesex County Registry of Deeds on September 9, 1987 in book 18441, page 433; and

Whereas, under layout 6606, an alteration dated November 25, 1987, the Department did, to provide a location in Cambridge for a portion of an interchange of the intersection of layout 5700 (I-93) and layout 3818 (U.S. Route 1) in Boston, which alteration, in addition, provided for the construction of elevated loop ramps, and did take charge of as a limited access State highway, as altered, in said Cambridge, Middlesex County and on file in the registry of said County in book 18745, page 096 and on file in the office of the Department of Highways, copies of which plans have been filed in the office of the County Commissioners of the aforesaid County of Middlesex, at Cambridge, and in the office of the City Clerk of the aforesaid City of Cambridge; and

Whereas, parcel 2-E-8, comprising an area of about 31,934 square feet as taken under the aforesaid July 15, 1987 order of taking as a highway easement, and later included within the aforesaid alteration (layout number 6606) is now necessary to be taken in fee in conjunction with the ongoing construction of the Central Artery/Ted Williams Tunnel project;

Now, therefore, acting under the provisions of Chapter 81 of the General Laws, as appearing in the Tercentenary Edition thereof, and acts in amendment thereof and in addition thereto, the Department of Highways adjudges that public necessity and convenience require that the Commonwealth should make additional takings in a portion of the aforesaid State highway location and adjacent thereto and should take charge of said State highway, as altered, with limited access provisions, as hereinafter described.

The alteration consists of acquiring the aforesaid parcel 2-E-8 in fee simple, as parcel 2-17.

The baseline used in this alteration is auxiliary baseline "A" established under the aforesaid alteration (layout number 6606).

The limited access provisions as established under said alteration remain unchanged by this alteration.

For the purpose of constructing and maintaining said State highway, the Department of Highways, acting on behalf of the Commonwealth of Massachusetts, does hereby take, under the provisions of Chapter 79 of the General Laws and of all other general or special laws thereto

enabling, all of the land not already owned by the Commonwealth outside the limits of the existing public way or ways and within the limits of the layout hereinbefore referred to, including all trees and structures located thereon (not, however, including poles, towers, lines, wires, cables, and appurtenances for the conveyance of electricity, telephone communication and any other utilities), situated in the City of Cambridge, County of Middlesex, all of said land being taken in fee simple, the supposed owner of parcel 2-17 shown on the plan hereinafter referred to, being set forth in the schedule hereinafter contained, excepting and reserving from the rights herein taken all easements for wires, pipes, conduits, poles and other appurtenances for the conveyance of water, sewage, gas, oil, steam and electricity and for telephone communication and any other utilities now lawfully in or upon said premises hereby taken, and is described as follows:

Parcel 2-17: A parcel of land supposed to be owned by the Boston and Maine Corporation and is bounded as follows: southwesterly by other land of said Corporation along two (2) courses an arc length of about 298 feet and an arc length of 56.08 feet; southeasterly and southwesterly by other land of said Corporation about 10 feet and an arc length of about 103 feet respectively; northwesterly by land of the Commonwealth of Massachusetts (Department of Highways) about 125 feet and northeasterly by land of said Department about 405 feet. Said parcel contains about 31,934 square feet.

As part of the construction and/or reconstruction of the Central Artery/Ted Williams Tunnel Project and the project requirements and commitments regarding the Final Supplemental Environmental Impact Statement and a Memorandum of Agreement between the Executive Office of Transportation and Construction, the Metropolitan District Commission and the Department of

Highways dated on December 30, 1993, the Department of Highways, under the provisions of Chapter 79 of the General Laws and of all general or specific laws thereto enabling, does hereby take, the parcels of land hereinafter described as parcels 2-16, and 2-18 (parcel 2-18 being identical with parcel 2-E-22 as taken under order of taking dated August 16, 1996 as a highway easement), including all trees and structures located thereon (not, however, including poles, towers, lines, wires, cables and appurtenances for the conveyance of electricity, telephone communication and any other utilities), situated in the City of Cambridge, County of Middlesex, all of said land being taken in fee simple, the supposed owner of parcels 2-16 and 2-18 shown on the plan hereinafter referred to, being set forth in the schedule hereinafter contained excepting and reserving from the rights herein taken all easements for wires, pipes, conduits, poles and other appurtenances for the conveyance of water, sewage, gas, oil, steam and electricity and for telephone communication and any other utilities not lawfully in or upon said premises hereby taken, and is described as follows:

Parcel 2-16: A parcel of land supposed to be owned by the Boston and Maine Corporation and is bounded as follows: northwesterly by the southeasterly street line of Industrial Park Road, a private way, about 235 feet; northeasterly by the southwesterly line of parcel 2-18 hereinafter described, an arc length of about 186 feet having a radius of 1,096.95 feet; again northeasterly by the location line of the aforesaid State highway alteration (layout number 6606) an arc length of about 285 feet having a radius of about 1,178 feet; again northeasterly by land of the Commonwealth of Massachusetts (Department of Highways) about 152 feet; southerly by the northerly limits of the Charles River, an arc length of about 86 feet having a radius of about 624 feet; southwesterly about 141 feet, southeasterly about 259 feet; southerly by the Boston and Cambridge City/County line about 15 feet, and southwesterly again by two (2) courses of about 409 feet and about 87 feet, the last five

(5) courses by land now or formerly of David R. Grace, Trustee of North Shore Realty Trust. Said parcel contains about 135,896 square feet.

Parcel 2-18: A parcel of land supposed to be owned by the Boston and Maine Corporation, said parcel being identical with parcel 2-E-22 as taken under order dated August 16, 1996, and filed in the Registry of Deeds for Middlesex County on August 23, 1996 in book 26604, page 309 and is bounded as follows: southwesterly by parcel 2-16 hereinbefore described a radius of 1,096.95 feet, an arc length of about 186 feet; northwesterly by land of the Massachusetts Bay Transportation Authority about 27 feet; northeasterly a radius of 681.58 feet, an arc length of about 103 feet; northwesterly 10.00 feet, and northeasterly an arc length of 56.08 feet and 13.48 feet, the last four (4) courses being along the location line of the aforesaid November 25, 1987 State highway alteration (layout number 6606). Said parcel contains about 1,790 square feet.

The aforesaid parcels 2-16 and 2-18 and the State highway location as altered by the taking in fee of parcel 2-17 are shown on a plan, signed by the Chief Engineer, and signed by the Department of Highways and on file in its office, said plan being entitled:

"THE COMMONWEALTH OF MASSACHUSETTS**PLAN OF ROAD****IN THE CITY OF****CAMBRIDGE****MIDDLESEX COUNTY****ALTERED AND LAID OUT AS A STATE HIGHWAY****BY THE DEPARTMENT OF HIGHWAYS**

JULY 2, 1997

SCALE: 40 FEET TO THE INCH"

an attested copy of which is to be recorded with this order of taking in the Registry of Deeds for Middlesex County, at Cambridge.

For damages sustained by the following owner in its property by reason of the aforesaid takings, and in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are made. The Department reserves the right to amend the awards or to increase the amount of damages to be paid at any time prior to the payment thereof for good cause shown.

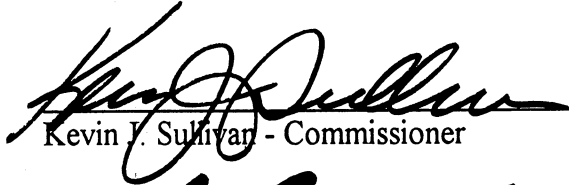
<u>Parcel Number</u>	<u>Supposed Owner</u>	<u>Area About</u>
2-16	Boston and Maine Corporation	135,896 s.f.
2-17	Boston and Maine Corporation	31,934 s.f.
2-18	Boston and Maine Corporation	1,790 s.f.

The name of the owner herein given, although supposed to be correct, is such only as a matter of opinion and belief.

It is therefore

Voted: That said way as altered as described herein and as described and shown on said plan, be and the same is hereby laid out and taken charge of by the Commonwealth; that the Secretary to the Highways Commission be and hereby is instructed to file, in the office of the County Commissioners for the County of Middlesex and in the office of the City Clerk of the City of Cambridge, certified copies of said plan and of this certificate, signed by at least a majority of the members of the Highways Commission attesting that the Department of Highways has laid out and taken charge of said way as altered in accordance with said plan, together with copy of this adjudication and vote.

Dated at Boston this second day of July, 1997.


Kevin J. Sullivan - Commissioner

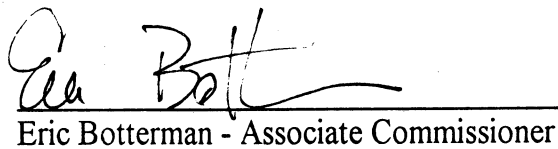
Members


Charles E. Kostro - Deputy Commissioner

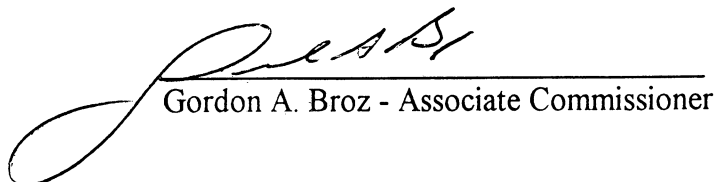
of

John Blundo - Associate Commissioner

the


Eric Botterman - Associate Commissioner

Highways


Gordon A. Broz - Associate Commissioner

Commission

The Commonwealth of Massachusetts

7437

Layout No.

City/Town of CAMBRIDGE

August 4, 1997

*I HEREBY CERTIFY that the following document and plan
have been this day filed in the office of the City/Town Clerk of
said City/Town, to Wit:-*

*A certified copy of a plan and location bearing thereon a
certificate dated July 2, 1997, purporting to be signed
by the Massachusetts Highway Department, or a majority of
the members thereof, attesting that the said Massachusetts
Highway Department has laid out and taken charge of, as a
State Highway, a new or existing way in the city or town of
CAMBRIDGE, as shown on said plan.*

Attest:

M. Margaret Drury
City/Town Clerk

Communication received from S-494
Russell McGilvrany, Mass Highway
relative to ~~relative to~~ the altering
of the location of a section of
State Highway in the City of Cambridge
that had been previously altered.

In City Council August 4th, 1997