C.C. 306

City of Cambridge

NOTICE OF A PUBLIC HEARING

Notice is hereby given that the City Council and the Planning Board of the City of Cambridge will hold a joint public hearing in the Sullivan Chamber, Second Floor, 795 Massachusetts Avenue, City Hall, Cambridge, Massachusetts at 4:00 p. m. on August 3, 1992 on the Application of Six Cambridge Center Associates Limited Partnership, c/o Boston Properties, Inc., 8 Arlington Street, Boston, Massachusetts 02116 (the "Partnership") for the Authorization and Approval of a Project under Massachusetts General Laws Chapter 121A, to be undertaken and carried out by the Partnership. Approval is sought for the Project pursuant to Chapter 121A and the applicable Rules and Regulations of the Massachusetts Executive Office of Communities and Development, 760 CMR 25.

The sole purpose of the Partnership is to acquire, develop and operate a project under Chapter 121A (the "Project"). The project site consists of a parcel of approximately 4.30 acres bounded by Broadway to the north, Binney Street to the west, Main Street to the south and Ames Street to the east. The Project Area is presently owned by the Cambridge Redevelopment Authority and is part of the Kendall Square Urban Renewal Area in Cambridge, Massachusetts. The Project is to be developed in phases, and will consist of up to approximately 830,000 square feet of space for office uses, up to approximately 50,000 square feet for retail, entertainment and/or recreational uses. The Project will also contain structured parking for up to 1,500 cars which may also be built in phases related to the phasing of the buildings comprising the Project.

A further description of the Project and the Project site appears in the Application. The Application may be examined by all interested person in the Office of the City Clerk, Room 103, City Hall, from 8:30 a. m. to 5:00 p. m. Monday through Friday, except legal holidays.

Chapter 121A Section 6C of the Massachusetts General Laws provides that a person aggrieved by the approval or disapproval of a Massachusetts General Laws Chapter 121A project has sixty days within which to seek judicial review.

ATTEST:- D. Margaret Drury

D. Margaret Drury
Temporary City Clerk

C. C. 106

PUBLIC NOTICE
RELATIVE TO ZONING

City of Cambridge

MASSACHUSETTS

OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, July 22, 1992 at 7:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition to consider amendments to the Zoning Ordinance in Article 14.000 Mixed Use Development District: Cambridge Center as follows: first, in Section 14.32.2(5), the amendment would increase the number of square feet of gross floor area in the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum development in the area; second, in Sections 14.45.1, Table 2, and 14.45.2 the amendments would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; the third amendment in Section 14.60 would exempt the MXD district from the requirements of Section 7.10 - Signs. These amendments would affect the shaded area on the accompanying map.

The Ordinance Committee will also consider a proposed amendment # 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area of Cambridge as follows: first, in Section 402(a) the amendment would increase the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum aggregate Gross Floor Area of 2,773,000 square feet; second, in Section 403 and Exhibit E, the amendment would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; and third, in Section 803, the amendment would extend the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. These changes would affect the outlined area on the accompanying map.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Alice K. Wolf
Chair

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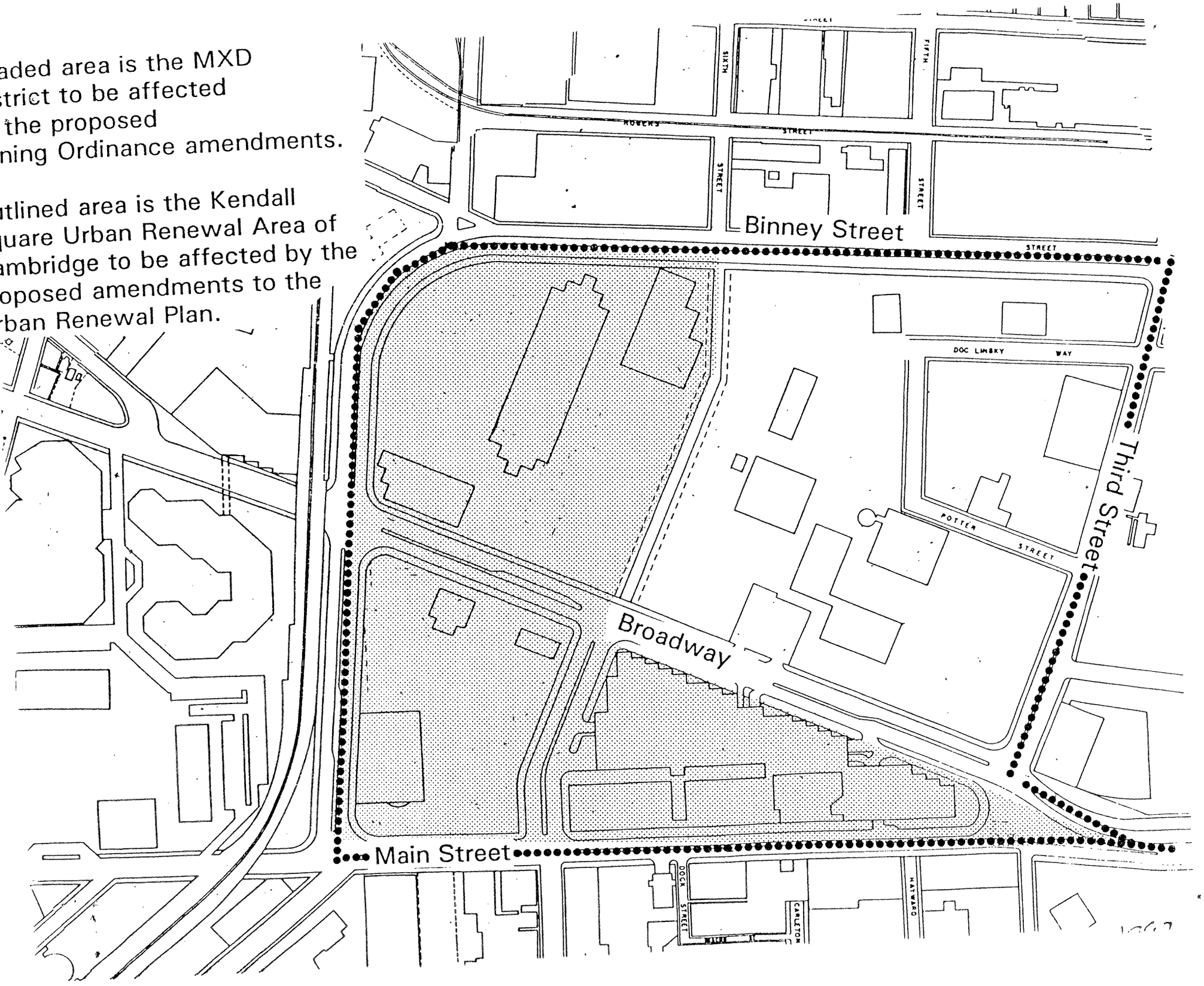


RECEIVED BY
OFFICE OF CITY CLERK
1992 JUN 26 PM 12:16
CAMBRIDGE MA.

PETITION OF CRA.

Zoning Amendment in Kendall Sq. Area.

Petition filed with the City Clerk June 22, 1992

(all hearings to be completed 65 days from In City Council date)

8 days June
31 days July
26 days Aug.
65 days = Aug. 26, 1992 - all hearings

In City Council June 22, 1992

Referred to the Planning Board for report June 22, 1992

Planning Board Hearing July 21, 1992

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be October 20, 1992.)

9 days July
31 days Aug
30 days Sept
20 days Oct
90 days = October 20, 1992

City Council hearing published Chronicle on July 2, 1992
and July 9, 1992

Hearing before the Ordinance Committee July 22, 1992

Reported to the City Council Aug. 3, 1992

Passed to a second reading on Aug 3, 1992

published in Chronicle on Aug. 13, 1992

Planning Board report received on

Ready for ordination on Aug. 24, 1992

Passed to be ordained on

published in on

COMPLETION DATE October 20, 1992

9/21/92 - Plan Amendment & Zoning Amendment - Placed on file on motion of Councillor Mulkern

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 19, 1992

To the Honorable, the City Council

I am transmitting herewith the following:

(1) Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area, prepared by Cambridge Redevelopment Authority.

(2) Amendments to the Cambridge Zoning Ordinance.

I recommend the referral of each of these items to the appropriate City Council Committees and City Board. Procedurally, I recommend that the City Council and the Planning Board give due notice of a public hearing on each of these matters, with the City Council hearing to be held on Monday, August 3, 1992.

The enclosed letter from Cambridge Redevelopment Authority will provide you with the requisite background material.

I believe that these actions are consistent with the City's economic development objectives, including increasing tax revenues, expanding job opportunities, and improving the climate for doing business in Cambridge.

Very truly yours,

Robert W. Healy
City Manager

Enclosures

100% Recycled Paper

Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

June 18, 1992

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

Re: Request for City Council Approvals of Proposed Amendments to the "Zoning Ordinance of the City of Cambridge" and Proposed "Amendment No. 3 to the Kendall Square Urban Renewal Plan"

Dear Mr. Healy:

We have identified certain requisite public approvals and actions in connection with the Kendall Square Urban Renewal area. Those approvals and actions, cited above, include the following:

1. Chapter 121A Project Application. Working with your staff and the Authority, Boston Properties is preparing an Application for a "Chapter 121A Project" for submission to the Executive Office of Communities and Development, for which a public hearing will be required following submission of the Application.

2. Amendments to the Zoning Ordinance. We have identified the following amendments to the Zoning Ordinance:

- It is necessary to amend Article 14.00 (MXD Zoning District) to vary how the established maximum aggregate gross floor area in the MXD district (i.e., 2,773,000 Square Feet) may be utilized within the presently permissible use categories. Specifically, the number of square feet of gross floor area of office use would be increased by 500,000, without increasing the maximum development in the area.

- It is necessary to amend Article 14.00 by changing Table 2 in Section 14.45.1 and by amending Section 14.45.2 in order to add a new definition of "roof-top pedestrian deck" as an open space substitute for constructing pedestrian ways.

- It is necessary to amend Article 14.00 by deleting Section 14.60 which was adopted in June, 1991 without appropriate notice and to reinstate the prior provision exempting the MXD district from any additional requirements of Section 7.10 - Signs.

Proposed Transmittals to the Council for referral to its Committee on Ordinances and to the Planning Board for the requisite public hearing(s) and recommendations are enclosed as Exhibit A.

3. Minor Amendments to the Urban Renewal Plan. We have identified amendments to the Urban Renewal Plan. Those amendments are as follows:

- It is necessary to amend Section 402(a) of the Plan, consistently with the proposed zoning amendment, to increase the cumulative multi-purpose "float" (or "pool") by 500,000 Square Feet (i.e., from 973,000 Square Feet to 1,473,000 Square Feet). Such an amendment would not, however, increase the maximum aggregate GFA of 2,773,000 for the total Cambridge Center project.

- It is necessary to amend Section 403 and Exhibit E of the Plan by adding a new definition of "roof-top pedestrian deck" as an open space substitute for constructing pedestrian ways.

- It is necessary to amend Section 803 of the Plan by extending the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. This will result in the Plan being co-terminous with the proposed term of the Chapter 121A project and related tax agreement.

Proposed transmittals to the City Council and the Planning Board, together with forms of Resolutions to be considered and approved by both bodies, are enclosed as Exhibit B.

4. Timing of Public Hearings/Approvals. Based on our prior discussions and applicable required legal notices, it is recommended that you propose the following:

- That the City Council, at its meeting of June 22, 1992, vote to advertise a public hearing for Monday, August 3, 1992 to accept testimony on the proposed Application for a Chapter 121A Project.

- That the City Council, at its meeting of June 22, 1992, vote to refer the proposed amendments to the Zoning Ordinance to its Committee on Ordinances and to the Planning Board for public hearing prior to August 3, 1992 to accept testimony on the proposed zoning amendments.

- That the City Council, at its meeting of June 22, 1992, vote: (a) to refer Amendment Number 3 to the Kendall Square Urban Renewal Plan, as proposed by Cambridge Redevelopment Authority, to the Planning Board requesting a determination before August 3, 1992, that the proposed amendments are based upon a local survey and conform to a comprehensive plan for the locality as a whole; (b) to schedule a City Council public hearing on August 3, 1992 to consider the adoption of a resolution approving the proposed Amendment; and (c) to encourage Cambridge Redevelopment Authority to secure requisite approvals from the Department of Housing and Urban Development (HUD) -- on the Federal level -- the Executive Office of Environmental Affairs and the Executive Office of Communities and Development -- on the State level.

The actions outlined above are consistent with local comprehensive planning considerations, with the goals of the Kendall Square Urban Renewal Plan and with the City's objectives of improving blighted areas, of retaining existing businesses, of providing job opportunities for unemployed and under-employed workers, and for improving the City's tax base in these difficult economic times.

Your continued and essential participation and cooperation are appreciated.

Sincerely,

Joseph F. Tulimieri
Executive Director

cc: Michael Rosenberg
James Maloney
Margaret Drury
Russell B. Higley, Esq.
Mortimer B. Zuckerman
Edward A. Linde
David Barrett
David Vickery

Enclosures

C. C. 106

City of Cambridge

In City Council
June 22, 1992

ORDERED: That the attached Amendment No. 3 to the Kendall Square Urban Renewal Plan, containing minor changes prepared by Cambridge Redevelopment Authority, be referred to the Council Committee on Ordinances and to the Planning Board; that the City Clerk schedule and give due notice, including notice to the Massachusetts Historical Commission with a map of the area, of a public hearing for Monday, August 3, 1992; that the Planning Board consider the adoption of the enclosed form of Resolution after receiving public testimony and conducting its review; that the City Council consider the adoption of the proposed form of Resolution after receiving testimony and conducting its review; that the City Clerk utilize the proposed form of Certificate upon adoption of the Resolution approving Amendment No. 3 to the Kendall Square Urban Renewal Plan.

LIB3 /32159.

RESOLUTION OF CAMBRIDGE REDEVELOPMENT AUTHORITY
APPROVING AMENDMENT NO. 3 TO THE
KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

WHEREAS there was presented to, reviewed and considered at this meeting of Cambridge Redevelopment Authority a copy of Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Project Area, Project No. Mass. R-107, (hereinafter referred to as "Amendment No. 3"); and

WHEREAS Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance and Executive Order 11063 prohibits discrimination on the basis of race, color, creed or national origin in the sale, lease or other disposition of residential property (including land intended for residential use) or in the use or occupancy thereof:

NOW, THEREFORE, BE IT RESOLVED BY CAMBRIDGE REDEVELOPMENT AUTHORITY:

1. That Amendment No. 3 is hereby in all respects approved, and the Executive Director is hereby directed to file a certified copy of Amendment No. 3 with the minutes of this meeting.

2. That it is hereby found and determined that the objectives of the Urban Renewal Plan as heretofore amended and as further amended by Amendment No. 3 cannot be achieved through more extensive rehabilitation of the Project area.

3. That Cambridge Redevelopment Authority hereby determines that Amendment No. 3 is a minor plan change.

4. That Cambridge Redevelopment Authority hereby finds that the Plan, as amended by Amendment No. 3, conforms to the general plan for the development of the locality and community as a whole.

5. That it is hereby found that, in addition to other purposes, the Plan, as amended by Amendment No. 3, will afford maximum opportunity for privately financed urban renewal consistent with the sound needs of the community, will support the economic stability of the City of Cambridge, will provide employment opportunities, particularly for persons earning low and moderate incomes, and will promote the public welfare and the proper development of the area.

6. That Cambridge Redevelopment Authority make available a copy of Amendment No. 3 for public inspection at its offices located at Four Cambridge Center, Cambridge, Massachusetts.

7. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by Cambridge Redevelopment Authority with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964 and applicable Executive Orders.

8. That Cambridge Redevelopment Authority submit Amendment No. 3 for review and approval by all requisite public authorities, as required by law.

Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

AMENDMENT NO. 3
URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

Whereas, Cambridge Redevelopment Authority desires to modify, as hereinafter set forth, certain provisions of the urban renewal plan known as the "Urban Renewal Plan, Kendall Square Urban Renewal Area, Project No. Mass R-107", as heretofore amended:

Now, therefore, said Plan is hereby further modified as follows:

1. Section 402(a) of the Plan is hereby amended by deleting the seventh paragraph thereof and by substituting in lieu thereof the following:

> "Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations: Cumulative GFA=973,000 s.f. for buildings which are located or are being constructed or may be constructed at any location within the MXD District, plus an additional 500,000 s.f. for buildings which may be constructed within the MXD District north of Broadway."

Nothing herein shall affect or increase the maximum aggregate GFA

stated in the first paragraph of said Section 402(a) of the Plan.

2. Section 403 of the Plan is hereby amended by adding a new paragraph at the end thereof to read as follows:

> (8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings.

3. Exhibit E to Section 403 of the Plan is hereby amended by adding the following at the end thereof:

"Roof-Top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each sq. ft. of total area provided, whichever is greater"

4. Section 803 of the Plan is hereby amended by revising the reference in the second line thereof from "thirty (30) years" to "forty-five (45) years".

DATED: , 1992

RESOLUTION OF THE CAMBRIDGE PLANNING BOARD
REGARDING AMENDMENT NO. 3
TO THE KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

RESOLVED: That the Kendall Square Urban Renewal Plan, Project No. Mass. R-107, as amended by Amendment No. 3, dated _____, 1992, is hereby found and determined to be based upon a local survey and to conform to a comprehensive plan for the locality as a whole.

On a motion by _____, seconded by _____, the above resolution was passed unanimously by the Planning Board at its meeting on _____, 1992.

For the Planning Board,

Chairman

LIB3 /31860.1

C. C. 106

City of Cambridge

AMENDMENT NO. 3 TO URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

RESOLUTION OF CAMBRIDGE CITY COUNCIL
APPROVING AMENDMENT NO. 3 TO THE
KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

WHEREAS Cambridge Redevelopment Authority has undertaken and is carrying out an urban renewal plan in the City of Cambridge identified as the Kendall Square Urban Renewal Plan, Project No. Mass. R-107, with financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, and in accordance with an amended Urban Renewal Plan duly approved by the City Council and City Manager of the City of Cambridge; and

WHEREAS Cambridge Redevelopment Authority has proposed and submitted Amendment No. 3, dated _____, 1992, to the Urban Renewal Plan, and the Cambridge Planning Board has found that the Urban Renewal Plan, as amended by said Amendment No. 3, is based upon a local survey and conforms to a comprehensive plan for the locality as a whole; and

WHEREAS Cambridge Redevelopment Authority has applied for financial assistance under the Housing Act of 1949, as amended, and may enter into an amendatory contract or contracts with the

Department of Housing and Urban Development for additional financial assistance for the Project; and

WHEREAS the City Council and City Manager are cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, religion, sex, or national origin:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. That Amendment No. 3, dated _____, 1992 to the Urban Renewal Plan for the Kendall Square Urban Renewal Project (Mass. R-107) is hereby approved; and a copy of said approved Amendment No. 3 is hereby ordered made a part of the records of this meeting.

2. That it is hereby found and determined that the objectives of the Urban Renewal Plan, as amended, cannot be achieved through rehabilitation of the Project area.

3. That it is hereby determined that the Urban Renewal Plan, as amended, for the Project area conforms to the general plan of the locality.

4. That it is hereby determined that the financial aid provided and to be provided pursuant to the contracts for Federal financial assistance pertaining to the Project is necessary to enable the Project to be undertaken in accordance with the Urban Renewal Plan, as amended, for the Project area.

5. That it is hereby found and determined that, in addition to other purposes, the undertaking of the Project will further promote the public welfare and the proper development of

the community by providing, through the redevelopment of the Project area in accordance with the Urban Renewal Plan, as amended, a cohesive neighborhood environment compatible with the functions and needs of institutions furnishing Section 112 credits as local grants-in-aid for the Project.

6. That it is hereby found and determined that the Urban Renewal Plan, as amended, for the Project area will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the urban renewal of the area by private enterprise.

7. That it is hereby found and determined that the Urban Renewal Plan, as amended, for the Project area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

8. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan, as amended, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public actions, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan, as amended; (b) requests the various officials,

departments, boards, and agencies of the locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, as amended; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan, as amended.

In City Council _____, 1992

Adopted by a "yea" and "nay" vote
Yeas ____; Nays ____; Absent ____

A true copy:

_____
City Clerk

ATTEST:

_____

APPROVED AS TO FORM:

_____
City Solicitor

APPROVED:

_____
City Manager

(SEAL)

C. C. 106

City of Cambridge

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. She is the duly qualified Acting City Clerk of Cambridge, Massachusetts (hereinafter called the "Locality"), and the custodian of the records of the Locality, including the minutes and journal of the proceedings of the City Council (hereinafter called the "Governing Body"); and is duly authorized to execute this certificate.

2. Attached hereto is a true and correct copy of a resolution including the WHEREAS clauses, adopted at a meeting of the Governing Body held on the _____ day of _____, 1992 (hereinafter called the "Resolution of the Governing Body").

3. Also attached hereto is a true and correct copy of Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area, Project No. Mass. R-107, presented at the meeting, and approved by the Resolution of the Governing Body.

4. The Resolution of the Governing Body has been duly recorded in the minutes of the meeting and is now in full force and effect.

5. The meeting was duly convened and held in all respects in accordance with law and the bylaws of the Locality. To the extent required by law or the bylaws, due and proper notice of the meeting was given. A legal quorum of members of the Governing Body was present throughout the meeting, and a legally sufficient number of members of the Governing Body voted in the proper manner for the adoption of the Resolution of the Governing Body. All other requirements and proceedings under law, the bylaws, or otherwise, incident to the proper adoption of the Resolution of the Governing Body, including any publication, if required by law, have been duly fulfilled, carried out, and otherwise observed.

6. The seal below constitutes the official seal of the Locality and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this _____ day of _____, 1992.

(SEAL)

_____
Margaret Drury
Acting City Clerk

C. C. 106

City of Cambridge

In City Council
June 22, 1992

ORDERED: That the attached proposed amendments to the Cambridge Zoning Ordinance be referred to the Council Committee on Ordinances and to the Planning Board; and that the City Clerk schedule and give due notice of a public hearing for Monday, August 3, 1992.

LIB3 /32106.

PROPOSED AMENDMENTS OF CAMBRIDGE ZONING ORDINANCE

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

"(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

"The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139
Tel. (617) 349-4121
Fax. (617) 349-4307

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Laura H. Yager
Legal Counsel

Linda A. Stamper
Legal Counsel

Arthur J. Goldberg
Legal Counsel

June 26, 1992

Margaret Drury
Temporary City Clerk
795 Massachusetts Avenue
Cambridge, MA 02139

RE : **Notice of Public Hearing Regarding Amendments to Article 14.000 of the Zoning Ordinance**

Dear Ms. Drury,

The Community Development Department has requested that I review the Notice of Public Hearing of the Planning Board regarding proposed amendments to Article 14.000, Mixed Use Development District, of the Zoning Ordinance.

M.G.L. c. 40A sec. 5 sets forth the procedural requirements relative to amendments to zoning ordinances. Section 5 states as follows in relevant part :

" No zoning ordinance or by-law or amendment thereto shall be adopted until after the planning board in a city or town, and the city council or a committee designated or appointed for the purpose by said council has each held a public hearing thereon, together or separately, at which interested persons shall be given an opportunity to be heard.....Notice of the time and place of such public

hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town....."

The proposed Notice is sufficient under the requirements of section 5. Firstly, the time and place of the public hearing is stated as July 21, 1992 at 7:30 p.m. at the Community Development Conference Room.

Secondly, the subject matter of the proposed amendments are described with specificity, and are sufficient for identification. In this regard, the contents of the four proposed amendments to Article 14.000 are stated in the Notice, and the provisions to be amended are expressly referenced by their section number. Therefore, the public may easily identify which sections are the subject of the proposed amendments and the subject matter of those amendments.

Lastly, the place where the petition is available for inspection is included in the Notice, as is the name and number of an individual available to answer any questions regarding the proposed amendments.

Therefore, it is my opinion that the Notice to be advertised relative to the hearing of the Planning Board in this regard satisfies the applicable statutory requirements.

Very truly yours,

Russell B. Higley

Russell B. Higley
City Solicitor

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 19, 1992

To the Honorable, the City Council

I am transmitting herewith the following:

(1) Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area, prepared by Cambridge Redevelopment Authority.

(2) Amendments to the Cambridge Zoning Ordinance.

I recommend the referral of each of these items to the appropriate City Council Committees and City Board. Procedurally, I recommend that the City Council and the Planning Board give due notice of a public hearing on each of these matters, with the City Council hearing to be held on Monday, August 3, 1992.

The enclosed letter from Cambridge Redevelopment Authority will provide you with the requisite background material.

I believe that these actions are consistent with the City's economic development objectives, including increasing tax revenues, expanding job opportunities, and improving the climate for doing business in Cambridge.

Very truly yours,

Robert W. Healy
City Manager

Enclosures

100% Recycled Paper

Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

June 18, 1992

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

Re: Request for City Council Approvals of Proposed Amendments to the "Zoning Ordinance of the City of Cambridge" and Proposed "Amendment No. 3 to the Kendall Square Urban Renewal Plan"

Dear Mr. Healy:

We have identified certain requisite public approvals and actions in connection with the Kendall Square Urban Renewal area. Those approvals and actions, cited above, include the following:

1. Chapter 121A Project Application. Working with your staff and the Authority, Boston Properties is preparing an Application for a "Chapter 121A Project" for submission to the Executive Office of Communities and Development, for which a public hearing will be required following submission of the Application.

2. Amendments to the Zoning Ordinance. We have identified the following amendments to the Zoning Ordinance:

- It is necessary to amend Article 14.00 (MXD Zoning District) to vary how the established maximum aggregate gross floor area in the MXD district (i.e., 2,773,000 Square Feet) may be utilized within the presently permissible use categories. Specifically, the number of square feet of gross floor area of office use would be increased by 500,000, without increasing the maximum development in the area.

- It is necessary to amend Article 14.00 by changing Table 2 in Section 14.45.1 and by amending Section 14.45.2 in order to add a new definition of "roof-top pedestrian deck" as an open space substitute for constructing pedestrian ways.

- It is necessary to amend Article 14.00 by deleting Section 14.60 which was adopted in June, 1991 without appropriate notice and to reinstate the prior provision exempting the MXD district from any additional requirements of Section 7.10 - Signs.

Proposed Transmittals to the Council for referral to its Committee on Ordinances and to the Planning Board for the requisite public hearing(s) and recommendations are enclosed as Exhibit A.

3. Minor Amendments to the Urban Renewal Plan. We have identified amendments to the Urban Renewal Plan. Those amendments are as follows:

- It is necessary to amend Section 402(a) of the Plan, consistently with the proposed zoning amendment, to increase the cumulative multi-purpose "float" (or "pool") by 500,000 Square Feet (i.e., from 973,000 Square Feet to 1,473,000 Square Feet). Such an amendment would not, however, increase the maximum aggregate GFA of 2,773,000 for the total Cambridge Center project.

- It is necessary to amend Section 403 and Exhibit E of the Plan by adding a new definition of "roof-top pedestrian deck" as an open space substitute for constructing pedestrian ways.

- It is necessary to amend Section 803 of the Plan by extending the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. This will result in the Plan being co-terminous with the proposed term of the Chapter 121A project and related tax agreement.

Proposed transmittals to the City Council and the Planning Board, together with forms of Resolutions to be considered and approved by both bodies, are enclosed as Exhibit B.

4. Timing of Public Hearings/Approvals. Based on our prior discussions and applicable required legal notices, it is recommended that you propose the following:

- That the City Council, at its meeting of June 22, 1992, vote to advertise a public hearing for Monday, August 3, 1992 to accept testimony on the proposed Application for a Chapter 121A Project.

- That the City Council, at its meeting of June 22, 1992, vote to refer the proposed amendments to the Zoning Ordinance to its Committee on Ordinances and to the Planning Board for public hearing prior to August 3, 1992 to accept testimony on the proposed zoning amendments.

- That the City Council, at its meeting of June 22, 1992, vote: (a) to refer Amendment Number 3 to the Kendall Square Urban Renewal Plan, as proposed by Cambridge Redevelopment Authority, to the Planning Board requesting a determination before August 3, 1992, that the proposed amendments are based upon a local survey and conform to a comprehensive plan for the locality as a whole; (b) to schedule a City Council public hearing on August 3, 1992 to consider the adoption of a resolution approving the proposed Amendment; and (c) to encourage Cambridge Redevelopment Authority to secure requisite approvals from the Department of Housing and Urban Development (HUD) -- on the Federal level -- the Executive Office of Environmental Affairs and the Executive Office of Communities and Development -- on the State level.

The actions outlined above are consistent with local comprehensive planning considerations, with the goals of the Kendall Square Urban Renewal Plan and with the City's objectives of improving blighted areas, of retaining existing businesses, of providing job opportunities for unemployed and under-employed workers, and for improving the City's tax base in these difficult economic times.

Your continued and essential participation and cooperation are appreciated.

Sincerely,

Joseph F. Tulimieri

Joseph F. Tulimieri
Executive Director

cc: Michael Rosenberg
James Maloney
Margaret Drury
Russell B. Higley, Esq.
Mortimer B. Zuckerman
Edward A. Linde
David Barrett
David Vickery

Enclosures

C. C. 106

City of Cambridge

In City Council
June 22, 1992

ORDERED: That the attached Amendment No. 3 to the Kendall Square Urban Renewal Plan, containing minor changes prepared by Cambridge Redevelopment Authority, be referred to the Council Committee on Ordinances and to the Planning Board; that the City Clerk schedule and give due notice, including notice to the Massachusetts Historical Commission with a map of the area, of a public hearing for Monday, August 3, 1992; that the Planning Board consider the adoption of the enclosed form of Resolution after receiving public testimony and conducting its review; that the City Council consider the adoption of the proposed form of Resolution after receiving testimony and conducting its review; that the City Clerk utilize the proposed form of Certificate upon adoption of the Resolution approving Amendment No. 3 to the Kendall Square Urban Renewal Plan.

LIB3 /32159.

C. C. 106

City of Cambridge

AMENDMENT NO. 3 TO URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

RESOLUTION OF CAMBRIDGE CITY COUNCIL
APPROVING AMENDMENT NO. 3 TO THE
KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

WHEREAS Cambridge Redevelopment Authority has undertaken and is carrying out an urban renewal plan in the City of Cambridge identified as the Kendall Square Urban Renewal Plan, Project No. Mass. R-107, with financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, and in accordance with an amended Urban Renewal Plan duly approved by the City Council and City Manager of the City of Cambridge; and

WHEREAS Cambridge Redevelopment Authority has proposed and submitted Amendment No. 3, dated _____, 1992, to the Urban Renewal Plan, and the Cambridge Planning Board has found that the Urban Renewal Plan, as amended by said Amendment No. 3, is based upon a local survey and conforms to a comprehensive plan for the locality as a whole; and

WHEREAS Cambridge Redevelopment Authority has applied for financial assistance under the Housing Act of 1949, as amended, and may enter into an amendatory contract or contracts with the

Department of Housing and Urban Development for additional financial assistance for the Project; and

WHEREAS the City Council and City Manager are cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, religion, sex, or national origin:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. That Amendment No. 3, dated _____, 1992 to the Urban Renewal Plan for the Kendall Square Urban Renewal Project (Mass. R-107) is hereby approved; and a copy of said approved Amendment No. 3 is hereby ordered made a part of the records of this meeting.

2. That it is hereby found and determined that the objectives of the Urban Renewal Plan, as amended, cannot be achieved through rehabilitation of the Project area.

3. That it is hereby determined that the Urban Renewal Plan, as amended, for the Project area conforms to the general plan of the locality.

4. That it is hereby determined that the financial aid provided and to be provided pursuant to the contracts for Federal financial assistance pertaining to the Project is necessary to enable the Project to be undertaken in accordance with the Urban Renewal Plan, as amended, for the Project area.

5. That it is hereby found and determined that, in addition to other purposes, the undertaking of the Project will further promote the public welfare and the proper development of

the community by providing, through the redevelopment of the Project area in accordance with the Urban Renewal Plan, as amended, a cohesive neighborhood environment compatible with the functions and needs of institutions furnishing Section 112 credits as local grants-in-aid for the Project.

6. That it is hereby found and determined that the Urban Renewal Plan, as amended, for the Project area will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the urban renewal of the area by private enterprise.

7. That it is hereby found and determined that the Urban Renewal Plan, as amended, for the Project area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

8. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan, as amended, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public actions, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan, as amended; (b) requests the various officials,

departments, boards, and agencies of the locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, as amended; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan, as amended.

In City Council _____, 1992

Adopted by a "yea" and "nay" vote
Yeas ____; Nays ____; Absent ____

A true copy:

_____
City Clerk

ATTEST:

_____

APPROVED AS TO FORM:

_____
City Solicitor

APPROVED:

_____
City Manager

(SEAL)

C. C. 106

City of Cambridge

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. She is the duly qualified Acting City Clerk of Cambridge, Massachusetts (hereinafter called the "Locality"), and the custodian of the records of the Locality, including the minutes and journal of the proceedings of the City Council (hereinafter called the "Governing Body"); and is duly authorized to execute this certificate.

2. Attached hereto is a true and correct copy of a resolution including the WHEREAS clauses, adopted at a meeting of the Governing Body held on the _____ day of _____, 1992 (hereinafter called the "Resolution of the Governing Body").

3. Also attached hereto is a true and correct copy of Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area, Project No. Mass. R-107, presented at the meeting, and approved by the Resolution of the Governing Body.

4. The Resolution of the Governing Body has been duly recorded in the minutes of the meeting and is now in full force and effect.

5. The meeting was duly convened and held in all respects in accordance with law and the bylaws of the Locality. To the extent required by law or the bylaws, due and proper notice of the meeting was given. A legal quorum of members of the Governing Body was present throughout the meeting, and a legally sufficient number of members of the Governing Body voted in the proper manner for the adoption of the Resolution of the Governing Body. All other requirements and proceedings under law, the bylaws, or otherwise, incident to the proper adoption of the Resolution of the Governing Body, including any publication, if required by law, have been duly fulfilled, carried out, and otherwise observed.

6. The seal below constitutes the official seal of the Locality and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this _____ day of _____, 1992.

(SEAL)

_____
Margaret Drury
Acting City Clerk

RESOLUTION OF CAMBRIDGE REDEVELOPMENT AUTHORITY
APPROVING AMENDMENT NO. 3 TO THE
KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

WHEREAS there was presented to, reviewed and considered at this meeting of Cambridge Redevelopment Authority a copy of Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Project Area, Project No. Mass. R-107, (hereinafter referred to as "Amendment No. 3"); and

WHEREAS Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance and Executive Order 11063 prohibits discrimination on the basis of race, color, creed or national origin in the sale, lease or other disposition of residential property (including land intended for residential use) or in the use or occupancy thereof:

NOW, THEREFORE, BE IT RESOLVED BY CAMBRIDGE REDEVELOPMENT AUTHORITY:

1. That Amendment No. 3 is hereby in all respects approved, and the Executive Director is hereby directed to file a certified copy of Amendment No. 3 with the minutes of this meeting.

2. That it is hereby found and determined that the objectives of the Urban Renewal Plan as heretofore amended and as further amended by Amendment No. 3 cannot be achieved through more extensive rehabilitation of the Project area.

3. That Cambridge Redevelopment Authority hereby determines that Amendment No. 3 is a minor plan change.

4. That Cambridge Redevelopment Authority hereby finds that the Plan, as amended by Amendment No. 3, conforms to the general plan for the development of the locality and community as a whole.

5. That it is hereby found that, in addition to other purposes, the Plan, as amended by Amendment No. 3, will afford maximum opportunity for privately financed urban renewal consistent with the sound needs of the community, will support the economic stability of the City of Cambridge, will provide employment opportunities, particularly for persons earning low and moderate incomes, and will promote the public welfare and the proper development of the area.

6. That Cambridge Redevelopment Authority make available a copy of Amendment No. 3 for public inspection at its offices located at Four Cambridge Center, Cambridge, Massachusetts.

7. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by Cambridge Redevelopment Authority with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964 and applicable Executive Orders.

8. That Cambridge Redevelopment Authority submit Amendment No. 3 for review and approval by all requisite public authorities, as required by law.

Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

AMENDMENT NO. 3
URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

Whereas, Cambridge Redevelopment Authority desires to modify, as hereinafter set forth, certain provisions of the urban renewal plan known as the "Urban Renewal Plan, Kendall Square Urban Renewal Area, Project No. Mass R-107", as heretofore amended:

Now, therefore, said Plan is hereby further modified as follows:

1. Section 402(a) of the Plan is hereby amended by deleting the seventh paragraph thereof and by substituting in lieu thereof the following:

> "Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations: Cumulative GFA=973,000 s.f. for buildings which are located or are being constructed or may be constructed at any location within the MXD District, plus an additional 500,000 s.f. for buildings which may be constructed within the MXD District north of Broadway."

Nothing herein shall affect or increase the maximum aggregate GFA

stated in the first paragraph of said Section 402(a) of the Plan.

2. Section 403 of the Plan is hereby amended by adding a new paragraph at the end thereof to read as follows:

> (8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings.

3. Exhibit E to Section 403 of the Plan is hereby amended by adding the following at the end thereof:

"Roof-Top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each sq. ft. of total area provided, whichever is greater"

4. Section 803 of the Plan is hereby amended by revising the reference in the second line thereof from "thirty (30) years" to "forty-five (45) years".

DATED: , 1992

RESOLUTION OF THE CAMBRIDGE PLANNING BOARD
REGARDING AMENDMENT NO. 3
TO THE KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

RESOLVED: That the Kendall Square Urban Renewal Plan, Project No. Mass. R-107, as amended by Amendment No. 3, dated _____, 1992, is hereby found and determined to be based upon a local survey and to conform to a comprehensive plan for the locality as a whole.

On a motion by _____, seconded by _____, the above resolution was passed unanimously by the Planning Board at its meeting on _____, 1992.

For the Planning Board,

Chairman

LIB3 /31860.1

C. C. 106

City of Cambridge

In City Council
June 22, 1992

ORDERED: That the attached proposed amendments to the Cambridge Zoning Ordinance be referred to the Council Committee on Ordinances and to the Planning Board; and that the City Clerk schedule and give due notice of a public hearing for Monday, August 3, 1992.

LIB3 /32106.

PROPOSED AMENDMENTS OF CAMBRIDGE ZONING ORDINANCE

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

> "(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

Unconsent H40

June 22, 1992

Orders Signed

Referred to Ord. Committee and Planning Bd

CERTIFIED

this is your advertisement from

The Boston Globe

of July 24, 1992

appearing in classification

Legal Notice #7HMR00200

Miss Simon

Classified Advertising

CITY OF CAMBRIDGE NOTICE OF A PUBLIC HEARING
Notice is hereby given that the City Council and the Planning Board of the City of Cambridge will hold a joint public hearing in the Sullivan Chamber, Second Floor, 795 Massachusetts Avenue, City Hall, Cambridge, Massachusetts at 4:00 p.m. on August 3, 1992 on the Application of Six Cambridge Center Associates Limited Partnership, c/o Boston Properties, Inc., 8 Arlington Street, Boston, Massachusetts 02116 (the "Partnership") for the Authorization and Approval of a Project under Massachsuetts General Laws Chapter 121A, to be undertaken and carried out by the Partnership. Approval is sought for the Project pursuant to Chapter 121A and the applicable Rules and Regulations of the Massachusetts Executive Office of Communities and Development, 760 CMR, 25.
The Sole purpose of the Partnership is to acquire, develp and operate a project under Chapter 121A (the "Project"). The project site consists of a parcel of approximately 4.30 acres bounded by Broadway to the north, Binney Street to the west, Main Street to the south and Ames Street to the east. The Project area is presently owned by the Cambridge Redevelopment Authority and is part of the Kendall Square Urban Renewal Area in Cambridge, Massachusetts. The Project is to be developed in phases, and will consist of up to approximately 830,000 square feet of space for office uses, up to approximately 50,000 square feet for retail, entertainment and/or recreational uses. The Project will also contain structured parking for up to 1,500 cars which may also be built in phases related to the phasing of the buildings comprising the Project.
A further description of the Project and the Project site appears in the Application. The Application may be examined by all interested persons in the Office of the City Clerk, room 103, City Hall, from 8:30 a.m. to 5:00 p.m. Monday through Friday, except legal holidays.
Chapter 121A Section 6C of the Massachusetts General Laws provides that a person aggrieved by the approval or disapproval of a Massachustts General Laws Chapter 121A project has sixty days within which to seek judicial review.
ATTEST: D. Margaret Drury, Temporary City Clerk

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Nancy E. Rial** to Helmar Nielsen, dated July 22, 1988, recorded with the Middlesex South District Registry of Deeds in book 19614 Page 24, which mortgage the undersigned is the original and present holder, for breach of conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 2:00 p.m. on August 6, 1992, on the mortgaged premises, as below described being located at and known as 4 **Francis Avenue, Cambridge, Massachusetts,** all and singular the premises described in said mortgage, to wit:

The land in Cambridge, Middlesex County, Massachusetts, with the buildings thereon, being part of Lot 1 on Plan of Land in Cambridge, Massachusetts owned by Henry L. Rand, Morton & Quimby, C.E., dated November 9, 1893, recorded with Middlesex South District Deeds, Plan Book 85, Plan 3, and bounded and described as follows:

Southerly by Kirkland Street, as shown on said plan 130 feet;

Westerly by Francis Avenue, 97.16 feet;

Northerly by land now or formerly of Lawrence G. Brooks, 130 feet more or less; and

Easterly by land now or formerly of Chafee and Norton, 94.5 feet.

Containing 12,465 square feet more or less.

The above described premises will be sold subject to an outstanding mortgage held by the Central Cooperative Bank and all easements, restrictions, parties in possession, outstanding tax titles, municipal or other public taxes, water and/or sewer liens, assessments, betterments or liens, if any.

The Terms of this Sale are as follows: Ten Thousand ($10,000.00) Dollars will be required to be paid in cash or by Bank Cashier's check or Bank Treasurer's check, or certified check by the purchaser at the time and place of sale as an earnest money deposit. The balance of the purchase price is to be paid in cash, Bank Cashier's check, Bank Treasurer's check, or certified check upon the delivery of the deed within twenty (20) days of the date of sale. In the event that the Purchaser does not provide all of the balance of the sale price by the date set for the delivery of the deed, then, the earnest money deposit shall be forfeited. The Purchaser shall sign a Memorandum of Sale at the auction upon becoming the Purchaser and shall make his deposit. The Mortgagee reserves the right to postpone the sale to a later date by public proclamation at the time and date appointed for the sale, and, to further postpone at any adjourned sale date by public proclamation at the time and date appointed for the adjourned sale date. In the event that the successful bidder at the foreclosure sale shall default in purchasing the within described property in accordance to the terms of this Notice of Sale and/or the terms of the Memorandum of Sale executed at the time of foreclosure, the Mortgagee reserves the right to sell the property by foreclosure deed to the second highest bidder,who shall deposit with Mortgagee's attorney, Hrant H. Russian, the amount of deposit as set forth within three (3) business days after written notice of the default of the previous highest bidder and title shall be conveyed to said second highest bidder within twenty (20) days of said written notice.

Other terms shall be announced at the sale. Helmar Nielsen, second mortgagee by his attorney, Hrant H. Russian, 2343 Massachusetts Avenue, Cambridge, Massachusetts 02140; (617) 876-2020.

(C)July9,16,23
#8301

COMMONWEALTH OF MASSACHUSETTS
Energy Facilities Siting Council
Department of Public Utilities

Notice of Adjudication

Commonwealth Gas Company,
Hopkinton LNG Corp.
EFSC 90-5, DPU 92-159

Notice is hereby given that:

Commonwealth Gas Company
and Hopkinton LNG Corp.
157 Cordaville Road
Southborough, MA 01772

has filed an update to its long-range forecast with the Massachusetts Energy Facilities Siting Council ("Siting Council") and a sales agreement between the Company and Alberta Northeast Gas Limited ("ANE") with the Department of Public Utilities ("Department"). The Long-Range Forecast encompasses the years 1992-1993 through 1998-1997. The Siting Council will review the Forecast for adequacy of the sendout forecast and the supply plan. The ANE Sales Agreement will be examined by the Department to ensure that it is consistent with the public interest.

Copies of the Forecast and the ANE Sales Agreement are available for inspection at the offices of the Siting Council, the Department, Commonwealth Gas Company, the Worcester Public Library, the Cambridge Public Library, the New Bedford Public Library, the Framingham Public Library, and the Hopkinton Public Library.

Any person interested in intervening as a party of participating as an interested person in this proceeding before the Siting Council must file a written petition and twelve copies with the Hearing Officer, Robert W. Ritchie, on or before July 31, 1992 at the address below. In addition, any person desiring further information regarding this Notice should contact the Hearing Officer at the address below:

Robert W. Ritchie, Energy Facilities Siting Council, 100 Cambridge Street, Room 2109, Boston, MA 02202 (617) 727-1196

A petition to intervene in the Department's proceeding, together with three copies, must be filed with:

Mary L. Cottrell, Secretary, Department of Public Utilities, 100 Cambridge Street, Room 1210, Boston, MA 02202

By Order of the Department
Mary L. Cottrell, Secretary

(C)July9,16,23
#8339

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain Mortgage given by **Carolivia Herron** to BayBank Harvard Trust Company, a/k/a BayBank Harvard Trust dated March 31, 1989 and registered with the Middlesex County (Southern District) Registry District of the Land Court as Document No. 796253 as noted on Certificate of Title No. U6984, of which Mortgage the undersigned is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing, the same will be sold at public auction commencing at 2:00 P.M. on the 19th day of August, 1992 upon the mortgaged premises, being all and singular the premises described in said Mortgage, to wit:

Condominium Unit No. 3 ("Unit") in the Condominium known as the 2592 MASSACHUSETTS AVENUE CONDOMINIUM (the "Condominium"), situated at and with a post office address of 2592 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts created by a Master Deed dated May 28, 1987 and recorded with Middlesex South Registry of Deeds Land Court as Document No. 747072* as amended by instruments of record, ("Master Deed") in accordance with and subject to the provisions of Massachusetts General Laws Chapter 183A as amended ("Chapter 183A"). The Unit is more particularly described in the Master Deed, and as shown on the plans recorded simultaneously with the Master Deed, and is hereby conveyed together with the Unit Owner's undivided interest in the common areas and facilities of the Condominium (the "common areas and facilities") as set forth in the Master Deed and together with and other rights set forth in the Master Deed or the Unit deed, including exclusive easements to parking spaces and storage spaces, if any.

The Unit and such undivided 30.0 percentage interest in the common areas and facilities are conveyed with the benefit of and subject to the rights, easements, restrictions, covenants, agreements, obligations, conditions and other provisions referred to or set forth in the Master Deed, the provisions of the instrument establishing the unit owner's organization formed in accordance with Section 10 of Chapter 183A, (the "Condominium Trust"), the By-Laws contained therein and any rules and regulations promulgated pursuant thereto, insofar as the same now in force and applicable.

For my title, see deed recorded herewith [Document No. 796252].

*Document No 747072, in Book C17, Page 11.

The mortgaged premises has an address of Unit **3, 2592 Massachusetts Avenue, Cambridge, Massachusetts.**

The mortgaged premises is conveyed together with all the improvements erected on the property, and all easements, rights, appurtenances, rents, royalties, mineral, oil and gas rights and profits, water rights and stock and all fixtures and all replacements and additions thereto.

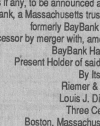
The mortgaged premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, unpaid condominium fees and expenses, if any, having priority over the Mortgage, rights of tenants and parties in possession, existing encumbrances, and all other claims in the nature of liens, now existing or hereafter arising, having priority over the Mortgage, if any there be. The mortgaged premises are also sold subject to the right of redemption of the United States of America, if any there be.

TERMS OF SALE: A deposit of Five Thousand Dollars ($5,000.00) shall be required to be made to the mortgagee in cash, by certified check or by bank cashier's check at the time and place of sale. The balance of the purchase price is to be paid to the mortgagee in cash, by certified check or by bank cashier's check or in within thirty (30) days from the date of the sale, with time being of the essence.

Other terms if any, to be announced at the sale.

BayBank, a Massachusetts trust company, formerly BayBank Middlesex, successor by merger with, among others, BayBank Harvard Trust
Present Holder of said Mortgage,
By Its Attorneys,
Riemer & Braunstein
Louis J. DiFronzo, Jr.
Three Center Plaza
Boston, Massachusetts 02108
(617) 523-9000
June 23, 1992

(C)July9,16,23
#8304



CITY OF CAMBRIDGE
Traffic and Parking

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by removing the following regulation.

REGULATION 92-26

Regulation No. 66-1 Schedule 6D "Parking Prohibited At All Times On Certain Sides Of Certain Streets, Tow Away Zone" (Handicapped Persons And Disabled Veterans) is hereby amended by striking out the following:

Traymore Street, east side, 102' N of Eustis Street to 124' N of Eustis Street

This regulation shall take effect 29 July 1992.

Promulgated Date June 6, 1992

George Teso
Traffic Director

(C)July16,23,30
#8368

COMMONWEALTH OF MASSACHUSETTS
PROBATE COURT
Middlesex, ss. No. 92D2233-D1
SUMMONS BY PUBLICATION
Manuel A. Portillo, Plaintiff
vs.
Eduvijes Henriguez, Defendant

To the above-named Defendant: Eduvijes Henriguez

A complaint has been presented to this Court by your spouse, **Manuel A. Portillo,** seeking divorce.

You are required to serve upon Maria A. Quiroga, Esquire, plaintiff's attorney, whose address is Sessa, Moore & Quiroga, 27 School Street, Suite 502, Boston, Massachusetts 02108 your answer on or before August 17,1992. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
July 8,1992.

Donna M. Lambert
Register of Probate

(C)July16,23,30
#8370

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Douglas A. Moore** to BayBank Norfolk dated September 8, 1988 and recorded with the Middlesex County (Southern District) Registry of Deeds at Book 19327, Page 498, of which mortgage the undersigned is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing, the same will be sold at public auction commencing at 3:00 p.m. on the 19th day of August, 1992 upon the mortgaged premises, being all and singular the premises described in said Mortgage, to wit:

Unit 12, the address of which is 863 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts, a unit of the Condominium known as 863 House Condominium located at 863 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts, established pursuant to Massachusetts General Laws, Chapter 183A, by Master Deed dated June 26, 1979, and recorded with Middlesex South Registry of Deeds on August 23, 1979 in Book 13770, Page 600, as amended of record. The Condominium is comprised of the buildings, improvements and structures on the land described in the Master Deed. The Unit is shown on the floor plans of the building recorded simultaneously with said Master Deed and on the copy of the portion of said plans attached to the Unit Deed recorded at Book 14007, Page 173.

Said Unit is conveyed together with an undivided 2.25 percentage interest in the common areas and facilities as described in the Master Deed.

Together with any parking space conveyed to the Mortgagor in the Unit Deed or hereafter acquired and any or all storage areas which the Mortgagor now or hereafter acquires the exclusive right to use.

Being the same premises conveyed to the Mortgagor by deed of Kalidas Nandy and Tapati G. Nandy to be recorded herewith.

The premises has an address of **Unit 12, 863 House Condominium, 863 Massachusetts Avenue, Cambridge,Massachusetts.**

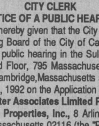
The premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, unpaid condominium fees and expenses, if any, having priority over the mortgage, rights of tenants and parties in possession, existing encumbrances, and all other claims in the nature of liens, now existing or hereafter arising, having priority over the mortgage, if any there be. The premises are also sold subject to the right of redemption of the United States of America, if any there be.

Terms of Sale: A deposit of Five Thousand Dollars ($5,000.00) shall be required to be made to the mortgagee in cash, by certified check or by bank cashier's check at the time and place of sale. The balance of the purchase price is to be paid to the mortgagee in cash, by certified check or by bank cashier's check in or within thirty (30) days from the date of the sale. The deed shall be delivered within ten (10) days after the date of the approval of the sale by the Land Court. In the event that approval of the deed is not obtained from the Land Court within one hundred and twenty (120) days after the delivery of the balance of the purchase price to the Mortgagee (or such longer time as the parties may agree), the entire purchase price shall be returned to the purchaser without interest.

Other terms, if any, to be announced at the sale.

BayBank, a Massachusetts trust company, formerly BayBank Middlesex, successor by merger with, among others, BayBank South, successor to BayBankNorfolk
Present Holder of said Mortgage,
By Its Attorneys,
Reimer & Braunstein
Paul J.P. Loscocco
Three Center Plaza
Boston, Massachusetts 02108
(617) 523-9000
July 2, 1992

(C)July16,23,30
#8362



CITY OF CAMBRIDGE
CITY CLERK
NOTICE OF A PUBLIC HEARING

Notice is hereby given that the City Council and the Planning Board of the City of Cambridge will hold a joint public hearing in the Sullivan Chamber, Second Floor, 795 Massachusetts Avenue, City Hall, Cambridge,Massachusetts at 4:00 p.m. on August 3, 1992 on the Application of **Six Cambridge Center Associates Limited Partnership,** c/o **Boston Properties, Inc.,** 8 Arlington Street, Boston, Massachusetts 02116 (the "Partnership") for the Authorization and Approval of a Project under Massachusetts General Laws Chapter 121A, to be undertaken and carried out by the Partnership. Approval is sought for the Project pursuant to Chapter 121A and the applicable Rules and Regulations of the Massachusetts Executive Office of Communities and Development, 760 CMR 25.

The sole purpose of the Partnership is to acquire, develop and operate a project under Chapter 121A (the "Project"). The project site consists of a parcel of approximately 4.30 acres bounded by Broadway to the north, Binney Street to the west, Main Street to the south and Ames Street to the east. The Project Area is presently owned by the Cambridge Redevelopment Authority and is part of the Kendall Square Urban Renewal Area in Cambridge, Massachusetts. The Project is to be developed in phases, and will consist of up to approximately 830,000 square feet of space for office uses, up to approximately 50,000 square feet for retail, entertainment and/or recreational uses. The Project will also contain structured parking for up to 1,500 cars which may also be built in phases related to the phasing of the buildings comprising the Project.

A further description of the Project and the Project site appears in the Application. The Application may be examined by all interested person in the Office of the City Clerk, Room 103, City Hall, from 8:30 a.m. to 5:00 p.m. Monday through Friday, except legal holidays.

Chapter 121A Section 6C of the Massachusetts General Laws provides that a person aggrieved by the approval or disapproval of a Massachusetts General Laws Chapter 121A project has sixty days within which to seek judicial review.

Attest:- D. Margaret Drury
Temporary City Clerk

(C)July 23,30
#07974

OFFICE OF THE SCHOOL COMMITTEE
456 Broadway
Cambridge, Massachusetts 02138

Sealed proposals will be received at the Office of the Manager of Procurement, 159 Thorndike Street, Cambridge, Massachusetts 02141, until Thursday, August 20, 1992 at 11:00 a.m. for:

Search Consultant Services for Director of Human Resources.

Specification and forms of proposals will be available at the Office of the Manager of Procurement on and after July 23, 1992.

Attention is called to requirements for equal opportunity employment on part of vendors. The department encourages participation in this bid of minority and women owned businesses.

Mary Lou McGrath
Superintendent of Schools

(C)July23
#8454

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0158-T1

To the alleged father of parts unknown represented to be the father of **Cameron Kiel,** a minor child received by The Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws,Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge on the 8th day of September 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 23rd day of June 1992.

Donna M. Lambert
Register

(C)July16,23,30
#8362

CITY OF CAMBRIDGE
CITY CLERK
NOTICE OF A PUBLIC HEARING

Notice is hereby given that the City Council and the Planning Board of the City of Cambridge will hold a joint public hearing in the Sullivan Chamber, Second Floor, 795 Massachusetts Avenue, City Hall, Cambridge,Massachusetts at 4:00 p.m. on August 3, 1992 on the Application of **Six Cambridge Center Associates Limited Partnership,** c/o **Boston Properties, Inc.,** 8 Arlington Street, Boston, Massachusetts 02116 (the "Partnership") for the Authorization and Approval of a Project under Massachusetts General Laws Chapter 121A, to be undertaken and carried out by the Partnership. Approval is sought for the Project pursuant to Chapter 121A and the applicable Rules and Regulations of the Massachusetts Executive Office of Communities and Development, 760 CMR 25.

The sole purpose of the Partnership is to acquire, develop and operate a project under Chapter 121A (the "Project"). The project site consists of a parcel of approximately 4.30 acres bounded by Broadway to the north, Binney Street to the west, Main Street to the south and Ames Street to the east. The Project Area is presently owned by the Cambridge Redevelopment Authority and is part of the Kendall Square Urban Renewal Area in Cambridge, Massachusetts. The Project is to be developed in phases, and will consist of up to approximately 830,000 square feet of space for office uses, up to approximately 50,000 square feet for retail, entertainment and/or recreational uses. The Project will also contain structured parking for up to 1,500 cars which may also be built in phases related to the phasing of the buildings comprising the Project.

A further description of the Project and the Project site appears in the Application. The Application may be examined by all interested person in the Office of the City Clerk, Room 103, City Hall, from 8:30 a.m. to 5:00 p.m. Monday through Friday, except legal holidays.

Chapter 121A Section 6C of the Massachusetts General Laws provides that a person aggrieved by the approval or disapproval of a Massachusetts General Laws Chapter 121A project has sixty days within which to seek judicial review.

Attest:- D. Margaret Drury
Temporary City Clerk

(C)July 23,30
#07974

OFFICE OF THE SCHOOL COMMITTEE
456 Broadway
Cambridge, Massachusetts 02138

Sealed proposals will be received at the Office of the Manager of Procurement, 159 Thorndike Street, Cambridge, Massachusetts 02141, until Thursday, August 20, 1992 at 11:00 a.m. for:

Search Consultant Services for Director of Human Resources.

Specification and forms of proposals will be available at the Office of the Manager of Procurement on and after July 23, 1992.

Attention is called to requirements for equal opportunity employment on part of vendors. The department encourages participation in this bid of minority and women owned businesses.

Mary Lou McGrath
Superintendent of Schools

(C)July23
#8454

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0283-T1

To the alleged father of parts unknown represented to be the father of **Baby Girl Boness,** a minor child received by The Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fourteenth day of September 1992, the return day of this citation.

Witness,Sheila E. McGovern, Esquire, First Judge of said Court, this thirtieth day of June 1992.

Donna M. Lambert
Register

(C)July23,30,Aug6
#8417

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss Probate Court
Case No. 92A0241-T1

To the alleged father of parts unknown represented to be the parent of **Baby Girl Haney,** a minor child received by The Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fourteenth day of September 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this thirtieth day of June 1992.

Donna M. Lambert
Register

(C)July23,30,Aug6
#8419

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0264-T1

To the alleged father of parts unknown represented to be the father of **Baby Girl Moran,** a minor child received by The Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fourteenth day of September 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this thirtieth day of June 1992.

Donna M. Lambert
Register

(C)July23,30,Aug6
#8416

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0255-T1

To the alleged father of parts unknown represented to be the parent of **Baby Boy Blanchard,** a minor child received by The Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fourteenth day of September 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this thirtieth day of September 1992.

Donna M. Lambert
Register

(C)July23,30,Aug6
#8418

COMMONWEALTH OF MASSACHUSETTS
NOTICE OF PROBATE OF WILL
WITHOUT SURETIES
Middlesex Division Docket No. 92P3081E
Estate of **Theresa G. Capaviella,**
a/k/a **Theresa G. Falbo**
died March 19, 1992
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Frank R. Caruso,** of **Billerica** in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court, at Cambridge, on or before 10:00 in the forenoon on July 29, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the first day of July in the year of our Lord one thousand nine hundred and ninety-two.

/s/Donna M. Lambert
Register of Probate

(C)July23
#8412

COMMONWEALTH OF MASSACHUSETTS
Middlesex ss. Probate Court No. 89D3027D1
Nathas Jacquecin Plaintiff
vs.
Wanda Jacquecin Defendant

To the above-named Defendant: Wanda Jacquecin

A complaint has been presented to this Court by your spouse, **Nathas Jacquecin,** seeking an action to dissolve the bonds of matrimony.

You are required to serve upon Anne Marie Carleo, plaintiff's attorney, whose address is 675 Massachusetts Avenue, Box 390109, Cambridge, MA 02139 your answer on or before October 5, 1992. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.
July 14, 1992

Donna M. Lambert
Register of Probate

(C)July23,30,Aug6
#10531

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 A.M. Thursday, August 6, 1992 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge.

Medical Records Transcription Services
Traffic Paint
Technical Ultrasound Coverage
Van
See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for 'Designate Item' " and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Barbara L. Duffy
Purchasing Agent

(C)July23
#10535

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0161-T1

To the alleged father of parts unknown represented to be the father of **Baby Girl McGovern,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the 8th day of September 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 23rd day of June 1992.

Donna M. Lambert
Register

(C)July23,30,Aug6
#10533

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0162-T1

To the alleged father of Anchorage, Alaska represented to be the father of **Baby Boy Powell,** a minor child received The The Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the 18th day of August 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 23rd day of June 1992.

Donna M. Lambert
Register

(C)July23,30,Aug6
#10532

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Superior Court No. 92-1766
LEGAL NOTICE

To: **Iman Hardy and Wilhemina Hardy** and/or any interested party, all parties unknown. Whereas a complaint has been begun against Eleven Thousand Five Hundred Twenty-Five Dollars ($11,525.00), hereinafter referred to as the "subject res", which you are the owner of, in Middlesex Superior Court, **40 Thorndike Street, Cambridge, Massachusetts,** within the county of Middlesex, wherein the Commonwealth, by and through Thomas F. Reilly, the duly elected District Attorney of Middlesex County, the plaintiff, alleges the following:

1. The subject res was seized from the home of Iman Hardy and Wilhemina Hardy in Cambridge, Massachusetts, on December 28, 1991.

2. The subject res is related to, and is evidence in, a pending criminal proceeding in Middlesex County against Iman Hardy and Wilhemina Hardy.

3. The Eleven Thousand Five Hundred Twenty-Five Dollars ($11,525.00) for which the COmmonwealth seeks forfeiture are monies, negotiable instruments, securities or things of value furnished or intended to be furnished by any person in exchange for controlled substance in violation of G.L. c. 94C, or are traceable to the exchange, things of value, monies, negotiable instruments, or securities used or intended to be used to facilitate any violation of G.L. c. 94C.

4. The subject res is now in the custody of the Cambridge Police Department.

The complaint and any and all exhibits, if there be any, may be inspected at the Middlesex Superior Court Clerk's Office, located at the abovementioned address, or upon request made to counsel for the Plaintiff, Stephen C. Hoctor, Assistance District Attorney, Middlesex District Attorney's Office, whose address is located at the above-address, and whose telephone number is (617) 494-8500.

Answer to said complaint must be served upon plaintiff's attorney and filed with the court no later than thirty (30) days after the last day of publication of a notice. If no answer or defense is made by said date, the complaint may be adjudged, and order and judgement may be entered. Said notice shall be published in the Cambridge Chronicle on one day on two consecutive weeks, per order of the court. McHugh, J.

(C)July23,30
#845o

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL
WITHOUT SURETIES
Middlesex Division Docket No. 92P2995E

Estate of **Agnes I. Nunes**
also known as **Agnes Isabel Nunes**
died Apr. 21, 1992
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Helena M. Alves** of **Somerville** in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on August 24, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-ninth day of June in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)July 23
#8455

REQUEST FOR PROPOSALS
CONSULTING SERVICES: ANNUAL REPORT

The Cambridge Housing Authority invites interested parties to submit proposals for the preparation of an Annual Report.Proposed services will cover the performance or coordination of all phases of report preparation including, but not limited to, research, writing, photography, design, layout and printing. As described in the RFP, proposals will include an alternate for the coordination of a photography contest as a source of photographs to be used in the report.

RFP packages describing in detail the proposal requirements, including format for submittal, will be mailed on request or may be picked up at the Cambridge Housing Authority, Purchasing Department, 270 Green Street, Cambridge, MA 02139, (617) 864-3020, ext. 230. There is no charge for the documents which will be available until the deadline for proposal submission.

Proposals will be awarded in accordance with M.G.L. Chapter 30B subject to approval by the CHA Board of Commissioners within 30 days from the deadline for proposal submission. The Cambridge Housing Authority reserves the right to reject any or all proposals.

As described in the RFP submittals will consist of separate service and price proposals, each submitted in separate sealed envelopes. Proposals must be submitted no later than 4:00 p.m., August 6, 1992. There will be no public opening of proposals.

(C)July23
#8453

MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain Mortgage given by **Francis E. Branley** to Somerset Savings Bank dated July 10, 1985, recorded with Middlesex South District Registry of Deeds in Book 16280, Page 392, of which Mortgage Somrock Corp. is the present holder, for breach of the conditions of said Mortgage, and for the purpose of foreclosing, the same will be sold at Public Auction at 11:00 o'clock a.m. on the 18th day of August, 1992, on the mortgaged premises located at **Unit 2-3, 2-4 Avon Street Condominium, 2 Avon Street, Cambridge, Middlesex County, Massachusetts,** all and singular the premises described in said Mortgage, to wit:

UNIT: 2-3; PERCENTILE INTEREST: 5.49%; AREA: 670 square feet; STORAGE SPACE: 2-54.

The unit (the "Unit") known as Unit 2-3 in 2-4 Avon Street Condominium (the "Condominium") located in the building known and numbered 2 Avon Street, Cambridge, Massachusetts (the "Building") a condominium established pursuant to Chapter 183A of the Massachusetts General Laws (the "Condominium Law") by Master Deed dated June 7, 1977, recorded Middlesex South District Deeds July 8, 1977, in Book 13232 Page 564, as amended. The Unit is shown on floor plans of the Building recorded as part of the Master Deed to which is affixed the verified statement of a registered architect in the form required by Section 9 of the Condominium Law. The Declaration of Trust of 2-4 Avon Street Condominium Trust, including the By-Laws contained therein, is recorded with Middlesex South District Deeds Book 13232 Page 572.

The Unit contains 670 square feet of area, more or less and is laid out as shown on plans recorded with said Master Deed and on the Unit Plan recorded with the Unit Deed to the Mortgagor recorded herewith.

The Unit is conveyed together with a .0549 undivided interest in the common area and facilities, as defined and described in the Master Deed. The Unit is subject to and has the benefit of all applicable provisions contained in said Master Deed and in the Condominium Trust and By-Laws of the 2-4 Avon Street Condominium Trust, the Rules and Regulations from time to time adopted thereunder by the Trustees of the aforesaid Trust, including without limitation the provisions for assessment, expenses, and all provisions contained in the hereinafter described Unit Deed to the Mortgagor as well as provisions of Massachusetts General Laws Chapter 183A.

This mortgage is also subject to all provisions and reservations contained in the Unit Deed recorded herewith.

The Unit is conveyed together with the exclusive use of Storage Space 2-54.

For Mortgagor's title see deed of Harlow Properties, Inc. recorded said Deeds Book 13959 Page 545.

TERMS OF SALE: The above premises will be sold subject as above and to all restrictions, easements, and encumbrances of record created prior to said mortgage, and to all outstanding tax titles, municipal or other public taxes, assessments or liens, if any. Five Thousand ($5,000.00) Dollars will be required to be paid by bank check or certified check by the purchaser at the time and place of sale as a deposit. The balance is to be paid by bank check or certified check within thirty (30) days thereafter to the firm of Kline, Gordon & Ginn at 40 Broad Street, Boston, Massachusetts 02109, at which time the Deed will be delivered to the Buyer. Other terms, if any, to be announced at the sale.

Dated: July 14, 1992

Signed:
Somrock Corp.
Present Holder of said mortgage,
By its attorney,
Joseph A. Gordon
Kline, Gordon & Ginn
40 Broad Street
Boston, Massachusetts 02109
(617) 338-0900

(C)July23,30,Aug6
#10536

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Riverside Cambridgeport Community Housing Associates,** a Massachusetts limited partnership, to Cambridge Savings Bank dated September 1, 1981 recorded with the Middlesex County (Southern District) Registry of Deeds at Book 14404, Page 141, of which mortgage the undersigned is the present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auctions on August 18, 1992 at 1:00 o'clock P.M., upon a portion of the mortgaged premises hereafter described as Parcel 4 and known as 33 Magazine Street and 28 William Street, Cambridge, Massachusetts, at 2:00 o'clock P.M., upon a portion of the mortgaged premises hereafter described as Parcel 2 and known as 45-49 River Street and 215-217 Auburn Street, Cambridge, Massachusetts and at 3:00 o'clock P.M., upon a portion of the mortgage premises hereafter described as Parcel 1 and known as 53 Pearl Street, 216-218 Franklin Street and 220-222 Franklin Street, Cambridge, Massachusetts, all being a portion of the premises described in said mortgage.

TO WIT:

"the land in Cambridge, Middlesex County, Massachusetts all as described in Exhibit "A" attached hereto, together with any and all buildings and improvements now or hereafter situated thereon."

EXHIBIT "A"

"Parcel 1 - 53 Pearl Street, 216-218 Franklin Street, 220-222 Franklin Street

A certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts, being bounded and described as follows: Beginning at the Westerly corner of Pearl and Franklin Streets, then running Southwesterly by Pearl Street, eighty-nine and 36/100 (89.36) feet; then turning at a right angle and running Northwesterly by land now or late of Robert O. Fuller, Trustee, fifty-five and 95/100 (55.95) feet; then running more Westerly by the same, fifteen and 88/100 (15.88) feet; then turning and running Southwesterly by the same, forty-five and 15/100 (45.15) feet to land now or formerly of Hancock, making an angle of 90° 23'51" with the line of said Franklin Street, and then turning and running Northwesterly by land now or formerly of said Hancock and by land now or formerly of Hixon, seventy-nine and 56/100 (79.56) feet to land now or formerly of Mansur, then turning and running Northeasterly by land now or formerly of Mansur, forty (40) feet to land formerly of Munroe, then turning and running Southeasterly by land formerly of said Munroe, seventy-five (75) feet, then turning and running Northeasterly by land formerly of said Munroe, one hundred (100) feet to Franklin Street; then turning and running Southeasterly by Franklin Street, one hundred thirty-three (133) feet to the point of beginning. Containing 15,825 square feet of land more or less.

Parcel 2 - **45-49 River Street, 215-217 Auburn Street**

A certain parcel of land with the buildings thereon situated in that part of Cambridge, known as Cambridgeport and being Lot #3 on a "Plan of Premises in Cambridgeport, Mass., belonging to Newell and Geo. D. Chamberlain", W.A. Mason & Son, Surveyors, dated March 27, 1886, recorded in Middlesex South District Registry of Deeds in Plan Book 47, Plan 16, and bounded and described as follows: Beginning at a point in the Northeasterly line of Auburn Street at the most Westerly corner of granted premises, then Northeasterly forty and 25/100 (40.25) feet to an iron rod driven into the ground; then Southeasterly ten and 35/100 (10.35) feet to an iron rod driven into the ground; then nearly Easterly forty-six and 82/100 (46.82) feet to an iron rod driven into the ground; then more Easterly twenty-six and 04/100 (26.04) feet to an iron rod driven into the ground; then Southeasterly twenty and 05/100 (20.05) feet to an iron rod driven into the ground and line of fence; then more Southerly in line of said fence, thirty-nine and 70/100 (39.70) feet to River Street; then Southwesterly in the Northerly line of River Street, seventy-six and 90/100 (76.90) feet to the intersection of River Street and Auburn Street; then Northwesterly by said Auburn Street, seventy-nine and 55/100 (79.55) feet to place of beginning. Containing 6,973 square feet of land, more or less, with all rights, easements, privileges and appurtenances to the granted premises belonging.

Parcel 3 - **26 Pleasant Street**

A certain parcel of land the buildings thereon being at present numbered 26 Pleasant Street in said Cambridge, bounded: Northwesterly by Pleasant Street, sixty-five (65) feet; Northeasterly by Auburn Street, forty-eight (48) feet; Southeasterly by land now or formerly of John F. Danskin, sixty-eight (68) feet; Southwesterly by other land now or formerly of John F. Danskin, forty-six and 45/100 (46.45) feet. Containing 3:139 square feet of land, and shown on plan entitled "Plan of Premises Belonging to John F. Danskin" dated June 20, 1923, by W.A. Mason & Son Co., Surveyors, recorded with said deeds Book 4628 End.

Parcel 4 - **32 [sic] 33 Magazine Street and 28 William Street**

A certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts being bounded and described as follows: Southeasterly on Magazine Street, seventy (70) feet; Northeasterly on William Street, one hundred sixteen (116) feet; Northwesterly on land of Snow, seventy (70) feet; Southwesterly on land of Pilgrim Congregational Church Society of Cambridge, one hundred sixteen (116) feet."

For Title see four deeds of Norman Swartz, Frances Zonis Ozer, Molly Katz and Irving P. Swartz dated August 27, 1981, recorded with Middlesex County (Southern District) Registry of Deeds at Book 14404, Page 133; Book 14404, Page 139; Book 14404, Page 137; and Book 14404, Page 135.

Said premises is now known as and numbered (Parcel 1) 53 Pearl Street, 216-218 Franklin Street, 220-222 Franklin Street, (Parcel 2) 45-49 River Street, 215-217 Auburn Street, (Parcel 3) 26 Pleasant Street, (Parcel 4) 33 Magazine Street and 28 William Street, Cambridge, Massachusetts.

Excepting and excluding from the foregoing is Parcel 3 known as 26 Pleasant Street, Cambridge, Massachusetts which will not be offered for sale.

Parcel 2 (45-49 River Street, 215-217 Auburn Street) is subject to restrictions in a deed recorded with the Middlesex County (Southern District) Registry of Deeds at Book 3474, Page 88.

TERMS OF SALE:

THE PREMISES WILL BE OFFERED FOR SALE AS INDIVIDUAL PARCELS AND AS AN ENTIRETY.

Each of the three (3) parcels will be offered for sale individually. The Mortgagee will, following the sale of Parcel 1 known as 53 Pearl Street, 216-218 Franklin Street and 220-222 Franklin Street, Cambridge, Massachusetts, offer for sale all three (3) parcels as an entirety.

If the highest bid for the three (3) parcels offered as an entirety equals or exceeds the cumulative total of the highest bids on the individual parcels, then the individual parcel sales shall be voided and any and all deposits paid therefor shall be returned to the highest bidders. If the highest bid for all three (3) parcels as an entirety does not equal or exceed the total of the cumulative highest bids for the premises as three (3) separate parcels, then such bid will not be accepted and Mortgagee will proceed with the highest bids received for the parcels on an individual basis.

Each of said Parcels sold subject to and/or with the benefit of any and all restrictions, easements, improvements and covenants, liens or claims in the nature of liens, and existing encumbrances of record created prior to the mortgage, if any there be.

Each of said Parcels will be sold subject to any and all unpaid taxes and assessments, tax sales, tax titles and other municipal liens and water liens, if any there are.

With respect to the sale of each individual parcel, the Buyer will be required to deposit Five Thousand ($5,000.00) Dollars in cash, treasurer's check or certified check (unless the holder of the mortgage is the successful bidder) at the time and place of sale as a non-refundable deposit and the balance will be due in forty-five (45) days. The Buyer shall pay all costs of recording the deed including, without limitation, all state transfer stamp charges. The Buyer shall be required to sign a Memorandum of Terms and Conditions of Sale at the auction sale.

With respect to the sale by entirety of all three parcels, the Buyer will be required to deposit Fifteen Thousand ($15,000.00) Dollars in cash, treasurer's check or certified check (unless the holder of the mortgage is the successful bidder) at the time and place of sale as a non-refundable deposit and the balance will be due in forty-five (45) days. The Buyer shall pay all costs of recording the deed including, without limitation, all state transfer stamp charges. The Buyer shall be required to sign a Memorandum of Terms and Conditions of Sale at the auction sale.

The Mortgagee reserves the right to sell the parcels to the second highest bidder at the sale(s) in the event of a default by any successful bidder.

Other terms to be announced at the time and place of sale.

Dated: July 21, 1992

Cambridge Savings Bank
(Present holder of said mortgage)
By its Attorneys,
Harrison & Maguire, P.C.
24 School Street
Boston, MA 02108
617-742-3810

(C)July23,30,Aug6
#8449

CAMBRIDGE HISTORICAL COMMISSION

Notice is hereby given that a public hearing will be held on Thursday, August 6, at 4:00 PM in the third floor conference room at the City Hall Annex, 57 Inman Street, to consider the following matters under M.G.L. Ch. 40C and Ch. 2.78 of the Code of the City of Cambridge.

For review of alterations to a protected structure under §2.78.050 (5:00 P.M.):

Case 430: Weld Hall. President & Fellows of Harvard College. Amend previously granted Certificate of Appropriateness to allow float glass in new sash.

For review of demolition under §2.78.070 (5:20 P.M.):

Case D-523: 46 Blackstone Street. Cambridge Electric Light Co. Demolish office building. 1901, to construct garage.

William B. King
Chairman

(C)July23,30
#8451

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES

Middlesex Division Docket No. 92P3187E

Estate of **Mary G. Alexander**
also known as **Mary Alexander**
died Apr. 30, 1992
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **George E. Alexander** of **Cambridge** in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on August 4, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the tenth day of July in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)July 23
#8413

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES

Middlesex Division Docket No. 92P2984E

Estate of **Margaret M. Galvin**
died Apr. 30, 1992
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Mary V. Dooley of Cambridge** in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 27, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16 and it is further ordered that notice be given to the Attorney General of said Commonwealth by delivering or by mailing postpaid a copy thereof to him fourteen days at least before the return day.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-ninth day of June in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)July 23
#8395

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
No. 89P3981E

NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Elinor L. Regan,** also known as **Elinor Louise Regan,** late of **Cambridge,** in said County, deceased.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of Janet M. Glennon as Executrix (the fiduciary) of said estate under the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 13th day of August, 1992, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 9th day of July, 1992.

Donna M. Lambert
Register

(C)July23
#8393

CITY OF CAMBRIDGE
TRAFFIC AND PARKING
REGULATION NO. 92-27

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following:

Regulation No. 66-1 Schedule 6D "Parking Prohibited At All Times On Certain Sides Of Certain Streets, Tow Away Zone (Handicapped Persons And Disabled Veterans)" is hereby amended by striking out the following:

Jefferson Street, south side, 460'E of Harding Street to 482'E of Harding Street.

Meacham Road, south side, 280'E of Mass. Ave. to 302'E of Mass. Ave.

This regulation shall take effect 13 August 1992.

Promulgated Date July 15, 1992

George Teso
Traffic Director

(C)July23,30Aug6
#10537

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 181120

To **Thomas F. Mahoney III** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

Northeast Savings, F.A. having a usual business address of 50 State Street, Hartford, CT 06103 claiming to be the holder of a mortgage covering real property in **Cambridge, numbered as 45-47 Porter Road, Cambridge, MA 02140** given by Thomas F. Mahoney III to Northeast Savings, F.A. dated January 27, 1989 and recorded with the Middlesex County (Southern District) Registry of Deeds in Book 19627, Page 558 has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 24th day of August 1992, or you may be forever barred from claiming that such foreclosure is invalid and void.

Witness, John E. Fenton, Jr., Chief Justice of said Court, this 9th day of July 1992.

Charles W. Trombly, Jr.
Recorder

(C)July23
#8459

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES

Middlesex Division Docket No. 92P3389E

Estate of **John R. Platt**
also known as **John Roder Platt**
died June 17, 1992
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Cambridge Trust Company of Cambridge** in the County of Middlesex be appointed executor without giving surety on its bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on August 7, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the tenth day of July in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)July 23
#8413

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES

Middlesex Division Docket No. 92P2984E

Estate of **Margaret M. Galvin**
died Apr. 30, 1992
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Mary V. Dooley of Cambridge** in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 27, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16 and it is further ordered that notice be given to the Attorney General of said Commonwealth by delivering or by mailing postpaid a copy thereof to him fourteen days at least before the return day.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-ninth day of June in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)July 23
#7871

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain Mortgage, Leasehold Mortgage and Security Agreement dated as of November 3, 1987 given by **Canal Park Associates,** a New York General Partnership (the "Mortgagor") to The Travelers Insurance Company, the present holder of said mortgage (the "Mortgagee"), with offices at One Tower Square, Hartford, Connecticut said mortgage being recorded with the Middlesex South District Registry of Deeds at Book 18663, Page 419 for breach of the conditions of said mortgage and for the purpose of foreclosing the same, there will be sold at Public Auction at 2:00 P.M. on Thursday, August 6, 1992 at or near that portion of the mortgaged premises located at **First Street** and **Otis Way, Cambridge,** Middlesex County, Massachusetts (known as **"One Canal Park"**, the premises located at First Street and Otis Way, Cambridge, Middlesex County, Massachusetts (the "Land and Improvements") and the Mortgagor's leasehold estate as tenant under a certain Lease Agreement for Parking Spaces in the East Cambridge Parking Facility between the City of Cambridge and Canal Park Associates dated March 15, 1985 with respect to premises located at the corner of First Street and Thorndike Street, Cambridge, Middlesex County, Massachusetts (the "Leasehold Premises"), all as described in said mortgage, to wit:

Land and Improvements

"Parcel C

Description of land in the Commonwealth of Massachusetts, County of Middlesex, City of Cambridge, on the easterly side of First Street, owned by the City of Cambridge and being parts of Parcels 7B and 8A and all of Parcel 11A shown on a plan by Cullinan Engineering, Co., Inc. titled "Land Acquisition Plan - Cambridge, Massachusetts; and dated August 1980, Revised November 4, 1981, (hereinafter "Land Acquisition Plan"), which Plan is recorded with a deed in the Middlesex South District Registry of Deeds in Book 14997, Page 512. Also shown as Parcel "C" on a plan by Cullinan Engineering Co., Inc., titled "Plan of Property owned by City of Cambridge, First Street, Cambridge, Massachusetts", dated December 6, 1984 (hereinafter "Plan").

Beginning at a point on the aforesaid easterly line of First Street said point being S 09° 28' 49" W and 199.91 feet from the point of curvature of the relocated corner rounding at Cambridge Street;

Thence, through land now or formerly of the Grantor on the following five courses:

S 80° 31' 11" E, a distance of 153.67 feet, to a point;

S 09° 28' 49" W, a distance of 29.00 feet, to a point;

N 80° 31' 11" W, a distance of 1.67 feet, to a point;

S 09° 28' 49" W, a distance of 171.00 feet, to a point;

and N 80° 31' 11" W, a distance of 152.00 feet, to a point on the aforesaid relocated easterly line of First Street;

Thence N 09° 28' 49" E, along said relocated easterly line of First Street, a distance of 200.00 feet to The Point of Beginning.

The above described parcel contains 30,448 square feet.

Otis Way

Another parcel of land in the Commonwealth of Masschusetts, County of Middlesex, City of Cambridge, on the easterly side of First Street, owned by the City of Cambridge and being part of Parcel 7 as shown on the Land Acquisition Plan, and shown as Otis Way on the Plan.

Beginning at a point on the relocated easterly line of First Street, said point being S 09° 28' 49" W and 149.91 feet from the point of curvature of the relocated corner rounding to Cambridge Street;

Thence, through land now or formerly of the Grantor on the following five courses:

S 80° 31' 11" E, a distance of 152.00 feet, to a point;

S 09° 28' 49" W, a distance of 50.00 feet, to a point;

N 80° 31' 11" W, a distance of 152.00 feet, to a point on the aforesaid relocated easterly line of First Street;

Thence N 09° 28' 49" E, along said relocated easterly line of First Street, a distance of 50.00 feet to The Point of Beginning.

The above described parcel contains 7,600 square feet.

Leasehold Premises

"All those four parcels of land bounded and described as follows:

All that certain lot, piece or parcel of land lying and being in Cambridge, County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the southwesterly corner of First Street and Thorndike Street, at the most northeasterly corner of the parcel to be described;

Thence S 09° 31' 11" W along the westerly side line of First Street, a distance of 102.65 feet to a point;

Thence N 80° 58' 02" W along land now or formerly of Charles Webb, a distance of 100.00 feet to a point;

Thence N 09° 31' 11" E along land now or formerly of Charles Webb and land now or formerly of Irving & Casson Realty Trust, a distance of 103.50 feet to a point on the southerly side line of Thorndike Street;

Thence S 80° 28' 49" E along said southerly side line of Thorndike Street, a distance of 100.00 feet to the point of beginning.

The above described parcel contains 10,307 square feet, more or less.

Beginning at a point on the southerly side line of Thorndike Street at the most northeasterly corner of the parcel to be described, said point being N 80° 28' 49" W and 100.00 feet from the southwesterly corner of Thorndike Street and First Street;

Thence S 09° 31' 11" W along land now or formerly of the Tarvis Realty Trust, a distance of 100.00 feet to a point;

Thence N 80° 28' 49" W along land now or formerly of Charles Webb, a distance of 100.09 feet to a point;

Thence N 09° 38' 03" E along land now or formerly of Kolligian Realty Trust, a distance of 100.00 feet to a point on said side line of Thorndike Street;

Thence S 80° 28' 49" E along said southerly side line of Thorndike Street, a distance of 99.89 feet to the point of beginning.

The above described parcel contains 10,000 square feet, more or less.

A certain piece or parcel of land situated in Cambridge, County of Middlesex and Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the northwesterly corner of First Street and Spring Street at the most southeasterly corner of the parcel to be described:

Thence N 80° 17' 19" W along the northerly side line of Spring Street a distance of 150.36 feet to a point;

Thence N 09° 38' 04" E along other land now or formerly of Charles Webb, a distance of 103.23 feet to a point;

Thence S 80° 28' 49" E along land now or formerly of Irving & Casson Realty Trust, a distance of 50.06 feet to a point;

Thence S 09° 31' 11" W along land now or formerly of the Tarvis Realty Trust, a distance of 3.50 feet to a point;

Thence S 80° 58' 02" E along land now or formerly of the Tarvis Realty Trust, a distance of 100.00 feet to a point on the westerly side line of First Street;

Thence S 09° 31' 11" W along said westerly side line of First Street, a distance of 0.23 feet to a point;

Thence S 09° 28' 49" W continuing along said westerly side line of First Street, a distance of 100.85 feet to the point of beginning.

The above described parcel contains 15,200 square feet, more or less.

A certain piece or parcel of land situated in Cambridge, County of Middlesex and Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the northerly side line of Spring Street and the most southeasterly corner of the parcel to be described; said point being N 80° 17' 19" W and 150.36 feet from the northwesterly corner of Spring Street and First Street;

Thence N 80° 17' 19" W along said northerly side line of Spring Street, a distance of 50.00 feet to a point;

Thence N 09° 38' 03" E along land now or formerly of Kolligian Realty Trust, a distance of 103.06 feet to a point;

Thence S 80° 28' 49" E along land now or formerly of Irving & Casson Realty Trust, a distance of 50.00 feet to a point;

Thence S 09° 38' 04" W along other land now or formerly of Charles Webb, a distance of 103.23 feet to the point of beginning.

The above described parcel contains 5,160 square feet more or less.

Together with all the easements, rights, privileges, franchises and appurtenances belonging unto the above-described premises, and including all right, title and interest of Mortgagor, if any, in and to all streets, roads and public places open or proposed, and all rights of way, public or private, tenements, and hereditaments used in connection with or appertaining to said premises and together with all buildings, structures, and other improvements, if any, owned by the Mortgagor and erected or placed in or on the above-described premises and the fixtures located on the premises to the extent the same are part of the realty.

Also together with the following property of the Mortgagor, to the extent it may be deemed to be personal property or property other than real estate: furniture, furnishings, equipment, machinery and other personal property including, without limitation, all venetian blinds, shades, draperies, drapery and curtain rods, brackets, bulbs, vacuum cleaning system and cleaning apparatus, mirrors, lamps, ornaments, rugs, linoleum and other floor covering, refrigerating and cooling apparatus and equipment, refrigerators, ranges and ovens, garbage disposals, dishwashers, mantels, and any and all such property which is installed in, affixed to, placed upon or used in connection with the Land and Improvements and the Leasehold Premises.

All of the foregoing personal property will be sold with the real property or separately at the option of the holder of the mortgage.

Said premises shall be sold and conveyed subject to and with the benefit of all mortgages, restrictions, easements, covenants, improvements, outstanding tax titles, municipal or other public taxes, assessments, federal and state tax liens, federal statutory rights of redemption, other liens or claims in the nature of liens, and existing encumbrances of record, created prior to the mortgage or to which the mortgage is subject, including, without limitation, the following to the extent now in force and applicable:

1. Order of Conditions issued by the Cambridge Conservation Commission dated January 4, 1985 and recorded with Middlesex South District Registry of Deeds at Book 16051, Page 597.

2. First Amended and Restated Development Agreement of March 15, 1985 by and between the Owner and City of Cambridge as affected by the Certificate of Completion issued by the City of Cambridge dated October 23, 1987 and recorded with said Deeds at Book 18663, page 417.

3. Special Permit under PUD provisions of the Cambridge Zoning Ordinance in a Planning Board decision dated July 3, 1984 as amended on January 8, 1985 and February 5, 1985, being recorded, respectively, with said Deeds at Book 15912, page 299, Book 16044, page 457 and Book 16044, page 459.

4. License dated December 13, 1990 between the Commonwealth of Massachusetts and Canal Park Associates recorded with said Deeds at Book 20912, page 198.

5. Service Access and Utility Easement 50 feet wide, as shown on a Plan recorded with said Deeds at Book 16059, page 434.

6. Encroachment Easement Agreement dated May 23, 1988 between the City of Cambridge and Canal Park Associates recorded with said Deeds at Book 19200, page 472.

7. Encroachment Easement Agreement dated September 26, 1989 between the City of Cambridge and Canal Park Associates recorded with said Deeds at Book 20380, page 203.

8. Tieback and Indemnity Agreement dated November 15, 1989 between the City of Cambridge and Canal Park Associates recorded said Deeds at Book 20427, page 501.

Said premises shall also be sold and conveyed subject to all leases and tenancies having priority over said mortgage, or which are affected by non-disturbance agreements of record, and subject to the possession of all or a part of the premises by any party or parties at the time of said foreclosure sale or thereafter, which possession is subject to said mortgage, and subject to all building and zoning laws, ordinances, by-laws, codes and regulations, including, without limitation, the following:

1. Notice of Lease between Canal Park Associates and Lotus Development Corporation dated May 8, 1987 as affected by Subordination, Non-Disturbance and Attornment Agreement dated October 23, 1987.

2. Unrecorded Agreement of Lease between Canal Park Associates and East Cambridge Savings Bank dated September 9, 1987.

Terms of Sale: Fifty Thousand ($50,000.00) and No/100 Dollars shall be paid as a deposit by the purchaser at the time and place of sale in cash, or by certified check, bank treasurer's check or cashier's check to the order of the Mortgagee, with no intervening endorsements. The balance of the consideration shall be paid by the purchaser in cash or by certified check, bank treasurer's check or cashier's check to the order of the Mortgagee, with no intervening endorsements, and the deed for the premises shall be delivered, at the offices of Peabody & Brown, 101 Federal Street, Boston, Massachusetts, 02110-1832, thirty (30) days after the date of sale.

The successful bidder for the premises shall be required to sign a Memorandum of Sale containing the above terms and any other terms announced at the sale. The deposit paid at the time of the sale shall be retained by the Mortgagee as liquidated damages or for application to actual damages, at the sole option of the Mortgagee, if such successful bidder does not comply strictly with the terms of the Memorandum of Sale.

Other terms to be announced at the time and place of sale.

The Travelers Insurance Company
Present Holder of Said Mortgage
Auctioneer: Paul Saperstein Co.
148 State Street
Boston, MA
(617) 227-4553
MA Lic #295
Attorneys for the Mortgagee:
Peabody & Brown
101 Federal Street
Boston, MA 02110-1832

(C)July16,23,30
#7874

CITY OF CAMBRIDGE
PUBLIC HEARING
COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) PROGRAM
TUESDAY, JULY 28, 1992 at 5:30 P.M.
CITY HALL ANNEX (57 INMAN STREET)
3RD FLOOR CONFERENCE ROOM

This hearing will provide an opportunity for Cambridge citizens and organizations to seek information and/or testify about the City's proposal to add a Section 108 Loan Guarantee Program to the current-year Community Development Block Grant (CDBG) Program and Budget. The program would borrow up to $5,000,000 guaranteed by the Federal Government. The borrowed funds, under stringent City and Federal controls, would be used exclusively for gap-financing by the City for qualified biotechnology and related companies needing the City's assistance in order to locate or expand in Cambridge. This proposed amendment to the FY'93 CDBG Program budget will not affect funding levels of projects currently funded through the CDBG Program. The proposed revision to the FY'93 CDBG budget is presented below.

The July 28th public hearing is the first step in the application process, and a memorandum from the City's Assistant City Manager for Community Development about the full process and the Section 108 Loan Guarantee Program will be available on Tuesday July 21st at the City Manager's Office (City Hall) and at the Community Development Department (City Hall Annex).

Information about the public hearing, the Federal regulations governing the use of CDBG funds, and the proposed use of the Section 108 loan funds, can be provided by Edward Cassidy or Catherine Daly Woodbury at 349-4600 or at the Community Development Department Offices (57 Inman Street, 3rd Floor). With adequate advance notice, the City will provide, as needed, transportation for the handicapped, a sign language interpreter, and foreign language translation service.

PROPOSED REVISION -- JULY 20, 1992
FINAL STATEMENT
PROJECTED USE OF CDBG YEAR #18 ENTITLEMENT FUNDS
Cambridge Community Development Block Grant Program - F.Y.'93

CDBG ACTIVITY	Proposed Revision To Final FY'93 Budget***	Final F.Y. '93 Buget
1. Housing Rehabilitation and Development	$1,993,000	$1,993,000
A. Housing Development/Public and Private	$385,000	$385,000
B. Multi-Family Rehab Assistance	$180,000	$180,000
C. Home Improvement Program	$698,000	$698,000
D. Just-A-Start Rehab Assistance/Deleading	$385,000	$385,000
E. Homeownership Program	$320,000	$320,000
F. Historic Preservation/Home Improvement	$25,000	$25,000
2. Open Space Acquisition and Development	$ -0-	$ -0-
3. Open Space Rehab	$189,000	$189,000
4. Streets/Sidewalk Trees	$ -0-	$ -0-
5. Neighborhood Facilities	$ -0-	$ -0-
6. Architectural Barriers Removal	$ -0-	$ -0-
7. Special Neighborhood Stabilization Fund (North and East Cambridge Stabilization Program)	$ -0-	$ -0-
8. Neighborhood Business Rehab & Development	$67,000	$67,000
9. Human Services	$510,000	$510,000
A. Programs Administered by Human Services	$471,000	$471,000
B. Programs Administered by Community Development	$39,000	$39,000
10. Comprehensive Planning	$339,000	$339,000
11. Program Management/Project Execution	$228,000	$228,000
12. Contingency	$75,000	$75,000
13. Interim Financing Project*	$ -0-	$ -0-
14. Section 108 Loan Guarantee Project	** $5,000,000	Not In Budget
TOTALS	*** $8,401,000	$3,401,000

* Dollar amount of this economic-and-housing-development loan program will vary between $0 and $1,000,000, but will not require additional funding -- because the short-term loans will be made from already-allocated funds awaiting spending.

** Dollar amount of this Section 108 Loan Guarantee Project will be $5,000,000 maximum. Depending on economic development conditions later in the year, the City may contract with HUD for a lesser amount.

*** The total funding of $8,401,000 consists of the $3,139,000 CDBG grant, plus the $5,000,000 "Section 108" funding, plus the $262,000 anticipated program income to be generated by the CDBG Housing Rehabilitation and Development Programs. This anticipated program income has been allocated in the above budget to the housing programs expected to generate it as follows: Budget Line Item 1-B--$21,033; 1-C--$181,239; 1-D--$2,790 and 1-E--$56,833. **In comparing the Budget Totals for FY'93 and FY'92, it is important to recognize that program income was not included in the FY'92 budget.**

NOTE: The range of activities eligible for Block Grant Funding is detailed in Federal Regulation "24CFR570.200-207," and the "National Objectives" requirement each eligible activity must also meet is covered in Regulation "24CFR570.208." Both are available at the Block Grant Management Office.

Michael H. Rosenberg
Assistant City Manager for Community Development

(C)July23
#8450

TODAY'S THE DAY
Stop Smoking.
American Heart Association

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0283-T1

To the alleged father of parts unknown representing to be the father of **Baby Girl Bonesa,** a minor child received by The Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fourteenth day of September 1992, the return day of this citation.

Witness,Sheila E. McGovern, Esquire, First Judge of said Court, this thirtieth day of June 1992.

Donna M. Lambert
Register

(C)July23,30,Aug6
#8417

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, August 13, 1992 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge

AUTOMOTIVE EQUIPMENT
HOYT FIELD BLEACHER DEMOLITION

See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for 'Designate Item' " and addressed to Barbara L. Duffy, Purchasing AGent, City Hall, Cambridge, Massachusetts.

Barbara L. Duffy
Purchasing Agent

(C)July30
#8480

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT

(SEAL) **Case No. 181466**

To **Nathan L. Sealy f/k/a Nathan L. Fernandez,** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended: Glenfed Mortgage Corporation claiming to be the holder of a mortgage covering real property in **Cambridge, numbered 245 Norfolk Street** given by Nathan L. Fernadez to Plaintiff dated March 3, 1989 recorded in the Middlesex County (South District) Registry of Deeds in Book 19686, Page 41,has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 31st day of August 1992, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 15th day of July 1992

Charles W. Trombly, Jr.
Recorder

(C)July30
#8675

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Edward F. Kimball** d/b/a **Pizza on Wheels** has applied for a peddler's license (Canteen truck). Route will be: Oxford Street: Perkins Hall; Lesley College; Science Center; McKay Labs; University Museum; Harvard University. Kirkland Street, near Cabot Way: Lawrence Hall, Lowell Lecture Hall.

The hearing on this application will be held on Tuesday evening, August 18, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)July30
#8666

CAMBRIDGE HOUSING AUTHORITY
REQUEST FOR PROPOSALS
Lead-Based Paint Testing at Five State-Assisted Family Developments

Qualified consulting firms are invited to submit proposals for services related to 10% lead-based paint testing project at five State-assisted family developments. The firm will be responsible for the development of a testing protocol for the full and successful identification of lead-based paint hazards; completion using the approved protocol of comprehensive testing; and preparation of a written report detailing the findings of the comprehensive testing and recommendations for the scope of any future abatement activity. All activities must be completed under the supervision of a Certified Industrial Hygienist in the Comprehensive Practice. Fee for services is negotiable.

Proposal requirements may be obtained at the Cambridge Housing Authority, Office of Planning and Development, 17 Sellers Street, 2nd floor on or after July 29, 1992 between the hours of 9:00 AM and 5:00 PM on Wednesday, August 19, 1992. If mailing proposals, send to Cambridge Housing Authority, 270 Green Street, Cambridge, MA 02139, Attn: Bill Ewall. An inspection of the sites will be held on Monday, August 10, 1992 at 10:00 AM. Interested parties should call Bill Ewall at 497-6800 for directions to the site or for further information.

(C)July30
#8486

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Edith S. Analetto** d/b/a **Blue Goose Pizza** has applied for a peddler's license (pizza truck). Route will be: Ames Street; Mass. Ave. (corner of Mass. Ave. and Memorial Drive; Main Street (Polaroid); Oxford Street (Lesley College) and M.I. T. Campus (Lot 68) Monday thru Friday - 11 a.m.-4 p.m.

The hearing on this application will be held on Tuesday evening, August 18, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)July30
#8665

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 388110

NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Jacob Marinus Waller** late of **Cambridge,** in said County, deceased.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 11th thru 15th accounts of Edward J. Duggan as Trustee (the fiduciary) under **Article 5 (B) (2)** of the will of said deceased for the benefit of Caroline S. Waller and others have been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said accounts, you or your attorney must file a written appearance in said Court at Cambridge on or before the 24th day of September, 1992, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said accounts. If you desire to object to any item of said accounts, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 20th day of July, 1992.

Donna M. Lambert
Register

(C)July30
#8474

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Xiao-Min Yang** d/b/a **Chinese Kitchen** has applied for a peddler's license (Canteen truck). Route will be: Five standing spots on Oxford Street across from University Museum.

The hearing on this application will be held on Tuesday evening, August 18, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)July30
#8667

CITY OF CAMBRIDGE
BOARD OF ZONING APPEAL

The Board of Zoning Appeal will hold a Public Meeting, Thursday, August 13, 1992 In Room 200, City Hall, Cambridge, Massachusetts, the following cases will be heard:

7:00 P.M. CASE NO. 6504
71-73 BELMONT STREET Residence B Zone
YUTHANA LIMPA-AMARA
Variance: To construct dormer on the third floor. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

7:15 P.M. CASE NO. 6418
640 MEMORIAL DRIVE (Office-3/Industry A Zone)SDV (New Zone)
M.I.T. - MARK A. KABLACK, ATTORNEY
Special Permit: To alter existing non-conforming building to use the building for light industrial and retail use. Art. 8.000, Sec. 8.22a (Non-Conforming Structure). Sec. 8.22b (Non-Conforming Use). Art. 4.000, Sec. 4.35 (a,b,e) Retail, Packaging, Place of Manufacturing & Lunch Room/Restaurant). Sec. 4.37 (Light Industry).

7:30 P.M. CASE NO. 6518
109 RIVER STREET Residence C-2 Zone
LAURA KALO
Variance: To construct shed dormer behind main ridge of existing building. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

7:45 P.M. CASE NO. 6519
1 PORTER SQUARE Business C Zone
MASSACHUSETTS MUTUAL LIFE INSURANCE CO. C/O THE CODMAN COMPANY INC. - JOHN SADOWSKI, PROPERTY MGR. Variance: To retrofit existing free standing sign and install wall awning illuminated with canopy. Art. 7.000, 7.16.3, 7.16.22.ac (Signs In Business District).

8:00 P.M. CASE NO. 6520
653-655-659 CONCORD AVENUE Office 2 Zone
SPEROS GOGOS
Variance: To construct a new seven story residential building with one story below grade level for parking 32 two bedroom residential units. Art. 4.000, Sec. 4.26(1) (Multi-Family Special Permit). Art. 5.000, Sec. 5.32 (Table of Dimensional Requirements).

8:15 P.M. CASE NO. 6521
19 JEFFERSON STREET Residence C-1Zone
ANA APRUDA
Special Permit: To alter existing 3 family to convert into a two family dwelling. Art. 8.000, Sec. 8.22c (Non-Conforming Structure).

8:30 P.M. CASE NO. 6522
30 BRADBURY STREET Residence C-1 Zone
MARY ELLEN ALONSO
Special Permit: To construct addition to increase the size of the kitchen. Art. 8.000, Sec. 8.22c (Non-Conforming Structure).

8:45 P.M. CASE NO. 6523
146-148 LEXINGTON AVENUE Residence A-2 Zone
RICHARD & BARBARA CURRIER
Special Permit: To rebuild rear decks and stairs off the 1st and 2nd floor. Art. 8.000, Sec. 8.22c (Non-Conforming Structure).

9:00 P.M. CASE NO. 6524
577 PUTNAM AVENUE Residence C-1 Zone
JAMES CURRAN
Variance: To rebuild six dwelling units on existing foundation. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements). Art. 8.000, Sec. 8.23 (Non-Conforming Structure). Art. 6.000, Sec. 6.361g (Parking).

(C)July30,Aug6
#8487

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that Dartmouth Breweries, Inc. d/b/a 33 Dunster Street, **Gary F. Gut,** manager, holder of an all alcoholic beverages as a restaurant license, 2 a.m. closing at 33 Dunster Street has applied for a change in d.b.a from 33 Dunster Street to **John Harvard's Brew House.**

Pursuant to General Laws, Chapter 140, notice is hereby given that the License Commission has received an application from Dartmouth Breweries, Inc. d/b/a Harvard's Brew House, Gary F. Gut, manager holder of an all alcoholic beverages as a restaurant license, 2 a.m. closing at 33 Dunster Street has applied for an entertainment license to include Live Musical instruments and/or Live Vocalists, with amplification; one (1) juke box; audio tape machine which may play music below, at, or above conversation level (C.D. player); one (1) TV.

The hearing on this application will be held on Tuesday evening, August 18, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)July30
#8664

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MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Riverside Cambridgeport Community Housing Associates,** a Massachusetts limited partnership, to Cambridge Savings Bank dated September 1, 1981 recorded with the Middlesex County (Southern District) Registry of Deeds at Book 14404, Page 141, of which mortgage the undersigned is the present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auctions on August 18, 1992 at 1:00 o'clock P.M., upon a portion of the mortgaged premises hereafter described as Parcel 4 and known as 33 Magazine Street and 28 William Street, Cambridge, Massachusetts, at 2:00 o'clock P.M., upon a portion of the mortgaged premises hereafter described as Parcel 2 and known as 45-49 River Street and 215-217 Auburn Street, Cambridge, Massachusetts and at 3:00 o'clock P.M., upon a portion of the mortgaged premises hereafter described as Parcel 1 and known as 53 Pearl Street, 216-218 Franklin Street and 220-222 Franklin Street, Cambridge, Massachusetts, all being a portion of the premises described in said mortgage.
TO WIT:

"The land in Cambridge, Middlesex County, Massachusetts all as described in Exhibit "A" attached hereto, together with any and all buildings and improvements now or hereafter situated thereon."

EXHIBIT "A"

"Parcel 1 - 53 Pearl Street, 216-218 Franklin Street, 220-222 Franklin Street

A certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts, being bounded and described as follows: Beginning at the Westerly corner of Pearl and Franklin Streets, then running Southwesterly by Pearl Street, eighty-nine and 36/100 (89.36) feet; then turning at a right angle and running Northwesterly by land now or late of Robert O. Fuller, Trustee, fifty-five and 95/100 (55.95) feet; then running more Westerly by the same, fifteen and 88/100 (15.88) feet; then turning and running Southwesterly by the same, forty-six and 15/100 (45.15) feet; and now or formerly of Hancock, making an angle of 90° 23'57" with the line of said Hancock's land, then turning and running Northwesterly by land now or formerly of said Hancock and by land now or formerly of Hixon, seventy-nine and 56/100 (79.56) feet; by land now or formerly of Mansur, then turning and running Northeasterly by land now or formerly of Mansur, forty (40) feet; to land formerly of Munroe, then turning and running Southeasterly by land formerly of said Munroe, seventeen (17) feet, then turning and running Northeasterly by land formerly of said Munroe, one hundred (100) feet to Franklin Street; then turning and running Southeasterly by Franklin Street, one hundred thirty-three (133) feet to the point of beginning. Containing 15,825 square feet of land more or less.

Parcel 2 - 45-49 River Street, 215-217 Auburn Street

A certain parcel of land with the buildings thereon situated in that part of Cambridge, known as Cambridgeport and being Lot #3 on a "Plan of Premises in Cambridgeport, Mass., belonging to Newell and Geo. D. Chamberlain", W.A. Mason & Son, Surveyors, dated March 27, 1866, recorded in Middlesex South District Registry of Deeds in Plan Book 41, Plan 16, and is bounded and described as follows: Beginning at a point in the Northeasterly line of Auburn Street at the most Westerly corner of granted premises, then Northeasterly forty and 25/100 (40.25) feet to an iron rod driven into the ground; then Southeasterly ten and 35/100 (10.35) feet to an iron rod driven into the ground; then nearly Easterly forty-six and 82/100 (46.82) feet to an iron rod driven into the ground; then more Easterly twenty-six and 04/100 (26.04) feet to an iron rod driven into the ground; then Southeasterly twenty and 05/100 (20.05) feet to an iron rod driven into the ground and line of fences; then more Southerly in line of said fence, thirty-nine and 70/100 (39.70) feet to River Street; then Southwesterly in the Northerly line of River Street, seventy-six and 90/100 (76.90) feet to the intersection of River Street and Auburn Street; then Northwesterly by said Auburn Street, seventy-nine and 55/100 (79.55) feet to place of beginning. Containing 6,973 square feet of land, more or less, with all rights, easements, privileges and appurtenances to the granted premises belonging.

Parcel 3 - 26 Pleasant Street

A certain parcel of land the buildings thereon being at present numbered 26 Pleasant Street in said Cambridge, bounded: Northwesterly by Pleasant Street, sixty-five (65) feet; Northeasterly by Auburn Street, forty-eight (48) feet; Southeasterly by land now or formerly of John F. Danskin, sixty-eight (68) feet; Southwesterly by other land now or formerly of John F. Danskin, forty-six and 45/100 (46.45) feet. Containing 3,139 square feet of land, and shown on plan entitled "Plan of Premises Belonging to John F. Danskin" dated June 20, 1923, by W.A. Mason & Son Co., Surveyors, recorded with said deeds Book 4628 End.

Parcel 4 - 32 [sic] 33 Magazine Street and 28 William Street

A certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts being bounded and described as follows: Southeasterly on Magazine Street, seventy (70) feet; Northeasterly on William Street, one hundred sixteen (116) feet; Northwesterly on land of Snow, seventy (70) feet; Southwesterly on land of Pilgrim Congregational Church Society of Cambridge, one hundred sixteen (116) feet."

For Title see four deeds of Norman Swartz, Frances Zonis Ozer, Molly Katz and Irving P. Swartz dated August 27, 1981, recorded with Middlesex County (Southern District) Registry of Deeds at Book 14404, Page 133; Book 14404, Page 139; Book 14404, Page 137; and Book 14404, Page 135.

Said premises is now known as and numbered (Parcel 1) 53 Pearl Street, 216-218 Franklin Street, 220-222 Franklin Street, (Parcel 2) 45-49 River Street, 215-217 Auburn Street, (Parcel 3) 26 Pleasant Street, (Parcel 4) 33 Magazine Street and 28 William Street, Cambridge, Massachusetts.

Excepting and excluding from the foregoing is Parcel 3 known as 26 Pleasant Street, Cambridge, Massachusetts which will not be offered for sale.

Parcel 2 (45-49 River Street, 215-217 Auburn Street) is subject to restrictions in a deed recorded with the Middlesex County (Southern District) Registry of Deeds at Book 3474, Page 88.

TERMS OF SALE:

THE PREMISES WILL BE OFFERED FOR SALE AS INDIVIDUAL PARCELS AND AS AN ENTIRETY.

Each of the three (3) parcels will be offered for sale individually. The Mortgagee will, following the sale of Parcel 1 known as 53 Pearl Street, 216-218 Franklin Street and 220-222 Franklin Street, Cambridge, Massachusetts, offer for sale all three (3) parcels as an entirety.

If the highest bid for the three (3) parcels offered as an entirety equals or exceeds the cumulative total of the highest bids on the individual parcels, then the individual parcel sales shall be voided and any and all deposits paid thereon shall be returned to the highest bidders. If the highest bid for all three (3) parcels as an entirety does not equal or exceed the total of the cumulative highest bids for the premises as three (3) separate parcels, then such bid will not be accepted and Mortgagee will proceed with the highest bids received for the parcels on an individual basis.

Each of said Parcels sold subject to and/or with the benefit of any and all restrictions, easements, improvements and covenants, liens or claims in the nature of liens, and existing encumbrances of record created prior to the mortgage, if any there be.

Each of said Parcels will be sold subject to any and all unpaid taxes and assessments, tax sales, tax titles and other municipal liens and water liens, if any there are.

With respect to the sale of each individual parcel, the Buyer will be required to deposit Five Thousand ($5,000.00) Dollars in cash, treasurer's check or certified check (unless the holder of the mortgage is the successful bidder) at the time and place of sale as a non-refundable deposit and the balance will be due in forty-five (45) days. The Buyer shall pay all costs of recording the deed including, without limitation, all state transfer stamp charges. The Buyer shall be required to sign a Memorandum of Terms and Conditions of Sale at the auction sale.

With respect to the sale by entirety of all three parcels, the Buyer will be required to deposit Fifteen Thousand ($15,000.00) Dollars in cash, treasurer's check or certified check (unless the holder of the mortgage is the successful bidder) at the time and place of sale as a non-refundable deposit and the balance will be due in forty-five (45) days. The Buyer shall pay all costs of recording the deed including, without limitation, all state transfer stamp charges. The Buyer shall be required to sign a Memorandum of Terms and Conditions of Sale at the auction sale.

The Mortgagee reserves the right to sell the parcels to the highest bidder at the sale(s) in the event of a default by any successful bidder.

Other terms to be announced at the time and place of sale.

Dated: July 21, 1992

Cambridge Savings Bank
(Present holder of said mortgage)
By its Attorneys,
Harrison & Maguire, P.C.
24 School Street
Boston, MA 02108
617-742-3810

(C)July23,30,Aug6
#8449

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain Mortgage, Leasehold Mortgage and Security Agreement dated as of November 3, 1987 given by **Canal Park Associates,** a New York General Partnership (the "Mortgagor") to The Travelers Insurance Company, the present holder of said mortgage (the "Mortgagee"), with offices at One Tower Square, Hartford, Connecticut said mortgage being recorded with the Middlesex South District Registry of Deeds at Book 18663, Page 419 for breach of the conditions of said mortgage and for the purpose of foreclosing the same, there will be sold at Public Auction at 2:00 P.M. on Thursday, August 6, 1992 at or near that portion of the mortgaged premises located at **First Street** and **Otis Way, Cambridge,** Middlesex County, Massachusetts (known as **"One Canal Park"**), the premises located at First Street and Otis Way, Cambridge, Middlesex County, Massachusetts (the "Land and Improvements") and the Mortgagor's leasehold estate as tenant under a certain Lease Agreement for Parking Spaces in the East Cambridge Parking Facility between the City of Cambridge and Canal Park Associates dated March 15, 1985 with respect to premises located at the corner of First Street and Thorndike Street, Cambridge, Middlesex County, Massachusetts (the "Leasehold Premises"), all as described in said mortgage, to wit:

Land and Improvements

"Parcel C

Description of land in the Commonwealth of Massachusetts, County of Middlesex, City of Cambridge, on the easterly side of First Street, owned by the City of Cambridge and being parts of Parcels 7B and 8A and all of Parcel 11A shown on a plan by Cullinan Engineering, Co., Inc. titled "Land Acquisition Plan - Cambridge, Massachusetts; and dated August 1980, Revised November 4, 1981, (hereinafter "Land Acquisition Plan"), which Plan is recorded with a deed in the Middlesex South District Registry of Deeds in Book 14997, Page 512. Also shown as Parcel "C" on a plan by Cullinan Engineering Co., Inc., titled "Plan of Property owned by City of Cambridge, First Street, Cambridge, Massachusetts", dated December 6, 1984 (hereinafter "Plan").

Beginning at a point on the relocated easterly line of First Street said point being S 09° 28' 49" W and 199.91 feet from the point of curvature of the relocated corner rounding at Cambridge Street;

Thence, through land now or formerly of the Grantor on the following five courses:

S 80° 31' 11" E, a distance of 153.67 feet, to a point;

S 09° 28' 49" W, a distance of 29.00 feet, to a point;

N 80° 31' 11" W, a distance of 1.67 feet, to a point;

and N 09° 28' 49" W, a distance of 171.00 feet, to a point on the aforesaid relocated easterly line of First Street;

Thence N 09° 28' 49" E, along said relocated easterly line of First Street, a distance of 200.00 feet to The Point of Beginning.

The above described parcel contains 30,448 square feet.

Otis Way

Another parcel of land in the Commonwealth of Massachusetts, County of Middlesex, City of Cambridge, on the easterly side of First Street, owned by the City of Cambridge and being part of Parcel 7 as shown on the Land Acquisition Plan, and shown as Otis Way on the Plan.

Beginning at a point on the relocated easterly line of First Street, said point being S 09° 28' 49" W and 149.91 feet from the point of curvature of the relocated corner rounding to Cambridge Street;

Thence, through land now or formerly of the Grantor on the following five courses:

S 80° 31' 11" E, a distance of 152.00 feet, to a point;

S 09° 28' 49" W, a distance of 50.00 feet, to a point;

N 80° 31' 11" W, a distance of 152.00 feet, to a point on the aforesaid relocated easterly line of First Street;

Thence N 09° 28' 49" E, along said relocated easterly line of First Street, a distance of 50.00 feet to The Point of Beginning.

The above described parcel contains 7,600 square feet.

Leasehold Premises

"All those four parcels of land bounded and described as follows:

All that certain lot, piece or parcel of land lying and being in Cambridge, County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the southwesterly corner of First Street and Thorndike Street, at the most northeasterly corner of the parcel to be described;

Thence S 09° 31' 11" W along the westerly side line of First Street, a distance of 102.65 feet to a point;

Thence N 80° 58' 02" W along land now or formerly of Charles Webb, a distance of 100.00 feet to a point;

Thence N 09° 31' 11" E along land now or formerly of Charles Webb and land now or formerly of Irving & Casson Realty Trust, a distance of 103.50 feet to a point on the southerly side line of Thorndike Street;

Thence S 80° 28' 49" E along said southerly side line of Thorndike Street, a distance of 100.00 feet to the point of beginning.

The above described parcel contains 10,307 square feet, more or less.

A certain piece or parcel of land situated in Cambridge, County of Middlesex and Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the southerly side line of Thorndike Street at the most northeasterly corner of the parcel to be described; said point being N 80° 28' 49" W and 100.00 feet from the southwesterly corner of Thorndike Street and First Street;

Thence S 09° 31' 11" W along land now or formerly of the Tarvis Realty Trust, a distance of 100.00 feet to a point;

Thence N 80° 28' 49" W along land now or formerly of Charles Webb, a distance of 100.09 feet to a point;

Thence N 09° 28' 03" E along land now or formerly of Kolligian Realty Trust, a distance of 100.00 feet to a point on said side line of Thorndike Street;

Thence S 80° 28' 49" E along said southerly side line of Thorndike Street, a distance of 99.89 feet to the point of beginning.

The above described parcel contains 10,000 square feet, more or less.

A certain piece or parcel of land situated in Cambridge, County of Middlesex and Commonwealth of Massachusetts, bounded and described as follows:

Beginning at the northwesterly corner of First Street and Spring Street at the most southeasterly corner of the parcel to be described;

Thence N 80° 17' 19" W along the northerly side line of Spring Street a distance of 150.36 feet to a point;

Thence N 09° 38' 04" E along other land now or formerly of Charles Webb, a distance of 103.23 feet to a point;

Thence S 80° 28' 49" E along land now or formerly of Irving & Casson Realty Trust, a distance of 50.09 feet to a point;

Thence S 09° 31' 11" W along land now or formerly of the Tarvis Realty Trust, a distance of 3.50 feet to a point;

Thence S 80° 58' 02" E along land now or formerly of the Tarvis Realty Trust, a distance of 100.00 feet to a point on the westerly side line of First Street;

Thence S 09° 31' 11" W along said westerly side line of First Street, a distance of 0.23 feet to a point;

Thence S 09° 28' 49" W continuing along said westerly side line of First Street, a distance of 100.85 feet to the point of beginning.

The above described parcel contains 15,200 square feet, more or less.

A certain piece or parcel of land situated in Cambridge, County of Middlesex and Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point on the northerly side line of Spring Street and the most southeasterly corner of the parcel to be described; said point being N 80° 17' 19" W and 150.36 feet from the northwesterly corner of Spring Street and First Street;

Thence N 80° 17' 19" W along said northerly side line of Spring Street, a distance of 50.00 feet to a point;

Thence N 09° 38' 03" E along land now or formerly of Kolligian Realty Trust, a distance of 103.06 feet to a point;

Thence S 80° 28' 49" E along land now or formerly of Charles Webb, a distance of 103.23 feet to the point of beginning.

The above described parcel contains 5,160 square feet more or less."

Together with all the easements, rights, privileges, franchises and appurtenances belonging unto the above-described premises, and including all right, title and interest of Mortgagor, if any, in and to all streets, roads and public places opened or proposed, and all rights of way, public or private, tenements, and hereditaments used in connection with or appertaining to said premises and together with all buildings, structures, and other improvements, if any, owned by the Mortgagor and erected or placed in or on the above-described premises and the fixtures located on the premises to the extent the same are part of the realty.

Also together with the following property of the Mortgagor, to the extent it may be deemed to be personal property or property other than real estate: furniture, furnishings, equipment; machinery and other personal property including, without limitation, all venetian blinds, shades, draperies, drapery and curtain rods, brackets, bulbs, vacuum cleaning system and cleaning apparatus, mirrors, lamps, ornaments, rugs, linoleum and other floor covering, refrigerating and cooling apparatus and equipment, refrigerators, ranges and ovens, garbage disposals, dishwashers, mantels, and any and all such property which is installed in, affixed to, placed upon or used in connection with the Land and Improvements and the Leasehold Premises.

All of the foregoing personal property will be sold with the real property or separately at the option of the holder of the mortgage.

Said premises shall be sold and conveyed subject to and with the benefit of all mortgages, restrictions, easements, covenants, improvements, outstanding tax titles, municipal or other public taxes, assessments, federal and state tax liens, federal statutory rights of redemption, other liens or claims in the nature of liens, and existing encumbrances of record, created prior to the mortgage or to which the mortgage is subject, including, without limitation, the following to the extent now in force and applicable:

1. Order of Conditions issued by the Cambridge Conservation Commission dated January 4, 1985 and recorded with Middlesex South District Registry of Deeds at Book 16051, Page 597.

2. First Amended and Restated Development Agreement of March 15, 1985 by and between the Owner and City of Cambridge as affected by the Certificate of Completion issued by the City of Cambridge dated October 23, 1987 and recorded with said Deeds at Book 18663, page 417.

3. Special Permit under PUD provisions of the Cambridge Zoning Ordinance in a Planning Board decision dated July 3, 1984 as amended on January 8, 1985 and February 5, 1985, being recorded, respectively, with said Deeds at Book 15912, page 299, Book 16044, page 457 and Book 16044, page 459.

4. License dated December 13, 1990 between the Commonwealth of Massachusetts and Canal Park Associates recorded with said Deeds at Book 20912, page 396.

5. Service Access and Utility Easement 50 feet wide, as shown on a Plan recorded with said Deeds at Book 16059, page 434.

6. Encroachment Easement Agreement dated May 23, 1988 between the City of Cambridge and Canal Park Associates recorded with said Deeds at Book 19200, page 472.

7. Encroachment Easement Agreement dated September 26, 1989 between the City of Cambridge and Canal Park Associates recorded with said Deeds at Book 20380, page 203.

8. Tiebacck and Indemnity Agreement dated November 15, 1990 between the City of Cambridge and Canal Park Associates recorded said Deeds at Book 20427, page 501.

Said premises shall also be sold and conveyed subject to all leases and tenancies having priority over said mortgage, or which are affected by nondisturbance agreements of record, and subject to the possession of all or a part of the premises by any party or parties at the time of said foreclosure sale or thereafter, which possession is subject to said mortgage, and subject to all building and zoning laws, ordinances, by-laws, codes and regulations, including, without limitation, the following:

1. Notice of Lease between Canal Park Associates and Lotus Development Corporation dated May 8, 1987 as affected by Subordination, Non-Disturbance and Attornment Agreement dated October 23, 1987.

2. Unrecorded Agreement of Lease between Canal Park Associates and East Cambridge Savings Bank dated September 9, 1987.

Terms of Sale: Fifty Thousand ($50,000.00) and No/100 Dollars shall be paid a deposit by the purchaser at the time and place of sale in cash, or by certified check, bank treasurer's check or cashier's check to the order of the Mortgagee, with no intervening endorsements. The balance of the consideration shall be paid by the purchaser in cash or by certified check, bank treasurer's check or cashier's check to the order of the Mortgagee, with no intervening endorsements, and the deed for the premises shall be delivered, at the offices of Peabody & Brown, 101 Federal Street, Boston, Massachusetts, 02110-1832, thirty (30) days after the date of sale.

The successful bidder for the premises shall be required to sign a Memorandum of Sale containing the above terms and any other terms announced at the sale. The deposit paid at the time of the sale shall be retained by the Mortgagee as liquidated damages or for application to actual damages at the sale option of the Mortgagee, if such successful bidder does not comply strictly with the terms of the Memorandum of Sale.

Other terms to be announced at the time and place of sale.

The Travelers Insurance Company
Present Holder of Said Mortgage
Auctioneer: Paul Saperstein Co.
148 State Street
Boston, MA
(617) 227-6553
MA Lic #295
Attorneys for the Mortgagee:
Peabody & Brown
101 Federal Street
Boston, MA 02110-1832

(C)July16,23,30
#7874

MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain Mortgage given by **Francis E. Brantley** to Somerset Savings Bank dated July 10, 1985, recorded with Middlesex South District Registry of Deeds in Book 16280, Page 392, of which Mortgage Somrock Corp. is the present holder, for breach of the conditions of said Mortgage, and for the purpose of foreclosing, the same will be sold at Public Auction at 11:00 o'clock a.m. on the 18th day of August, 1992, on the mortgaged premises located at **Unit 2-3, 2-4 Avon Street Condominium, 2 Avon Street, Cambridge, Middlesex County, Massachusetts,** all and singular the premises described in said Mortgage, to wit:

UNIT: 2-3; PERCENTILE INTEREST: 5.49%; AREA: 670 square feet; STORAGE SPACE: 2-54.

The unit (the "Unit") known as Unit 2-3 in 2-4 Avon Street Condominium (the "Condominium") located in the building known and numbered 2 Avon Street, Cambridge, Massachusetts (the "Building") a condominium established pursuant to Chapter 183A of the Massachusetts General Laws (the "Condominium Law") by Master Deed dated June 7, 1977, recorded Middlesex South District Deeds July 8, 1977, in Book 13232 Page 564, as amended. The Unit is shown on the floor plans of the Building as part of the Master Deed to which is affixed the verified statement of a registered architect in the form required by Section 9 of the Condominium Law. The Declaration of Trust of 2-4 Avon Street Condominium Trust, including the By-Laws contained therein, is recorded with Middlesex South District Deeds Book 13232 Page 572.

The Unit contains 670 square feet of area, more or less and is laid out as shown on plans recorded with said Master Deed and on the Unit Plan recorded with the Unit Deed to the Mortgagor recorded herewith.

The Unit is conveyed together with a .0549 undivided interest in the common area and facilities, as defined and described in the Master Deed. The Unit is subject to and has the benefit of all applicable provisions contained in said Master Deed and in the Condominium Trust and By-Laws of the 2-4 Avon Street Condominium Trust, the Rules and Regulations from time to time adopted thereunder by the Trustees of the aforesaid Trust, including without limitation the provisions for assessment, expenses, and all provisions contained in the hereinafter described Unit Deed to the Mortgagor as well as provisions of Massachusetts General Laws Chapter 183A.

This mortgage is also subject to all provisions and reservations contained in the Unit Deed recorded herewith.

The Unit is conveyed together with the exclusive use of Storage Space 2-54.

For Mortgagor's title see deed of Harlow Properties, Inc. recorded said Deeds Book 13959 Page 545.

TERMS OF SALE: The above premises will be sold subject as above and to all restrictions, easements, and encumbrances of record created prior to said mortgage, and to all outstanding tax titles, municipal or other public taxes, assessments or liens, if any. Five Thousand ($5,000.00) Dollars will be required to be paid by bank check or certified check by the purchaser at the time and place of sale as a deposit. The balance is to be paid by bank check or certified check within thirty (30) days thereafter to the firm of Kline, Gordon & Ginn at 40 Broad Street, Boston, Massachusetts 02109, at which time the Deed will be delivered to the Buyer. Other terms, if any, to be announced at the sale.

Dated: July 14, 1992

Signed:
Somrock Corp.
Present Holder of said mortgage,
By its attorney,
Joseph A. Gordon
Kline, Gordon & Ginn
40 Broad Street
Boston, Massachusetts 02109
(617) 338-0900

(C)July23,30,Aug6
#10536

CAMBRIDGE HISTORICAL COMMISSION

Notice is hereby given that a public hearing will be held on Thursday, August 6, at 4:00 PM in the third floor conference room at the City Hall Annex, 57 Inman Street, to consider the following matters under M.G.L. Ch. 40C and Ch. 2.78 of the Code of the City of Cambridge:

For review of alterations to a protected structure under §2.78.050 (50.00 FML):

Case 430: Weld Hall. President & Fellows of Harvard College. Amend previously granted Certificate of Appropriateness to allow float glass in new sash.

For review of demolition under §2.78.070 (50.00 FML):

Case D-523: 46 Blackstone Street. Cambridge Electric Light Co. Demolish office building. 1901, to construct garage.

William B. King
Chairman

(C)July23,30
#8451

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Douglas A. Moore** to BayBank Norfolk dated September 8, 1988 and recorded with the Middlesex County (Southern District) Registry of Deeds at Book 19327, Page 498, of which mortgage the undersigned is the present holder, for breach of the conditions of said Mortgage and for the purpose of foreclosing, the same will be sold at public auction commencing at 3:00 p.m. on the 19th day of August, 1992 upon the mortgaged premises, being all and singular the premises described in said Mortgage, to wit:

Unit 12, the address of which is 863 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts, a unit of the Condominium known as 863 House Condominium located at 863 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts, established pursuant to Massachusetts General Laws, Chapter 183A, by Master Deed dated June 28, 1979, and recorded with Middlesex South Registry of Deeds on August 23, 1979 at Book 13770, Page 652, as amended of record. The Condominium is comprised of the buildings, improvements and structures on the land described in the Master Deed. The Unit is shown on the floor plans of the building recorded simultaneously with said Master Deed and on the copy of the portion of said plans attached to the Unit Deed recorded at Book 14007, Page 173.

Said Unit is conveyed together with an undivided 2.25 percentage interest in the common areas and facilities as described in the Master Deed.

Together with any parking space conveyed to the Mortgagor in the Unit Deed or hereafter acquired and any or all storage areas which the Mortgagor now or hereafter acquires the exclusive right to use.

Being the same premises conveyed to the Mortgagor by deed of Kalidas Nandy and Tapati G. Nandy to be recorded herewith.

The premises has an address of **Unit 12, 863 House Condominium, 863 Massachusetts Avenue, Cambridge,Massachusetts.**

The premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, unpaid condominium fees and expenses, if any, having priority over the mortgage, rights of tenants and parties in possession, existing encumbrances, and all other claims in the nature of liens, now existing or hereafter arising, having priority over the mortgage, if any there be. The premises are also sold subject to the right of redemption of the United States of America, if any there be.

Terms of Sale: A deposit of Five Thousand Dollars ($5,000.00) shall be required to be made to the mortgagee in cash, by certified check or by bank cashier's check at the time and place of sale. The balance of the purchase price is to be paid to the mortgagee in cash, by certified check or by bank cashier's check on or within thirty (30) days from the date of the sale. The deed shall be delivered within ten (10) days after the date of the approval of the sale by the Land Court. In the event that approval of the deed is not obtained from the Land Court within one hundred and twenty (120) days after the delivery of the balance of the purchase price to the Mortgagee (or such longer time as the parties may agree), the entire purchase price shall be returned to the purchaser without interest.

Other terms, if any, to be announced at the sale.

BayBank, a Massachusetts trust company,
formerly BayBank Middlesex,
successor by merger with,
among others, BayBank South,
successor to BayBankNorfolk
Present Holder of said Mortgage,
By its Attorneys,
Reimer & Braunstein
Paul J.P. Lococco
Three Center Plaza
Boston, Massachusetts 02108
(617) 523-9000
July 2, 1992

(C)July16,23,30
#8362

CITY OF CAMBRIDGE
REQUEST FOR DESIGN SERVICES

The City of Cambridge invites applications from qualified Architects and/or Engineers to carry out the following assignments.

1. Tobin Elementary School
197 Vassal Lane

Assignment is to develop remedial solutions to deal with exterior surfaces which have become deteriorated due to water & weather conditions.

Assignment will include condition report with recommended solutions.

2. Cambridge Rindge & Latin School
459 Broadway

The original Rindge Building bounded by Cambridge St., Felton St., Broadway and the Main Public Library is clad in limestone which has become displaced near the top floor and roof. Certain roof areas are also deteriorated.

Assignment will include condition report with recommended solutions.

The owner reserves the right to extend the contract to construction documents and administration for both projects.

A briefing session will convene at 10:00 A.M. on August 6, 1992.

Room 116 Cambridge Rindge & Latin School (Trophy Room)

Applications shall be submitted not later than August 13, 1992 at 5:00 P.M., in six (6) copies. Minimum application shall be Commonwealth of Massachusetts Form DSB-1. Application to Designer Selection Board. Supplemental materials is at the applicant's option. Material shall be submitted to Paul G. Feloney, City Architect, Public Works Department, 147 Hampshire Street, Cambridge, MA 02139.

(C)July30
#8658

CITY OF CAMBRIDGE
Traffic and Parking

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation

REGULATION NO. 92-28

Regulation No. 66-1 Schedule 6D "Parking Prohibited At All Times On Certain Streets, Tow Away Zone (Handicapped Persons and Disabled Veterans) is hereby amended by adding the following:

Franklin Street, north side, 80 ft. west of Pleasant Street to 106' West of Pleasant Street.

Harding Street, east side, 22' south of Jefferson Street to 42' S of Jefferson Street.

Waterhouse Street, north side, 76' west of Garden St. to 96' west of Garden Street.

This regulation shall take effect August 19, 1992.

Promulgated Date: July 21, 1992

George Teso
Traffic Director

(C)July30,Aug6,13
#8500

CITY OF CAMBRIDGE
CITY CLERK
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council and the Planning Board of the City of Cambridge will hold a joint public hearing in the Sullivan Chamber, Second Floor, 795 Massachusetts Avenue, City Hall, Cambridge,Massachusetts at 4:00 p.m. on August 3, 1992 on the Application of **Six Cambridge Center Associates Limited Partnership, c/o Boston Properties, Inc.,** 8 Arlington Street, Boston, Massachusetts 02116 (the "Partnership") for the Authorization and Approval of a Project under Massachusetts General Laws Chapter 121A, to be undertaken and carried out by the Partnership. Approval is sought for the Project pursuant to Chapter 121A and of the applicable Rules and Regulations of the Massachusetts Executive Office of Communities and Development, 760 CMR 25.

The sole purpose of the Partnership is to acquire, develop and operate a project under Chapter 121A (the "Project"). The project site consists of a parcel of approximately 4.34 acres bounded by Broadway to the north, Binney Street to the west, Main Street to the south and Ames Street to the east. The Project Area is presently owned by the Cambridge Redevelopment Authority and is part of the Kendall Square Urban Renewal Area in Cambridge, Massachusetts. The Project is to be developed in phases, and will consist of up to approximately 830,000 square feet of space for office uses, up to approximately 50,000 square feet for retail, entertainment and/or recreational uses. The Project will also contain structured parking for up to 1,500 cars which may also be built in phases related to the phasing of the buildings comprising the Project.

A further description of the Project and the Project site appears in the Application. The Application may be examined by all interested person in the Office of the City Clerk, Room 103, City Hall, from 8:30 a.m. to 5:00 p.m. Monday through Friday, except legal holidays.

Chapter 121A Section 6C of the Massachusetts General Laws provides that a person aggrieved by the approval or disapproval of a Massachusetts General Laws Chapter 121A project has sixty days within which to seek judicial review.

Attest:- D. Margaret Drury
Temporary City Clerk

(C)July 23,30
#07974

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92J162-T1

To the alleged father of Anchorage, Alaska represented to be the father of **Baby Boy Powell,** a minor child received the The Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the 18th day of August 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 23rd day of June 1992.

Donna M. Lambert
Register

(C)July23,30,Aug6
#10532

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Superior Court No. 92-1766
LEGAL NOTICE

To: **Iman Hardy and Wilhemina Hardy** and/or, any interested party, all parts unknown. Whereas a complaint has been begun against Eleven Thousand Five Hundred Twenty-Five Dollars ($11,525.00), hereinafter referred to as the "subject res", which you are the owner of, in Middlesex Superior Court, **40 Thorndike Street, Cambridge, Massachusetts,** within the county of Middlesex, wherein the Commonwealth, by and through Thomas F. Reilly, the duly elected District Attorney of Middlesex County, the plaintiff, alleges the following:

1. The subject res was seized from the home of Iman Hardy and Wilhemina Hardy in Cambridge, Massachusetts, on December 28, 1991.

2. The subject res is related to, and is evidence in, a pending criminal proceeding in Middlesex County against Iman Hardy and Wilhemina Hardy.

3. The Eleven Thousand Five Hundred Twenty-Five Dollars ($11,525.00) for which the COMMONwealth seeks forfeiture are monies, negotiable instruments, securities or things of value furnished or intended to be furnished by any person in exchange for controlled substance in violation of G.L. c. 94C, or are traceable to the exchange, things of value, monies, negotiable instruments, or securities used or intended to be used to facilitate any violation of G.L. c. 94C.

4. The subject res is now in the custody of the Cambridge Police Department.

The complaint and any and all exhibits, if there be any, may be inspected at the Middlesex Superior Court Clerk's Office, located at the above-mentioned address, or upon request made to counsel for the Plaintiff, Stephen C. Hoctor, Assistance District Attorney, Middlesex District Attorney's Office, whose address is located at the above-address, and whose telephone number is (617) 494-8500.

Answer to said complaint must be served upon plaintiff's attorney and filed with the court no later than thirty (30) days after the last day of publication of a notice. If no answer or defense is made by said date, the complaint may be adjudged, and order and judgement may be entered. Said notice shall be published in the Cambridge Chronicle on one day on two consecutive weeks, per order of the court, McHugh, J.

(C)July23,30
#845b

OFFICE OF THE SCHOOL COMMITTEE
456 Broadway
Cambridge, Massachusetts 02138

Sealed proposals will be received at the Office of the Manager of Procurement, 159 Thorndike Street, Cambridge, Massachusetts 02141, until August 13, 1992 at 11:00 A.M. at which time they will be publicly opened and read for:

Bibliographic Database for TRC Elementary Science
Music Equipment & Supplies

Specifications and forms of proposals will be available at the Office of the Manager of Procurement on and after Thursday July 30, 1992.

Attention is called to requirements for equal opportunity employment on part of vendors. The department encourages participation in this bid of minority and women owned businesses.

Mary Lou McGrath
Superintendent of Schools

(C)July30
#8659

Zoning Ord.
Urban Renewal Plan
CRA

9:15 Ordinance Committee

Present: A. Wolf, E. Cyr, W. Walsh, T. Tonney, M. Sullivan, F. Dudley, S. Russell, K. Reeves, J. McGee

Chair: A. Wolf

briefly decided

~~F. Dudley~~

Robt Healy

Amendments are minor amends but hv major importance

Joe Tulimieri
Exec Dir CRA

27 Hillsdale Rd
Arlington

Submitted written material (A)

Signs rel. important to allow level of consist. re: signs

David Barnett
Sr V.P. Boston Properties

Avail. to ans. questions
No presentation

F. Dueby - Can sign ord be changed instead of gen'l exempt

J. Tul. - My reading of sign ord means list of areas where we don't comply
- Corp signage on no. of diff faces

F. Dueby - Cld you submit your sign regulations

E. Cyr - Corp. signage cld be accomodated by change in 2 sections of the ord.

F. Dueby - Not sure I want to extend ~~Ex~~ Urb. Renewal Plan upon 15 yrs

J. T. - Extension of Urban Renewal Plan is unrelated to exist of CKA

Keep the plan in place to prevent changes in use

Developmt agents cld be impacted

Urban renewal plan is what keeps the public controls

30 yrs expires on Aug 30, 1995

F. Dueby - Do we hv to do it tonite

Rob't Healy - Several complexities that we don't have all the ans tonite

Not be a bad idea to keep everything together, but not imperative

We're looking at a long-range plan for development and there need to be the legal vehicle for that

~~[illegible]~~

F. Duehy Not prepared to vote on extension tonite

A. Wolf Agree.
Cld refer it out of committee separately

~~[illegible]~~
~~Urb. nite~~

F. Duehy Moves

1. Sect #4 in Amend #3 be ~~tabled~~ + removed from Urb. renewal plan ~~[illegible]~~ + remain in committee
VV/9-0

A. Wolf

Cld refer this matter to Aug 3 meeting at 2 or 3

F. Duehy moves approval adopt of Urb renewal plan as adopt recommended to Aug 3 mtg VV/9-0

E. Cyr
Proposed amend to Zoning
be forwarded to City Council w/ positive report
at Aug 3 mtg

Test. in Favor

1. Paul Casey B. ↗ Dir of RE
Comm Energy
Services Corp
spoke in favor
— V. supportive

Very much in favor any development
Hope that this Zoning process will

Test. in Opposition - None

Testimony Close

E. Cyr moved the question

~~VV~~ Roll call

Confirmation of CKA appointments

J. Myers - What criteria were used for selection

Rob Healy - Recommend ~~we~~ - A. Bell, K. Swan, M. Hayes

Put notices in newspaper

1 reappointment

7-8 applicants

Interviewed 5

3 weren't avail for interviews

J. Myers - What are the criteria for this Bd

R.H. - Integrity & Capacity to serve

These presented a balance

Gender, geography

S. Russell - Good job picking

Ea. bring something diff

T. Tommy - Congrat. CM's recommend.

K. Reeves - Total no?

R. H. 5 members.

4 CM, 1 SV

w/ Council approval

Still one vacancy

R.H. will present more info on CRA at 2:30 mtg on Aug 3

F. Duehy - ~~How~~ What are the options for combining our development depts

F Duehy CM's
Moves recommend be reported out of committee to City Council

VV/9-0

M to adjourn
C. Sullivan

VV/9-0

C. C. 106

Ordinance Committee

City of Cambridge

MASSACHUSETTS

In City Council 7/22/92 199

Zoning Ordinance Amendments

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay	✓				
Mr. Jonathan S. Myers	✓				
Mrs. Sheila T. Russell	✓				
Mr. Walter J. Sullivan	✓				
Mr. Timothy J. Toomey, Jr.	✓				
Mr. William H. Walsh	✓				
Ms. Alice K. Wolf	✓				
Mayor Kenneth E. Reeves	✓				

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

RECEIVED IN CITY CLERK'S OFFICE
1992 JUL 30 PM 2:3
CAMBRIDGE, MA.

Monday, August 3, 1992
4:00 p.m.

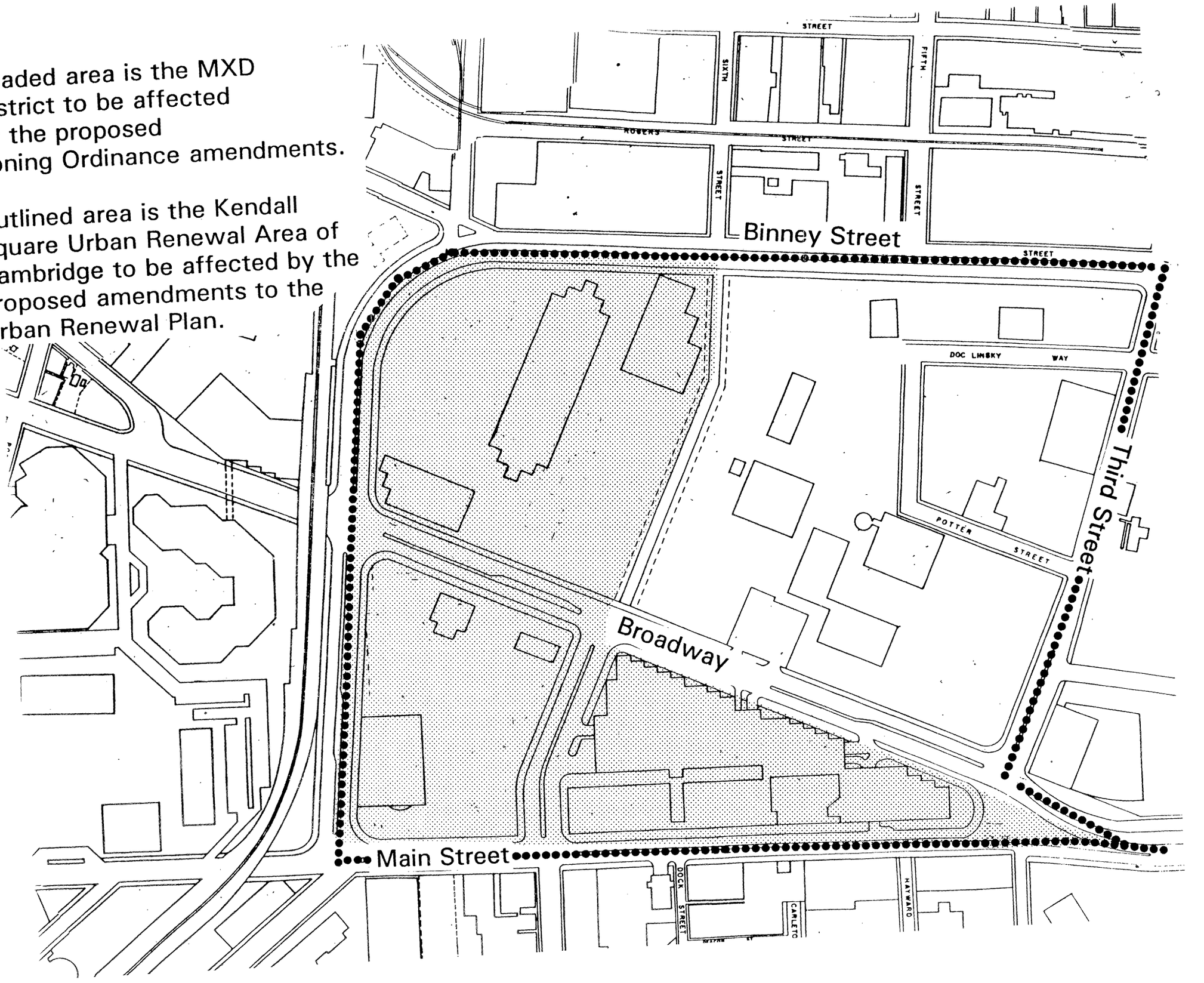
Sullivan Chamber
City Hall, 795 Massachusetts Avenue
Cambridge, Massachusetts

AGENDA

There will be a joint public hearing with the Cambridge City Council to discuss the application of Six Cambridge Center Associates Limited Partnership, c/o Boston Properties, Inc. for the authorization and approval of a Project under Massachusetts General Laws Chapter 121A in the Kendall Square Urban Renewal Area.

Shaded area is the MXD District to be affected by the proposed Zoning Ordinance amendments.

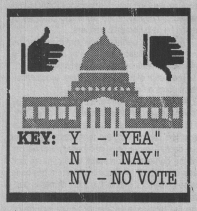
Outlined area is the Kendall Square Urban Renewal Area of Cambridge to be affected by the proposed amendments to the Urban Renewal Plan.



RECEIVED BY
OFFICE OF CITY CLERK
1992 JUN 25 PM 3:36
CAMBRIDGE MA.

BEACON HILL ROLL CALL

The House and Senate. "Beacon Hill Roll Call" records local senators' and representatives' votes on five roll calls from legislative sessions prior to the summer recess. There were no roll calls in the House and Senate last week.



INDOOR TRACK (H 5982)- House approved 129-5, Senate rejected 21-11 the bill providing for a $17 million indoor state track facility for high school students to be built at Roxbury Community College. Following its rejection, the Senate reconsidered that vote and without a roll call approved the bill and sent it to Governor Weld. Supporters said this replaces the previous plan to construct an overpriced $35 million facility at Northeastern University. They argued the $17 million plan is fiscally responsible and will help thousands of inner city students while boosting the economy and creating jobs. Opponents said the state simply cannot afford the track at this time. (A "Yea"' vote is for the $17 million track. A "Nay" vote is against it). SEE HOUSE VOTE #1; SENATE VOTE #1

The next four roll calls are on attempted legislative overrides of some of Governor Weld's vetoes of items in the fiscal 1993 state budget.

COLLEGE LOANS (H 5800)- House 149-0, Senate 35-0 overrode Governor Weld's veto of a higher education loan program. Override supporters said this utilizes $5 million to leverage $45 million in low interest loans for middle class students whose families are saddled with significant debt and are ineligible for other forms of assistance. Governor Weld said this duplicates a program recently approved by the U.S. Conqress and claimed a stats program is unnecessary. (A "Yea" vote is for the loan program. A "Nay" vote is against it). SEE HOUSE VOTE #2; SENATE VOTE #2

HOW THEY VOTED

LEGISLATORS	ROLL CALL NUMBER				
	1	2	3	4	5
Sen. Michael Barrett	Y	Y	Y	Y	Y
Sen. Robert Havern	Y	Y	Y	Y	Y
Sen. Michael LoPresti	Y	NV	NV	NV	NV
Rep. Charles Flaherty	Y	Y	Y	Y	Y
Rep. Alvin Thompson	Y	Y	Y	Y	Y
Rep. Peter Vellucci	Y	Y	Y	Y	Y

NURSING HOME BEDS (H 5800) - House 151-0 and 150-0, Senate 34-1 and 33-1, overrode Governor Weld's veto of two sections requiring the state to continue the policy of paying nursing homes to hold open beds for Medicaid subsidized nursing home patients who are temporarily admitted to hospitals. The first section applies to admission to acute care hospitals and the second to chronic care ones. Override supporters said those beds and rooms are "home" for these elderly residents and argued It is cruel ond insensitive for the Weld administration to be considering a plan which would result in elderly people worrying that their room or bed may not be available when they return. Opponents' said the section will cost $11 million and is unnecessary because of a decrease in nursing home occupancy rates combined with recent changes in federal law mandating that former residents be granted first priority for admission. (Both roll calls are listed. A; "Yea" vote is for the section' requiring the state to pay to hold open beds. A "Nay" vote is against the section). SEE HOUSE VOTE #3; HOUSE VOTE #4; SENATE VOTE #3; SENATE VOTE #4

REGISTRY OF MOTOR VEHICLES (H 5000) - House 147-0, Senate 26-7 overrode Governor Weld's veto of a section requiring a cost study before any implementation of a Weld adminisration plan to move the function of registering automobiles and other vehicles from the Registry of Motor Vehicles to private independent insurance companies. The section also requires approval of the study by the House and Senate Ways and Means committees. Override supporters said the plan has not been studied enough and noted the shift could increase the cost of registration to the consumer. They argued it could also hurt small insurance companies. Opponents said the Registry has already studied the proposal and is ready to implement a pilot program. They argued this program is part of a continuing effort to find innovative ways to increase efficiency and reduce costs by privatizlng some state functions. (A "Yea" vote is for the section requiring a study. A "Nay" vote is aginst the study). SEE HOUSE VOTE #5; SENATE VOTE #5

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QUEEN ANNE -
Built in 1910 & impeccably maintained is this 15 room house featuring oversized windows, double LR, lg fam rm, fabulous au pair suite w/private entrance and separate heated studio w/cath. ceiling. One of Watertown's finest near Oakley Country Club. $779,000

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10 rm attached Queen Anne single family. 7 bedrooms, 2 1/2 baths, 2700+/- Sq. ft. of living area. Lovely original detail, natural woodwork, fireplace, deep bays under the turret. An excellent buy into this neighborhood. $369,000



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MORTGAGEE'S FORECLOSURE AUCTION REF #92-315CC

CAMBRIDGE
3 MULTI-UNIT
APARTMENT BLDGS

INVESTMENT OPPORTUNITIES

TUESDAY, AUGUST 18, 1992 COMMENCING AT 1 PM
ON THE INDIVIDUAL PREMISES - CAMBRIDGE, MA

Offering **Individually** and in the **Entirety** three multi-unit apartment buildings.

PARCEL 4	PARCEL 2	PARCEL 1
33 Magazine St. & 28 William St.	45-49 River St. & 215-217 Auburn St.	53 Pearl St. 216-218 Franklin St. & 220-222 Franklin St.
REF #92-316 at 1 PM	REF #92-317 at 2 PM	REF #92-315 at 3 PM
20 APTS	18 APTS/1 RETAIL	15 APTS
4 - Three RM Units	2 - Three RM Units	4 - Five RM Units
8 - Four RM Units	16 - Four RM Units	11 - Six RM Units
8 - Five RM Units	1 Retail Unit	

TERMS: INDIVIDUALLY: $5,000.00 deposit per parcel. ENTIRETY: (ENTIRETY SALE TO BE HELD AT PARCEL 1) $15,000.00 deposit. All deposits in cash, treasur's or cert. check at the sale. Balances within 45 days. Other terms, if any, announced at the sale. Harrison & Maguire, P.C. Attys for the Mortg. 24 School St., Boston, MA. Middlesex Cnty (So. Dist.) Reg. of Deeds Bk 14404, Pg. 141. MA Lic. #111.

BROKER COMMISSION AVAILABLE - CALL FOR TERMS

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BOSTON, MA

call KAY FORTE to advertiise on the REAL ESTATE pages at 628-6200.

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Le Vaux Properties

171 Huron Avenue, Cambridge, MA 02138

Fine Homes Division

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Cambridge - Located in Avon Hill on Agassiz Street is this very inviting, dramatically renovated 11 room Queen Anne Victorian. It offers serene privacy, a new 3 story turret built as a family room or guest suite, a beautiful paneled living room with coffered ceiling and fireplace, large dining room, gourmet kitchen, luxury bath, stunning fireplaced library and substantial front and back yards with a detached garage. Exclusively offered at .....$ 860,000



Cambridge - Located on Brattle Street this grand Tudor was built for Shakespearean scholar George Pierce Baker in the 1890's and is appropriately Elizabethan in inspiration. There is a magnificient, fireplaced entry hall which sets the tone for this 6 bedroom residence. Fireplaced library, huge master suite with back to back fireplace, manicured yard and garage are among the many features. Exclusively offered at .....$ 895,000



Cambridge - Located in Avon Hill on Arlington Street is our new exclusive. A distinguished 1890's Colonial Revival on over 1/4 acre grassy, corner lot. Offering 17 exquisite rooms which have been meticulously restored to 1990's perfection, while maintaining the best in fine, original detail. An au-paire and potential rental allow for flexibility of use. The quality of this fine home is unsurpassed. Exclusively offered at .....$ 995,000



Cambridge - Located in the Harvard Square area on historic Berkeley Street is this handsome 1852 Bracketed Italianate Single offering a wonderful combination of elegance and a relaxed family ambience. There is a south facing fireplaced living room, fireplaced dining room, 4 bedrooms and a lush, private garden which includes a deck perfect for dining al fresco. Exclusively offered at .....$ 1,095,000

CITY OF CAMBRIDGE
Traffic and Parking

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation

REGULATION NO. 89-28

Regulation No. 66-1 Schedule 6D "Parking Prohibited At All Times On Certain Streets, Tow Away Zone (Handicapped Persons and Disabled Veterans) is hereby amended by adding the following:

Franklin Street, north side, 80 ft. west of Pleasant Street to 106' West of Pleasant Street.

Harding Street, east side, 22' south of Jefferson Street to 42' S of Jefferson Street.

Waterhouse Street, north side, 76' west of Garden St. to 96' west of Garden Street.

This regulation shall take effect August 19, 1992.

Promulgated Date: July 21, 1992

George Teso
Traffic Director

(C)July30,Aug6,13
#8500

COMMONWEALTH OF MASSACHUSETTS
Middlesex ss. Probate Court No. 92D-2672-D1
Elena Fisher Plaintiff
vs.
Donald Fisher Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Elena Fisher, seeking divorce.

You are required to serve upon Elena Fisher, plaintiff, whose address is 68 Norfolk Street, Cambridge, MA 02139 your answer on or before October 26, 1992. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.

July 31, 1992

Donna M. Lambert
Register of Probate

(C)Aug6,13,20
#8264

CITY OF CAMBRIDGE
TRAFFIC AND PARKING

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation

REGULATION NO. 92-29

Regulation No. 66-1 Schedule 7A "Parking Prohibited During Certain Hours on Certain Sides of Certain Streets, Tow Away Zone is hereby amended by striking out the following:

Norfolk Street, east side, 616 ft. N of Broadway to 656 ft. N of Broadway, 8A-4:30 P, Exc. Saturdays and Sundays.

This regulation shall take effect Aug. 24, 1992

George Teso
Traffic Director

Promulgated Date: July 23, 1992
(C)July 30,Aug6,13
#8476

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Joseph's Limousine Service, Inc., Joseph Albano, III, President,** 261 Mystic Avenue, Medford, Mass., 02155, has applied for a Jitney license in Cambridge on the following public streets: on Massachusetts Avenue between Alewife Brook Parkway and Memorial Drive; on Waterhouse Street between Massachusetts Avenue and Garden Street; on Garden Street between Massachusetts Avenue and Chauncy Street; on Concord Avenue between Garden Street and Chauncy Street; on Chauncy Street between Garden Street and Concord Avenue; on Peabody Street between Massachusetts Avenue and Cambridge Street Underpass; on Cambridge Street Underpass; on Broadway between Cambridge Street Underpass and Longfellow Bridge; on JFK Street between Brattle Street and Memorial Drive; on Brattle Street between JFK Street and University Road; on University Road between Mt. Auburn Street and Bennett Street; on Bennett Street between University Road and Eliot Street; on Eliot Street between Brattle Street and JFK Street; on Mt. Auburn Street between University Road and Massachusetts Avenue; on Bow Street between Massachusetts Avenue and DeWolfe Street; on DeWolfe Street between Massachusetts Avenue Memorial Drive; on Pleasant Street between Memorial Drive and the hotel; on Magazine Street between Memorial Drive and Granite Street; on Granite Street between Magazine Street and Brookline Street; on Brookline Street between Memorial Drive and Massachusetts Avenue; on Amesbury Street between Memorial Drive and Vassar Street; on Vassar Street between Amesbury Street and Main Street; open mid-Block Connector; on Main Street between Massachusetts Avenue and Longfellow Bridge; On Third Street and Broadway and Binney Street; on Binney Street between Third Street and Land Boulevard; on First Street between Land Boulevard and Binney Street.

The hearing on this application will be held on Tuesday evening, August 18, 1992 at 6:00 o'clock, in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, 2nd floor, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commissioner

(C)Aug13
#8755

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, August 27, 1992 which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge.

STREET & SIDEWALK INVENTORY PAINTING OF CROSSWALKS

See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for 'Designate Item' " and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Barbara L. Duffy
Purchasing Agent

(C)Aug13
#8735

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division
DOCKET NO.92P3481E
Estate of **Patricia Lewis**
Died on June 5, 1992
late of **Cambridge**
in the County of Middlesex

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Margot Greenwald of Rockville** in the County of Plymouth be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on August 27, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirtieth day of July in the year of our Lord one thousand nine hundred and ninety two.

Donna M.Lambert
Register of Probate

(C)Aug.13
#8732

CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL

The Board of Zoning Appeal will hold a Public Meeting, Thursday, August 27, 1992 in Room 200, City Hall, Cambridge, Massachusetts, the following cases will be heard:

7:00 P.M. CASE NO. 6526
820 Mass Avenue Office 3 Zone
Cambridge Family YMCA Affordable Housing Limited Partnership - Richard Foot, President
Variance: To construct addition to an existing single residence occupancy at the Cambridge YMCA.
Special Permit: To renovate the existing building.
Art. 5.000, Sec. 5.32 (Table of Dimensional Requirements). Art. 8.000, Sec. 8.22a (Non-Conforming Structure).

7:15 P.M. CASE NO. 6527
15 Watson Street Residence B Zone
Pamela Emerson
Variance: To construct addition to existing building.
Art. 8.000, Sec. 8.22e (Non-Conforming Building & Lot).

7:30 P.M. CASE NO. 6528
12-14 St. Mary Road Residence C-1 Zone
Margaret Graubard
Variance: To construct dormer with window.
Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

7:45 P.M. CASE NO. 6529
200 Alewife Brook Pkwy. Business C Zone
Toys "R" Us - James Matthews
Variance: To install three wall signs, two in front and one in the rear of building exceeding area and height limitation.
Art. 7.000, Sec. 7.16.22c (Sign Regulation).

8:00 P.M. CASE NO. 6530
331 Hurley Street Residence C-1 Zone
Mary Shinkwin & Anne Fitzpatrick
Variance: To construct two shed dormers one in front and the other in the rear of building.
Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:15 P.M. CASE NO. 6531
333 Hurley Street Residence C-1 Zone
Terry Shinkwin & James Ward
Variance: To construct two shed dormers, one in front and the other in the rear of building.
Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:30 P.M. CASE NO. 6532
1386-1388 Mass Avenue Business B Zone
David Chilinski, Architect - For Bill Guarente & Co., d/b/a Cafe Coffee
Special Permit: To operate a fast order food establishment at site of portion of the current Wursthaus Restaurant.
Art. 4.000, Sec. 4.35(0) (Use Regulations).
Art. 11.000, Sec. 11.30 (Fast Order Food Establishment).

8:45 P.M. CASE NOT. 6533
143 Columbia Street Residence C-1 Zone
Ronald Falcone
Variance: To use existing store for candy manufacturing or other commercial uses.
Art. 4.000, Sec. 4.37.B2 (Manufacturing). Sec. 4.35 A, B, C, D (Retail Establishment).
Sec. 4.34 (Office Use).

(C)Aug13,20
#8728

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Richard Valente** and **Elizabeth A. Valente,** of Arlington, Middlesex County, Massachusetts, to Duco Associates, Inc., of 1172 Beacon Street, Newton, Middlesex County, Massachusetts, 02161 which mortgage is dated April 14, 1989 and recorded with Middlesex South District Registry of Deeds in Book 19765, Page 430, of which mortgage the undersigned is the present holder for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at public auction of September 24, 1992 at 10:00 a.m. on the mortgaged premises Parcel One being located at **128 Oxford Street, Cambridge, Middlesex County, Massachusetts,** and on September 24, 1992, at 11:00 a.m. on the mortgaged premises Parcel Two being located **1008 Massachusetts Avenue, Arlington, Middlesex County, Massachusetts,** hereinafter referred to all and singular the premises described in said mortgage, to wit:

PARCEL NO. ONE

A certain parcel of land at 128 Oxford Street, being the southerly part of Lot 29 on a Plan of Frost Estate dated June, 1858, and recorded with Middlesex South District Deeds at the end of Book 830 and bounded and described as follows:

WESTERLY on Oxford Street, sixty-one feet;

SOUTHERLY on Lots 31, 32, 33 and 34 as shown on said plan, two hundred twenty-two (222) feet;

EASTERLY in part on land now or formerly of Stewart and in part on land now or formerly of Frost, sixty-five (65) feet; and

NORTHERLY on land now or formerly of Frost, being the remainder of said Lot 29, one hundred eighty (180) feet.

Any or all of said measurements are more or less, together with the buildings, outbuildings and garages on the premises.

For the Grantor's title see our deed from James J. Kelleher as Commissioner for the Middlesex Probate Court in Case No. 456880 under decree dated June 28, 1972, and by his warrant dated July 20, 1972, which deed is recorded at said Registry of Deeds in Book 12330, Page 574, and is dated November 16, 1972.

And a SECOND PARCEL at 1008 Mass. Avenue, Arlington, Middlesex County, Massachusetts, described as follows:

PARCEL NO. TWO

The land with the buildings thereon, situated in said Arlington, shown as Lot A on a Plan entitled "Sub-Division of Land in Arlington, Mass., W.H. Roby, Sur", dated May 1944 and duly recorded with Middlesex South District Deeds as Plan No. 174 of 1944, in Book 6764 End and according to said Plan, more particularly bounded and described as follows:

NORTHEASTERLY by Massachusetts Avenue, fifty-five and 2/10, (55.2) feet;

SOUTHEASTERLY by Walnut Street, one hundred one and 77/100, (101.77) feet;

SOUTHWESTERLY by a portion of Lot B on said Plan, forty and 4/10 (40.10) feet;

NORTHWESTERLY by said Lot B, thirty-seven and 66/100 (37.66) feet; and

NORTHWESTERLY by said Lot B, sixty and 24/100 (60.24) feet.

Containing, according to said plan, forty-nine hundred thirty (4930) square feet of land, more or less.

Subject to a taking by the Town of Arlington for the purpose of establishing a building line on Massachusetts Avenue, the record of which taking appears in said Deeds, Book 4740, Page 424.

For title reference see deed dated october 11, 1974 recorded in Book 12713, Page 198.

Said premises will be sold subject to any and all unpaid taxes, outstanding tax titles, municipal liens and assessments, if any such there be.

The premises are made up of two separate properties located in Cambridge and Arlington. They each will be sold separately, in the following order:

Parcel One: 128 Oxford Street, Cambridge, MA as described above, on Thursday, September 24, 1992, at 10:00 a.m. upon a portion of the mortgaged premises. The highest bidder will be required to deposit cash, bank treasurer's check or certified check in the amount of $25,000.00 with the auctioneer in order to qualify as a bidder. The balance of the purchase price to be paid in cash or certified check in 30 days thereafter at 10:00 o'clock a.m. at said Registry of Deeds in which said mortgage is recorded as aforesaid.

Parcel Two: 1008 Mass. Avenue, Arlington, MA as described above, on Thursday, September 24, 1992, at 11:00 a.m. upon a portion of the mortgaged premises. The highest bidder will be required to deposit cash, bank treasurer's check or certified check in the amount of $10,000.00 with the auctioneer in order to qualify as a bidder. Parcel No. 2 shall be conveyed subject to a first mortgage to Provident Institution for Savings in the City of Boston, dated October 31, 1980 which mortgage was in the original amount of $80,000.00. The balance of the purchase price to be paid in cash or certified check in 30 days thereafter at 11:00 o'clock at said Registry of Deeds in which said mortgage is recorded as aforesaid.

Other terms to be announced at the time and place of sale. Present holder of said mortgage is Duco Associates, Inc., Robert N. Brown, attorney for mortgagee, One Wells Avenue, Suite 503, Newton, MA 02159, (617) 965-1130.

(C)Aug13,20,27
#8714

INVITATION FOR BIDS

The Cambridge Housing Authority invites sealed bids for **Solid Waste Pickup and Disposal.** Services provided will include the rental and regular pick-up of compacted and uncompacted waste containers at approximately ten residential locations in the City of Cambridge. The term of the contract will be for a period of two years. The estimated value of the contract is $180,000.00.

Specifications and bidding documents will be available until the date and time set for bid opening. There is no charge for the documents which will be mailed on request or may be picked up at the Cambridge Housing Authority, Purchasing Department, 270 Green Street, Cambridge, MA 02139, (617) 864-3020, ext. 230.

Bids will be subject to approval and award by the Cambridge Housing Authority Board of Commissioners. Bids will be irrevocable for a period of 30 days from the date of bid opening.

The Cambridge Housing Authority reserves the right to reject any or all bids and to waive informalities.

Bids must be received at the offices of the Cambridge Housing Authority, 270 Green Street, Cambridge, MA 02139 no later than 2:30 p.m., August 27, 1992. At that time all bids will be publicly opened and read aloud.

(C)Aug13
#8752

INVITATION FOR BIDS

The Cambridge Housing Authority invites all interested parties to submit bids to **provide automobile insurance for the Authority's vehicle fleet for a period of one year.** The policy quoted will be based on the Authority's current fleet of 13 vehicles, although it is anticipated that during the policy period at least one new vehicle will be acquired.

Specifications outlining the desired coverage categories, limits, and deductibles may be obtained from the Cambridge Housing Authority, Purchasing Department, 270 Green Street, Cambridge, MA 02139, (617) 864-3020 ext. 230. There is no charge for the documents which will be mailed on request or may be picked up.

Bids will be subject to approval and award by the Cambridge Housing Authority Board of Commissioners. Bids will be irrevocable for a period of 30 days from the date of the bid opening.

The Cambridge Housing Authority reserves the right to reject any and all bids and to waive any informalities.

Bids must be received at the offices of the Cambridge Housing Authority, 270 Green Street, Cambridge, MA 02139 no later than 2:00 p.m. on August 27, 1992. At that time all bids will be publicly opened and read aloud.

(C)Aug13
#8727

FIRST PUBLICATION NO. 2600.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Ninety-Two
AN ORDINANCE

In amendment to an ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinances of the City of Cambridge is hereby amended as follows:

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

"(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4) above: Cumulative GFA = 1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck" -
"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

"The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby amended by adding to the list of meanings in Section 14.45.2, the following:

"(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

Passed to a second reading at the City Council meeting of August 3, 1992 and on or after August 24, 1992 the question comes on passing to be ordained.

Attest: - D. Margaret Drury
Temporary City Clerk

(C)Aug.13
#8746

FIRST PUBLICATION NO. 2598
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Ninety-Two
AN ORDINANCE

In amendment to an ordinance entitled "The Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title Two of the Municipal Code entitled "Administration and Personnel" is hereby amended by adding a new Chapter 2.119 entitled "Domestic Partnerships" which reads as follows:

CHAPTER 2.119
DOMESTIC PARTNERSHIPS

Sections:
2.119.010 Recognition and Scope.
2.119.020 Definitions.
2.119.030 Registration and Termination.
2.119.040 City Clerk - Fees.
2.119.050 City Clerk - Records
2.119.060 Rights of Domestic Partners.
2.119.070 Employment Benefits.
2.119.080 Limitation of Liabilities
2.119.090 Reciprocity.
2.119.100 Retaliation.
2.119.110 Severability.
2.119.120 Forms.
2.119.130 Effect on Other Sections of Code.

2.119.010 Recognition and Scope.

A. The City Council recognizes the diverse composition of its citizenry and values its people. The City Council acknowledges that the people's lives have evolved from when laws governing family relationships were enacted. Perpetuation of the traditional definitions of "family" excludes a significant segment of the Cambridge population, deprives them of recognition and validation, and denies certain rights that should be afforded to persons who share their homes, their hearts, and their lives. The City, recognizing its commitment to nondiscrimination and fair treatment of its citizens and employees, hereby adopts this ordinance acknowledging domestic partnerships.

B. The ordinance allows persons in committed relationships who meet the criteria established by the City as constituting domestic partnerships to register at the office of the City Clerk and obtain a certificate attesting to their status. The ordinance recognizes certain rights of access for domestic partners. This ordinance, in conformance with the Human Rights Ordinance, which bars discrimination on the basis of sexual orientation, marital status, and family status, also equalizes the treatment of City employees.

2.119.020 Definitions.

As used in this chapter:

a. "Domestic Partnership" means the entity formed by two persons who meet the following criteria and jointly file a registration statement proclaiming that:

a. They are in a relationship of mutual support, caring and commitment and intend to remain in such a relationship; and

b. They reside together; and

c. They are not married; and

d. They are not related by blood closer than would bar marriage in the Commonwealth of Massachusetts; and

e. They are each other's sole domestic partner; and

f. They are competent to contract; and

g. They consider themselves to be a family.

2. "Mutual support" means that the domestic partners each contribute in some fashion, not necessarily equally or financially, to the maintenance and support of the domestic partnership.

3. "Reside together" means living together in a common household. A partner may be temporarily absent from the common household, so long as she or he has the intent to return. A partner may own or maintain an additional residence.

4. "Competent to contract" means 18 years of age or older, and mentally competent to contract.

5. The existence of a "family" relationship may be shown by the manner in which the people live their daily lives; how they hold their relationship out to the world; their emotional and financial commitment; their reliance on each other for daily family services; the longevity and exclusivity of their relationship; and any other factors which may be relevant.

6. "Domestic Partner" means a person who meets the criteria set out in 2.119.020.1 or who is registered as such in another jurisdiction.

7. "Dependent" means a minor who lives within the household of a domestic partnership and is:

a. A biological child, adopted child, or foster child of a domestic partner; or

b. A dependent as defined under IRS regulations; or

c. A ward of a domestic partner as determined in a guardianship proceeding.

2.119.030 Registration and Termination

A. Persons who meet the criteria set out in 2.119.020.1 may make an official record of their domestic partnership by filing a Domestic Partnership Registration form with the City Clerk. The Domestic Partnership Registration shall include the name and date of birth of each of the domestic partners, the address of their common household, and the names and dates of birth of any dependents of the domestic partnership, and shall be signed, under the pains and penalties of perjury, by both domestic partners.

B. Domestic partners may amend the Domestic Partnership Registration to add or delete dependents or change the household address. Amendments to the Domestic Partnership Registration shall be signed, under the pains and penalties of perjury, by both domestic partners.

C. A domestic partnership is terminated by the death of a domestic partner or by the filing of a termination statement by a domestic partner.

1. The death of a domestic partner automatically terminates a domestic partnership.

2. A domestic partnership may be terminated by a domestic partner who files with the City Clerk, by hand or by certified mail, a termination statement. The person filing the termination statement must declare under pains and penalties of perjury that the domestic partnership is terminated and that a copy of the termination statement has been mailed by certified mail to the other domestic partner at his or her last known address. The person filing the termination statement must include on such statement the address to which the copy was mailed.

D. The termination of a domestic partnership shall be effective immediately upon the death of a domestic partner. The voluntary termination of a domestic partnership by a partner shall be effective seven (7) days after the receipt of a termination statement by the City Clerk. Prior to becoming effective, the person who filed the termination statement may withdraw the termination statement in person at the office of the City Clerk. If the termination statement is withdrawn, the domestic partner shall give notice of the withdrawal, by certified mail, to the other domestic partner.

E. If a domestic partnership is terminated by the death of a domestic partner, there shall be no required waiting period prior to filing another domestic partnership. If a domestic partnership is terminated by one or both domestic partners, neither domestic partner may file another domestic partnership until six months have elapsed.

2.119.040 City Clerk - Fees

A. The City Clerk shall collect a reasonable fee for filing a domestic partnership registration. The initial amount for this fee shall be $10.00, and it shall be adjusted as necessary to remain consistent with the fee for an application for a marriage license.

B. The City Clerk shall collect a fee of $4.00 for certified copies of domestic partnership documents, other than the copy of the Certificate of Domestic Partnership issued by the City Clerk to the domestic partners, as provided for in 2.119.050.

2.119.050 City Clerk - Records.

A. Upon receipt of a domestic partnership registration and filing fee, the City Clerk shall issue a Certificate of Domestic Partnership and shall mail to the household of the domestic partnership one certified copy of the certificate and two wallet-sized cards indicating the existence of the domestic partnership, the names of the domestic partners, and the names of the dependents of the domestic partnership, if any.

B. The City Clerk shall maintain records of domestic partnerships registered in the City, including forms filed and certificates issued. The City Clerk shall provide forms to persons requesting them in accordance with 2.119.120.

C. The City Clerk shall allow public access to domestic partnership records to the same extent and in the same manner as marriage licenses.

2.119.060 Rights of Domestic Partners

Persons who have registered their domestic partnership at the office of the City Clerk pursuant to 2.119.030 are entitled to the following rights:

1. a. A domestic partner shall have the same visitation rights as a spouse or parent of a patient at the Cambridge City Hospital and all other health care facilities in the City. A dependent shall have the same visitation rights as a patient's child.

b. The term "health care facilities" includes, but is not limited to, hospitals, convalescent facilities, mental health care facilities, and other short and long term care facilities.

2. a. A domestic partner shall have the same visitation rights at all correctional facilities in Cambridge as a spouse or parent of a person in custody. A dependent shall have the same visitation rights afforded to the child of a person in custody.

b. The term "correctional facilities" includes, but is not limited to, holding cells, jails, and juvenile correction centers.

3. a. A domestic partner, who is also the parent or legal guardian of a child, may file a form at or send a letter to the child's school or indicate that the parent's domestic partner shall have access to the child's records, access to school personnel in matters concerning the child, and access to the child, including the right to remove such child from the school during school or family emergency. The school shall afford such person access as directed by the child's parent.

b. When a domestic partnership is terminated pursuant to 2.119.030, it is the responsibility of the parent or guardian to notify the school, in writing, of the termination of rights of the former domestic partner.

c. The term "school" includes, but is not limited to, high schools, vocational schools, junior high and middle schools, elementary schools, preschool programs, after-school programs, and day care programs.

2.119.070 Employment Benefits

A. The City and School Department shall provide the same health and other employment fringe benefits to employees with domestic partners as to employees with spouses. As used in this chapter, "employees" refers to active and retired employees of the City of Cambridge and the Cambridge School Department eligible for benefits pursuant to state or municipal law, employment policies, or collective bargaining agreements.

B. Employees must file a Declaration of Domestic Partnership, signed under the pains and penalties of perjury, with their department administrator or Department of Personnel of the City of School Department, as appropriate, in order to obtain benefits under this Ordinance. On such declaration, employees shall agree to promptly notify the City or School Department, as appropriate, of any change in the status or their domestic partnership. There shall be no fee for such declaration. Employees shall not be obligated to file a Domestic Partnership Registration form with the City Clerk.

C. The City and School Department shall provide medical insurance coverage to an employee's domestic partner as it does to an employee's spouse, and to dependent(ren) of an employee's domestic partnership as it does to an employee's child(ren). An employee may opt to decline medical insurance coverage for her or his domestic partner, without foregoing the right to obtain medical insurance coverage for her or his domestic partner at a later date.

D. Upon termination of a domestic partnership by an employee, the domestic partner shall be covered by medical insurance for a period of sixty (60) days following the termination of the domestic partnership. If the employee leaves employment with the City or School Department prior to the expiration of the sixty days, the medical insurance shall lapse on the date that the former employee's insurance lapses.

E. Upon termination of a domestic partnership by the death of an employee, the surviving domestic partner's medical insurance coverage shall lapse as it would for the spouse of a married employee, upon the death of such employee.

F. Employees shall be granted a leave of absence, with pay, for the death of a domestic partner or family member of a domestic partner to the same extent as for a spouse or family member of a spouse. Use of the term "in-law" in employee handbooks shall include the relatives of a domestic partner.

G. Employees shall be granted sick leave to care for a domestic partner to the same extent permitted to care for a spouse, and to care for a dependent of a domestic partnership to the same extent permitted to care for a child.

H. Employees shall be entitled to take parental leave to take care of a child born to their domestic partner or a newly adopted child to the same extent as a married person.

2.119.080 Limitation of Liabilities.

A. Nothing in this ordinance shall be interpreted to contravene the general laws of the commonwealth.

B. Nothing contained in this chapter shall be construed to impose liability upon a domestic partner for the health or medical expenses of his or her domestic partner, with the sole exception of the medical insurance contributions assumed by a City or School Department employee who is a member of a domestic partnership.

C. Nothing in this chapter shall be construed to create additional legal liabilities greater than those already existing under law or to crate new private causes of action.

2.119.090 Reciprocity.

All rights, privileges and benefits extended to domestic partnerships registered pursuant to this ordinance shall also be extended to domestic partnerships registered pursuant to similar laws in other jurisdictions.

2.119.100 Retaliation.

No person shall discriminate or retaliate against a person who seeks the benefit of this chapter, registers or makes a declaration pursuant to its provisions, or assists another person in obtaining the benefits of this chapter. Any person who so discriminates or retaliates shall be penalized in accordance with the provisions of the Cambridge Human Rights Ordinance, Cambridge Code Chapter 2.76.

2.119.110 Severability.

The provisions of this chapter are severable. If any of its provisions are held invalid by a court of competent jurisdiction, all other provisions shall continue in full force and effect.

2.119.120 Forms.

A. The City Clerk shall distribute copies of the following forms to those persons who request them:

1. Domestic Partnership Registration
2. Domestic Partnership Information Sheet
3. Termination of Domestic Partnership
4. School Authorization Form

B. The Departments of Personnel shall distribute copies of the following forms to those persons who request them:

1. Declaration of Domestic Partnership
2. Amendment to Declaration of Domestic Partnership

C. The School Department shall distribute copies of the following forms to persons who request them:

1. School Authorization Form
2. Revocation of School Authorization Form

D. The City Clerk, the Department of Personnel, School Department, and all other affected City agencies, offices, and departments shall provide and distribute any other relevant forms that are or become necessary.

2.119.130 Effect on Other Sections of Code.

When the term "spouse" is used in other City ordinances, it shall be interpreted to include a domestic partnership.

Passed to a second reading at the City Council meeting held on August 3, 1992 and on or after August 24, 1992 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
Temporary City Clerk

(C)Aug13
#8748

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0491-T1

To the alleged father of parts unknown represented to be the parent of **Baby Girl Jackson,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the 3rd day of November 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 28th day of July 1992.

Donna M. Lambert
Register

(C)Aug13,20,27
#8761

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0447-T1

To the alleged father of parts unknown represented to be the father of **Baby Boy Coburn,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fifth day of October 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this twentieth day of July 1992.

Donna M. Lambert
Register

(C)Aug.13,20,27
#8765

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0444-T1

To the alleged father of parts unknown represented to be the father of **Baby Girl Small,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fifth day of October 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this twentieth day of July 1992.

Donna M. Lambert
Register

(C)Aug.13,20,27
#8764

EATS

The scene takes the cake at the Border Cafe

By GEORGE DONNELLY
Bay State Weeklies staff

Groups of patrons sang "Happy Birthday" at least three times during my most recent meal at the Border Cafe. Given the throngs that pass through the Border, it's statistically inevitable that more than a few celebrations occur there on a given night.

The Border Cafe is overpopulated for a few reasons, most obviously because it is near the heart of Harvard Square. Its low prices are also a strong draw, and the Margaritas are pretty good. The crowds and the noise make for a jubilant scene for non-claustrophobic types.

But the restaurant's Mexican and Cajun cuisine is hardly distinctive, although the quality and preparation of the food has improved over the last few years. A wait for a table can often be over an hour. Last Saturday, my wife and I were told it would be 70-80 minutes for a table. As it turned out, it was a full 90 before we were seated. I doubt there are many places in the country that can make someone wait an hour and a half for a so-so fajita.

We were on a fact-finding mission, and I managed not to start twitching when told about the wait. Instead we found some standing room in the bar area, where we started drinking Margaritas and took in the scene. Even in August, with most students away for the summer, the Border Cafe generates an unpretentious, collegiate, high-energy atmosphere. You don't have to worry much about other people hearing your conversations. The bar area, which is two steps above the large first-floor dining room, overflows with people just happy to have a drink in their hands.

Those who don't want to pretend they're undergraduates can spend their waiting-for-a-table time outside in Harvard Square. We got tired of Margaritas and strolled around for a while, yet still had to wait when we returned. Unless you're really crazy about the Harvard Square entertainment scene, a 90-minute wait is prohibitive.

We still had our appetites when we were seated, and it's a good thing too, for the Border Cafe's menu is stocked with options. There is a slew of Mexican standbys at low prices, including two soft tacos for $4.45 and two cheese enchiladas for $4.79.

The Border Cafe also has a strong Cajun accent, serving an assortment of blackened fish and chicken and other dishes, such as Catfish New Orleans. I didn't see an entree priced over $10.99.

We tried the blackened treatment with an appetizer, the blackened chicken fingers ($4.79). The chicken was fresh and moist, seared with the dark spices but still a little greasy on the outside. The black crust was startlingly hot at first, but quickly subsided, especially with the help of the marmalade sauce that comes with the fingers.

The Border Cafe plays up its mesquite-grilled Fajitas, which come in many variations of beef, chicken, shrimp and fish. I tried the Cadillac Fajitas ($9.89), advertised as having filet mignon-quality meat. Unfortunately, the meat came out on its sizzling platter a little overdone and burnt in places, which made it harder to assess its quality. But the fixings that came with it — including the grilled onions, lettuce and guacamole — were very fresh, as were the flour tortillas.

We had slightly better luck with the chicken enchiladas ($4.95), corn tortillas filled with shredded, marinated chicken breast and covered with melted cheese. You get a lot of food for the price, including rice and black beans, but there is nothing special about the presentation. Only Border Cafe's emphasis on fresh ingredients kept the dish from falling into the realm of mediocrity.

Despite its enormous volume, the Border Cafe is well managed. We received competent, friendly service in every phase of our stay, even when we waited to put our name in for a table.

The restaurant was still buzzing with activity when we left late in the evening. The Border Cafe may be Harvard Square's answer to the Hard Rock Cafe phenomenon, a place whose success is beyond reason.

Border Cafe
32 Church St.

Tel. 864-6100
Dinner hours: 11 am-11:30, Sunday-Thursday; dinner is available until midnight on Fridays and Saturdays.
Credit cards: Visa, Mastercard, American Express
Handicapped access: yes

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COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 180624

To **Philip Bard and Andrew Bard, John A. Bard** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

William P. Bowen claiming to be the holder of a mortgage covering real property in **Cambridge, Massachusetts 45 Cedar Street** given by Edna Bard to William P. Bowen dated May 2, 1977 recorded at Middlesex (Southern District) Registry of Deeds, Book 13181, Page 591, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 14th day of September 1992 or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 30th day of July 1992.

Charles W. Trombly, Jr.
Recorder

(C)Aug.13
#8731

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0451-T1

To the alleged father of parts unknown represented to be the father of **Isabelle Santana Saenz,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fifth day of October 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this twentieth day of July 1992.

Donna M. Lambert
Register

(C)Aug.13,20,27
#8701

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 182406

To **Yoshio Uda and Junkei Saeki,** Trustees of The Keishin Trust under a declaration of trust dated July 1, 1988, recorded Middlesex South District Registry of Deeds, Book 19171 Page 143 and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

First Trade Union Savings Bank, FSB claiming to be the holder of a mortgage covering real property in **Cambridge, Middlesex County, Massachusetts, 1154-1166 Massachusetts Avenue** given by Yoshio Uda and Junkei Saeki Trustees of The Keishin Trust u/d/t dated July 1, 1988, recorded Middlesex South District Registry of Deeds, Book 19171, Page 143 to First Trade Union Savings Bank, dated July 1, 1988 recorded Middlesex South District Registry of Deeds Book 19171 Page 158 has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 21st day of September 1992, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 6th day of August 1992.

Charles W. Trombly, Jr.
Recorder

(C)Aug.13
#12801

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 178344

To **Gabriel Melo; Maria S. Melo** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

BayBank, a Massachusetts trust company, formerly BayBank Middlesex claiming to be the holder of a mortgage covering real property in **Cambridge, at 1158 Cambridge Street** given by Gabriel Melo and Maria S. Melo to BayBank Middlesex, dated January 15, 1986, recorded with the Middlesex County (Southern District) Registry of Deeds at Book 16719, Page 546, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 14th day of September 1992, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 6th day of August 1992.

Charles W. Trombly, Jr.
Recorder

(C)Aug.13
#8736

ORDINANCE NO. 1141.
Final publication number 2595.
First publication in the Chronicle on October 24, 1991.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Ninety-Two
AN ORDINANCE

In amendment to an ordinance entitled "The Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

That Title Eight entitled "Health and Safety" of the Cambridge Municipal Code is hereby amended by adding thereto the following new Chapter 8.60 entitled "Enforcement of the State Sanitary Code."

In City Council August 3, 1992.

Passed to be ordained as amended by a yea and nay vote: - Yeas 5; Nays 3; Absent 0. Present 1.

Attest: - D. Margaret Drury
Temporary City Clerk

Note: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Municipal Ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

Attest: - D. Margaret Drury
Temporary City Clerk

(C)Aug.13
#8750

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 92P3658E

Estate of **Donald J. Erwin**
also known as **Donald James Erwin**
died March 24, 1991
late of **Cambridge**
in the County of **Middlesex**

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Maureen F. Erwin** of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on September 2, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the fifth day of August in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)Aug.13
#12805

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 182200

To **Christopher M. Butler** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

Lomas Mortgage USA, Inc. claiming to be the holder of a mortgage covering real property in **Cambridge, MA numbered: 6 Fort Washington Road** given by Christopher M. Butler to ComFed Savings Bank dated November 6, 1986, recorded at Middlesex County Southern District Registry of Deeds Book 17562, Page 138, now held by plaintiff by assignment, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 14th day of September 1992, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 3rd day of August 1992.

Charles W. Trombly, Jr.
Recorder

(C)Aug.13
#8161

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
ADMINISTRATION WITH SURETIES
Middlesex Division Docket No. 92P3341A

Estate of **Helen A. Chester**
also known as **Helen Chester**
died July 15, 1977
late of **Cambridge**
in the County of **Middlesex**

NOTICE

A petition has been presented in the above-captioned matter praying that **Joan C. Wilson** of West Redding in the State of Connecticut or some other suitable person be appointed administrator of the estate of said deceased.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on September 9, 1992.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirty-first day of July in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)Aug.13
#8717

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0450-T1

To the alleged father of parts unknown represented to be the father of **Baby Girl Harrison,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fifth day of October 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this twentieth day of July 1992.

Donna M. Lambert
Register

(C)Aug.13,20,27
#8759

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 92P3614E

Estate of **Judith Belle Hothan**
also known as **Judith Hothan Riley**
died June 30, 1992
late of **Cambridge**
in the County of **Middlesex**

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Effie Shumaker** of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on August 31, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16, and it is further ordered that notice be given to the Attorney General of said Commonwealth by delivering or by mailing postpaid a copy thereof to him fourteen days at least before the return day.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the third day of August in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)Aug.13
#12807

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(Seal) Case No. 182268

To **James Elia; Margaret Elia** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended:

BayBank, a Massachusetts trust company, formerly BayBank Middlesex claiming to be the holder of a mortgage covering real property in **Cambridge, at Unit A-8, Richdale Terraces Condominium, 202 Richdale Avenue** given by James Elia and Margaret Elia to BayBank Middlesex, dated October 25, 1988, recorded with the Middlesex County (Southern District) Registry of Deeds at Book 19426, Page 101, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 21st day of September 1992, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 4th day of August 1992.

Charles W. Trombly, Jr.
Recorder

(C)Aug.13
#8160

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Hien T. Nguyen** d/b/a **Goosebeary** has applied for a peddler's license (Mobile truck). Route will be: along Vassar Street (MIT's Fairchild Bldg), Main Street (Technology Square & Draper Labs) and Ames Street (Weisner Bldg & Horace Sayford Bldg). Monday thru Friday between 11:30 a.m. to 2:00 p.m.

The hearing on this application will be held on Tuesday evening, August 18, 1992, at 6:00 o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)Aug.13
#8756

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0452-T1

To the alleged father of parts unknown represented to be the father of **Nathan S. Kelleher,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fifth day of October 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this twentieth day of July 1992.

Donna M. Lambert
Register

(C)Aug.13,20,27
#8758

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0443-T1

To the alleged father of parts unknown represented to be the father of **Ruth Sejnoha,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fifth day of October 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this twentieth day of July 1992.

Donna M. Lambert
Register

(C)Aug.13,20,27
#8762

ORDINANCE NO. 1142.
Final publication number 2596.
First publication in the Chronicle on June 4, 1992.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Ninety-Two
AN ORDINANCE

In amendment to an ordinance entitled "The Cambridge Municipal Code."

Be it ordained by the City Council of the City of Cambridge as follows:

Section 12.16.170 entitled "Street Performers" of the Municipal Code is hereby amended as follows:

That Paragraph E. entitled "Permitted Performances, subparagraph 3. is amended to read as follows:

3 (a) No performer or group of performers may generate noise exceeding a median sound level of 80 decibels measured at a distance of 25 feet from the performer or group of performers. A performer or group of performers may use sound amplification as long as this sound level is not exceeded. Upon a complaint by a resident, a designated staff person from the Cambridge Arts Council shall, with the permission of the resident, measure the sound level inside the residential dwelling. If the sound level exceeds a median sound level of 50 decibels, and exceeds the background noise by at least 10 dB (A), the performer or group of performers causing the excessive sound level shall either turn down the music or move to a distance from the residence so as to reduce the sound level within these limitations. Background noise for this purpose shall mean L90.

3 (b) Drums shall be inaudible at a distance of 150 feet.

In City Council August 3, 1992.

Passed to be ordained as amended by a yea and nay vote: - Yeas 5; Nays 3; Absent 0; Present 1.

Attest: - D. Margaret Drury
Temporary City Clerk

(C)Aug.13
#8749

FIRST PUBLICATION NO. 2597.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Ninety-Two
AN ORDINANCE

In amendment to an ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That the Zoning Ordinances of the City of Cambridge are hereby amended in Section 11.30 entitled "Fast Order Food Establishments" and in Article 2.000 entitled "Definitions" which reads as follows:

11.30 Fast Order Food Establishments

11.31 (revised) In considering applications for special permits for Fast Order Food Establishments and Automobile Oriented Fast Order Food Establishments, the Board of Zoning Appeal shall give consideration, in addition to the other criteria specified in Section 10.40, to the following criteria:

(a) The operation of the establishment shall not (i) increase motor vehicle traffic in the area, (ii) reduce available parking, or (iii) threaten the public safety in the streets and sidewalks;

(b) The physical design, including color and use of materials, of the establishment shall be compatible with and sensitive to the visual and physical characteristics of other buildings, public spaces and uses in the particular location;

(c) The establishment fulfills a need for such a service in the neighborhood or in the city;

(d) The establishment will attract patrons primarily from walk-in trade as opposed to drive-in or automobile related trade;

(e) The establishment shall, to the greatest extent feasible, utilize biodegradable materials in packaging the food and in the utensils and other items provided for the consumption thereof;

(f) The establishment shall provide convenient, suitable and well-marked waste receptacles to encourage patrons properly to dispose of all packaging materials, utensils and other items provided with the sale of food; and

(g) The established complies with all State and local requirements applicable to ingress, egress, and use of all facilities on the premises for handicapped and disabled persons.

11.32 - same as current zoning

11.32.1 - same as current zoning

11.32.2 - same as current zoning

11.32.3 A special permit issued for a fast order food establishment hereunder may be utilized only by the owner or operator of such establishment as described in the application document, and any successor owner or operators of that establishment. No rights under such special permit may be transferred, assigned or otherwise conveyed to the owner or operator of a different fast order food establishment, regardless of where it is located.

Article 2.000 - Definitions (revised)

Fast Order Food. Food which is (a) cooked on the premises or maintained thereon in a heated condition, (b) primarily intended for immediate consumption rather than for use as an ingredient in or component of meals, (c) available upon a short waiting time, and (d) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold.

Fast Order Food Establishment. An operation in a building, including all adjoining and contiguous areas in the same building, used for the primary purpose of offering for sale to the public Fast Order Food for consumption on or off the premises, which operation does not meet all of the following conditions: (1) provision of non-disposable plates, cups and utensils to all patrons, (2) availability to printed individual menus for all patrons, (3) provision of at least seventy-five (75) percent of the seating in the premises at free standing tables, rather than at counters, and (4) at least eighty (80) percent of the revenues from food sales is attributable to food consumed on the premises.

Passed to a second reading as amended at the City Council meeting held on August 3, 1992 and on or after August 24, 1992 the question comes on passing to be ordained.

Attest: - D. Margaret Drury
Temporary City Clerk

(C)Aug.13
#8745

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. **Probate Court**
Case No. 92A0445-T1

To the alleged father of parts unknown represented to be the father of **Baby Girl Clntron,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the fifth day of October 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this twentieth day of July 1992.

Donna M. Lambert
Register

(C)Aug.13,20,27
#8763

FIRST PUBLICATION NO. 2599.
CITY OF CAMBRIDGE
Proposed Amendment to Kendall Square Urban Renewal Plan

Whereas: Cambridge Redevelopment Authority desires to modify, as hereinafter set forth, certain provisions of the urban renewal plan known as the Urban Renewal Plan, Kendall Square Urban Renewal Area, Project No. Mass R-107," as heretofore amended; now therefore be it

Resolved: That said Plan is hereby further modified as follows:

1. Section 402(a) of the Plan is hereby amended by deleting the seventh paragraph thereof and by substituting in lieu thereof the following:

"Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations: Cumulative GFA = 973,000 s.f. for buildings which are located or are being constructed or may be constructed at any location within the MXD District, plus an additional 500,000 s.f. for buildings which may be constructed within the MXD District north of Broadway."

Nothing herein shall affect or increase the maximum aggregate GFA stated in the first paragraph of said Section 402(a) of the Plan.

2. Section 403 of the Plan is hereby amended by (a) deleting the fifth and sixth lines on pages 22-35 and substituting therefor the following:

"The pedestrian ways listed in Exhibit E shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

and (b) by adding a new paragraph at the end thereof to read as follows:

(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width and is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise shall provide seating facilities, and shall be landscaped with appropriated materials which shall include plantings.

3. Exhibit E to Section 403 of the Plan is hereby amended by adding the following at the end thereof:

"Roof-Top Pedestrian Deck"

50 sq. ft. or 2.5 sq. ft. for each sq. ft. of total area provided, whichever is greater"

4. Section 803 of the Plan is hereby amended by revising the reference in the second line thereof from "thirty (30) years" to "forty-five (45) years."

Passed to a second reading as amended at the City Council meeting held on August 3, 1992 and on or after August 24, 1992 the questions comes on adoption.

Attest: - D. Margaret Drury
Temporary City Clerk

(C)Aug.13
#8747

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. **Probate Court**
Case No. 92A0490-T1

To the alleged father of parts unknown represented to be the parent of **Baby Boy Eads,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23. A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the 3rd day of November 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 28th day of July 1992.

Donna M. Lambert
Register

(C)Aug.13,20,27
#8760

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division **Docket No. 91P2958E**
Estate of **Alice I. Fitzgerald**
also known as **Alice Irene Fitzgerald**
died April 20, 1992
late of **Cambridge**
in the County of **Middlesex**
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Alice I. Fitzgerald** of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on August 31, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court at Cambridge, the third day of August in the year of our Lord one thousand nine hundred and ninety-two.

Donna M. Lambert
Register of Probate

(C)Aug.13
#12798

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1992 AUG -5 PM 12: 19
CAMBRIDGE MA.

August 5, 1992

BY HAND

Ms. Margaret Drury, City Clerk
City Clerk's Office
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Request for Public Records under
Fair Information Practices Act, M.G.L. c. 66

Dear Ms. Drury:

This is a request pursuant to the Fair Information Practices Act, Massachusetts General Laws, Chapter 66, Section 10. During a telephone conversation on August 4, 1992, your office informed my colleague James Crowley, Esquire, that all such requests relating to information and records held by the City of Cambridge, relating to the Cambridge City Council, should be directed to you.

For the purposes of this request and in the interest of clarity, I will set forth a number of defined terms. Any reference to Boston Properties, unless otherwise specified, will include the entities Cambridge Center Associates, Six Cambridge Center Associates Limited Partnership, and any directors, employees, agents, attorneys, and anyone else purporting to act on behalf of Boston Properties. Similarly, any references to the Cambridge Redevelopment Authority ("CRA"), unless otherwise specified, will include the officers, directors, employees, agents, attorneys, and any other persons purporting to act on behalf of the CRA.

In accordance with the Fair Information Practices Act, please provide the following documents:

1. A full and complete copy of the document, issued by the law firm of Palmer and Dodge, opining on the appropriateness of the proposed extension of the Kendall Square Urban Renewal District's 121B designation beyond the year 1995 and the propriety of a 121A designation for the Cambridge Center Project.

2. Minutes, tapes, videotapes, transcriptions or other memorializations of hearings and meetings held by the Cambridge City Council from the period January 1, 1990 to the present date, including, but not limited to, a hearing held on July 22, 1991, regarding the proposed extension of the Kendall Square Urban Renewal Plan.

3. From the period January 1, 1990 to the present date, any minutes, tapes, videotapes, transcriptions, or other memorializations of the City Council discussing, or mentioning, Lotus Development Corporation, Boston Properties or Six Cambridge Center.

4. From the period January 1, 1990 to the present date, any minutes, tapes, videotapes, transcriptions or other memorializations relating to public hearings held by the City Council regarding proposed zoning changes affecting any property within the Kendall Square Urban Renewal Area.

5. Any minutes, letters, documents, memoranda, transcriptions or other memorializations of communication, dated after January 1, 1990, between the Cambridge City Council and the CRA, the City of Cambridge Legal Department, the Cambridge Planning Board, the Office of the Mayor of Cambridge, the Office of Cambridge City Treasurer, or Boston Properties, discussing, mentioning, or conveying information about Six Cambridge Center, the Kendall Square Urban Renewal Area and any proposed or enacted amendments thereto, and any proposed or enacted zoning amendments to any property within the Kendall Square Urban Renewal Area.

Thank you for your prompt cooperation in responding to this request. As you know, Section 10b of the statute requires you to respond to this request for public records within ten (10) days following receipt of this correspondence.

If you have any questions, or if I can provide further information which may clarify this request or expedite your response, please let me know.

Very truly yours,

Stephen H. Oleskey

cc: Jay Doherty

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

August 7, 1992

Mr. Normand E. Ouellette
Records Liaison Officer
Executive Office of Communities and Development
100 Cambridge Street
Room 1803
Boston, MA 02202

Dear Mr. Ouellette:

I HEREBY CERTIFY - that I received a communication from Robert W. Healy, City Manager, dated June 22, 1992 appointing the following persons to the Cambridge Redevelopment Authority Board:

Alan D. Bell, 32 Clarendon Street, Cambridge, MA 02138
B. Karen K. Swaim, 361 Harvard Street, Cambridge, MA 02138
Manuel Rogers, Jr., 392 Cambridge Street, Cambridge, MA 02141.

These appointments were confirmed at the City Council meeting of August 3, 1992 with the terms to expire effective on qualification as follows:

Alan D. Bell	term expires	August, 1996
B. Karen K. Swaim	term expires	June, 1997
Manuel Rogers, Jr.	term expires	June, 1997.

I HEREBY CERTIFY - that the above named persons took their oath of office as follows:

Alan D. Bell	oath of office	August 5, 1992
B. Karen K. Swaim	oath of office	August 6, 1992
Manuel Rogers, Jr.	oath of office	August 6, 1992.

ATTEST:

D. Margaret Drury
Temporary City Clerk

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

August 7, 1992

Lee Sutera, Supervisor
Public Records
Secretary of State
1 Ashburton Place
Boston, MA 02108

Dear Mr. Sutera:

I HEREBY CERTIFY - that I received a communication from Robert W. Healy, City Manager, dated June 22, 1992 appointing the following persons to the Cambridge Redevelopment Authority Board:

Alan D. Bell, 32 Clarendon Street, Cambridge, MA 02138
B. Karen K. Swaim, 361 Harvard Street, Cambridge, MA 02138
Manuel Rogers, Jr., 392 Cambridge Street, Cambridge, MA 02141.

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B. Karen K. Swaim	oath of office	August 6, 1992
Manuel Rogers, Jr.	oath of office	August 6, 1992.

ATTEST:

D. Margaret Drury
Temporary City Clerk

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

August 7, 1992

Mr. Joseph Tulimeri
Executive Director
Cambridge Redevelopment Authority
336 Main Street
Cambridge, MA 02142

Dear Mr. Tulimeri:

I HEREBY CERTIFY - that I received a communication from Robert W. Healy, City Manager, dated June 22, 1992 appointing the following persons to the Cambridge Redevelopment Authority Board:

Alan D. Bell, 32 Clarendon Street, Cambridge, MA 02138
B. Karen K. Swaim, 361 Harvard Street, Cambridge, MA 02138
Manuel Rogers, Jr., 392 Cambridge Street, Cambridge, MA 02141.

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B. Karen K. Swaim	oath of office	August 6, 1992
Manuel Rogers, Jr.	oath of office	August 6, 1992.

ATTEST:

D. Margaret Drury
Temporary City Clerk

121A PROJECT APPLICATION
SIX CAMBRIDGE CENTER ASSOCIATES L.P.

LETTERS OF SUPPORT
FROM LOCAL RETAILERS

TELEFLORIST

The Kendall Shop

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242 MAIN STREET CAMBRIDGE, MASSACHUSETTS 02142
PHONE 661-8180

July 22, 1992

Cambridge City Council
795 Massachusetts Avenue
Cambridge, MA 02139

RE: New Building at Cambridge Center

Dear Councilors:

As the owners of the Kendall Flower Shop which is celebrating its 50th year of operation this year, we whole heartedly support the development of a new building at Cambridge Center that would bring a new tenant into the area. Since the beginning of development at Cambridge Center, this project, through the high quality of large and small companies that have occupied space there, has generated substantial business for our shop.

The opportunity to have a new tenant occupy a new building in the area would promote economic activity and, we feel, be a very welcome addition to this business community.

Very truly yours,

Bill Kostopoulos,

Bill Kostopoulos, Owner
Kendall Flower Shop
242 Main Street
Cambridge, MA 02142

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Five Cambridge Center
Main Street Kendall Square
Cambridge, MA 02142
(617) 876-3688
(FAX) 876-3896

24 July 1992

Cambridge City Council
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Members of the Council:

I am the owner of a company called DMR Print, Inc. which consists of a franchise that I have recently purchased from Minuteman Press International, Inc., a copying center franchiser and which will soon open at Five Cambridge Center. I understand from the developer of this project, Boston Properties Inc., that a new building is being planned on the parcel of land directly across Ames Street from Five Cambridge Center and that this building, if constructed, would be fully leased to an office tenant.

As a new business establishing operations in Kendall Square, part of the decision making process I undertook in locating my business was to assess the current health of the local retail market I would be serving as well as the prospects for growth in the future. It is just such development that Boston Properties is planning that I had hoped for and believe will help my franchise to develop and flourish in the future.

Therefore, I offer this letter of support with the belief that the project will be a positive influence on business activity in the Kendall Square area.

Very truly yours,

DMR Print, Inc

DMR Print, Inc.
Owner of
Minuteman Press
International Franchise

By: David M Read President

July 23, 1992

The Honorable Kenneth E. Reeves
Mayor of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Cambridge City Council
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mayor Reeves and
Members of the City Council:

I am writing as a small business man in the Kendall Square area to offer my support for the development proposed to be undertaken by Boston Properties of a new building at Cambridge Center.

As a business offering shoe repair in the Kendall Square area, we derive a substantial portion of our business from employees of Cambridge Center companies, large and small, who work in the area. The opportunity to add a substantial amount of foot traffic business from a new building nearby would mean a great deal to our Kendall Square shop.

We offer our full support for this development and the business it would bring.

Sincerely,

Steven M. Cotton
Owner
Instant Shoe Repair
290 Main Street
Cambridge, Massachusetts

July 22, 1992

The Honorable Kenneth E. Reeves
Mayor of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mayor:

I understand that a new building is proposed to be developed at Cambridge Center and I am writing to offer support for this additional development to take place. The development that has already been completed by Boston Properties which provides facilities for many outstanding companies has been completed in a way that provides an outstanding environment for businesses in Kendall Square. We fully support Boston Properties and their efforts to bring a new tenant and a new building to the Cambridge Center project and believe that it would offer significant new business for small businesses in the Square -- businesses that could use a show of confidence that stronger economic activity will return from these otherwise depressed economic times.

Sincerely,

David Arnott

David Arnott
Kendall Barbers
238 Main Street
Cambridge

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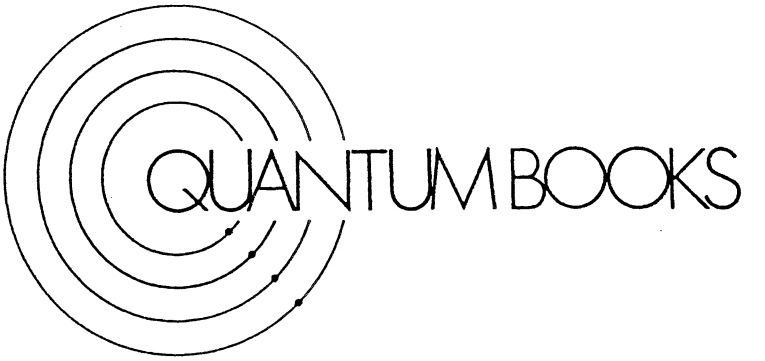

July 21, 1992

The Honorable Kenneth E. Reeves
Mayor of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mayor Reeves:

We are writing to express our support for the development proposed to be undertaken by Boston Properties that would result in a new fully leased building in the Kendall Square area. It is our understanding that this new building would be leased to Lotus Development Corporation.

Recently we located our business to Four Cambridge Center under a ten year lease and, in fact, supply Lotus with books from our store. Obviously, Lotus' relocation from Cambridge, which we understand is a real alternative for them, would adversely impact our business.

Part of our decision to locate in Cambridge Center was framed by the wonderful first class development that has taken place here and the potential for additional development that would take place here, including the additional opportunities for new business that would derive therefrom. We therefore, support the proposed development for Lotus and sincerely look forward to its completion.

Very truly yours,

QUANTUM BOOKS, INC.
FOUR CAMBRIDGE CENTER

By: _____
William Szabo, Owner

By: _____
June Kapitan, Owner

July 23, 1992

The Honorable Kenneth E. Reeves
Mayor of Cambridge
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Dear Mayor Reeves:

We understand that Boston Properties is considering making an investment to have a new fully-leased building developed at Cambridge Center in Kendall Square.

As a business having a substantial stake in the economic vitality of this area, we would like to express our support for such a project as it would help to further the establishment of the Kendall Square area as an area of prime retail activity and would provide a measure of confidence to businesses in this area that this economic activity will continue.

We therefore offer our support without reservation for this project at Cambridge Center.

Very truly yours,

Thomas Avery

Rebecca's Cafe at
Kendall Square

FIRST PUBLICATION NO. 2600.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

AN ORDINANCE

In amendment to an ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:
That the Zoning Ordinances of the City of Cambridge is hereby amended as follows:

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

> "(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

Passed to a second reading at the City Council meeting of August 3, 1992 and on or after August 24, 1992 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
Temporary City Clerk

FIRST PUBLICATION NO. 2600.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

AN ORDINANCE

In amendment to an ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:
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2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

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> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

Passed to a second reading at the City Council meeting of August 3, 1992 and on or after August 24, 1992 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
Temporary City Clerk

FIRST PUBLICATION NO. 2600.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

AN ORDINANCE

In amendment to an ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:
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1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

> "(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

Passed to a second reading at the City Council meeting of August 3, 1992 and on or after August 24, 1992 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
Temporary City Clerk

FIRST PUBLICATION NO. 2600.

City of Cambridge

In the Year One Thousand, Nine Hundred **Ninety-Two**

AN ORDINANCE

In amendment to an ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:
That the Zoning Ordinances of the City of Cambridge is hereby amended as follows:

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

> "(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

Passed to a second reading at the City Council meeting of August 3, 1992 and on or after August 24, 1992 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
Temporary City Clerk

COMMONWEALTH OF MASSACHUSETTS
PROBATE COURT

Middlesex, ss. No. 92E0077Pi

To **Florence W. Beesley of Cambridge,** City of Cambridge, of Cambridge, in the county of Middlesex and to all other persons interested.

A petition has been presented to said court by **Perry C. Wilson** of West Redding in the State of Connecticut representing that he hold as tenant in common one undivided half part or share of certain land lying in Cambridge in said County Middlesex and briefly described as follows: the land in Cambridge with the buildings thereon being bounded and described as follows: Beginning at a point on the Northeasterly side of Cleveland Street distant one hundred and 23/100 (100.23) feet Northwesterly from Dana Street; thence running Northeasterly seventy (70) feet to land now or formerly of L.A. Blish, thence turning and running Northwesterly by said Blish land thirty (30) feet; thence turning and running Southwesterly seventy (70) feet to said Cleveland Street; thence turning and running Southeasterly by said Cleveland Street thirty (30) feet to the point of beginning. Containing 2100 square feet of land, more or less.

setting forth that he desires that - all - the following described part - of said land may be sold at private sale for not less than $100,000.00 dollars, and praying that partition may be made of all the land aforesaid according to law, and to that end that a commissioner be appointed to make such partition and be ordered to make sale and conveyance of all, or any part of said land which the Court finds cannot be advantageously divided either at private sale or public auction, and be ordered to distribute the net proceeds thereof.

If you desire to object thereto you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the tenth day of July 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this third day of June 1992.

Donna M. Lambert
Register

(C)June18,25,July2
#10636

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Gregory Rudolph,** Trustee of Ivanhoe Realty Trust under Declaration of Trust dated February 13, 1990 recorded in the Middlesex South Registry of Deeds at Book 20411, Page 197 to The Toyo Trust and Banking Company Limited and the Canadian Imperial Bank of Commerce dated March 2, 1990 and recorded with the Middlesex South Registry of Deeds, Book 20411, Page 250, as modified by Mortgage Modification Agreement dated February 14, 1991 recorded in said Deeds at Book 21020, Page 1 as assigned to Sumitomo Trust & Banking Co., Ltd. by Assignment dated October 31, 1991 recorded in said Deeds at Book 21510, Page 519 and as further Amended by Second Amendment to Mortgage dated October 31, 1991 recorded in said Deeds at Book 21510, Page 549, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 2:00 P.M. on Thursday, the 16th day of July, 1992, on the mortgaged premises now known as **One Brattle Square, Cambridge, Massachusetts,** all and singular the premises described in said Mortgage:

Schedule A

PARCEL I (Fee Parcel)

The premises located in Cambridge, Middlesex County, Commonwealth of Massachusetts, bounded and described as follows:

EASTERLY: On Brattle Street, Eighty-Two and 31/100 (82.31) feet;

EASTERLY by a curved line, Twelve and 39/100 (12.39) feet;

SOUTHERLY on land formerly of the Boston Elevated Railway Company on a line Three (3) feet northerly of the southerly face of the coping of the northerly wall of the Cambridge Main Street Subway, Mount Auburn incline, and parallel thereto, Two Hundred Thirty-Two and 62/100 (232.62) feet;

WESTERLY by land now or formerly of the Boston Elevated Railway Company Nineteen and 39/100 (19.39) feet, more or less; and

NORTHERLY by land now or formerly of Heirs of Batchelder and land now or formerly of the Social Union, One Hundred Fourteen and 84/100 (214.84) feet, more or less.

The premises described above are shown as Parcel A on plan entitled "Boston Elevated Railway Company, Elevated & Subway Construction Plan of Land in Cambridge," dated July 1914, by C.S. Sargent, Vice President, recorded at the End of Book 4307.

TOGETHER WITH certain rights to use a wall along the southerly boundary, as more specifically set forth in a portion of a deed from Boston Elevated Railway Company to John F. Coleman dated October 31, 1919, recorded in Book 4307, Page 147, which portion of the deed is captioned "Wall Agreement" and that certain instrument dated November 16, 1937, recorded in Book 6178, Page 81.

TOGETHER WITH terms and provisions of the Temporary Construction Easement Agreement to be granted to Gregory Rudolph, Trustee of Ivanhoe Realty Trust, by Ivanhoe/One Brattle Joint Venture (also known as Brattle Walk Associates) and intended to be recorded immediately following the assignment of the leasehold estate described in Parcel III in Schedule B-1 hereof.

TOGETHER WITH:

APPURTENANT EASEMENT I

There is appurtenant to said Parcel I and the leasehold interests referred to in Parcels II and III in Schedules A, B and B-1 hereof, respectively, the perpetual, non-exclusive right and easement over Miflin Place as same is shown on Plan entitled "Easement Plan Mifflin Place, Cambridge, Mass." Scale I" = 20' dated November 17, 1988, and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, as amended by First Amendment to Ground Lease dated March 2, 1990, by and among said Massachusetts Bay Transportation Authority, and Trustee of Ivanhoe Realty Trust notice of which amendment is intended to be recorded immediately prior to the recordation of the agreement to which this schedule is attached, encumbering the real property described as follows:

Four parcels of land in Cambridge, Middlesex County, Commonwealth of Massachusetts, shown as Parcels B, C, D and E on a plan entitled "Boston Elevated Railway, Elevated & Subway Construction Plan of Land in Cambridge, Mass." dated July 1914, recorded at the End of Book 4307; together bounded and described as follows:

easterly by Brattle Street and Brattle Square, by a curved line, sixty-three and 75/100 (63.75) feet; southeasterly by Brattle Square, one hundred five and 45/100 (105.45) feet; southerly by Brattle Square and Mount Auburn Street, by a curved line, seventy-three and 67/100 (73.67) feet; southwesterly by Mount Auburn Street, one hundred ten and 85/100 (110.85) feet; northwesterly by land shown on said plan as now or formerly of the Heirs of Batchelder, fifty-seven and 57/100 (57.05) feet; northeasterly by Parcel "A" on said plan, nineteen and 39/100 (19.39) feet; and northwesterly by said Parcel "A", two hundred thirty-two and 62/100 (232.62) feet.

TOGETHER WITH:

APPURTENANT EASEMENT I

There is appurtenant to said Parcel I, and the leasehold interests referred to in Parcels II and III in Schedules A, B and B-1 hereof, respectively, the perpetual, non-exclusive right and easement over Mifflin Place as same is shown on Plan entitled "Easement Plan Mifflin Place, Cambridge, Mass." Scale I" = 20' dated November 17, 1988, and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached (the "Plan") (a) for passage and repassage by vehicle and on foot, and (b) for the construction and maintenance of a landscaped area as shown on the Plan, and for the installation, maintenance and repair of underground utilities, as more fully set forth in:

(a) Terms and provisions of the Easement Agreement by and between Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated November 15, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(b) Terms and provisions of the Easement Agreement by and among Louis F. DiGiovanni and John P. DiGiovanni, Trustees of Trinity Realty Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated November 15, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(c) Terms and provisions of the Waverly Trust - Mifflin Place Easement Agreement by and among Bencion M. Moskow, Trustee of the Waverly Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(d) Terms and provisions of the Mifflin Realty Trust - Mifflin Place Easement Agreement by and among Wanda Macnair and Richard N. Macnair, Trustees of Mifflin Realty Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated October 31, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(e) Terms and provisions of the Easement Agreement by and among Peter Gomatos, Christine Gomatos, Trustees of the Gomatos Family Trust, Brattle Square Office Building Company, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated as of January, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(f) Terms and provisions of the Easement and Operating Agreement by and among Louis F. DiGiovanni and John P. DiGiovanni, Trustees of Trinity Realty Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust and Brattle Square Office Building Company, dated January 30, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

TOGETHER WITH:

APPURTENANT EASEMENT II

There is appurtenant to portions of the premises described in Schedule A hereof in Parcel I, and the leasehold interests referred to in Parcels II and III of Schedules B and B-1 hereof, the benefit of certain easements as set forth in an Easement Agreement dated as of November 15, 1989, between Brattle Square Associates and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, as shown on plan entitled "Plan Showing Proposed Easements for Brattle Way Buildings and CWT/One Brattle Square, Cambridge, Mass." dated August 3, 1989, by Harry R. Feldman, Inc., consisting of four sheets and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

Schedule B

PARCEL II (MBTA Leasehold Parcel)

That certain leasehold estate created pursuant to that certain Lease by and between Massachusetts Bay Transportation Authority, as Landlord, and John T. Magnarelli and Daniel V. Calano, Trustees of Brattle Square Associates Trust, as Tenant, dated as of September 23, 1988, notice of which Lease is intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, as amended by First Amendment to Ground Lease dated March 2, 1990, by and among said Massachusetts Bay Transportation Authority, and Trustee of Ivanhoe Realty Trust notice of which amendment is intended to be recorded immediately prior to the recordation of the agreement to which this schedule is attached, encumbering the real property described as follows:

Four parcels of land in Cambridge, Middlesex County, Commonwealth of Massachusetts, shown as Parcels B, C, D and E on a plan entitled "Boston Elevated Railway, Elevated & Subway Construction Plan of Land in Cambridge, Mass." dated July 1914, recorded at the End of Book 4307; together bounded and described as follows:

easterly by Brattle Street and Brattle Square, by a curved line, sixty-three and 75/100 (63.75) feet; southeasterly by Brattle Square, one hundred five and 45/100 (105.45) feet; southerly by Brattle Square and Mount Auburn Street, by a curved line, seventy-three and 67/100 (73.67) feet; southwesterly by Mount Auburn Street, one hundred ten and 85/100 (110.85) feet; northwesterly by land shown on said plan as now or formerly of the Heirs of Batchelder, fifty-seven and 57/100 (57.05) feet; northeasterly by Parcel "A" on said plan, nineteen and 39/100 (19.39) feet; and northwesterly by said Parcel "A", two hundred thirty-two and 62/100 (232.62) feet.

TOGETHER WITH:

APPURTENANT EASEMENT I

There is appurtenant to said Parcel I, and the leasehold interests referred to in Parcels II and III in Schedules A, B and B-1 hereof, respectively, the perpetual, non-exclusive right and easement over Mifflin Place as same is shown on Plan entitled "Easement Plan Mifflin Place, Cambridge, Mass." Scale I" = 20' dated November 17, 1988, and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached (the "Plan") (a) for passage and repassage by vehicle and on foot, and (b) for the construction and maintenance of a landscaped area as shown on the Plan, and for the installation, maintenance and repair of underground utilities, as more fully set forth in:

(a) Terms and provisions of the Easement Agreement by and between Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated November 15, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(b) Terms and provisions of the Easement Agreement by and among Louis F. DiGiovanni and John P. DiGiovanni, Trustees of Trinity Realty Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated January 30, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(c) Terms and provisions of the Waverly Trust - Mifflin Place Easement Agreement by and among Bencion M. Moskow, Trustee of the Waverly Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated December 15, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(d) Terms and provisions of the Mifflin Realty Trust - Mifflin Place Easement Agreement by and among Wanda Macnair and Richard N. Macnair, Trustees of Mifflin Realty Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated October 31, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(e) Terms and provisions of the Easement Agreement by and among Peter Gomatos, Christine Gomatos, Trustees of the Gomatos Family Trust, Brattle Square Office Building Company, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated as of January, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(f) Terms and provisions of the Easement and Operating Agreement dated January 30, 1990, by and among Louis F. DiGiovanni and John P. DiGiovanni, Trustees of Trinity Realty Trust, Brattle Square Associates, Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust and Brattle Square Office Building Company, dated January 30, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

APPURTENANT EASEMENT II

There is appurtenant to portions of the premises described in Schedule A hereof in Parcel I, and the leasehold interests referred to in Parcels II and III of Schedules B and B-1 hereof, the benefit of certain easements as set forth in an Easement Agreement dated as of November 15, 1989, between Brattle Square Associates and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, as shown on plan entitled "Plan Showing Proposed Easements for Brattle Way Buildings and CWT/One Brattle Square, Cambridge, Mass." dated August 3, 1989, by Harry R. Feldman, Inc., consisting of four sheets and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

Note: "Recorded" as used in Schedules A, B and B-1 hereof means recorded with the Middlesex County District Registry of Deeds.

Saving and excepting from said Public Auction the parcel described above as Parcel III (BSA Leasehold Parcel) which will not be included in said Public Auction.

Said premises will be sold subject to as above and to all restrictions, easements, improvements, attachments, outstanding tax titles, municipal or public taxes, assessments, liens or claims in the nature of liens, and existing encumbrances of record, if there be any, and all encumbrances of record created prior to said mortgage.

Said premises will also be sold subject to all leases and tenancies having priority over said mortgage, to tenancies or occupation by persons on the premises now and at the time of said auction which tenancies or occupation are subject to said mortgage, to rights or claims in personal property installed by tenants or former tenants now located on the premises, and also to all laws and ordinances including, but not limited to, all building and zoning laws and ordinances.

In the event that the winning bidder should fail to perform by tendering the remaining purchase monies at the time and place provided, time being of the essence, the Mortgagee reserves the right to sell the property to the second highest bidder at this sale for the price bid by the second highest bidder at this sale if said second highest bidder is willing to purchase same during the time for performance otherwise provided or any extension thereof. In the event that the Mortgagee does not sell the property to the highest bidder or to the second highest bidder, the Mortgagee shall be deemed to have bid an amount equal to that bid by the second highest bidder and may, at the Mortgagee's option, sell the property to itself for said second highest bid.

Two Hundred Fifty Thousand and 00/100 ($250,000.00) Dollars will be required to be paid in cash or bank treasurer's or cashier's check by the purchaser at the time and place of sale as earnest money to be held by the mortgagee as liquidated damages for any breach by the buyer. The balance is to be paid in cash or by certified or bank treasurer's or cashier's check within sixty (60) days thereafter at the offices of Heller, Borreiz & Katz, 73 Tremont Street, Boston, Massachusetts 02108. Upon the delivery of such balance, the Deed shall be delivered to the Buyer. The successful bidder shall be required to sign a Memorandum of Terms and Conditions of Sale at the Auction Sale.

Other terms, if any, to be announced at the sale.

The Sumitomo Trust & Banking Co., Ltd.
Present Holder of said mortgage
By its attorney:
William P. Lopriore, Jr.
Heller, Borreiz & Katz
73 Tremont Street
Boston, MA 02108
Telephone (617) 723-5151

(C)June18,25,July2
#10609

CITY OF CAMBRIDGE
MASSACHUSETTS
BOARD OF ZONING APPEAL

The Board of Zoning Appeal will hold a Public Meeting, Thursday July 9, 1992 in Room 200, City Hall Cambridge, Massachusetts, the following cases will be heard:

7:00 P.M. CASE NO. 6352
1924 MASS AVENUE Residence B Zone
1924 MASS AVE REALTY TRUST - MICHAEL MURPHY ATTORNEY

Hearing: To rehear the appeal of the enforcement of the Building Commissioner in prohibiting the use of the locus for accessory parking.

7:15 P.M. CASE NO. 6503
47 WILLIAM STREET Residence C Zone
MOHAN SINGH, TR. FOR 45-47 WILLIAM ST. REALTY TRUST

Variance: To use existing basement space for a self service laundry. Art. 4.000, Sec. 4.35c (Laundry Mat) Art. 6.000, Sec. 6.365(c) (Parking Requirements).

7:30 P.M. CASE NO. 6504
71-73 BELMONT STREET Residence B Zone
YUTHANA LIMPA-AMARA

Special Permit: To construct dormer on the third floor. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

7:45 P.M. CASE NO. 6505
14 VAN NORDEN STREET Residence B Zone
MICHAEL McGARRY & SHELLY PAYETTE McGARRY

Variance: To construct addition to the existing structure and convert third floor into an apartment. Art. 5.000, Sec. 5.26 (Conversion) Sec. 5.31 (Table of Dimensional Requirements).

8:00 P.M. CASE NO. 6506
57-59 GRANVILLE ROAD Residence B Zone
JULIE SILBERMAN

Variance: To remove existing rear two story porch and replace with new two story porch of different configuration. Art. 5.000, Sec. 5.31 (Table of Dimensional Requirements).

8:15 P.M. CASE NO. 6507
145 ELMS STREET Residence C-1 Zone
EDWARD B. SELDIN - KENNETH B. HOFFMAN, ATTORNEY

Variance: To construct one car garage in the side yard with a greenhouse over the garage, attached to the main living space. Art. 5.000, Sec. 5.31 (Table of Dimension Requirements).

8:30 P.M. CASE NO. 6508
168 HAMPSHIRE STREET Business A Zone
KENTUCKY FRIED CHICKEN OF CALIFORNIA - WILLIAM MOHAN, CONSULTANT

Special Permit: To assemble 8x10 exterior walk-in cooler at the right of the existing building. Art. 4.000, Sec. 4.35(o) (Fast Order Food Establishment).

8:45 P.M. CASE NO. 6509
380 PUTNAM AVENUE Residence C Zone
380 PUTNAM AVENUE
CAMBRIDGE DESIGN & DEVELOPMENT, INC. FOR BAYBANK INC. - DAVID APOSHIAN

Variance: To subdivide lot into two lots. Add two stories to existing building. Build new 3 story residential building in the rear lot. Art. 8.000, Sec. 8.22e (Variance). Art. 5.000, Sec. 5.31 (Table of Dimension Requirements). Sec. 5.15 (Subdivision). Art. 6.000, Sec. 6.441c (Front Yard Parking). Sec. 6.361 (Parking For Dwellings).

(C)June25,July2
#10406

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage of property at **150-154 Pearl Street, Cambridge, Middlesex County, Massachusetts** given by **Stacy John Thomas** and **Martha R. Singer,** Trustees of the 161 Putnam Avenue Trust u/d/t dated February 9, 1982 and recorded with the Middlesex County (Southern District) Registry of Deeds in Book 14537, Page 348; Stacy John Thomas, Trustee of 9-9A Cottage St. Trust u/d/t dated December 11, 1987 and recorded with said Deeds in Book 18752, Page 308; Stacy John Thomas, Trustee of 131 Commercial Street Trust, u/d/t dated December 11, 1985 and recorded with Barnstable County Registry of Deeds in Book 4837, Page 266; Stacy John Thomas, Trustee of the 65 Commercial Street Realty Trust, u/d/t dated October 31, 1985 and recorded with said Deeds in Book 4808, Page 1; Stacy John Thomas, Trustee of the 9 Soper Street Realty Trust u/d/t dated October 31, 1985 and recorded with said Deeds in Book 4807, Page 348; Stacy John Thomas and Martha R. Singer, Trustees of 150-154 Pearl Street Trust u/d/t dated October 19, 1979 and filed with the South Registry District of Middlesex County of the Land Court as Document #590736; John J. Thomas, a/k/a Stacy John Thomas, Trustee of the 50 Garden Street Trust u/d/t dated June 4, 1974 and recorded with Suffolk County Deeds in Book 8713, Page 651; and John J. Thomas, a/k/a Stacy John Thomas, Trustee of 46-48 Garden Street Trust u/d/t dated April 4, 1978 and recorded with said Deeds in Book 9046, Page 154 to Progressive Consumers Federal Credit Union, a corporation organized and existing under the laws of the United States, with a principal place of business at 366 Cross Street, Malden, Massachusetts 02148 dated February 8, 1989 and recorded with Southern Middlesex District of the Land Court as Document No. 393220 and noted on Certificate of Title No. 159943, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same, will be sold at Public Auction at 12:00 noon on the 22nd day of July, 1992 at 150-154 Pearl Street, Cambridge, Middlesex County, Massachusetts, being a portion of the premises described in said mortgage, with the buildings thereon, all and singular:

Parcel I - 50 Garden St., Boston MA. The land with the buildings thereon, situated in Boston, Suffolk County, Massachusetts, being known as and numbered 50 Garden Street, and bounded and described as follows:

Westerly by Garden Street, twenty-two (22) feet and two (2) inches; by land now or formerly of Sweet, the line running in part through the middle of the brick partition wall, forty-seven (47) feet and eight (8) inches;

Southerly by land now or formerly of Sweet, the line running in part through the middle of the brick partition wall, forty-seven (47) feet and eight (8) inches;

Easterly by land now or formerly of Brigham, twenty-three (23) feet and one (1) inch; and

Northerly by land of persons unknown, forty-nine (49) feet and two (2) inches, or however otherwise bounded, measured or described, and by any or all of said measurements more or less. Containing about 1,125 square feet of land.

The premises are conveyed subject to and with the benefit of rights and easements of record, insofar as now in force and applicable.

Being the same premises conveyed to the Mortgagor by deed of Lawrence T. P. Stifler et al, Trustees, dated June 4, 1974, and recorded with Suffolk Deeds, Book 8713, Page 655.

Parcel II. The land in said Boston with the buildings thereon known as and numbered 46 and 48 Garden Street, bounded and described as follows:

46 Garden Street: Westerly by Garden Street, 19.62 feet; Northerly by land now or late of Horace W. Baxter, Jr. et al Trustees and by land now or late of Emma A. Moore et al, 49.67 feet; Easterly by land now or late of Lewis G. Smith, 19.61 feet; Southerly by land now or late of Max Chavet, the line running in part through a partition wall, 48.94 feet. All of said boundaries are determined by the Court to be located as shown on a plan drawn by H.C. Hartwell, Civil Engineer, dated Aug. 22, 1912, as approved by the Court, filed in the Land Registration Office as plan No. 9399-A, a copy of a portion of which is filed with Certificate of Title No. 4928.

The above described land is subject to rights and easements in favor of said Trustees land, as follows: a right of entry and support in the brick wall of the house standing on the above described land at date of original decree for the floor timbers of the house standing on said Trustees land at date of original decree so long as said wall on said above described land shall stand or until the house standing on the above described land at date of original decree shall be taken down, removed or destroyed and no longer. The above described land is also subject to, and has the benefit of, such easements, if any, as existed at date of original decree by reason of said partition wall as shown on said plan. For my title, see Cert. of Title No. 90037, filed with the Suffolk Registry District of the Land Court.

Parcel III. 48 Garden Street: Being shown as Lot Four on a plan recorded with Suffolk Deeds in Book 549, Page 293, bounded and described as follows: Westerly by Garden Street 19 feet 7 1/2 inches; Northerly by land now or late of Benjamin F. Whittemore 49 feet 1/2 inch; Easterly by land now or late of Henry Robinson, 19 feet 7 inches; Southerly by land now or late of Jones and Cushing 48 feet, 5 inches. Containing about 995 1/4 square feet. Subject to and with the benefit of a party wall agreement recorded with Suffolk Deeds, Book 5091, Page 250.

For my title, see deed recorded with Suffolk Registry of Deeds in Book 9046, Page 155.

Parcel IV - 150-154 Pearl St., Cambridge, MA. The land with the buildings thereon known as and numbered 150-154 Pearl Street, Cambridge, Middlesex County, Massachusetts, bounded and described as follows:

Northwesterly by the Southeasterly line of Pearl Street, Fifty (50) feet;

Northeasterly by land now or formerly of Hillie E. Farley, One Hundred (100) feet;

Southeasterly by land now or formerly of James Intinarelli et al, Fifty (50) feet;

Southwesterly by lands now or formerly of Bridget Cassidy and of Margaret Jowders et al, One Hundred (100) feet.

All of said boundaries are determined by the Court to be located as shown on Land Court Plan No. 8756-A filed with Certificates of Title No. 14278 in Book 93, Page 117.

Subject to a City of Cambridge Order for sidewalk construction on Pearl Street, Document No. 232007.

For Title see Deed of Martha Singer filed as Document No. 593526, and noted on Cert. of Title No. 159943 filed with the Middlesex Registry District of the Land Court.

Parcel V - 9 Soper St., Provincetown, MA. The land in Provincetown, Barnstable County, Massachusetts, together with the buildings thereon, situated at 9 Soper Street, and bounded on the West by a private way, Soper Street;

on the North by the County Road, so-called, now Tremont Street;

on the East by land of the heirs of Heman M. Smith, deceased; and

on the South by land formerly of Robert Soper, deceased.

With a privilege to pass and repass to and from said premises in said private way in common with others.

For Title See Deed in Book 4807, Page 354

Parcel VI - 65 Commercial St., Provincetown, MA. The land with the buildings thereon situated in Provincetown in the County of Barnstable and being shown on a "Plan of Property in Provincetown, Massachusetts, as surveyed for Ida Ruth and Ruth Monro Hurlbert", dated November 1956 Schofield Brothers, Civil Engineers, duly recorded in Plan Book 133, Page 135, and being bounded and described as follows:

Northwesterly by the County Road now called Commercial Street, as shown on said plan, 45.94 feet;

Southwesterly by land now or formerly of Richard G. Tarrant, as shown on said plan, 47.48 feet;

Southeasterly by land now or formerly of Thomas E. Doheny et ux, as shown on said plan, by two (2) lines, 33.38 feet and 12.87 feet, respectively; and

Northeasterly as shown on said plan, 41.50 feet.

Containing, according to said plan, 2,110 square feet more or less.

There is also conveyed the right to pass and repass over the Private Way shown on said plan, and also a right of way from the granted premises for foot passage to the shore over the path at the side of the property hereinabove referred to as now or formerly of Thomas E. Doheny et ux.

Subject to restrictions of record, if any, so far as now in force and applicable

For grantor's title see Barnstable County Registry of Deeds, Book 4808, Page 7.

Parcel VII - 131 Commercial St., Provincetown, MA. The land in Provincetown, Barnstable County, Massachusetts, together with the buildings thereon, known as and numbered 131 Commercial Street, bounded and described as follows:

Commencing at the Northwest corner of the premises by land, now or formerly of Edwin N. paine, on Commercial Street;

thence running in a Northeasterly direction by Commercial Street, thirty-five (35) feet to Good Templar Street;

thence running in a Southeasterly direction by said Good Templar Street, one hundred two (102) feet to land now or formerly of the Heirs of John Beaty;

thence running in a Southwesterly direction by land of said Heirs of John Beaty, twenty-two (22) feet to land now or formerly of Edwin N. Paine;

thence running in a Northwesterly direction by land of said Paine, one hundred three (103) feet to the point of beginning.

For Title see Deed in Book 4837, Page 272.

Parcel VIII - 161 Putnam Ave., Cambridge, MA. THe land in Cambridge, bounded and described as follows: Beginning at a point on the westerly side of Putnam Avenue and one hundred two feet northerly from Sand Street and thence running Westerly bounded on land now or late of Charles H. Foley, one hundred seventeen and 4/100, to Elmer Street, thence turning and running northerly by said Elmer Street, forty-two feet, thence turning at about a right angle and running easterly bounding northerly by land now or formerly of Power, one hundred seventeen 4/10 feet to Putnam Avenue forty-two feet to point of beginning.

For Title see Deed in Book 14531, Page 349.

Parcel IX - 9-9A Cottage St., Cambridge, MA. A certain parcel of land, with the buildings thereon, situated in said Cambridge, bounded and described as follows:

Southwesterly on Cottage Street, thirty-eight (38) feet;

Northwesterly on Land formerly of James H. Sparrow, ninety (90) feet;

Northeasterly on land now or formerly of Jesse Osborn, thirty-eight (38) feet; and

Southeasterly on land now or formerly of Osborn et al, ninety (90) feet.

The property is also shown as Lot A on a plan entitled "Plan of Land in Cambridge, Mass., December 23, 1982, Scale 1" - 10, Frederick R. Joyce Company, Surveyors, 99 Massachusetts Avenue, Arlington, Massachusetts 02174", said lot containing 3,420 square feet according to said plan, being bounded and described according to said plan as follows:

Southwesterly by Cottage Street, 38 feet;

Northwesterly by land now or formerly of Timothy B. and Christopher Anne Affeck, 90 feet;

Northeasterly by land now or formerly of Thomas D. and Mary A. Brown, 38 feet; and

Southeasterly by land now or formerly of Fillios and by land now or formerly of Catherine M. Martin, 90 feet.

Said plan is recorded with the Middlesex South District Registry of Deeds in Book 14886, Page 207.

For Title see Deed in Book 18752, Page 314.

Excepted and excluded from sale are Parcels I, II, III, V, VI, VII, VIII, and IX.

Only Parcel IV, 150-154 Pearl Street, Cambridge, Massachusetts, will be sold at Public Auction.

There is also included in the sale all equipment and fixtures situated on the above-described premises to the extent the same are part of the realty.

Said premises will also be sold subject to and/or with the benefit of any and all rights of way, easements, restrictions, covenants, conditions, reservations and agreements of record, to the extent the same are in force and applicable and do not materially interfere with the current use of the premises, outstanding tax titles, municipal or other public liens or assessments, water and sewer bills.

Said premises will also be sold subject to all leases and tenancies having priority over said mortgage, to rights or claims in personal property installed by tenants or former tenants now located on the premises, and also to all laws and ordinances including, but not limited to, all building and zoning laws and ordinances.

Terms of Sale: The successful bidder shall tender a deposit of Five Thousand Dollars and 00 Cents ($5,000.00) in cash or certified or bank funds at the time of the sale, with the remainder of the purchase price to be paid to the Mortgagee in cash or certified or bank funds on the twenty-fifth (25th) day following the auction sale (or the first business day following thereafter if such date falls on a Saturday, Sunday or legal holiday), to Ellen O. Harder, Esquire, Sherin and Lodgen, 100 Summer Street, Boston, Massachusetts as agent for the Bank, and the deed shall be delivered at that time. Other terms, if any, to be announced at the sale. The successful bidder shall be required to sign a Memorandum of Terms and Conditions containing the above terms and others announced at the sale.

For further information contact Ellen O. Harder, Esquire, Sherin and Lodge, 100 Summer Street, Boston, Massachusetts 02110, (617) 426-5720.

Progressive Consumers Federal Credit Union
Present Holder of said Mortgage,
By Its Attorneys,
Sherin and Lodgen
100 Summer Street
Boston, Massachusetts 02110
(617) 426-5720

(C)June25,July2,9
#10414

LEGAL NOTICE
MORTGAGEE'S SALE OF REAL ESTATE

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by **Dershaye Geresu** and **Lulit Tesfaye** to BancNewEngland Mortgage Company, Inc., dated February 2, 1990 and recorded in Middlesex County (Southern District) Registry of Deeds in Book 20359 Page 485 of which mortgage BancNewEngland Mortgage Company, Inc. is the present holder, for breach of conditions of said mortgage and for the purpose of foreclosing the same, the mortgaged premises located at **Unit 102 and Parking Space 10, Cyrus Fellows Crossing Condominium, 332 Franklin Street, Cambridge, Massachusetts** will be sold at a Public Auction at 10:00 o'clock A.M. on the 30th day of July, 1992, at the mortgaged premises, more particularly described below, all and singular the premises described in said mortgage, to wit:

Unit No. 102 together with Parking Space #10 of Cyrus Fellows Crossing Condominium created by Master Deed dated December 5, 1988, and filed with Middlesex South Registry of Deeds, Book 19541, Page 459.

The unit conveyed is laid out as shown on a plan filed herewith, which plan is a copy of a portion of the plans filed with said Master Deed and to which is affixed a verified statement in the form provided in M.G.L. Ch. 183A, sec. 9. It is subject to and with the benefit of the obligations, restrictions, rights and liabilities contained in General Laws Chapter 183A, the Master Deed and the By-Laws filed therewith.

The Condominium and each of the units is intended for residential purposes and other uses permitted by the applicable Zoning Ordinances and as set forth in the Master Deed.

The undivided percentage interest of the unit conveyed hereunder in the common areas and facilities is 3.53%.

The premises will be sold subject to any and all unpaid taxes and other encumbrances which may constitute a prior lien thereon, and will be conveyed subject to any easements, restrictions of record, tenancies and rights of redemption for unpaid federal taxes, if any, as shall, notwithstanding this provision, constitute valid liens or encumbrances thereon after said sale.

Terms of the Sale: Cash, cashier's or certified check in the sum of $10,000.00 as a deposit must be shown at the time and place of the sale in order to qualify as a bidder and will be required to be paid as a deposit by the successful bidder; successful bidder to sign written Memorandum of Sale upon acceptance of bid; balance of purchase price payable in cash or current funds in thirty (30) days from the date of the sale at the offices of mortgagee's attorney, Partridge, Snow & Hahn, 180 South Main Street, Providence, RI 02903 or such other time as may be designated by mortgagee. The description for the premises contained in said mortgage shall control in the event of a typographical error in this publication.

Other terms to be announced at the sale.

BancNewEngland Mortgage Company, Inc.
Present Holder of said mortgage
By its attorneys
Partridge, Snow & Hahn
180 South Main Street
Providence, RI 02903
(401) 861-8200

(C)June25,July2,9
#10383

BUSINESS NEWS

THE CAMBRIDGE BUSINESS SCENE

Three businessmen win awards



TERMEER



WINSTON



BURRUS

City business leaders William W. Burrus of ACCION, Henri A. Termeer of Genzyme and Peter Winston of Integrated Computer Systems were recognized in the New England "Entrepreneur of the Year" competition.

Burrus, named New England's top "supporter of entrepreneurship," was chosen at the sixth annual awards last month for his 12 years of work as executive director of ACCION international, a non-profit organization that gives loans and business training to entrepreneurs in low-income communities in the US and worldwide.

In 1991, ACCION gave $63 million in loans average $371 to nearly 100,000 micro-entrepreneurs. Family incomes of borrowers rose an average of 30 percent and some 70,000 jobs were created in low-income communities, the company reported.

Termeer, CEO of Genzyme Corporation, was chosen New England's top "biotechnology" entrepreneur. Termeer is credited for positioning Genzyme, which develops biotherapeutic enzymes for treatment of Gaucher's disease, thyroid cancer and cystic fibrosis, as a major international health care company.

Winston, who was named top "emerging entrepreneur," founded Integrated Computer Solutions, Inc. in 1987 to help people use "open systems" technology flexible enough to be used on a wide range of computers.

The 17 New England businesspeople won awards will compete against entrepreneurs from 38 other regions around the country for the national "Entrepreneur of the Year" title and cover of *Inc.* magazine's December issue.

Open houses at Business Center

The Cambridge Business Development Center at 552 Mass. Ave. held open houses for entrepreneurs June 23, 24 and 30 to talk about support services young businesses need to thrive in Cambridge. There was also be

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(SEAL) Case No. 180310

To **Rochelle S. Albin** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended: United States Trust Company claiming to be the holder of a mortgage covering real property in **Cambridge, MA known and numbered as 18 Day Street** given by Rochelle S. Albin to United States Trust Company dated June 6, 1989 and recorded with Middlesex South Registry of Deeds in Book 19870, Page 10 has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 10th day of August 1992, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 23rd day of June 1992.

Charles W. Trombly, Jr.
Recorder

(C)July2
#7806

NOTICE OF
MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Sheila E. Flynn** to Household Finance Corporation II, a duly established Delaware Corporation having its usual place of business in Braintree, Massachusetts, dated July 5, 1991, and recorded with the Middlesex County (Southern District) Registry of Deeds, at Book 21280, Page 472, of which mortgage Household Finance Corporation II is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 2:00 p.m. on August 4, 1992, on the mortgaged premises located at **7 Ridge Terrace a/k/a 39 Ridge Avenue, Cambridge, Middlesex County, Massachusetts,** all and singular the premises described in said mortgage, TO WIT:

Land referred to in this commitment is described as all that certain property situated in Cambridge in the County of Middlesex, and State of Massachusetts and being described in a deed dated 2/09/65, and recorded 2/09/65, among the land records of the county and state set forth above and referenced as follows: Deed Book 10751 Page 360, being more fully described as follows:

Lot 1 Plan Bk 275 Pg 29.

For title see deed recorded at the Middlesex County (Southern District) Registry of Deeds, Book 10751 Page 360.

These premises will be sold and conveyed subject to and with the benefit of all rights, rights of way, restrictions, easements, covenants, liens or claims in the nature of liens; improvements, public assessments, any and all unpaid taxes, tax titles, tax liens, water and sewer liens and any other municipal assessments or liens, or existing encumbrances of record, which are in force and are applicable, created prior to the said mortgage which is being foreclosed whether or not reference to such restrictions, easements, improvements, liens or encumbrances is made in the deed.

TERMS OF SALE: A deposit of Four Thousand ($4,000.00) Dollars by certified or bank check will be required to be paid by the purchaser at the time and place of sale. The balance is to be paid by certified or bank check at the Law Offices of Mark P. Harmon, 27 Needham Street, P.O. Box 339, Newton Highlands, Massachusetts 02161 within Forty-Five (45) days from the date of sale. Deed will be provided to purchaser for recording upon receipt in full of the purchase price.

Other terms, if any, to be announced at the sale.

HOUSEHOLD FINANCE CORPORATION II
Present holder of said mortgage
By its Attorneys,
Law Offices of Mark P. Harmon
Stanley S. Freedman, Esquire
27 Needham Street
P.O. Box 339
Newton Highlands, MA 02161
(617) 244-7505

(C)July2,9,16
#10425

MORTGAGEE'S NOTICE OF
SALE OF REAL ESTATE
Premises: **284 Harvard Street, Unit 64**
Hallmark Condominium
Cambridge, Massachusetts

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Leon L. Halberta** to Cornfed Savings Bank dated September 29, 1989 and recorded with Middlesex County (Southern District) Registry of Deeds in Book 20110, Page 273, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 11:00 A.M., on the 29th day of July, A.D., 1992, upon the mortgaged premises, **284 Harvard Street, Unit 64, Hallmark Condominium, Cambridge, Massachusetts,** as described below, all and singular the premises described in said mortgage, to wit:

The "Unit" known as Unit 64, having a post office address of 284 Harvard Street, Cambridge, MA 02139, in a condominium known as Hallmark Condominium and established pursuant to Massachusetts General Laws, Chapter 183A, as amended, by Master Deed dated March 28, 1980, and recorded with Middlesex South District Registry of Deeds in Book 13938, Page 259, as amended.

Together with an undivided interest of .02601 in the common areas and facilities of said Condominium, which interest includes the interest appertaining to Parking Space 17 of .00172, and together with the rights, if any, to exclusive use of any of the common areas and facilities of said Condominium as more fully set forth in the aforesaid Master Deed and the Unit Deed.

Together with the benefit of and subject to the easements, restrictions, conditions, rights and obligations set forth or referred to in said Master Deed, Unit Deed and provisions of the Hallmark Condominium Trust, its By-Laws and Rules and Regulations, recorded with said Registry of Deeds in Book 13938, Page 280, as the same may from time to time be amended by instruments of record.

Terms of Sale: Said premises will be sold and conveyed subject to all outstanding municipal or other public taxes, tax titles, assessments, liens or claims in the nature of liens, rights of tenants and parties in possession, and existing encumbrances of record, if any, which take precedence over the said mortgage above described.

Five Thousand Dollars and No/100 ($5,000.00) must be paid by certified, bank, treasurer's or cashier's check at the time and place of the sale by the purchaser as a deposit. The balance of the purchase price is to be paid in cash, or by certified check, bank cashier's check or bank treasurer's check within 30 days thereafter at the Law Offices of Shapiro & Kreisman, 492 Old Connecticut Path, Framingham, MA 01701 (508) 872-0221.

Other terms to be announced at the sale.

Land Court Case Number 176067.

Federal Home Loan Mortgage Corporation,
Present Holder of Said Mortgage

(C)July2,9,16
#10470

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Pursuant to General Laws, Chapter 140, notice is hereby given that the license Commission has received an application from Out of the Blue, Inc. d/b/a **The Blue Room, Caroline Wheaton, Manager,** holder of an all alcoholic beverages as a restaurant license at One Kendall Square has applied for an entertainment license to include live musical instruments and/or Live vocalists, with amplification.

The hearing on this application will be held on Tuesday evening, July 14, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriquez
Kevin Fitzgerald
Henry Breen
License Commission

(C)July2
#10518

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division
DOCKET NO.92P2916E
Estate of **Mary E. Leccese**
Died on April 13, 1983
late of **Cambridge**
in the County of Middlesex

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Anita M. Leccese of Cambridge** in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 20, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-second day of June in the year of our Lord one thousand nine hundred and ninety two.

Donna M.Lambert
Register of Probate

(C)July 2
#7822

MORTGAGEE'S SALE OF REAL ESTATE
Premises: **166 Fifth Street**
Cambridge, Massachusetts

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Robert Kelth Sawyer to** Coolidge Bank and Trust Company dated July 16, 1986 and recorded with Middlesex County (Southern District) Registry of Deeds in Book 17205, Page 579, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 12:00 Noon on the 29th day of July, A.D., 1992, upon the mortgaged premises, **166 Fifth Street, Cambridge, Massachusetts,** as described below, all and singular the premises described in said mortgage, to wit:

A certain parcel of land with the buildings thereon situated in that part of Cambridge called East Cambridge on the easterly side of Fifth Street, beginning at the intersection of Charles Street with Fifth Street and thence running:

Easterly on said Charles Street, 21.92 feet; thence

Southerly at right angles with said Charles Street, 28.54 feet, to lot 94A; thence

Westerly along said lot 94A 21.92 feet, to said Fifth Street, thence

Southerly on said Fifth Street, 28.54 feet to the point of beginning.

Containing about 625.6 square feet, more or less, as shown on a Plan of Land dated October 4, 1983, prepared by Douglas J. Kennedy Professional Engineer, and recorded with Middlesex Deeds, Book 15415, Page 13, although incorrectly marked book 15414.

Lot 94B as shown on said plan referred to hereinabove, is conveyed subject to and with the benefits of reciprocal easement of access for the purpose of performing maintenance and repairs on the respective dwelling situated thereon.

Terms of Sale: Said premises will be sold and conveyed subject to all outstanding municipal or other public taxes, tax titles, assessments, liens or claims in the nature of liens, rights of tenants and parties in possession, and existing encumbrances of record, if any, which take precedence over the said mortgage above described.

Five Thousand Dollars and No/100 ($5,000.00) must be paid by certified, bank, treasurer's or cashier's check at the time and place of the sale by the purchaser as a deposit. The balance of the purchase price is to be paid in cash, or by certified check, bank cashier's check or bank treasurer's check within 30 days thereafter at the Law Offices of Shapiro & Kreisman, 492 Old Connecticut Path, Framingham, MA 01701 (508) 872-0221.

Other terms to be announced at the sale.

Land Court Case Number 174421.

Asheville Federal Savings & Loan Association,
Present Holder of Said Mortgage

(C)July2,9,16
#10471

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Charles River Sales, Inc.,** corporation established under the laws of the Commonwealth of Massachusetts, and having its usual place of business at 360 River Street, Cambridge, Middlesex County, Massachusetts, to USTrust a banking corporation organized under the laws of the Commonwealth of Massachusetts, having its principal place of business at 331 Montvale Avenue, Woburn, Middlesex County, Massachusetts, dated December 19, 1988, and duly recorded with the Middlesex South Registry of Deeds in book 19543 at page 018 of which mortgage the undersigned USTrust is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 11:00 a.m. on the 28th day of July, 1992, at the mortgaged premises located at **536 Massachusetts Avenue, Cambridge, Massachusetts,** all and singular the premises described in said mortgage, to wit:

A certain parcel of land with the buildings thereon situated on the southwesterly side of Massachusetts Avenue formerly Main Street in said Cambridge bounded and described as follows, viz:

Beginning at the northwesterly corner of the land conveyed, at a point in the proposed line shown on a plan in the City Engineer's Office (Cambridge) dated 1864 and then thence running:

Southwesterly on land of B.P. Clark, 88 and 95/100 (88.95) feet and then continuing the same course on other land now or late of D.U. Chamberlin, Caleb C. Allen and Henry Endicott 25 and 51/100 (25.51) feet to a passageway two and a half feet wide; thence running

Southeasterly on said passageway on a line parallel with and 76 and 25/100 (76.25) feet distant from Green Street 55 and 25/100 (55.25) feet to land of the heirs of Hovey, thence running

Northerly on said heirs' land 114 and 78/100 (114.78) feet to said proposed line, thence running

Northwesterly on said proposed line 50 and 45/100 (50.45) feet to the point begun at.

Also another parcel of land adjoining the above bounded as follows:

Beginning at a stone bound set in the line of said Massachusetts Avenue, formerly Main Street thence running

Southwesterly 11 and 5/100 (11.05) feet on land of Clark to the point in said proposed line first above described, thence

Southeasterly on said line 50 and 45/100 (50.45) feet, thence

Northeasterly on land of the heirs of Hovey 10 and 92/100 (10.92) feet of a Massachusetts Avenue, formerly Main Street to a stone bound, thence

Northwesterly by Massachusetts Avenue formerly Main Street fifty (50) feet to the point begun at.

Also the right to pass and repass at all times on foot or with teams over and upon a lot of land situated in said Cambridge adjoining the above described parcels of land and bounded as follows:

Southeasterly by the above described parcels of land one hundred (100) feet;

Southwesterly by land of persons unknown five (5) feet;

Northwesterly by a line parallel with the first boundary line of said right to pass and repass herein given and five (5) feet distant therefrom one hundred (100) feet and Northeasterly by Massachusetts Avenue, formerly main Street, five (5) feet. The two ends of said first boundary line are shown by stone bounds one in the Southwesterly line of Massachusetts Avenue, formerly Main Street and the other on land of Benjamin F. Clark. Said right of way to be appurtenant only to the first above described parcels of land and to the land (small piece of vacant land) at the Southerly end of said passageway and is to pass as appurtenant to said first above described parcels of land in any conveyance thereof by the grantee in this deed. The enjoyment of said right of way is to be free and no obstruction of any kind shall at any time be allowed to be built over or upon said lot of land. And the grantee may at any time at its own expense tear down the small wooden structure now on a part of said strip. Being same right of way conveyed to Friendship Hall Associates by Benjamin P. Clark by deed dated October 22, 1883 recorded with Middlesex South District Deeds Book 1647, Page 313.

For title see deed of Odd Fellows Hall Association dated March 31, 1977 and recorded with said Deeds at Book 13163, Page 656.

Said premises are presently known as and numbered 534-538 Massachusetts Avenue, Cambridge, Massachusetts.

Terms of Sale: Subject to all municipal liens, taxes and assessments, if any. Twenty-five Thousand ($25,000.00) Dollars in Cash, Certified Check, Bank Cashier's Check or Bank Treasurer's Check by the Purchaser at the time and place of Sale, the balance to be paid in Cash, Certified Check, Bank Cashier's Check or Bank Treasurer's Check at the office of William R. Hall, Esquire, Hall, Quinn & Wheeler, 278 Elm Street, Somerville, Massachusetts 02144 within thirty (30) days of the Sale. The deed is to be delivered to the Purchaser at the time of the closing.

All bidders will be required to display to the auctioneer the sum listed deposit in order to qualify to bid.

Other terms to be announced at the sale.

Somerset Savings Bank
Present Holder of said Mortgage
Thomas J. Kelly, President
By its attorney,
William R. Hall, Esquire
Hall, Quinn & Wheeler, P.C.
278 Elm Street
Somerville, MA 02144
(617) 628-6800

(C)July2,9,16
#7808

LEGAL NOTICE
REQUEST FOR PROPOSALS - Employment Resources, Inc. (ERI) has approximately $1.4 million available in federal **Job Training Partnership Act (JTPA),** Economic Dislocation and Workers Adjustment Assistance Act (EDWAA), and state MassJOBS funding for Fiscal Year 1993. The agency is seeking proposals from interested parties to provide training and/or educational services to unemployed residents of the following cities and towns: Arlington, Belmont, Burlington, Cambridge, Chelsea, Everett, Malden, **Medford, Melrose,** North Reading, Reading, Revere, Somerville, Stoneham, Wakefield, Watertown, Wilmington, Winchester, Winthrop, Woburn. Four requests for proposals (RFPs) will be issued: JTPA IIA/MassJOBS Second Round Occupational Skills Training (priority given to health, technical, and envirotechnical occupational areas), JTPA IIA Special Youth Programs (Second Round), EDWAA Occupational Skills Training, and EDWAA Adult Basic Education. A Request for Qualifications (RFQ) will also be issued for Individual Referrals to Occupational Skills Training (JTPA IIA/MassJOBS/EDWAA) and Educational Services (EDWAA). Private profit or non-profit firms, public organizations, women- and minority-owned businesses are encouraged to apply. A Technical Assistance Period (TAP) is scheduled for July 7 - July 20, with a kick-off meeting to be held July 7, 1:30 at ERI. The RFPs/RFQ may be obtained at ERI or by contact Peggy Libby at (617) 494-1154 on or after July 20. A Bidders' Conference will be held on July 20, 9:30 - 11:30 at ERI. For more information, contact Linda Bass or Amy Weatherbee Bragan at (617) 494-1154 or c/o ERI, 432 Columbia Street, Cambridge, MA 02141.

(C)July2
#10594

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Charles River Sales, Inc.,** corporation established under the laws of the Commonwealth of Massachusetts, and having its usual place of business at 360 River Street, Cambridge, Middlesex County, Massachusetts, to USTrust a banking corporation organized under the laws of the Commonwealth of Massachusetts, having its principal place of business at 331 Montvale Avenue, Woburn, Middlesex County, Massachusetts, dated December 19, 1988, and duly recorded with the Middlesex South Registry of Deeds in book 19543 at page 018 of which mortgage the undersigned USTrust is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 11:00 a.m. on the 28th day of July, 1992, at the mortgaged premises located at **536 Massachusetts Avenue, Cambridge, Massachusetts,** all and singular the premises described in said mortgage, to wit:

A certain parcel of land with the buildings thereon situated on the southwesterly side of Massachusetts Avenue formerly Main Street in said Cambridge bounded and described as follows, viz:

Beginning at the northwesterly corner of the land conveyed, at a point in the proposed line shown on a plan in the City Engineer's Office (Cambridge) dated 1864 and then thence running:

Southwesterly on land of B.P. Clark, 88 and 95/100 (88.95) feet and then continuing the same course on other land now or late of D.U. Chamberlin, Caleb C. Allen and Henry Endicott 25 and 51/100 (25.51) feet to a passageway two and a half feet wide; thence running

Southeasterly on said passageway on a line parallel with and 76 and 25/100 (76.25) feet distant from Green Street 55 and 25/100 (55.25) feet to land of the heirs of Hovey, thence running

Northerly on said heirs' land 114 and 78/100 (114.78) feet to said proposed line, thence running

Northwesterly on said proposed line 50 and 45/100 (50.45) feet to the point begun at.

Also another parcel of land adjoining the above bounded as follows:

Beginning at a stone bound set in the line of said Massachusetts Avenue, formerly Main Street thence running

Southwesterly 11 and 5/100 (11.05) feet on land of Clark to the point in said proposed line first above described, thence

Southeasterly on said line 50 and 45/100 (50.45) feet, thence

Northeasterly on land of the heirs of Hovey 10 and 92/100 (10.92) feet of a Massachusetts Avenue, formerly Main Street to a stone bound, thence

Northwesterly by Massachusetts Avenue formerly Main Street fifty (50) feet to the point begun at.

Also the right to pass and repass at all times on foot or with teams over and upon a lot of land situated in said Cambridge adjoining the above described parcels of land and bounded as follows:

Southeasterly by the above described parcels of land one hundred (100) feet;

Southwesterly by land of persons unknown five (5) feet;

Northwesterly by a line parallel with the first boundary line of said right to pass and repass herein given and five (5) feet distant therefrom one hundred (100) feet and Northeasterly by Massachusetts Avenue, formerly main Street, five (5) feet. The two ends of said first boundary line are shown by stone bounds one in the Southwesterly line of Massachusetts Avenue, formerly Main Street and the other on land of Benjamin F. Clark. Said right of way to be appurtenant only to the first above described parcels of land and to the land (small piece of vacant land) at the Southerly end of said passageway and is to pass as appurtenant to said first above described parcels of land in any conveyance thereof by the grantee in this deed. The enjoyment of said right of way is to be free and no obstruction of any kind shall at any time be allowed to be built over or upon said lot of land. And the grantee may at any time at its own expense tear down the small wooden structure now on a part of said strip. Being same right of way conveyed to Friendship Hall Associates by Benjamin P. Clark by deed dated October 22, 1883 recorded with Middlesex South District Deeds Book 1647, Page 313.

For title see deed of Odd Fellows Hall Association dated March 31, 1977 and recorded with said Deeds at Book 13163, Page 656.

Said premises are presently known as and numbered 534-538 Massachusetts Avenue, Cambridge, Massachusetts.

Terms of Sale: Subject to all municipal liens, taxes and assessments, if any. Twenty-five Thousand ($25,000.00) Dollars in Cash, Certified Check, Bank Cashier's Check or Bank Treasurer's Check by the Purchaser at the time and place of Sale, the balance to be paid in Cash, Certified Check, Bank Cashier's Check or Bank Treasurer's Check at the office of William R. Hall, Esquire, Hall, Quinn & Wheeler, 278 Elm Street, Somerville, Massachusetts 02144 within thirty (30) days of the Sale. The deed is to be delivered to the Purchaser at the time of the closing.

All bidders will be required to display to the auctioneer the sum listed deposit in order to qualify to bid.

Other terms to be announced at the sale.

Somerset Savings Bank
Present Holder of said Mortgage
Thomas J. Kelly, President
By its attorney,
William R. Hall, Esquire
Hall, Quinn & Wheeler, P.C.
278 Elm Street
Somerville, MA 02144
(617) 628-6800

(C)July2,9,16
#7808

LEGAL NOTICE
REQUEST FOR PROPOSALS - Employment Resources, Inc. (ERI) has approximately $1.4 million available in federal **Job Training Partnership Act (JTPA),** Economic Dislocation and Workers Adjustment Assistance Act (EDWAA), and state MassJOBS funding for Fiscal Year 1993. The agency is seeking proposals from interested parties to provide training and/or educational services to unemployed residents of the following cities and towns: Arlington, Belmont, Burlington, Cambridge, Chelsea, Everett, Malden, **Medford, Melrose,** North Reading, Reading, Revere, Somerville, Stoneham, Wakefield, Watertown, Wilmington, Winchester, Winthrop, Woburn. Four requests for proposals (RFPs) will be issued: JTPA IIA/MassJOBS Second Round Occupational Skills Training (priority given to health, technical, and envirotechnical occupational areas), JTPA IIA Special Youth Programs (Second Round), EDWAA Occupational Skills Training, and EDWAA Adult Basic Education. A Request for Qualifications (RFQ) will also be issued for Individual Referrals to Occupational Skills Training (JTPA IIA/MassJOBS/EDWAA) and Educational Services (EDWAA). Private profit or non-profit firms, public organizations, women- and minority-owned businesses are encouraged to apply. A Technical Assistance Period (TAP) is scheduled for July 7 - July 20, with a kick-off meeting to be held July 7, 1:30 at ERI. The RFPs/RFQ may be obtained at ERI or by contact Peggy Libby at (617) 494-1154 on or after July 20. A Bidders' Conference will be held on July 20, 9:30 - 11:30 at ERI. For more information, contact Linda Bass or Amy Weatherbee Bragan at (617) 494-1154 or c/o ERI, 432 Columbia Street, Cambridge, MA 02141.

(C)July2
#10594

MORTGAGEE'S NOTICE OF
SALE OF REAL ESTATE
Premises: **284 Harvard Street, Unit 64**
Hallmark Condominium
Cambridge, Massachusetts

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Leon L. Halberta** to Cornfed Savings Bank dated September 29, 1989 and recorded with Middlesex County (Southern District) Registry of Deeds in Book 20110, Page 273, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 11:00 A.M., on the 29th day of July, A.D., 1992, upon the mortgaged premises, **284 Harvard Street, Unit 64, Hallmark Condominium, Cambridge, Massachusetts,** as described below, all and singular the premises described in said mortgage, to wit:

The "Unit" known as Unit 64, having a post office address of 284 Harvard Street, Cambridge, MA 02139, in a condominium known as Hallmark Condominium and established pursuant to Massachusetts General Laws, Chapter 183A, as amended, by Master Deed dated March 28, 1980, and recorded with Middlesex South District Registry of Deeds in Book 13938, Page 259, as amended.

Together with an undivided interest of .02601 in the common areas and facilities of said Condominium, which interest includes the interest appertaining to Parking Space 17 of .00172, and together with the rights, if any, to exclusive use of any of the common areas and facilities of said Condominium as more fully set forth in the aforesaid Master Deed and the Unit Deed.

Together with the benefit of and subject to the easements, restrictions, conditions, rights and obligations set forth or referred to in said Master Deed, Unit Deed and provisions of the Hallmark Condominium Trust, its By-Laws and Rules and Regulations, recorded with said Registry of Deeds in Book 13938, Page 280, as the same may from time to time be amended by instruments of record.

Terms of Sale: Said premises will be sold and conveyed subject to all outstanding municipal or other public taxes, tax titles, assessments, liens or claims in the nature of liens, rights of tenants and parties in possession, and existing encumbrances of record, if any, which take precedence over the said mortgage above described.

Five Thousand Dollars and No/100 ($5,000.00) must be paid by certified, bank, treasurer's or cashier's check at the time and place of the sale by the purchaser as a deposit. The balance of the purchase price is to be paid in cash, or by certified check, bank cashier's check or bank treasurer's check within 30 days thereafter at the Law Offices of Shapiro & Kreisman, 492 Old Connecticut Path, Framingham, MA 01701 (508) 872-0221.

Other terms to be announced at the sale.

Land Court Case Number 176067.

Federal Home Loan Mortgage Corporation,
Present Holder of Said Mortgage

(C)July2,9,16
#10470

Police union asks about Reeves' support for defendent arrested

Cont'd from page 1

reflect Reeves' taking Rashad's side without hearing any information about the case from the police.

Rashad and his mother, Liberty, met with Reeves several days after he was arrested at a North Cambridge party and charged with being disorderly and a minor in possession of alcohol. Rashad told Reeves he believed police arrested him illegally and assaulted him because he is black.

Since that meeting, Rashad has filed complaints against Yusam with both the internal affairs department of Cambridge PD and the department's Civilian Review Board.

Several police officers said they believe Reeves' comments showing support for the defendant's story were premature. Reeves had not heard the police department's version of the case, Pasquerello said.

"It seems like they've already made a decision at city hall and we're very upset about it," Pasquerello said last week. "I read the newspaper myself and it seems somebody has made a decision already."

Pasquerello also questioned the wisdom of Reeves' statement about Rashad's high school record. There have been several occasions when he's arrested so-called model students and other upstanding members of the community, Pasquerello said.

"Just because the kid has an outstanding record in high school doesn't mean anything," he said. "I've arrested kids that were millionaire's sons and it doesn't mean anything ... we don't show any discrimination."

ON CABLE

THURSDAY JULY 2
5:00- 19) Forum- Inst. of Politics
54) Ngoino Karabagh
55)Lord God Omnipotent
66) Sightseer
5:30 - 37) Portuguese Appreciation
Month- held at City Hall
54) Living 100 Percent
6:00 - 03) Fitness Connection
19) Deep Dish
54) Simaye Azadi
55) Mr Wonderful &Friends
6:30 - 03) Teenage
37) Camb. International
Festival Discovery in Central Sqare
54) Bonjour
55) Boston Opera Presents
7:00 - 03) Picture of Health
19) Auto Pilot
54) Canibbean Times
66) Law & Pol w/Baretto
7:30 - 03) Cambridge InsideOut
19) Camb. Sports Presents
55) MIT K-12 Forum
66) PCTV
8:00 - 03) The Forum: James
Baker
19) Certified
54) Portuguese Network
66) Aleph Network
8:30 - 19) Between Takes
55) Pride Time
9:00 - 03) Forever Baseball
19 & 66) MESS
37) Author Series:Edna
O'Brien, author of High Road, reads
from her latest book Time & Tide.
54) Horizon De Cychama
9:30 - 03) American Art Forum
55) Cafe Cabaret

FRIDAY JULY 3
Happy Holiday - No Programming
SUNDAY JULY 5
4:00- 54) Inspiration Ministry
5:00 - 19) Apple Computers-
Macintosh Solutions for Math &
Science
54) Asian Entertainment
55) Mensagem De Espera
66) All Truth
5:30 - 55) No Time to Waste
66) Simaye Azadi
6:00 - 19) P-C TV
54) Tele-Djakout
66) Bonjour
6:30 - 19) Art K-12 Forum
55) Open Mike
66) Living 100% - Greek
7:00 - 19) Camb. Earth Day
66) Cambridge SportsTalk
8:00 - 19) Outrageous
54) Tropical Caribbean
55) New Open Stage
66) The Rock Diaries
8:30 - 54) Lakay - Haitian
66) Proffessionals in
Transit- Career Counselling
9:00 - 19 & 66) Cambridge
Community News

MONDAY JULY 6
5:00 19) Stone Soup Poets
55) Rx It Happenned:
Courting the System
66) SCOLA-International
5:30- 66) Grecian Festival
6:00 - 03) Fitness Connection
55) HIV Medical Updates
6:30 - 03) Teenage
66) Ready, Willing, Enable
7:00 - 03) Malcolm X: Radical

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(SEAL) Case No. 180254

To **Joseph R. Tarby, III,** Trustee of New England Realty Trust; and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended: Woburn National Bank claiming to be the holder of a mortgage covering real property in **Cambridge, at Unit No. 31-3, Washingtonian Condominium, 31 Linnaean Street** given by Joseph R. Tarby, III, Trustee of New England Realty Trust to Woburn National Bank, dated May 19, 1987, recorded with the Middlesex County (Southern District) Registry of Deeds at Book 18141, Page 044, has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 3rd day of August 1992, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, John E. Fenton, Jr., Chief Justice of said Court this 19th day of June 1992.

Charles W. Trombly, Jr.
Recorder

(C)July2
#10424

COMMONWEALTH OF MASSACHUSETTS
Middlesex ss. **Probate Court No. 92D22021**
Luigi Grando Plaintiff
vs.
Marlene Therese Milner Ikels Defendant
To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Luigi Grando, seeking Divorce.

You are required to serve upon Mario Bozza, Esq., plaintiff's attorney, whose address is 63 Commercial Wharf, Boston MA 02110 your answer on or before September 28th, 1992. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.

June 24th, 1992

Donna M. Lambert
Register of Probate

(C)July2,9,16
#7812

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. **Probate Court No. 384450**
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Amy L. Spelman** late of **Cambridge,** in said County, deceased.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 24th thru 28th accounts of Cambridge Trust Company as Trustee (the fiduciary) under the will of said deceased for the benefit of Dorothy Spelman and others have been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said accounts, you or your attorney must file a written appearance in said Court at Cambridge on or before the 20th day of July, 1992, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said accounts. If you desire to object to any item of said accounts, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P Rule 5.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this 15th day of June, 1992.

Donna M. Lambert
Register

(C)July2
#10469

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT
Middlesex, ss **Docket No. 91P4615GI**
GENERAL PETITION
NOTICE

To all persons interested in the estate of **Della Pick** a person under guardianship of **Cambridge** in the County of Middlesex, a petition has been presented to said Court by Janis W. Fink of Shrewsbury in the county of Worcester praying that she may be authorized, by way of estate planning for Della Pick, to make the gifts and payments as more fully described in paragraphs 15 and 16 of a petition filed with said Court on June 11, 1992.

If you desire to object to the allowance of said petition you or your attorney must file a written appearance in said Court at Cambridge on or before September 8, 1992.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge this sixteenth day of June 1992.

Donna M. Lambert
Register of Probate Court

(C)July2
#7815

ADMINISTRATION WITH SURITIES
COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
Middlesex Division
DOCKET NO.92P2942A
Estate of **Mary J. Marquis**
Also known as Mary Josephine Marquis
late of **Cambridge**
in the County of Middlesex

NOTICE

A petition has been presented in the above-captioned matter praying that **John Marquis of Lexington** in the County of Middlesex or some other suitable person be appointed administrator of the estate of said deceased.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 16, 1992.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the sixteenth day of June in the year of our Lord one thousand nine hundred and ninety two.

Donna M.Lambert
Register of Probate

(C)July 2
#10593

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division
DOCKET NO.92P2785E
Estate of **Florence C. DeCristoforo**
Also known as Florence DeCristoforo
Died on May 1, 1992
late of **Cambridge**
in the County of Middlesex

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Theresa M. DeCristoforo-Montmagny** of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 13, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the Fifteenth day of June in the year of our Lord one thousand nine hundred and ninety two.

Donna M.Lambert
Register of Probate

FROM THE OFFICE OF:
James P.Killoran & Associates, P.C.
45 North Main Street
Post Office Box 1230
Fall River, MA 02722-1230
(C)July2
#7809

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that Gene Brown Motors, Inc. d/b/a **Back Bay Used Cars, Raymond J. Cicolo, President** has applied for a used car Dealer license, Class II at 158-176 Massachusetts Avenue.

The hearing on this application will be held on Tuesday evening, July 14, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C) July2
#10520

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Association Notre Dame de Cambridge, Inc., Joseph J. Volpe, Manager,** holder of an all alcoholic beverages as a club license, at 2022 Massachusetts Avenue has applied for a change of manager from Joseph J. Volpe to Charles F. Simard.

The hearing on this application will be held on Tuesday evening, July 14, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C) July2
#10428

OFFICE OF THE SCHOOL COMMITTEE
456 Broadway
Cambridge, MA 02138

Sealed proposals will be received at the Office of the Manager of Procurement, 159 Thorndike Street, Cambridge, Massachusetts 02141, until July 21, 1992 at 11:00 a.m. at which time they will be publicly opened and read for:

Maintenance of Copiers
Student Insurance
Computer Supplies
Milk for Food Service Dept.

Attention is called to requirements for equal opportunity employment on part of vendors. The department encourages participation in this bid of minority and women owned businesses.

Mary Lou Mcgrath
Superintendent of Schools

(C)July2
#7824

COM

PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, July 22, 1992 at 7:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition to consider amendments to the Zoning Ordinance in Article 14.000 Mixed Use Development District: Cambridge Center as follows: first, in Section 14.32.2(5), the amendment would increase the number of square feet of gross floor area in the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum development in the area; second, in Sections 14.45.1, Table 2, and 14.45.2 the amendments would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; the third amendment in Section 14.60 would exempt the MXD district from the requirements of Section 7.10 - Signs. These amendments would affect the shaded area on the accompanying map.

The Ordinance Committee will also consider a proposed amendment #3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area of Cambridge as follows: first, in Section 402(a) the amendment would increase the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum aggregate Gross Floor Area of 2,773,000 square feet; second, in Section 403 and Exhibit E, the amendment would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; and third, in Section 803, the amendment would extend the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. These change would affect the outlined area on the accompanying map.

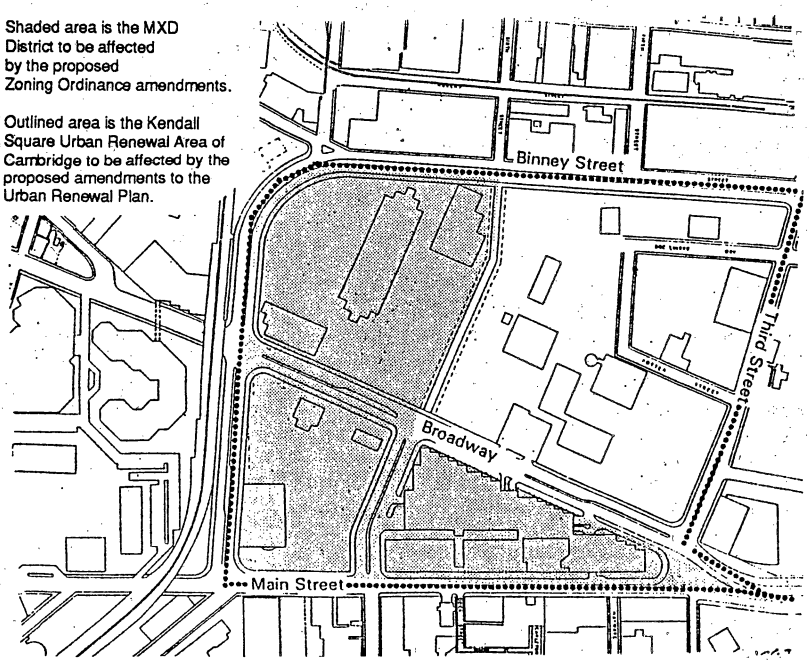
Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Alice K. Wolf
Chair

Shaded area is the MXD District to be affected by the proposed Zoning Ordinance amendments.

Outlined area is the Kendall Square Urban Renewal Area of Cambridge to be affected by the proposed amendments to the Urban Renewal Plan.



(C)July2,9
#7820

PUBLIC NOTICE
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MASSACHUSETTS
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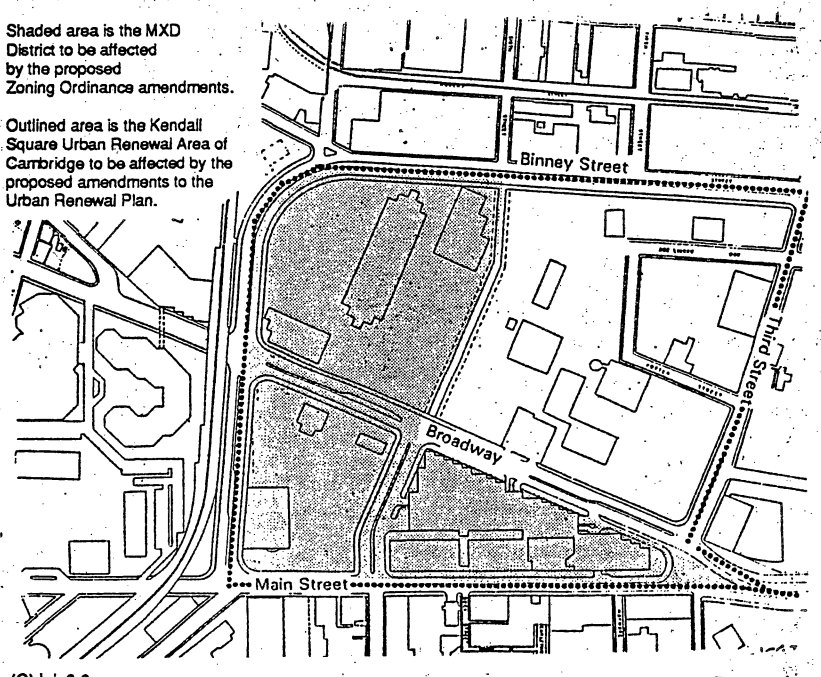

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Chair

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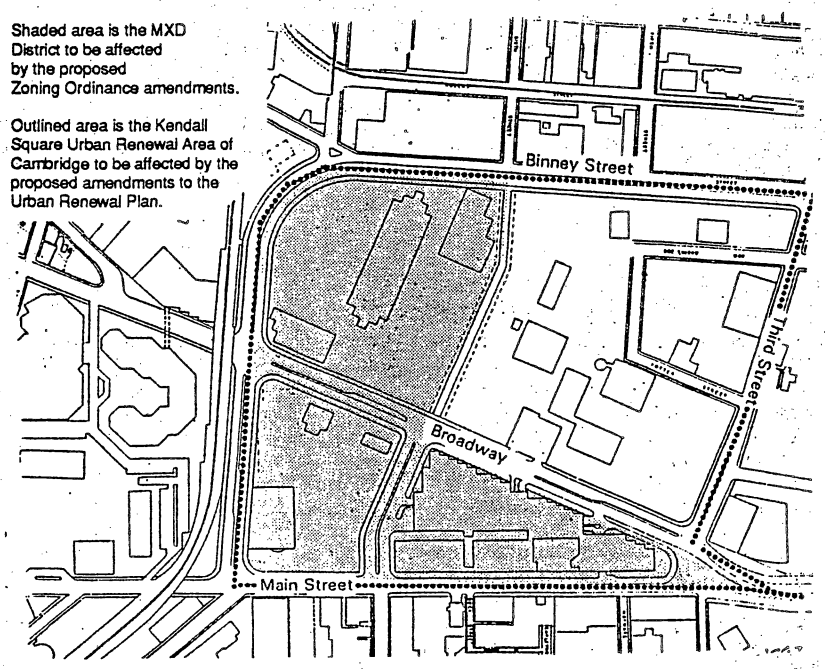

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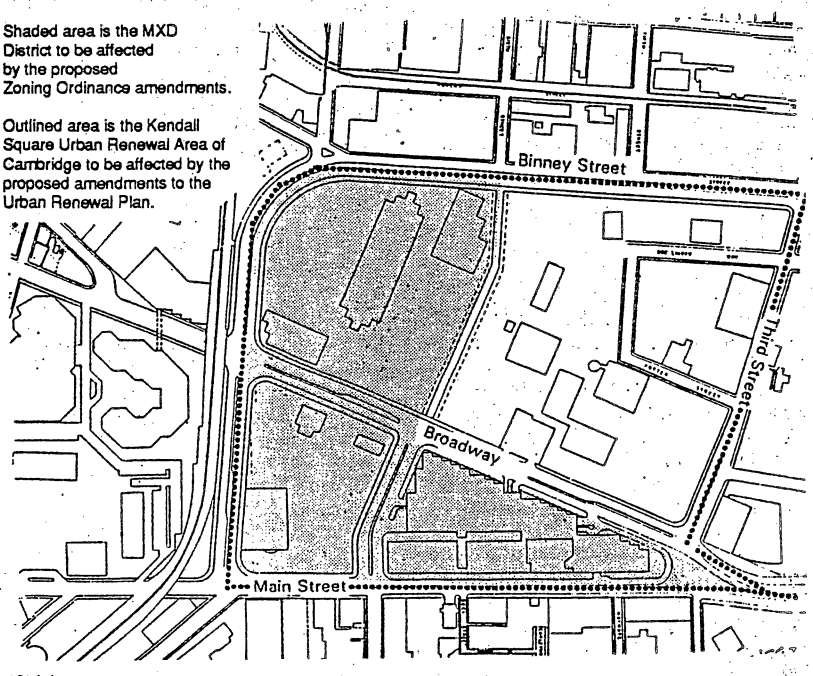

(C)July2,9
#7820

PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE CITY CLERK

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All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Alice K. Wolf
Chair

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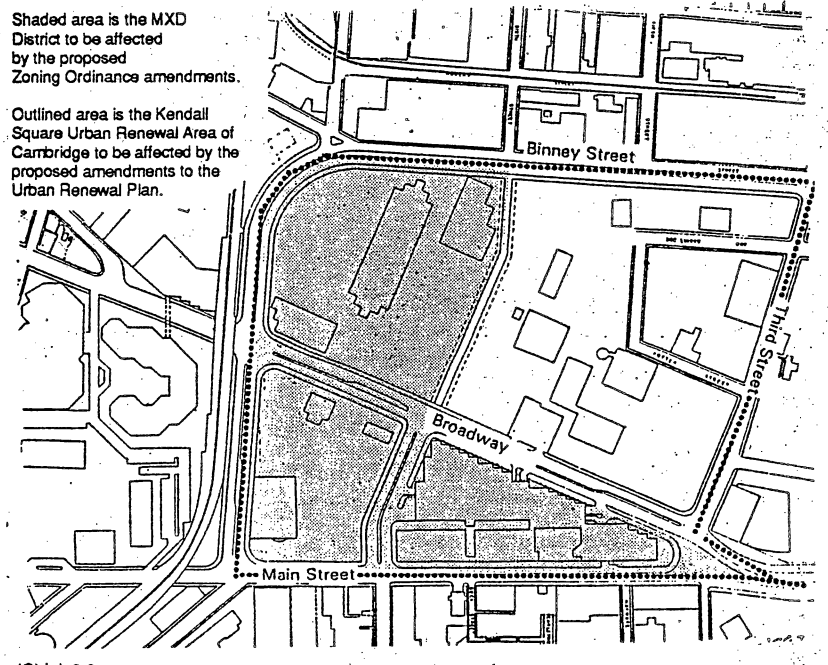

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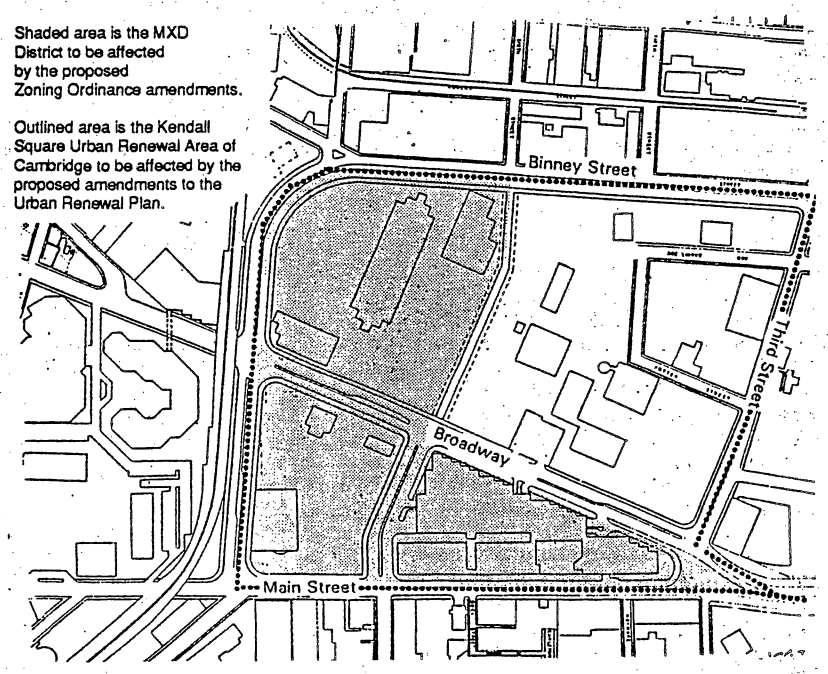

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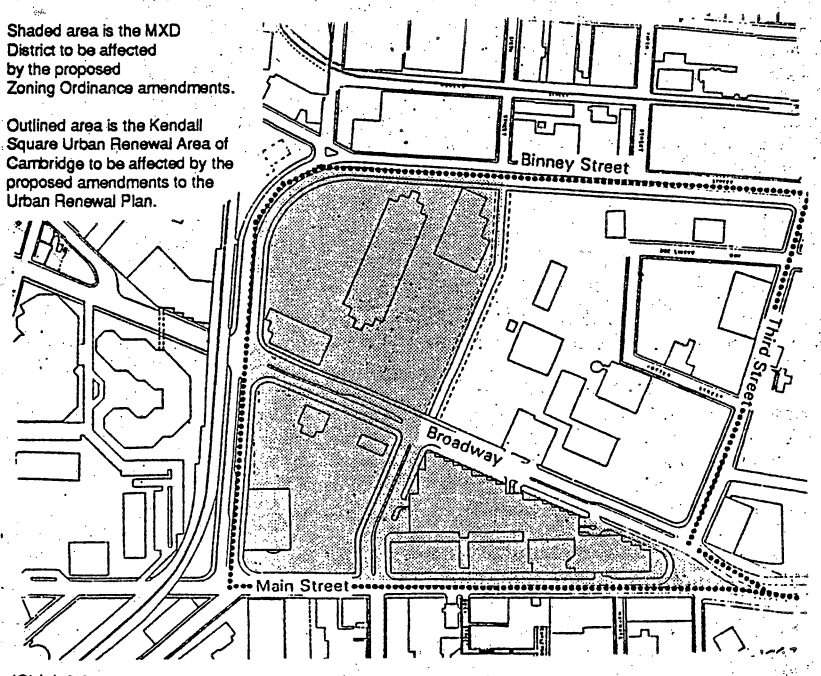

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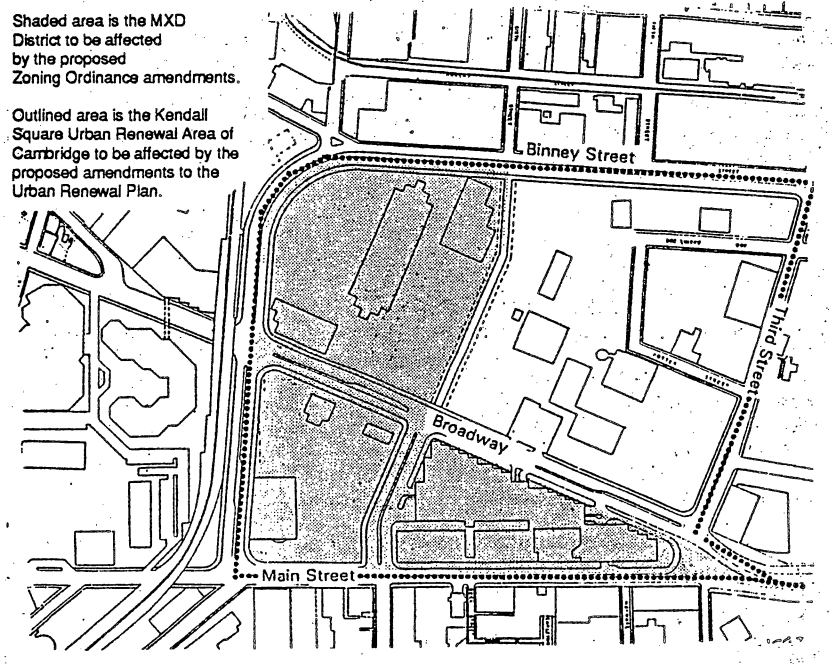

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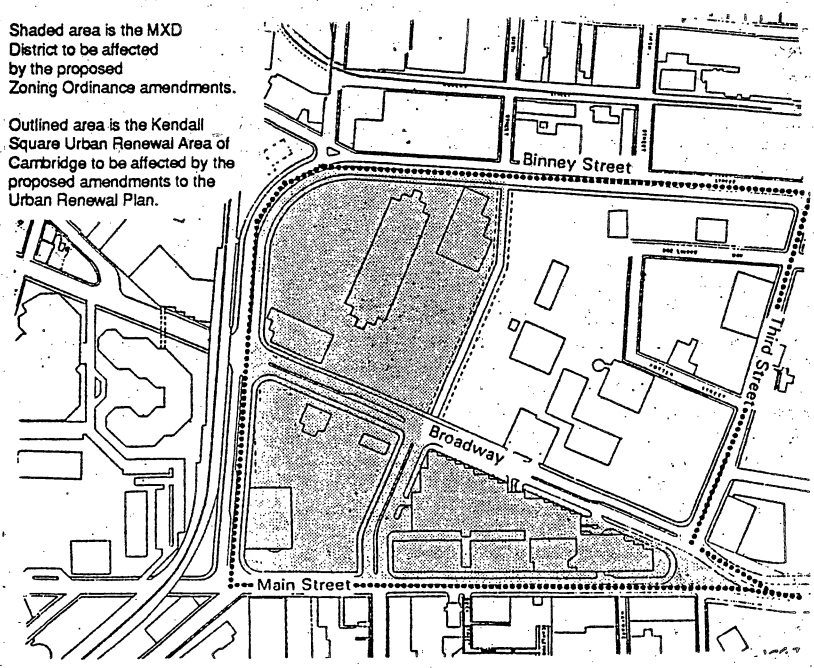

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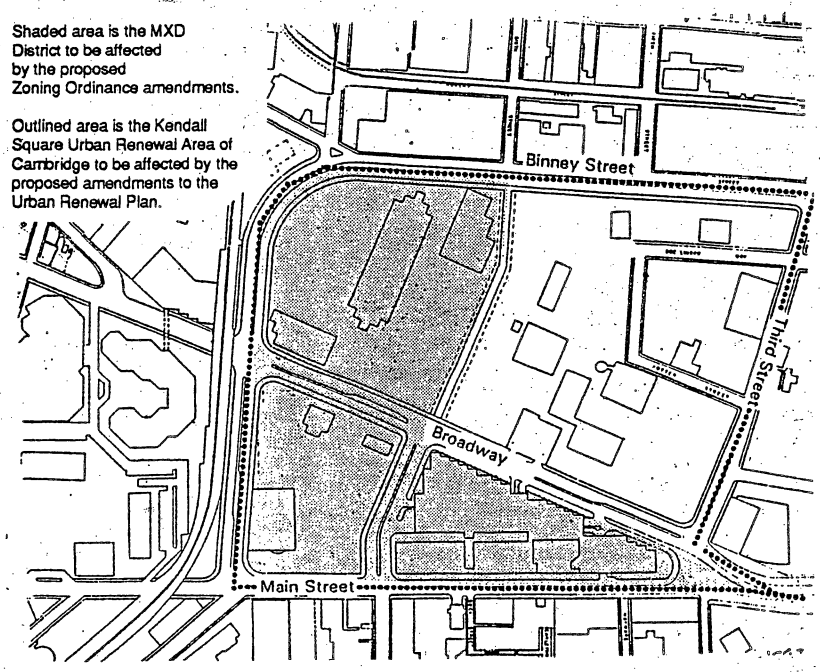

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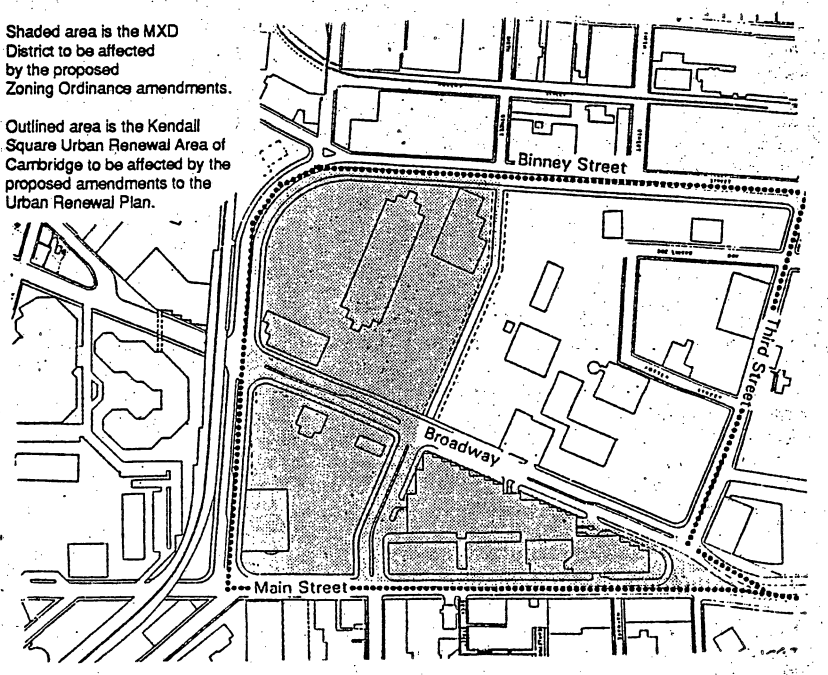

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CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 19, 1992

To the Honorable, the City Council

I am transmitting herewith the following:

(1) Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area, prepared by Cambridge Redevelopment Authority.

(2) Amendments to the Cambridge Zoning Ordinance.

I recommend the referral of each of these items to the appropriate City Council Committees and City Board. Procedurally, I recommend that the City Council and the Planning Board give due notice of a public hearing on each of these matters, with the City Council hearing to be held on Monday, August 3, 1992.

The enclosed letter from Cambridge Redevelopment Authority will provide you with the requisite background material.

I believe that these actions are consistent with the City's economic development objectives, including increasing tax revenues, expanding job opportunities, and improving the climate for doing business in Cambridge.

Very truly yours,

Robert W. Healy
City Manager

Enclosures

100% Recycled Paper

Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

June 18, 1992

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

Re: Request for City Council Approvals of Proposed Amendments to the "Zoning Ordinance of the City of Cambridge" and Proposed "Amendment No. 3 to the Kendall Square Urban Renewal Plan"

Dear Mr. Healy:

We have identified certain requisite public approvals and actions in connection with the Kendall Square Urban Renewal area. Those approvals and actions, cited above, include the following:

1. Chapter 121A Project Application. Working with your staff and the Authority, Boston Properties is preparing an Application for a "Chapter 121A Project" for submission to the Executive Office of Communities and Development, for which a public hearing will be required following submission of the Application.

2. Amendments to the Zoning Ordinance. We have identified the following amendments to the Zoning Ordinance:

- It is necessary to amend Article 14.00 (MXD Zoning District) to vary how the established maximum aggregate gross floor area in the MXD district (i.e., 2,773,000 Square Feet) may be utilized within the presently permissible use categories. Specifically, the number of square feet of gross floor area of office use would be increased by 500,000, without increasing the maximum development in the area.

- It is necessary to amend Article 14.00 by changing Table 2 in Section 14.45.1 and by amending Section 14.45.2 in order to add a new definition of "roof-top pedestrian deck" as an open space substitute for constructing pedestrian ways.

- It is necessary to amend Article 14.00 by deleting Section 14.60 which was adopted in June, 1991 without appropriate notice and to reinstate the prior provision exempting the MXD district from any additional requirements of Section 7.10 - Signs.

Proposed Transmittals to the Council for referral to its Committee on Ordinances and to the Planning Board for the requisite public hearing(s) and recommendations are enclosed as Exhibit A.

3. Minor Amendments to the Urban Renewal Plan. We have identified amendments to the Urban Renewal Plan. Those amendments are as follows:

- It is necessary to amend Section 402(a) of the Plan, consistently with the proposed zoning amendment, to increase the cumulative multi-purpose "float" (or "pool") by 500,000 Square Feet (i.e., from 973,000 Square Feet to 1,473,000 Square Feet). Such an amendment would not, however, increase the maximum aggregate GFA of 2,773,000 for the total Cambridge Center project.

- It is necessary to amend Section 403 and Exhibit E of the Plan by adding a new definition of "roof-top pedestrian deck" as an open space substitute for constructing pedestrian ways.

- It is necessary to amend Section 803 of the Plan by extending the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. This will result in the Plan being co-terminous with the proposed term of the Chapter 121A project and related tax agreement.

Proposed transmittals to the City Council and the Planning Board, together with forms of Resolutions to be considered and approved by both bodies, are enclosed as Exhibit B.

4. Timing of Public Hearings/Approvals. Based on our prior discussions and applicable required legal notices, it is recommended that you propose the following:

- That the City Council, at its meeting of June 22, 1992, vote to advertise a public hearing for Monday, August 3, 1992 to accept testimony on the proposed Application for a Chapter 121A Project.

- That the City Council, at its meeting of June 22, 1992, vote to refer the proposed amendments to the Zoning Ordinance to its Committee on Ordinances and to the Planning Board for public hearing prior to August 3, 1992 to accept testimony on the proposed zoning amendments.

- That the City Council, at its meeting of June 22, 1992, vote: (a) to refer Amendment Number 3 to the Kendall Square Urban Renewal Plan, as proposed by Cambridge Redevelopment Authority, to the Planning Board requesting a determination before August 3, 1992, that the proposed amendments are based upon a local survey and conform to a comprehensive plan for the locality as a whole; (b) to schedule a City Council public hearing on August 3, 1992 to consider the adoption of a resolution approving the proposed Amendment; and (c) to encourage Cambridge Redevelopment Authority to secure requisite approvals from the Department of Housing and Urban Development (HUD) -- on the Federal level -- the Executive Office of Environmental Affairs and the Executive Office of Communities and Development -- on the State level.

The actions outlined above are consistent with local comprehensive planning considerations, with the goals of the Kendall Square Urban Renewal Plan and with the City's objectives of improving blighted areas, of retaining existing businesses, of providing job opportunities for unemployed and under-employed workers, and for improving the City's tax base in these difficult economic times.

Your continued and essential participation and cooperation are appreciated.

Sincerely,

Joseph F. Tulimieri

Joseph F. Tulimieri
Executive Director

cc: Michael Rosenberg
James Maloney
Margaret Drury
Russell B. Higley, Esq.
Mortimer B. Zuckerman
Edward A. Linde
David Barrett
David Vickery

Enclosures

C. C. 106

City of Cambridge

In City Council
June 22, 1992

ORDERED: That the attached Amendment No. 3 to the Kendall Square Urban Renewal Plan, containing minor changes prepared by Cambridge Redevelopment Authority, be referred to the Council Committee on Ordinances and to the Planning Board; that the City Clerk schedule and give due notice, including notice to the Massachusetts Historical Commission with a map of the area, of a public hearing for Monday, August 3, 1992; that the Planning Board consider the adoption of the enclosed form of Resolution after receiving public testimony and conducting its review; that the City Council consider the adoption of the proposed form of Resolution after receiving testimony and conducting its review; that the City Clerk utilize the proposed form of Certificate upon adoption of the Resolution approving Amendment No. 3 to the Kendall Square Urban Renewal Plan.

LIB3 /32159.

RESOLUTION OF CAMBRIDGE REDEVELOPMENT AUTHORITY
APPROVING AMENDMENT NO. 3 TO THE
KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

WHEREAS there was presented to, reviewed and considered at this meeting of Cambridge Redevelopment Authority a copy of Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Project Area, Project No. Mass. R-107, (hereinafter referred to as "Amendment No. 3"); and

WHEREAS Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance and Executive Order 11063 prohibits discrimination on the basis of race, color, creed or national origin in the sale, lease or other disposition of residential property (including land intended for residential use) or in the use or occupancy thereof:

NOW, THEREFORE, BE IT RESOLVED BY CAMBRIDGE REDEVELOPMENT AUTHORITY:

1. That Amendment No. 3 is hereby in all respects approved, and the Executive Director is hereby directed to file a certified copy of Amendment No. 3 with the minutes of this meeting.

2. That it is hereby found and determined that the objectives of the Urban Renewal Plan as heretofore amended and as further amended by Amendment No. 3 cannot be achieved through more extensive rehabilitation of the Project area.

3. That Cambridge Redevelopment Authority hereby determines that Amendment No. 3 is a minor plan change.

4. That Cambridge Redevelopment Authority hereby finds that the Plan, as amended by Amendment No. 3, conforms to the general plan for the development of the locality and community as a whole.

5. That it is hereby found that, in addition to other purposes, the Plan, as amended by Amendment No. 3, will afford maximum opportunity for privately financed urban renewal consistent with the sound needs of the community, will support the economic stability of the City of Cambridge, will provide employment opportunities, particularly for persons earning low and moderate incomes, and will promote the public welfare and the proper development of the area.

6. That Cambridge Redevelopment Authority make available a copy of Amendment No. 3 for public inspection at its offices located at Four Cambridge Center, Cambridge, Massachusetts.

7. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by Cambridge Redevelopment Authority with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964 and applicable Executive Orders.

8. That Cambridge Redevelopment Authority submit Amendment No. 3 for review and approval by all requisite public authorities, as required by law.

Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

AMENDMENT NO. 3
URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

Whereas, Cambridge Redevelopment Authority desires to modify, as hereinafter set forth, certain provisions of the urban renewal plan known as the "Urban Renewal Plan, Kendall Square Urban Renewal Area, Project No. Mass R-107", as heretofore amended:

Now, therefore, said Plan is hereby further modified as follows:

1. Section 402(a) of the Plan is hereby amended by deleting the seventh paragraph thereof and by substituting in lieu thereof the following:

> "Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations: Cumulative GFA=973,000 s.f. for buildings which are located or are being constructed or may be constructed at any location within the MXD District, plus an additional 500,000 s.f. for buildings which may be constructed within the MXD District north of Broadway."

Nothing herein shall affect or increase the maximum aggregate GFA

stated in the first paragraph of said Section 402(a) of the Plan.

2. Section 403 of the Plan is hereby amended by adding a new paragraph at the end thereof to read as follows:

> (8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings.

3. Exhibit E to Section 403 of the Plan is hereby amended by adding the following at the end thereof:

"Roof-Top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each sq. ft. of total area provided, whichever is greater"

4. Section 803 of the Plan is hereby amended by revising the reference in the second line thereof from "thirty (30) years" to "forty-five (45) years".

DATED: , 1992

RESOLUTION OF THE CAMBRIDGE PLANNING BOARD
REGARDING AMENDMENT NO. 3
TO THE KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

RESOLVED: That the Kendall Square Urban Renewal Plan, Project No. Mass. R-107, as amended by Amendment No. 3, dated _____, 1992, is hereby found and determined to be based upon a local survey and to conform to a comprehensive plan for the locality as a whole.

On a motion by _____, seconded by _____, the above resolution was passed unanimously by the Planning Board at its meeting on _____, 1992.

For the Planning Board,

Chairman

LIB3 /31860.1

City of Cambridge

AMENDMENT NO. 3 TO URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

RESOLUTION OF CAMBRIDGE CITY COUNCIL
APPROVING AMENDMENT NO. 3 TO THE
KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

WHEREAS Cambridge Redevelopment Authority has undertaken and is carrying out an urban renewal plan in the City of Cambridge identified as the Kendall Square Urban Renewal Plan, Project No. Mass. R-107, with financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, and in accordance with an amended Urban Renewal Plan duly approved by the City Council and City Manager of the City of Cambridge; and

WHEREAS Cambridge Redevelopment Authority has proposed and submitted Amendment No. 3, dated _____, 1992, to the Urban Renewal Plan, and the Cambridge Planning Board has found that the Urban Renewal Plan, as amended by said Amendment No. 3, is based upon a local survey and conforms to a comprehensive plan for the locality as a whole; and

WHEREAS Cambridge Redevelopment Authority has applied for financial assistance under the Housing Act of 1949, as amended, and may enter into an amendatory contract or contracts with the

Department of Housing and Urban Development for additional financial assistance for the Project; and

WHEREAS the City Council and City Manager are cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, religion, sex, or national origin:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. That Amendment No. 3, dated _____, 1992 to the Urban Renewal Plan for the Kendall Square Urban Renewal Project (Mass. R-107) is hereby approved; and a copy of said approved Amendment No. 3 is hereby ordered made a part of the records of this meeting.

2. That it is hereby found and determined that the objectives of the Urban Renewal Plan, as amended, cannot be achieved through rehabilitation of the Project area.

3. That it is hereby determined that the Urban Renewal Plan, as amended, for the Project area conforms to the general plan of the locality.

4. That it is hereby determined that the financial aid provided and to be provided pursuant to the contracts for Federal financial assistance pertaining to the Project is necessary to enable the Project to be undertaken in accordance with the Urban Renewal Plan, as amended, for the Project area.

5. That it is hereby found and determined that, in addition to other purposes, the undertaking of the Project will further promote the public welfare and the proper development of

the community by providing, through the redevelopment of the Project area in accordance with the Urban Renewal Plan, as amended, a cohesive neighborhood environment compatible with the functions and needs of institutions furnishing Section 112 credits as local grants-in-aid for the Project.

6. That it is hereby found and determined that the Urban Renewal Plan, as amended, for the Project area will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the urban renewal of the area by private enterprise.

7. That it is hereby found and determined that the Urban Renewal Plan, as amended, for the Project area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

8. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan, as amended, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public actions, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan, as amended; (b) requests the various officials,

departments, boards, and agencies of the locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, as amended; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan, as amended.

In City Council _____, 1992

Adopted by a "yea" and "nay" vote
Yeas ____; Nays ____; Absent ____

A true copy:

_____
City Clerk

ATTEST:

_____

APPROVED AS TO FORM:

_____
City Solicitor

APPROVED:

_____
City Manager

(SEAL)

C. C. 106

City of Cambridge

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. She is the duly qualified Acting City Clerk of Cambridge, Massachusetts (hereinafter called the "Locality"), and the custodian of the records of the Locality, including the minutes and journal of the proceedings of the City Council (hereinafter called the "Governing Body"); and is duly authorized to execute this certificate.

2. Attached hereto is a true and correct copy of a resolution including the WHEREAS clauses, adopted at a meeting of the Governing Body held on the _____ day of _____, 1992 (hereinafter called the "Resolution of the Governing Body").

3. Also attached hereto is a true and correct copy of Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area, Project No. Mass. R-107, presented at the meeting, and approved by the Resolution of the Governing Body.

4. The Resolution of the Governing Body has been duly recorded in the minutes of the meeting and is now in full force and effect.

5. The meeting was duly convened and held in all respects in accordance with law and the bylaws of the Locality. To the extent required by law or the bylaws, due and proper notice of the meeting was given. A legal quorum of members of the Governing Body was present throughout the meeting, and a legally sufficient number of members of the Governing Body voted in the proper manner for the adoption of the Resolution of the Governing Body. All other requirements and proceedings under law, the bylaws, or otherwise, incident to the proper adoption of the Resolution of the Governing Body, including any publication, if required by law, have been duly fulfilled, carried out, and otherwise observed.

6. The seal below constitutes the official seal of the Locality and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this _____ day of _____, 1992.

(SEAL)

_____
Margaret Drury
Acting City Clerk

C. C. 106

City of Cambridge

In City Council
June 22, 1992

ORDERED: That the attached proposed amendments to the Cambridge Zoning Ordinance be referred to the Council Committee on Ordinances and to the Planning Board; and that the City Clerk schedule and give due notice of a public hearing for Monday, August 3, 1992.

LIB3 /32106.

PROPOSED AMENDMENTS OF CAMBRIDGE ZONING ORDINANCE

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

> "(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

August 14, 1992

Stephen H. Oleskey, Esq.
Hale and Dorr
60 State Street
Boston, MA 02109

Re: Request for Public Records

Dear Mr. Oleskey:

I am responding to that portion of your public record request which pertains to City Council records and records contained within the City Clerk's Office. The City Solicitor is reviewing and responding to the portions of the request which seek materials from other city departments. For purposes of clarity, I have used the same numbers for items as are used in your letter to me dated August 5, 1992.

1. In the City Clerk's records, there is no document issued by Palmer and Dodge opining on the appropriateness of the proposed extension of the 121B designation and the propriety of a 121A designation for the Cambridge Center Project.

2. (a) There is a videotape of the July 22, 1992 Ordinance Committee hearing for the purpose of considering Proposed Amendment Number Three to the Kendall Square Urban Renewal Plan; proposed amendments to the Zoning Ordinances of the City of Cambridge in Article 14.000 entitled "Mixed Use Development District: Cambridge Center and in Sec. 14.60 entitled "Signs;" and confirmation of three appointments to the Cambridge Redevelopment Authority. The videotape is available at this office. The cost is $20 per tape, for three tapes, and you must provide the tapes for copying.

(b) The Report of the Ordinance Committee meeting of July 22, 1992, accepted by the City Council, is available at this office at a cost of $1.60 ($.20 per page). A copy is enclosed, along with a copy of the publication of the Plan Amendment and the proposed Zoning Ordinance amendment.

(c) There is a videotape of the City Council meeting of August 3, 1992, in which the Urban Renewal Plan and Zoning Ordinance amendments were passed to a second reading, and the CRA appointments were confirmed. Again, the cost of copying videotapes

is $20 each, and you must provide tapes. Please let me or John Flynn, Deputy Clerk, know if you want tapes of this meeting and we will arrange to have them available for you.

(d) That portion of the written record of the August 3, 1992 City Council meeting reflecting the actions described in paragraph 2(c) above consists of three pages, at a cost of $.80 ($.20 per page).

3. All such material is included in response number 2.

4. All material available is described in response number 2.

5. In the City Clerk's records, there is a memorandum from John F. Bok, dated February 13, 1992, entitled "Procedural Steps for 121A Project," available at this office at a cost of $2.20 ($.20 per page).

I am enclosing the written material described above, for which there will be a total charge of $4.60. Please call this office to make arrangements for the videotapes.

If you have any questions, please feel free to contact me.

Sincerely,

D. Margaret Drury
City Clerk

cc: Robert Healy, City Manager
Russell Higley, City Solicitor
enc
DMD:hs

City of Cambridge

COMMITTEE REPORTS

1. A communication was received from John E. Flynn, Deputy City Clerk, transmitting a report from Councillor Jonathan S. Myers, Chair of the Rent Control Committee, for a hearing held on Tuesday, June 2, 1992 relative to the Rehab and Loan Programs in the City of Cambridge.

   REPORT ACCEPTED. PLACED ON FILE.

2. A communication was received from D. Margaret Drury, Temporary City Clerk, transmitting a report from Vice Mayor Ed Cyr, Chair of the Housing and Community Development Committee, for a hearing held on Wednesday, June 10, 1992, relative to review the Report of the Housing Cabinet and the agenda for future hearings of the Committee.

   REPORT ACCEPTED. PLACED ON FILE.

3. A communication was received from John E. Flynn, Deputy City Clerk, transmitting a report from Councillor Jonathan S. Myers, Chair of the Human Services and Youth Committee, for a hearing held on Thursday, June 25, 1992 relative to an update on the statistics of summer employment opportunities and to discuss the further development of the Citywide Youth Employment Center.

   REPORT ACCEPTED. PLACED ON FILE.

4. A communication was received from John E. Flynn, Deputy City Clerk, transmitting a report from Councillor Jonathan S. Myers, Chair of the Rent Control Committee, for a hearing held on Thursday, June 25, 1992 relative to a resolution calling for the development of a comprehensive program to address the rehabilitation of the 300 units that have been identified with the lowest rents in the city.

   REPORT ACCEPTED. ORDER ADOPTED.

5. A communication was received from D. Margaret Drury, Temporary City Clerk, transmitting a report from Councillor Francis H. Duehay, Chair of the Health and Hospital Committee, for a hearing held on Friday, June 26, 1992 relative to the Cambridge Hospital's facilities master plan, potential changes to the recombinant DNA ordinance and an update on the Neville Manor.

   REPORT ACCEPTED. PLACED ON FILE.

6. A communication was received from D. Margaret Drury, Temporary City Clerk, transmitting a report from Councillor Alice K. Wolf, Chair of the Ordinance Committee, for a hearing held on Tuesday, June 30, 1992 relative to a proposed amendment to the Zoning Ordinances of the City of Cambridge as it relates to fast food establishments.

   REPORT ACCEPTED. PASSED TO A SECOND READING AS AMENDED.

7. A communication was received from the Committee on Government Operations transmitting a report from Councillor Francis H. Duehay, Chair; Councillor Jonathan S. Myers and Councillor Timothy J. Toomey, Jr. relative to the interviewing and evaluation of candidates for the position of City Clerk.

REPORT ACCEPTED. PLACED ON FILE.

8. A communication was received from John E. Flynn, Deputy City Clerk, transmitting a report from Councillor Jonathan S. Myers, Chair of the Rent Control Committee, for a hearing held on Tuesday, July 14, 1992 relative to high rent situations with the focus on 266-270 Windsor Street, 19-25 Market Street and 205-211 Harvard Street.

REPORT ACCEPTED. PLACED ON FILE.

9. A communication was received from D. Margaret Drury, Temporary City Clerk, transmitting a report from Councillor Alice K. Wolf, Chair of the Ordinance Committee, for a hearing held on Wednesday, July 22, 1992 relative to a proposed amendment to the Municipal Code of the City of Cambridge in Chapter 2.110.119 entitled "Domestic Partnerships."

REPORT ACCEPTED. PASSED TO A SECOND READING.

10. A communication was received from D. Margaret Drury, Temporary City Clerk, transmitting a report from Councillor Alice K. Wolf, Chair of the Ordinance Committee, for a hearing held on Wednesday, July 22, 1992 relative to Kendall Square Urban Renewal Plan Amendment Number Three, proposed amendments to the Zoning Ordinances in Article 14.000 entitled "Mixed Use Development district: Cambridge Center and Section 14.60 of Article 14.000 entitled "Signs" and the confirmation of three appointments to the Cambridge Redevelopment Authority.

1. PLAN AMENDMENT PASSED TO A SECOND READING AS AMENDED.
2. ZONING ORDINANCE PASSED TO A SECOND READING.
3. APPOINTMENTS CONFIRMED. ROLL CALL. 7-1-0-1.

11. A communication was received from D. Margaret Drury, Temporary City Clerk, transmitting a report from Councillor Alice K. Wolf, Chair of the Ordinance Committee, for a hearing held on Thursday, July 23, 1992 relative to whether the City of Cambridge can and should use the Community Development Block Grant Section 108 Loan Guarantee Program to provide gap financing to assist the development of biotechnology-related laboratory space.

PLACED ON UNFINISHED BUSINESS FOR SEPTEMBER 14, 1992.

City of Cambridge

The Ordinance Committee held a public hearing on Wednesday, July 22, 1992, beginning at 9:15 p.m. in the Sullivan Chamber for the purpose of considering Proposed Amendment Number Three to the Kendall Square Urban Renewal Plan; proposed amendments to the Zoning Ordinances of the City of Cambridge in Article 14.000 entitled "Mixed Use Development district: Cambridge Center and in Section 14.60 of Article 14.000 entitled "Signs;" and confirmation of three appointments to the Cambridge Redevelopment Authority. Members present were Vice Mayor Edward N. Cyr, Councillor Francis H. Duehay, Councillor Jonathan S. Myers, Mayor Kenneth E. Reeves, Councillor Sheila T. Russell, Councillor Walter J. Sullivan, Councillor Timothy J. Toomey, Jr., Councillor William H. Walsh and Councillor Alice K. Wolf.

Councillor Wolf, Chair of the Committee, opened the hearing with a brief description of the proposed amendments to the urban renewal plan and the proposed amendments to the Zoning Ordinances. Copies of the proposed urban renewal plan amendment (Attachment A) and the proposed zoning amendments (Attachment B) are attached to this report, labeled as indicated. Councillor Wolf explained that there would be a presentation by the City Manager, followed by an opportunity for public testimony.

City Manager Robert W. Healy introduced Joseph Tulimeri, Executive Director of the Cambridge Redevelopment Authority (CRA). Mr. Tulimeri submitted a map of the area of the proposed changes (Attachment C). He said that the proposed amendment to exempt the development area from the Sign Ordinance would restore a previous exemption and was important to allow a level of consistency in the signage of the entire redevelopment area. Mr. Tulimeri also introduced David Barrett, Senior Vice President of Boston Properties, the developer of the redevelopment area.

Councillor Duehay asked whether the sign ordinance as it pertained to the redevelopment area could be changed rather than made completely inapplicable by exemption, and requested that the redevelopment area sign regulations be submitted. Mr. Tulimeri responded that he believed there were many parts of the ordinance with which the redevelopment area does not comply, for example there is corporate signage on several different faces of buildings. Vice Mayor Cyr said he believed that issues of corporate signage could be dealt with through changes to two sections of the Sign Ordinance.

Councillor Duehay said that he would like more information about the implications of extending the urban renewal plan before voting on that proposed amendment. Mr. Tulimeri said that it is important to keep the plan in place to keep the public controls on the development of the area and to prevent changes in use. Currently, the plan would expire on August 30, 1995. He also said

that development agreements could be impacted by expiration of the plan. Mr. Tulimeri added that the extension of the urban renewal plan is unrelated to the existence of the CRA, and that a decision to extend the plan would not affect whether the CRA continues to exist or not.

Councillor Duehay asked whether the urban renewal plan extension had to be decided that night. David Barrett answered that it could be important to have an extension in place before the state and federal reviewing agencies had to give their approvals. Robert Healy said that because there were several complexities to this issue that the City does not have all the answers to , it would be a good idea to keep this matter moving along, but it was not imperative to act on it tonight. Councillor Wolf suggested that this matter be referred to the Ordinance Committee and that the Ordinance Committee could meet at 2:30 p.m. on August 3, 1992, before the meeting of the City Council on same date.

Testimony in support of the proposed amendments to the urban renewal plan and zoning ordinances was presented by Paul Casey, Director of Real Estate, Comm Energy Services, who voiced Comm Energy's strong support for these amendments and the support for development that they represented.

There was not public testimony presented in opposition.

Thereupon Councillor Duehay moved:

> That paragraph number 4 on page 2 of Amendment No. 3 to the Urban Renewal Plan be removed from Amendment No. 3 and remain in the Ordinance Committee.

The motion carried on a voice vote.

Councillor Duehay further moved:

> That the Ordinance Committee recommend to the City Council Approval of Amendment No. 3, as amended.

The motion carried on a voice vote.

Vice Mayor Cyr moved:

> That the proposed amendments to the Zoning Ordinances be forwarded to the City Council with recommendation that the amendments be adopted.

The motion carried unanimously on a roll call vote.

Councillor Wolf moved the discussion to the City Manager's request for confirmation of appointments to the Cambridge Redevelopment Board. Robert Healy listed his selections for the Board: Allen Bell, as a re-appointment, Karen K. Swaim and Manuel Rogers, Jr. In response to a question from Mayor Reeves, Robert Healy explained that the CRA Board consists of five members, four appointed by the City Manager with confirmation by the City Council, and one appointed by the Governor. If these people are all appointed, there will still be on City Manager appointment vacancy on the Board.

Councillor Myers asked what criteria had been used in making these appointments. Robert Healy responded that integrity, willingness to serve and balance for the Board were the most important factors. He noted that there were eight applicants and he interviewed the five who were available for interviews.

Councillor Russell stated that the Manager had done a good job in selecting Board members. Each one brings something different to the CRA.

Councillor Toomey congratulated the Manager on his recommendations.

Councillor Duehay moved:

> **That the appointments be reported to the City Council with a recommendation for confirmation.**

The motion carried on a voice vote.

The hearing was adjourned at 10:15 p.m.

For the Committee,

Councillor Alice K. Wolf
Chair

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 1000
617 492 6934 (FAX)

AMENDMENT NO. 3
URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

Whereas, Cambridge Redevelopment Authority desires to modify, as hereinafter set forth, certain provisions of the urban renewal plan known as the "Urban Renewal Plan, Kendall Square Urban Renewal Area, Project No. Mass R-107", as heretofore amended:

Now, therefore, said Plan is hereby further modified as follows:

1. Section 402(a) of the Plan is hereby amended by deleting the seventh paragraph thereof and by substituting in lieu thereof the following:

> "Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations: Cumulative GFA=973,000 s.f. for buildings which are located or are being constructed or may be constructed at any location within the MXD District, plus an additional 500,000 s.f. for buildings which may be constructed within the MXD District north of Broadway."

Nothing herein shall affect or increase the maximum aggregate GFA

stated in the first paragraph of said Section 402(a) of the Plan.

2. Section 403 of the Plan is hereby amended by adding a new paragraph at the end thereof to read as follows:

> (8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings.

3. Exhibit E to Section 403 of the Plan is hereby amended by adding the following at the end thereof:

"Roof-Top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each sq. ft. of total area provided, whichever is greater"

4. Section 803 of the Plan is hereby amended by revising the reference in the second line thereof from "thirty (30) years" to "forty-five (45) years".

DATED: , 1992

ATTACHMENT B

PROPOSED AMENDMENTS OF CAMBRIDGE ZONING ORDINANCE

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

> "(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

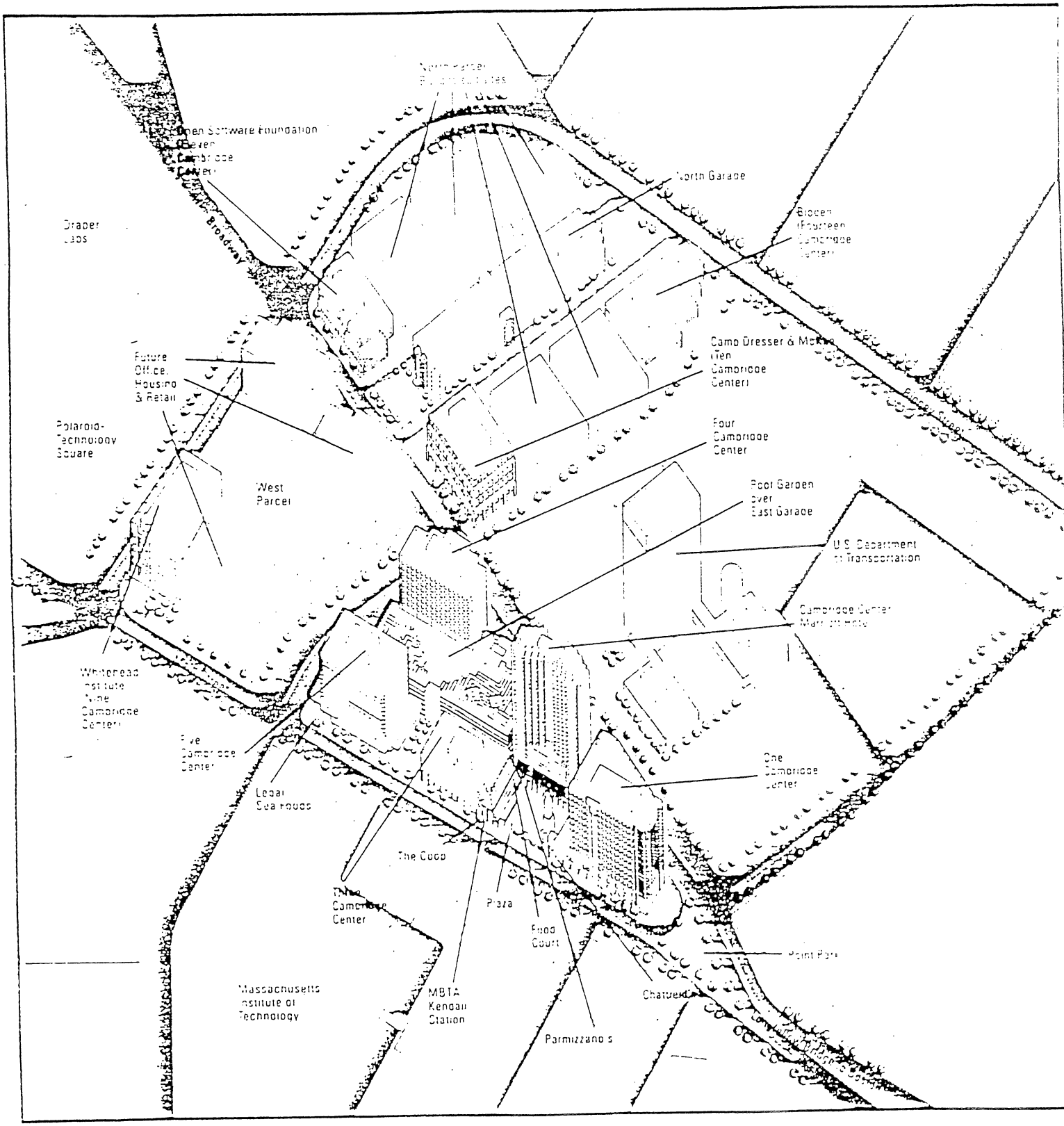
"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

ATTACHMENT C

Cambridge Center

Completed and Future Development



C. C. 106

FIRST PUBLICATION NO. 2599.

City of Cambridge

PROPOSED AMENDMENT TO KENDALL SQUARE URBAN RENEWAL PLAN

WHEREAS: Cambridge Redevelopment Authority desires to modify, as hereinafter set forth, certain provisions of the urban renewal plan known as the Urban Renewal Plan, Kendall Square Urban Renewal Area, Project No. Mass R-107", as heretofore amended; now therefore be it

RESOLVED: That said Plan is hereby further modified as follows:

1. Section 402(a) of the Plan is hereby amended by deleting the seventh paragraph thereof and by substituting in lieu thereof the following:

"Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations: Cumulative GFA=973,000 s.f. for buildings which are located or are being constructed or may be constructed at any location within the MXD District, plus an additional 500,000 s.f. for buildings which may be constructed within the MXD District north of Broadway."

Nothing herein shall affect or increase the maximum aggregate GFA stated in the first paragraph of said Section 402(a) of the Plan.

2. Section 403 of the Plan is hereby amended by (a) deleting the fifth and sixth lines on pages 22-35 and substituting therefor the following:

"The pedestrian ways listed in Exhibit E shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

and (b) by adding a new paragraph at the end thereof to read as follows:

(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise shall provide seating facilities, and shall be landscaped with appropriated materials which shall include plantings.

3. Exhibit E to Section 403 of the Plan is hereby amended by adding the following at the end thereof:

"Roof-Top Pedestrian Deck"	50 sq. ft. or 2.5 sq. ft. for each sq. ft. of total area provided, whichever is greater"

4. Section 803 of the Plan is hereby amended by revising the reference in the second line thereof from "thirty (30) years" to "forty-five (45) years".

Passed to a second reading as amended at the City Council meeting held on August 3, 1992 and on or after August 24, 1992 the question comes on adoption.

ATTEST:- D. Margaret Drury
Temporary City Clerk

FIRST PUBLICATION NO. 2600.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

AN ORDINANCE

In amendment to an ordinance entitled "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:
That the Zoning Ordinances of the City of Cambridge is hereby amended as follows:

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

> "(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

Passed to a second reading at the City Council meeting of August 3, 1992 and on or after August 24, 1992 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
Temporary City Clerk

FOLEY, HOAG & ELIOT

ONE POST OFFICE SQUARE

BOSTON, MASSACHUSETTS 02109

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February 13, 1992

M E M O R A N D U M

TO: James Maloney and Michael Roconborg

FROM: John F. Bok

RE: Procedural Steps for 121A Project

---

1) Three or more people prepare written agreement of association to form a Massachusetts corporation (Statute §3). Cannot file to form the corporation with Secretary of State until Department of Community Affairs approves. (Statute §5)

> **§ 3. Corporations Provided for and Limited to One Project Each; Operation Regulated.**
>
> Three or more persons may associate themselves by written agreement of association in a form furnished or approved by the commissioner of corporations and taxation with intent to form a corporation for the purpose of undertaking and carrying out in the city of Boston a project authorized and approved by the Boston Redevelopment Authority or for the purpose of undertaking and carrying out in any other city or town a project authorized and approved, or to be authorized and approved, by the housing board. No such corporation shall undertake more than one project or engage in any other type of activity.
>
> A charitable corporation organized under chapter one hundred and eighty, the property of which cannot on dissolution or otherwise inure to the benefit of any private person or entity, and which is approved by the local renewal agency, is hereby empowered to act as an Urban Redevelopment Corporation pursuant to all other provisions of this chapter, except as hereinafter provided, for the purpose of rehabilitating and improving residential housing. Such a corporation may sell any redevelopment project within fifteen years or such further time as may be provided under section ten, provided that any

profits shall be employed in further redevelopment projects. Such a corporation shall be exempt from the provisions of section nine, provided that surplus earning profits from such projects, however, categorized, shall be employed in further urban redevelopment projects.

The laws relative to corporations organized under and subject to chapter one hundred and fifty-six, except section seven of said chapter, as far as consistent with the provisions of this chapter and rules and regulations made under authority thereof, shall apply to corporations so formed and such corporations are hereby declared to be instrumentalities of the commonwealth.

Any corporation organized under this chapter may, if the written agreement of association shall so provide, operate as a co-operative corporation in a manner similar to that provided in chapter one hundred and fifty-seven; provided, however, that if there is any inconsistency between the provisions of such chapter one hundred and fifty-seven and the provisions of this chapter, the provisions of this chapter shall be controlling. (1945, 654, § 1; 1953, 647, § 1; 1960, 652, § 3; 1968, 356, § 1; 1975, 827, § 1.)

§ 5. Application for Approval of Project.

The persons who have executed an agreement of association under section three with intent to form a corporation for the purpose of undertaking and carrying out a project in a city, other than Boston and Springfield, or in a town shall, before presenting the agreement of association to the state secretary for filing, submit to the housing board an application for its approval of the project for the carrying out of which the corporation is sought to be formed and its consent to the formation of such corporation. Such application shall specify the location of the proposed project and shall state the reasons why the project is necessary or desirable, the uses to which the project is to be put, the estimated cost of the project, and the amount of capital which it is intended to raise. Such application shall also contain in general terms a description of the buildings, structures or facilities which it is proposed to furnish, and shall be accompanied by a site plan and typical building plan and typical elevations of the proposed buildings or structures. If property is to be taken by eminent domain, the applicant shall also file a relocation plan as required pursuant to chapter seventy-nine A. (1945, 654, § 1; 1960, 652, § 4; 1975, 827, § 2.)

2) Applicants file Application with Department which must meet Regulations § 25.01 and .02.

(1) Conformity with Rules and Regulations. Every application submitted to the Department, M.G.L. c. 121A, ss. 5 and 18C as amended, whether by persons intending to associate themselves by written agreement of association with intent to form a corporation under M.G.L. c. 121A for the purpose of undertaking and carrying out a project under said Chapter, or by an insurance company or group of insurance companies, savings bank or group of savings banks, cooperative bank or savings and cooperative banks, or individuals or groups of individuals intending to carry out a project under said Chapter and every amendment of any such application, shall be submitted in conformity with 760 CMR 25.00, except where St. 1987, c. 257 governs applications in the City of Springfield.

(5) Applications in Writing and Under Oath. Every application submitted to the Department under said M.G.L. c. 121A, s.5 or s.18C and every amendment of any such application, shall be in writing and signed under oath by all of the persons intended to associate themselves as aforesaid or by a duly authorized officer of each insurance company or of each savings or cooperative bank, as the case may be, and, if signed by such a corporate officer, shall have attached to it evidence of corporate action authorizing its submission.

(6) Functional Definitions.

(a) The Department of Community Affairs ("Department") is the successor to the Housing Board, and will be used in lieu of "Housing Board" in these rules and regulations.

(b) Local Chief Executive shall be used to mean either mayor of a city or the selectmen of a town, town manager, city manager, etc., as appropriate under M.G.L. c. 121A, s. 6.

(c) Planning Board shall be used to mean planning board of a city or town, and city council of a city or selectmen of a town acting as the planning board, all as appropriate under M.G.L. c. 121A, s. 6.

25.02: Contents of Application

Every application submitted to the Department shall contain the information or materials listed below. When the complexity or size of the proposed project and/or the availability of particular information required under these regulations justify, the Department may accept an incomplete application, provided the omitted information is clearly identified and a time table for submission of the omitted information is specified and/or a procedure for obtaining the information is agreed upon with the Department.

(1) Application Requirements. With every application submitted to the Department under M.G.L. c. 121A, s.6 there shall also be submitted:

(a) Six conformed copies of the application, exclusive of the documents required by 760 CMR 25.02(4).

(b) Six copies of a draft of the contract required by M.G.L. c. 121A, s.6A.

(c) Six copies of a draft of the regulatory agreement signed but undated.

(d) Except in the case of an Application by an insurance company, savings bank or group of insurance companies or savings banks, cooperative banks, or savings and cooperative bank, an instrument wherein the proposed stockholders, or the individuals, or all the individuals in such association of individuals as the case may be under said agreement with the Department that they will not prior to completion of the project dispose of their interests in the proposed corporation, or in the joint venture, partnership, limited partnership or trust, as the case may be, or in project, without first obtaining approval from the Department.

(2) Description of Proposed Entity. The Application shall state the name(s) of the applicant(s) and the form of entity for which the consent of the department is sought, and include the following information:

(a) If the applicant(s) propose to form a corporation, the agreement of association or articles of organization should be submitted;

(b) If the application is made on behalf of an individual, or an associaton or persons, pursuant to M.G.L. c. 121A, s.18C, a draft of the proposed trust instrument or partnership agreement, if applicable, should be submitted;

(c) State name, residential address and occupation of each applicant and, except in the case of an insurance company, savings bank, or cooperative bank, his or her bank and financial references. One of the applicants shall be designated as the person to whom all notices and requests shall be sent by the Department.

(3) Location of Proposed Project. The applicant shall describe the location of the proposed project, including a metes and bounds description (the "Project Area"). If the applicant(s) is (are) not the owner of the Project Area, the applicant shall submit the names of the present owner or owners thereof.

(4) Description of Proposed Project. The Application shall describe the proposed project. Such description should include the buildings, structures and facilities to be constructed or rehabilitated and the use or uses to which they will be put. In connection with the description of the project, applicants shall submit the following:

(a) A site plan showing the Project Area and the approximate location of structures and facilities to be constructed as a part of the project.

(b) Drawings showing the buildings and other improvements to be constructed in a form adequate to show the nature and extent of the project, including typical elevations and floor plans.

(c) Outline specifications showing generally the character and quality of the construction to be employed.

(d) Such further material, if any, as may be necessary or convenient to show the nature and extent of the project.

(5) Relationship of Project to City or Town Master Plan. The Application shall state the reasons why, in the opinion of the applicant, the project does not conflict with the master plan for the City or Town. If one exists, a copy of the master plan shall be submitted with the application.

(6) Justification for Designation of Areas as "Blighted Open", "Decadent" or "Sub-Standard". The Application shall state the reasons why the project area is a blighted open area, a decadent area, or a substandard area, and state whether the project area is in an urban renewal area as determined under M.G.L. c. 121B. (If located in an urban renewal area for which a finding of blight, decadence or substandard conditions has previously been made, reference shouldbe made to such finding.)

The Application shall also state, in general terms, the facts which support the applicant's conclusion that the Project Area is a blighted open, substandard or decadent area. Extensive recitation of technical matter is not required, but a mere restatement of the statutory definition will not suffice.

(7) Description of Amenities for Which Extension Is Sought. The application shall describe the amenities, if any, to be established in the Project or Project Area upon which applicant relies for extension of the period of tax exemption provided by M.G.L. c. 121A, s.10. Applicant shall state the number of additional years of tax exemption sought for each such amenity.

(a) Subsidized Housing. If applicant claims an additional period of tax exemption equal to 25 years on the basis that the project or a portion thereof is subsidized housing, the applicant shall so state and shall provide:

1. A description of the subsidy program to be utilized;
2. The number of subsidized units;
3. The duration of the period of any subsidy; and
4. Copies of all commitments or contracts from or with either the state agency or the federal government to provide such subsidy. If at the time

the application is submitted no commitment exists for such subsidy, applicant shall submit any applications made to either the state agency or the federal government to obtain such subsidy.

(b) Housing for Persons of Low and Moderate Income. If applicant claims an additional period of tax exemption equal to 25 years on the basis that the project or portion thereof to be financed or insured is housing for persons of low and moderate income, the applicant shall so state and shall provide:

1. A description of the financing or insurance program;

2. Any financing or insurance commitments issued at the time of the Application, or, if no such financing or insurance commitment exists at such time, any application submitted to obtain such financing or insurance; and

3. Notification to the Department of any commitments obtained subsequent to submission.

(c) Other Amenities. If the applicant claims an additional period of tax exemption on the basis of other amenities, the applicant shall so state and shall provide such information as is necessary for the Department, the local chief executive and the planning board to evaluate the proposed amenity, according to the general and specific standards enumerated in 760 CMR 25.08.

(8) Development Schedule. The application shall set forth the schedule for the development of the project after the approval thereof by the Department. Such schedule shall include the contingencies foreseen at the time of application which must be overcome and the anticipated time for their resolution. The Application shall also state the approximate period of time necessary to construct the project.

(9) Cost of Project. The Application shall state the estimated cost of the project. The Applicant shall state separately the cost of land acquisition, construction and financing, and submit a "pro-forma" describing the cost of operation.

(10) Proposed Method of Financing. The Application shall, except in the case of an application by an insurance company, savings bank or of savings banks, insurance companies, cooperative bank, or savings and cooperative banks, indicate:

(a) If the project is to be undertaken by a corporation, a description of the proposed corporate structures;

(b) The amount proposed to be raised by mortgage or debt financing;

(c) All amounts to be contributed by equity capital and by whom;

(d) All other amounts to be raised, in what manner, and, so far as known, from what source;

(e) The amounts of stock or other securities of a corporation, if any, or shares or other financial interest in a joint venture, partnership, limited partnership, or trust, if any, to be issued, created or transferred in payment for services, together with a description of such services and a statement of the value thereof;

(f) A disclosure of all persons, natural and corporate, who have or plan to have interest in the project;

(g) The method by which stock in the M.G.L. c. 121A entity shall be offered to owners of real estate in the project area as required under M.G.L. c. 121A, s. 7 shall be fully described.

(11) Estimated Fiscal Impact on Community. The Application shall state in reasonable detail the estimated fiscal impact of the proposed project on the community, including such information as the cost of increased services necessary to serve the project and gains or losses in tax receipts, and such additional payments, if any, to be made to the local community, under any agreements with the community.

(12) Additional Evidence of Practicability.

(a) The Application shall state why, in the opinion of the applicant, the

project is practicable, including an analysis of projected income, expenses and operating costs.

(b) The Application shall state the length of time that will be required after final approval of the project to determine whether or not to carry out the project.

(c) The Application shall state the amount reserved for maintenance and management, and state why, in the opinion of the applicant, such reserves are adequate.

(13) Copy of the Proposed Contract (Under Section 8A) to Be Entered into with the Municipality. A copy of the proposed form of contract under M.G.L. c. 121A, s.8A between the applicant and the municipality shall be submitted with the Application. A copy of the final executed contract shall be submitted within 5 days after execution.

(14) Relocation Plan. The Application shall state whether or not the carrying out of the project will involve the destruction or rehabilitation of buildings occupied in whole or in part as dwellings or commercial establishments and, if so shall include in accordance with M.G.L. c. 79A, a feasible method for the relocation of families or businesses displaced.

(15) Environmental Assessment. An Environmental Assessment Form, and, if required, an Environmental Impact Report pursuant to M.G.L. c. 30, ss. 61 & 62 as amended, and the Rules and Regulations of the Department, shall be submitted as part of the Application.

(16) Additional Information Required.

(a) An application shall state whether or not the proposed project includes land approved for the construction of roads by the Department of Public Works or includes land approved for any other public improvements by any other governmental agency.

(b) An application shall describe (including a metes and bounds description), the location within the proposed project area of any land identified pursuant to 760 CMR 25.02(16)(a).

(c) An Application shall state whether or not the proposed project will require the grant of a permit for the erection, maintenance and use of a garage within five hundred feet of one or more buildings occupied in whole or in part as a public or private school with an enrollment exceeding fifty pupils, or as a church, notwithstanding that such school, hospital or church is located outside of the proposed project area, together with a statement of the reasons why, in the opinion of the applicant, each such garage will not be substantially detrimental to such a school, hospital or church.

(d) An application shall state whether or not the proposed project is in compliance with all zoning, subdivision, health and building ordinances and by-laws or other rules and regulations. If non-compliance is found to exist, the applicant shall indicate, insofar as practicable, whether compliance may be effected by the obtaining of variances, permits, approvals or amendments, and whether application for such has been made.

(17) Supplementation of Application. Every application submitted to the Department under said M.G.L. c. 121A, s.5 or s.18A shall be supplemented at such time and in such manner as the Department or the municipality may reasonably require.

(18) Condominiums. If an Application includes condominiums, additional documentation shall be included as is delineated in 760 CMR 25.11.

(19) Filing Fees. A filing fee, as set under M.G.L. c. 121A, shall accompany the application. Checks shall be made payable to the Commonwealth of Massachusetts and are not returnable. Such filing fee may be waived for M.G.L. c. 121A entities organized as a non-profit organization under the Federal Income Tax Laws, or for project providing housing under M.G.L. c. 180.

3) The procedure for obtaining approval of the application is as follows:

I. Department sends the application to local chief executive (Mayor) (Regs. § 25.06(1); Statute § 6).

25.06: Procedure for Obtaining Approval of Application

(1) Transmittal of Application to the Local Chief Executive. Upon receipt of an application deemed complete by the Department, the Department shall transmit the application to the local chief executive in accordance with the procedures set forth in M.G.L. c. 121A, s.6, except for the City of Springfield where M.G.L. c. 287 provides only for review by the Planning Board only.

II. The Mayor sends it to the Planning Board and the City Council, which must hold a joint public hearing within 45 days (Statute § 6) following a notice conforming to Regulations 25.04.

The mayor or the selectmen, as the case may be, shall forthwith transmit said application to the planning board and, in a city, the city council. If, in any town, there is no planning board, the selectmen shall act as the planning board.

In a town a public hearing shall be held before the planning board and, in a city, before the planning board and the city council jointly, within forty-five days after the transmittal of the application by the mayor or selectmen. Notice of such hearing shall be given pursuant to section six B.

25.04: Notice Procedure

(1) The Planning Board shall give notice of a public hearing by publication in a newspaper of general circulation once in each of two successive weeks, the first notice at least fourteen days prior to the day of the hearing.

(2) Notice shall be posted prominently in the city or town for fourteen consecutive days immediately prior to the day of the hearing.

(3) Notice shall be mailed fourteen days before the day of the hearing to each owner of land within, abutting or across a public or private street or way from the project. Assessors of the City or Town in which such land is located shall certify the name and address of such owner as it is on the tax list and notice shall be sent by certified mail.

(4) Form of notice shall specify:
(a) Date
(b) Time
(c) Place
(d) Statement of Purpose of Hearing
(e) General Description of Boundaries
(f) Description of Types of Blds.
(g) Name and Address of Applicant
(h) Statement of Right of Aggrieved Person to Judicial Review

III. The public hearing must be conducted in accordance with Regs. 25.06(3)(b).

(b) Conduct of Public Hearing. Hearings shall be open to the public and shall be conducted in accordance with the following procedure:

1. Such evidence as is appropriate in support of the application shall be presented by the applicant. Others may introduce appropriate evidence in the support of or in opposition to the application thereafter. Documentary evidence may be received in the form of copies or excerpts. The rules of evidence observed by courts need not be observed, but the rules of privilege recognized by law will be observed. Evidence will be accepted only if in the judgment of the Planning Board, it is the kind of evidence on which reasonable persons are accustomed to rely in the conduct of serious affairs. Repetitious evidence or rebuttals may be excluded. Persons having an interest in the hearing may be presented by counsel.

2. The members of the Planning Board will utilize their experience, technical competence and specialized knowledge and that of their staff in considering the Application and evaluating the evidence presented to them.

3. Stenographers. If before noon on the last business day preceding the date fixed for the commencement of such hearing any person files written request with the local planning board for the appointment of a stenographer to report the testimony at such hearing and pays to the local Planning Board such amount as the local Planning Board shall estimate the employment of such stenographer will cost the local planning board the local planning board shall include a transcript of such testimony in its official records, open to public inspection.

4. Argument and Rebuttal. Upon completion of the hearing, an opportunity may be afforded interested persons to present argument or rebuttal. Such argument or rebuttal may be oral or in writing as the Planning Board may determine, but shall be presented only within the time established for review by the planning board.

IV. Following the hearing the Planning Board has to make findings as specified in Statute § 6.

Following such hearing, the planning board and, where applicable, the city council, shall thereafter determine that blighted open or decadent or sub-standard conditions exist within the proposed project area; that the project is not in contravention of any zoning, subdivision, health or building ordinance or by-law or rules and regulations of the city or town; whether or not the proposed project conflicts with the master plan of the city or town made by authority of chapter forty-one, if such a plan has been made, determine whether or not such project would be in any way detrimental to the best interests of the public or the city or town or to the public safety and convenience or be inconsistent with the most suitable development of the city or town; whether or not the proposed project will constitute a public use and benefit; the feasibility of the method of relocation and existence or availability of dwellings for displaced families as hereinafter provided; and approve, disapprove with recommended modifications or disapprove the application and issue its report as hereinafter provided.

V. The report of the Planning Board is transmitted to the City Council within 45 days of the hearing and the Council within 90 days of the hearing sends its report to the Mayor. Statute § 6 specifies the contents of the reports and makes it clear that the Planning Board report is only advisory to the City Council. If either body disapproves the project, the applicant may resubmit:

> In a city, the report of the planning board shall be transmitted to the city council within forty-five days after the public hearing and the city council shall, after receipt of the report of the planning board, and within ninety days of the public hearing, transmit its report to the mayor. In a town, the planning board shall transmit its report to the board of selectmen within ninety days after the public hearing.
>
> All such reports shall be in writing, shall approve or disapprove the project within the meaning of this section and shall contain the hearing authority's reasons for such approval or disapproval. All [illegible] transmitted, copies shall be sent by the hearing authority by certified mail to all persons who were notified of the hearing as provided in section six B. For the purposes of this section and section six C, the date of transmittal shall be the date of mailing of such copies. In a city, a report of a planning board, whether it approves, disapproves, or disapproves with recommended changes, shall be considered as advisory by the city council, mayor, and housing board.
>
> If the planning board in a city disapproves the project, it may recommend changes in the project to the city council. If the planning board in a town or the city council disapproves the project, it may suggest changes in the project which, if adopted would meet its objections. The applicant may amend such application in accordance with the changes suggested and resubmit the application as amended to the planning board in the case of towns or city council in the case of cities for approval. The planning board or city council, as the case may be, may approve or disapprove the application as amended, without further public hearing, unless, in its opinion, the proposed change is a fundamental one, in which event the planning board in a town or city council and planning board in a city shall hold a further public hearing and the provisions of this section with respect to an original application shall be applicable thereto.
>
> If the carrying out of a project will involve the taking of property by eminent domain or the destruction or rehabilitation of buildings occupied in whole or in part as dwellings, the planning board and, where applicable, the city council, shall determine whether or not there are, or are being provided in the project area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families displaced from the project area, decent, safe and sanitary dwellings equal in number to the number of, and available to, such displaced families and reasonably accessible to their places of employment and, unless the planning board and, where applicable, the city council find that there is such a feasible method and that such dwellings exist or are being provided, a project shall not be approved.
>
> As used in this section "council" shall mean the city council or similar legislative body of a city and "selectmen" shall mean the board of selectmen or similar legislative body of a town; and whenever the approval of the planning board, council or selectmen is required, such approval shall be deemed given if voted by a majority of the members of such planning board, council or selectmen.

VI. The Mayor then transmits the reports from the Planning Board and the Council to the Department of Community Affairs with a certificate of approval or disapproval. (Statute § 6; Regulations 25.06(2)(a)).

The mayor or selectmen, within thirty days after transmittal of the report from the planning board and where apt the city council, shall transmit all such reports to the housing board, together with a certificate evidencing his or their approval or disapproval of the project.

(a) Report of Actions. In addition to the transmittal of the certificate of approval or disapproval and the reports of the Planning Board, the Local Chief Executive shall make a written report of his decision to the Department where the decision varies from that of the Planning Board, particularly where it differs as to the conditions or limitations imposed on the project or the period of extension granted for particular amenities.
(b) Limitation on Approval. In the event that a project is approved under M.G.L. c. 121A, s. 6 prior to the issuance of a federal state, local or private commitment which is an element of the project s feasibility or desirability, such approval, and the contract pursuant to M.G.L. c. 121A, s. 6A shall specify that the period of exemption from property taxation is conditional upon finalization of that commitment or substitution of a substantially similar commitment.

VII. If the Mayor and City Council approve, the Department may also approve it and make findings, and issue a certificate consenting to filing the agreement of association to form a corporation with the Secretary of State. (Statute § 6; Regulations 25.06(4)).

The housing board, if it receives a certificate evidencing the approval in a city of the mayor and city council or in a town of the selectmen and planning board and if it finds that the conditions exist which warrant the carrying out of the project and that in its opinion the cost of the project will be practicable, and that the construction and use of the project will not be in contravention of any zoning, subdivision, health or building ordinances or by-laws or rules and regulations of the city or town, or of any municipal board, in effect in the location of the proposed project, or of the standards fixed by the board under section four, shall issue a certificate that it approves the project and consents to the formation of a corporation to carry it out. The agreement of association shall not be presented to the state secretary for filing, nor shall he file it, unless it is accompanied by such certificate. If the housing board disapproves the project it shall state its objections in writing and may suggest changes in the project, or in the plans therefor, which, if adopted, would meet its objections. If the applicant determines to proceed in accordance with the changes suggested, the applicant shall amend the application accordingly and resubmit the application as amended to the housing board for its approval. The housing board may approve or disapprove such application as amended unless in its opinion the proposed change is a fundamental one. In such case the housing board shall transmit the application as amended to the mayor of the city or the selectmen of the town in which the project is to be located, and the provisions of this section in respect to an original application shall be applicable thereto.

(4) Actions Required of the Department.

(a) Public Hearings. No action shall be taken by the Department to approve or disapprove an Application until after a public hearing has been held by the municipality as required by M.G.L. c. 121A, s. 6.

The Department if requested to so do by petition of 25 taxable inhabitants of the municipality, or, if in the judgment of the Department it is required, shall hold a public hearing in the city or town where the project is proposed to be developed.

(b) Advisory Opinions. The Department shall have the authority, upon receipt of written requests therefor, to issue advisory rulings under M.G.L. (Ter. Ed.) c. 30A s. 8 as to the applicability of these regulations to any pending or proposed Applications under M.G.L. c. 121A. Failure to issue an advisory opinion or to state that such opinion is forthcoming 30 days after the initial request is received by the Department shall be deemed a denial of such request.

(c) Environmental Assessment. No action shall be taken by the Department to approve or disapprove an Application unless either an Environmental Assessment Form has been filed with the Secretary of Environmental Affairs and approved, or the Applicant has, to the satisfaction of the Department, responded to all comments made in response to the Environmental Impact Report filed with the Application.

(d) Power to Waive Requirements. The Department shall have the power to waive any requirement of these rules and regulations which is not a mandatory requirement under M.G.L. c. 121A, and which would not violate the spirit and intent of M.G.L. c. 121A.

(e) Review of Applications for Extended Tax Benefits. The power of review of the Department shall extend to the reivew of the Application for extended tax benefits. If the Department disapproves of the decision of the municipality as to the extension of benefits, including the failure to grant extended benefits, it shall state its objections to the decision in writing and may suggest changes to the local chief executive's decision. The written objections and the tions and the suggestions shall be transmitted to the local chief executive and the provisions of M.G.L. c. 121A, s. 6 in respect to an original application shall apply, but only to that portion of the Application dealing with extended tax benefits.

The decision and recommendations of the Department may be based upon:

1. considerations of the uniform treatment of similar projects in various communities;
2. implementation of a Commonwealth policy that would otherwise be thwarted at the local level;
3. apparent irregularities in the granting of tax benefits;
4. financial feasibility of the project; or
5. such other considerations as the Department may deem appropriate under the circumstances.

VIII. Section 6A authorizes the City Manager to enter into a contract regarding the carrying out of the project and providing for the payment of amounts in addition to the statutory excise in lieu of real estate and personal property taxes.

§ 6A. Contracts with City for Carrying Out of Project.

As soon as any such corporation determines to carry out a project approved by the housing board, such corporation and the city in which its project has been authorized, acting by its city manager or, if there is no such official, its mayor, or the town in which its project has been authorized, acting by its selectmen, shall contract for the carrying out of such project in accordance with the application, the provisions of this chapter, and the rules, regulations and standards prescribed by the housing board for such project. Such contract may

City of Cambridge

MASSACHUSETTS

In City Council _____ 199

Committee Report #10

	YEA	NAY	ABSENT	PRESENT	
Mr. Ed Cyr	✓				
Mr. Francis H. Duehay	✓				
Mr. Jonathan S. Myers	✓				
Mrs. Sheila T. Russell	~~✓~~			✓	
Mr. Walter J. Sullivan		✓			
Mr. Timothy J. Toomey, Jr.				✓	
Mr. William H. Walsh				✓	
Ms. Alice K. Wolf	✓				
Mayor Kenneth E. Reeves	✓				
	5	1		3	

Norma Ouellette 727-7003

- 5 yo twins under 121 B

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CERTIFICATE OF APPOINTMENT/ELECTION

CITY/TOWN OF Cambridge ***MASSACHUSETTS***

This is to certify that in accordance with the Massachusetts General Laws, Chapter 121B, Section 5 and the charter and by-laws of the City/Town of City of Cambridge

Name: Manuel Rogers, Jr.

Address: 392 Cambridge Street, Cambridge, MA 02141

having been appointed by the City Manager, as confirmed by the City Council ***a member of*** Cambridge Redevelopment Authority ***Housing/Redevelopment Authority for a term commencing*** 8-3-92 ***and expiring*** 8-3-97, ***appeared before me and took the oath of office on*** _____.

Attest:

_____

City/Town Clerk

Vice:

Manuel Rogers, Jr. ***replaces*** Thomas J. Murphy ***who is deceased.***

CERTIFICATE OF APPOINTMENT/ELECTION

CITY/TOWN OF Cambridge ***MASSACHUSETTS***

This is to certify that in accordance with the Massachusetts General Laws, Chapter 121B, Section 5 and the charter and by-laws of the City/Town of City of Cambridge

Name: Karen K. Swaim

Address: 361 Harvard Street, Cambridge, MA 02139

having been appointed by the City Manager, as confirmed by the City Council ***a member of*** Cambridge Redevelopment Authority ***Housing/Redevelopment Authority for a term commencing*** 8-3-92 ***and expiring*** 8-3-97 ***, appeared before me and took the oath of office on*** _____.

Attest:

_____

City/Town Clerk

Vice:

Karen K. Swaim ***replaces*** Frank S. Maragioglio ***who did not seek reappointment/re-election.***

CERTIFICATE OF APPOINTMENT/ELECTION

CITY/TOWN OF Cambridge ***MASSACHUSETTS***

This is to certify that in accordance with the Massachusetts General Laws, Chapter 121B, Section 5 and the charter and by-laws of the City/Town of City of Cambridge

Name: Alan D. Bell

Address: 32 Clarendon Avenue, Cambridge, MA 02140

having been appointed by the City Manager, as confirmed by the City Council ***a member of*** Cambridge Redevelopment Authority ***Housing/Redevelopment Authority for a term commencing*** 8-3-92 ***and expiring*** 8-3-97 ***, appeared before me and took the oath of office on*** _____.

Attest:

_____

City/Town Clerk

Vice:

Reappointment _____ ***replaces*** _____ ***who resigned, moved, is deceased or did not seek reappointment/re-election.***

[CITY CLERK LETTERHEAD]

August 4, 1992

Mr. Norman E. Ouellette
Records Liaison Office
Executive Office of Communities and Development
100 Cambridge Street
Room 1803
Boston, Massachusetts 02202

Re: Notification of Change in Membership
Cambridge Redevelopment Authority

Dear Mr. Ouellette:

In compliance with Chapter 121B of the Massachusetts General Laws, the applicable regulations of the Executive Office of Communities and Development and the procedures of the Office of Secretary of State, enclosed please find three (3) fully-executed Certificates of Appointment together with a listing of the present membership of the Cambridge Redevelopment Authority.

Sincerely yours,

D. Margaret Drury
Temporary City Clerk

Enclosures

Add:

Dates of qualifying oath to all attachments.

cc: Joseph F. Tulimieri (e)
Executive Director
Cambridge Redevelopment Authority

[CITY CLERK LETTERHEAD]

August 4, 1992

Mr. Norman E. Ouellette
Records Liaison Office
Executive Office of Communities and Development
100 Cambridge Street
Room 1803
Boston, Massachusetts 02202

Re: Notification of Change in Membership
Cambridge Redevelopment Authority

Dear Mr. Ouellette:

In compliance with Chapter 121B of the Massachusetts General Laws, the applicable regulations of the Executive Office of Communities and Development and the procedures of the Office of Secretary of State, enclosed please find three (3) fully-executed Certificates of Appointment together with a listing of the present membership of the Cambridge Redevelopment Authority.

Sincerely yours,

D. Margaret Drury
Temporary City Clerk

Enclosures

cc: Joseph F. Tulimieri (e)
Executive Director
Cambridge Redevelopment Authority

[CITY CLERK LETTERHEAD]

August 4, 1992

Ms. Lee Sutera
Supervisor
Public Records
Secretary of State
One Ashburton Place
Boston, Massachusetts 02108

Re: Notification of Change in Membership
Cambridge Redevelopment Authority

Dear Ms. Sutera:

In compliance with Chapter 121B of the Massachusetts General Laws, the applicable regulations of the Executive Office of Communities and Development and the procedures of the Office of Secretary of State, enclosed please find three (3) fully-executed Certificates of Appointment together with a listing of the present membership of the Cambridge Redevelopment Authority.

Sincerely yours,

D. Margaret Drury
Temporary City Clerk

Enclosures

cc: Joseph F. Tulimieri (e)
Executive Director
Cambridge Redevelopment Authority

REDEVELOPMENT AUTHORITY MEMBERSHIP

CITY/TOWN OF Cambridge **Contact Person:** Joseph F. Tulimieri

ADDRESS Four Cambridge Center/Second Floor

TELEPHONE NUMBER (617) 492-6800

(I hereby certify that as of _____ **(date) the information below is accurate regarding the appointment and qualifying dates of the members of the Redevelopment Authority.)**

_____
Signature of City/Town Clerk

Present Membership

NAME	*ADDRESS*	*DATE ELECTED OR APPOINTED*	*DATE OF QUALIFYING OATH*	*EXPIRATION DATE*
Jacqueline S. Sullivan **Chairman**	10 Rogers Street Cambridge, MA 02142	12-20-90	1-16-91	11-14-94
Jacqueline S. Sullivan **State Member**				
Alan D. Bell	32 Clarendon Avenue Cambridge, MA 02140	8-3-92		8-3-97
Manuel Rogers, Jr.	392 Cambridge Street Cambridge, MA 02141	8-3-92		8-3-97
Karen K. Swaim	361 Harvard Street Cambridge, MA 02139	8-3-92		8-3-97
Vacancy				

C. C. 106

City of Cambridge

CITY CLERK
1992 JUL 31 AM 9:48
CAMBRIDGE MA.

July 31, 1992

Dear Councillor:

You are hereby notified to attend a **SPECIAL MEETING** of the City Council which shall be a joint meeting of the City Council and the Planning Board on Monday, August 3, 1992 at 4:00 p. m. in the Sullivan Chamber.

By order of His Honor the Mayor.

Kenneth E. Reeves
Mayor

* * * *

C. C. :06

City of Cambridge

NOTICE OF A PUBLIC HEARING

Notice is hereby given that the City Council and the Planning Board of the City of Cambridge will hold a joint public hearing in the Sullivan Chamber, Second Floor, 795 Massachusetts Avenue, City Hall, Cambridge, Massachusetts at 4:00 p. m. on August 3, 1992 on the Application of Six Cambridge Center Associates Limited Partnership, c/o Boston Properties, Inc., 8 Arlington Street, Boston, Massachusetts 02116 (the "Partnership") for the Authorization and Approval of a Project under Massachusetts General Laws Chapter 121A, to be undertaken and carried out by the Partnership. Approval is sought for the Project pursuant to Chapter 121A and the applicable Rules and Regulations of the Massachusetts Executive Office of Communities and Development, 760 CMR 25.

The sole purpose of the Partnership is to acquire, develop and operate a project under Chapter 121A (the "Project"). The project site consists of a parcel of approximately 4.30 acres bounded by Broadway to the north, Binney Street to the west, Main Street to the south and Ames Street to the east. The Project Area is presently owned by the Cambridge Redevelopment Authority and is part of the Kendall Square Urban Renewal Area in Cambridge, Massachusetts. The Project is to be developed in phases, and will consist of up to approximately 830,000 square feet of space for office uses, up to approximately 50,000 square feet for retail, entertainment and/or recreational uses. The Project will also contain structured parking for up to 1,500 cars which may also be built in phases related to the phasing of the buildings comprising the Project.

A further description of the Project and the Project site appears in the Application. The Application may be examined by all interested person in the Office of the City Clerk, Room 103, City Hall, from 8:30 a. m. to 5:00 p. m. Monday through Friday, except legal holidays.

Chapter 121A Section 6C of the Massachusetts General Laws provides that a person aggrieved by the approval or disapproval of a Massachusetts General Laws Chapter 121A project has sixty days within which to seek judicial review.

ATTEST:- D. Margaret Drury

D. Margaret Drury
Temporary City Clerk

COMMONWEALTH OF MASSACHUSETTS PROBATE COURT

Middlesex, ss. **No. 92E0077P**

To **Florence W. Beesley of Cambridge,** City of Cambridge, of Cambridge, in the county of Middlesex and to all other persons interested.

A petition has been presented to said court by **Perry C. Wilson** of West Redding in the State of Connecticut representing that he hold as tenant in common and undivided half part or share of certain land lying in Cambridge in said County Middlesex and briefly described as follows: the land in Cambridge with the buildings thereon being bounded and described as follows: Beginning at a point on the Northeasterly side of Cleveland Street distant one hundred and 20/100 (100.20) feet Northwesterly from Dana Street; thence running Northeasterly seventy (70) feet to land now or formerly of L.A. Blish, thence turning and running Northwesterly by said Blish land thirty (30) feet; thence turning and running Southwesterly seventy (70) feet to said Cleveland Street; thence turning and running Southeasterly by said Cleveland Street thirty (30) feet to the point of beginning. Containing 2100 square feet of land, more or less.

setting forth that he desires that - all - the following described part - of said land may be sold at private sale for not less than $100,000.00 dollars, and praying that petition may be made of all the land aforesaid according to law, and to that end that a commissioner be appointed to make such partition and be ordered to make sale and conveyance of all, or any part of said land which the Court finds cannot be advantageously divided either at private sale or public auction, and be ordered to distribute the net proceeds thereof.

If you desire to object thereto you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the tenth day of July 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this third day of June 1992.

Donna M. Lambert
Register

(C)June18,25,July2
#10636

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Gregory Rudolph,** Trustee of Ivanhoe Realty Trust, under Declaration of Trust dated February 13, 1990 recorded in the Middlesex South Registry of Deeds at Book 20411, Page 197 to The Toyo Trust and Banking Company Limited and the Canadian Imperial Bank of Commerce dated March 2, 1990 and recorded with the Middlesex South Registry of Deeds, Book 20411, Page 250, as modified by Mortgage Modification Agreement dated February 14, 1991 recorded in said Deeds at Book 21020, Page 1 as assigned to Sumitomo Trust & Banking Co., Ltd. by Assignment dated October 31, 1991 recorded in said Deeds at Book 21510, Page 519 and as further Amended by Second Amendment to Mortgage dated October 31, 1991 recorded in said Deeds at Book 21510, Page 549, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction at 2:00 P.M. on Thursday, the 16th day of July, 1992, on the mortgaged premises now known as **One Brattle Square, Cambridge, Massachusetts, all** and singular the premises described in said Mortgage:

Schedule A

PARCEL I (Fee Parcel)

The premises located in Cambridge, Middlesex County, Commonwealth of Massachusetts, bounded and described as follows:

EASTERLY On Brattle Street, Eighty-Two and 31/100 (82.31) feet;

EASTERLY by a curved line, Twelve and 39/100 (12.39) feet;

SOUTHERLY on land formerly of the Boston Elevated Railway Company on a line Three (3) feet northerly of the southerly face of the coping of the northerly wall of the Cambridge Main Street Subway, Mount Auburn incline, and parallel thereto, Two Hundred Thirty-Two and 62/100 (232.62) feet;

WESTERLY by land now or formerly of the Boston Elevated Railway Company Nineteen and 39/100 (19.39) feet, more or less; and

NORTHERLY by land now or formerly of Heirs of Batchelder and land now or formerly of the Social Union, Two Hundred Fourteen and 84/100 (214.84) feet, more or less.

The premises described above are shown as Parcel A on plan entitled "Boston Elevated Railway Company, Elevated & Subway Construction Plan of Land in Cambridge," dated July 1914, by C.S. Sargent, Vice President, recorded at the End of Book 4307.

TOGETHER WITH certain rights to use a wall along the southerly boundary, as more specifically set forth in a portion of a deed from Boston Elevated Railway Company to John F. Coleman dated October 31, 1919, recorded in Book 4307, Page 147, which portion of the deed is captioned "Wall Agreement" and that certain instrument, dated November 16, 1937, recorded in Book 6178, Page 81.

TOGETHER WITH terms and provisions of the Temporary Construction Easement Agreement to be granted to Gregory Rudolph, Trustee of Ivanhoe Realty Trust, by Ivanhoe/One Brattle Joint Venture (also known as Brattle Walk Associates) and instrument to be recorded immediately following the assignment of the leasehold estate described in Parcel III in Schedule B-1 hereof.

TOGETHER WITH:

APPURTENANT EASEMENT I

There is appurtenant to said Parcel I and the leasehold interests referred to in Parcels II and III in Schedules A, B and B-1 hereof, respectively, the perpetual, non-exclusive right and easement over Mifflin Place as same is shown on Plan entitled "Easement Plan Mifflin Place, Cambridge, Mass." Scale 1" = 20' dated November 17, 1988, and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached (the "Plan") (a) for passage and repassage by vehicle and on foot, and (b) for the installation, maintenance and repair of underground utilities, as more fully set forth in:

(a) Terms and provisions of the Easement Agreement by and among Peter Gomatos, Christine Gomatos, Trustees of the Gomatos Family Trust, Brattle Square Office Building Company, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated as of January, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(b) Terms and provisions of the Easement and Operating Agreement by and among Louis F. DiGiovanni and John P. DiGiovanni, Trustees of Trinity Realty Trust, Brattle Square Associates, Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust and Brattle Square Office Building Company, dated January 30, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

TOGETHER WITH:

APPURTENANT EASEMENT II

There is appurtenant to portions of the premises described in Schedule A hereof in Parcel I, and the leasehold interests referred to in Parcels II and III of Schedules B and B-1 hereof, the benefit of certain easements as set forth in an Easement Agreement dated as of November 15, 1989, between Brattle Square Associates and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, as shown on plan entitled "Plan Showing Proposed Easements for Brattle Way Buildings and CWT/One Brattle Square, Cambridge, Mass." dated August 3, 1989, by Harry R. Feldman, Inc., consisting of four sheets and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

Schedule B

PARCEL II (META Leasehold Parcel)

That certain leasehold estate created pursuant to that certain Lease by and between Massachusetts Bay Transportation Authority, as Landlord, and John T. Magnarelli and Daniel V. Calano, Trustees of Brattle Square Associates Trust, as Tenant, dated as of September 23, 1988, notice of which Lease is intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, as amended by First Amendment to Ground Lease dated March 2, 1990, by and among said Massachusetts Bay Transportation Authority, and Trustee of Ivanhoe Realty Trust notice of which amendment is intended to be recorded immediately prior to the recordation of the agreement to which this schedule is attached, encumbering the real property described as follows:

Four parcels of land in Cambridge, Middlesex County, Commonwealth of Massachusetts, shown as Parcels B, C, D and E on a plan entitled "Boston Elevated Railway, Elevated & Subway Construction Plan of Land in Cambridge, Mass." dated July 1914, recorded at the End of Book 4307; together bounded and described as follows: easterly by Brattle Street and Brattle Square, by a curved line, sixty-three and 75/100 (63.75) feet; southeasterly by Brattle Square, one hundred five and 45/100 (105.45) feet; southerly by Brattle Square and Mount Auburn Street, by a curved line, seventy-three and 67/100 (73.67) feet; southwesterly by Mount Auburn Street, one hundred ten and 85/100 (110.85) feet; northwesterly by land shown on said plan as now or formerly of the Heirs of Batchelder, fifty-seven and 5/100 (57.05) feet; northeasterly by Parcel "A" on said plan, nineteen and 39/100 (19.39) feet; and northwesterly by said Parcel "A", two hundred thirty-two and 62/100 (232.62) feet.

TOGETHER WITH:

APPURTENANT EASEMENT I

There is appurtenant to said Parcel I, and the leasehold interests referred to in Parcels II and III in Schedules A, B and B-1 hereof, respectively, the perpetual, non-exclusive right and easement over Mifflin Place as same is shown on Plan entitled "Easement Plan Mifflin Place, Cambridge, Mass." Scale 1" = 20' dated November 17, 1988, and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached (the "Plan") (a) for passage and repassage by vehicle and on foot, and (b) for the construction and maintenance of a landscaped area as shown on the Plan, and for the installation, maintenance and repair of underground utilities, as more fully set forth in:

(a) Terms and provisions of the Easement Agreement by and between Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated November 15, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(b) Terms and provisions of the Easement Agreement by and among Louis F. DiGiovanni and John P. DiGiovanni, Trustees of Trinity Realty Trust, Brattle Square Associates, Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated as of January, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(c) Terms and provisions of the Waverly Trust - Mifflin Place Easement Agreement by and among Bencion M. Moskow, Trustee of the Waverly Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated December 15, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(d) Terms and provisions of the Mifflin Realty Trust - Mifflin Place Easement Agreement by and among Wanda Macnair and Richard N. Macnair, Trustees of Mifflin Realty Trust, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated October 31, 1989, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(e) Terms and provisions of the Easement Agreement by and among Peter Gomatos, Christine Gomatos, Trustees of the Gomatos Family Trust, Brattle Square Office Building Company, Brattle Square Associates, and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, dated as of January, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

(f) Terms and provisions of the Easement and Operating Agreement by and among Louis F. DiGiovanni and John P. DiGiovanni, Trustees of Trinity Realty Trust, Brattle Square Associates, Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust and Brattle Square Office Building Company, dated January 30, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

TOGETHER WITH:

APPURTENANT EASEMENT II

There is appurtenant to portions of the premises described in Schedule A hereof in Parcel I, and the leasehold interests referred to in Parcels II and III of Schedules B and B-1 hereof, the benefit of certain easements as set forth in an Easement Agreement dated as of November 15, 1989, between Brattle Square Associates and Daniel V. Calano and John Magnarelli, Trustees of One Brattle Square Trust, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, as shown on plan entitled "Plan Showing Proposed Easements for Brattle Way Buildings and CWT/One Brattle Square, Cambridge, Mass." dated August 3, 1989, by Harry R. Feldman, Inc., consisting of four sheets and intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached.

PARCEL III (BSA Leasehold Parcel)

That certain leasehold estate created pursuant to that certain Ground Lease by and between Brattle Square Associates and Gregory Rudolph, Trustee of Ivanhoe Realty Trust, dated March 1, 1990, intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, encumbering the real property described as follows:

The parcel of land, with any improvements thereon located in Cambridge, Middlesex County, Commonwealth of Massachusetts, comprising a portion of the land shown as now or formerly of Brattle Square Associates on the plan entitled "Plan of Land in Cambridge, Mass.," dated January 4, 1990, by Harry R. Feldman, Inc., intended to be recorded immediately prior to the recordation of the agreement to which this Schedule is attached, such portion being shown on said last mentioned plan as "Leased Area" and bounded and described as follows:

NORTHWESTERLY by Mifflin Place as shown on said plan, One Hundred and 00/100 (100.00) feet;

NORTHEASTERLY by the remaining land shown as now or formerly of Brattle Square Associates and being shown as "Brattle Theater Premises" on said plan, Fifty-Nine and 48/100 (59.48) feet;

SOUTHEASTERLY by lands shown on said plan as now or formerly of John Magnarelli and Daniel V. Calano, Trustees UDT Trust and Massachusetts Bay Transportation Authority, One Hundred One and 70/100 (101.70) feet; and

SOUTHWESTERLY by land shown on said plan as now or formerly of Jay I. Moskow and Bencion M. Moskow, Trustees of Waverly Trust, Sixty and 53/100 (60.53

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that Gene Brown Motors, Inc. d/b/a **Back Bay Used Cars, Raymond J. Ciccolo, President** has applied for a used car Dealer license, Class II at 158-176 Massachusetts Avenue.

The hearing on this application will be held on Tuesday evening, July 14, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C) July2
#10520

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given under General Laws, Chapter 138, as amended that **Association Notre Dame de Cambridge, Inc., Joseph J. Volpe, Manager**, holder of an all alcoholic beverages as a club license, at 2322 Massachusetts Avenue has applied for a change of manager from Joseph J. Volpe to Charles F. Simard.

The hearing on this application will be held on Tuesday evening, July 14, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C) July2
#10428

OFFICE OF THE SCHOOL COMMITTEE
456 Broadway
Cambridge, MA 02138

Sealed proposals will be received at the Office of the Manager of Procurement, 159 Thorndike Street, Cambridge, Massachusetts 02141, until July 21, 1992 at 11:00 a.m. at which time they will be publicly opened and read for:

Maintenance of Copiers
Student Insurance
Computer Supplies
Milk for Food Service Dept.

Attention is called to requirements for equal opportunity employment on part of vendors. The department encourages participation in this bid of minority and women owned businesses.

Mary Lou Mcgrath
Superintendent of Schools

(C)July2
#7824

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division
DOCKET NO.92P2773E
Estate of **Florence C. DeCristoforo**
Also known as Florence DeCristoforo
Died on May 1, 1992
late of **Cambridge**
in the County of Middlesex

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **Theresa M. DeCristoforo-Montmagny** of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 13, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the Fifteenth day of June in the year of our Lord one thousand nine hundred and ninety two.

Donna M.Lambert
Register of Probate

FROM THE OFFICE OF:
James P.Killoran & Associates, P.C.
45 North Main Street
Post Office Box 1230
Fall River, MA 02722-1230
(C)July2
#7809

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. Thursday, July 16, 1992 at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge.

SERVICE/MAINTENANCE OF CHILLERS
CAT SCAN TUBE REPLACEMENT
NUCLEAR MEDICINE KITS
DIAGNOSTIC TEST KITS
TRANSPORTATION & DISPOSAL OF CONTAMINATED SOLID WASTE MATERIAL
See proposal for bid deposit.

The City of Cambridge reserves the right to waive any informalities or to reject any or all proposals.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each proposal must be in a sealed envelope plainly marked "Proposal for 'Designate Item' " and addressed to Barbara L. Duffy, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Barbara L. Duffy
Purchasing Agent

(C)July2
#7807

MORTGAGEE'S NOTICE OF
SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Thomas P. Weed** and **Phyllis Weed** to East Cambridge Savings Bank dated September 11, 1987, recorded with Middlesex South District Registry of Deeds, Book 18537, Page 488, of which mortgage the undersigned is the present Holder, for breach of the conditions of said mortgage and for the purpose of foreclosing, the same will be sold at Public Auction at 12:00 o'clock, P.M. on the 29th day of July, 1992, on the mortgaged premises located at **26 Sixth Street, Cambridge, Massachusetts,** all and singular the premises described in said mortgage to wit:

A certain parcel of land with the buildings thereon situated in Cambridge, Middlesex County, Massachusetts, bounded and described as follows:

Beginning at the Northwest corner of the premises on Sixth Street by land of Mary J. Grady, and running:

SOUTHERLY by Sixth Street, twenty-five (25) feet;

EASTERLY by land formerly of Asa Tyler, one hundred (100) feet to land formerly of Hayden and now or late of Kemp; thence

NORTHERLY by said land formerly of Hayden, now or late of Kemp, twenty-five (25) feet; thence

WESTERLY by the Southerly line of Lot 343 and 344 on S.T. Fuller's plan, recorded with Middlesex South District Deeds at end of Book 243, being part of land now or late of Francis H. Stickney and land of said Grady, one hundred (100) feet to point of beginning.

Being the Northerly half of Lot 131 on said plan.

For title see deed of Michael P. Durette, Ellen T. Durette and William L. Durette, Jr. to us, dated January 7, 1986, recorded with Middlesex South District Deeds, Book 16694, Page 72.

The property is to be sold subject to and with the benefit of all easements, restrictions, building, subdivision, zoning and rent control laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, rights of the United States of America, outstanding fees and assessments, rights of tenants and parties in possession, and existing encumbrances, and all other claims in the nature of liens, now existing or hereafter arising, having priority over the Mortgage, if any there be.

Terms of Sale: The highest bidder shall be required to execute a Memorandum of Terms and Conditions for Purchase at Mortgagee's Foreclosure Sale and deposit with the Holder, ($10,000.00) Dollars in cash, or by Bank, Treasurer's or Certified Check at the time and place of the sale. The balance of the purchase price shall be paid, in similar funds, to said Holder within thirty (30) days after July 29, 1992, at the offices of East Cambridge Savings Bank, 292 Cambridge Street, Cambridge, MA 02141, with good and sufficient Foreclosure Deed conveying all Seller's right, title and interest to the premises delivered to the Buyer at said place and time. The purchaser shall be responsible for all recording stamps and fees.

In the event that the successful bidder at Public Auction shall default in purchasing the within described property according to the terms of this Notice of Mortgagee's Sale of Real Estate and/or the terms of The Memorandum of Purchase executed at the Public Auction, all deposits shall be retained by Holder, and the Holder reserves the right, at its election, to sell the mortgage property to the next highest bidder at the Public Auction or to readvertise and resell such property at public auction.

The Holder reserves the right to postpone this sale to a later date by public proclamation at the time and the place appointed for the Public Auction and further to postpone any adjourned sale date by public proclamation at the time and date appointed for the adjourned sale date.

Other terms, if any, to be announced at the sale.

East Cambridge Savings Bank
292 Cambridge Street
Cambridge, MA
354-7700
Current Holder of said Mortgage
By its attorney,
Joseph W. McDermott
Frisoli & Associates
43 Thorndike Street
Cambridge, MA
494-0200

(C)July2,9,16
#7810

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Pursuant to General Laws, Chapter 140, notice is hereby given that the License Commission has received an application from **North Cambridge Post 7353 Veterans of Foreign Wars** of the United States, Inc., **James Doody,** manager, holder of an all alcoholic beverages as a club license at 2103 Massachusetts Avenue has applied to have its entertainment license be extended to include one (1) video game in addition to one (1) juke box; one (1) pool table, one (1) video game and TV's already licensed.

The hearing on this application will be held on Tuesday evening, July 14, 1992, at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)July2
#10427

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that New Boston Chicken, Inc. d/b/a **Boston Chicken, Robert Moreno, manager** currently holder of a common victualer license at One Porter Square Arcade (822 Somerville Avenue) has applied for a change in corporate name and a change of manager.

Change of corporate name from New Boston Chicken, Inc. to Boston Chicken, Inc.

Change of manager from Robert Moreno to Robert McNamara.

The hearing on this application will be held on Tuesday evening, July 14, 1992, 6 o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)July2
#10426

HOME FUNDS FOR COMMUNITY HOUSING
DEVELOPMENT ORGANIZATIONS
(CHDOs)

As required by the U.S. Department of Housing and Urban Development, the City of Cambridge has set aside 15% of its allotment from the 1992 HOME Program, for affordable housing to be developed, sponsored, or owned by **Community Housing Development Organizations (CHDOS).** The City, through its Community Development Department, will designate as CHDOs, local non-profit development agencies or groups who can demonstrate their ability to carry out elements of the Cambridge Affordable Housing Strategy (CHAS) and, more specifically, satisfy the detailed requirements defined in 24 CFR, Section 92.2 of the HOME Program Interim Rules of December 16, 1991.

For those interested in being designated a CHDO, a list of requirements for certification may be obtained weekdays between 8:30 a.m. and 5:00 p.m. at the Cambridge Community Development Department, 57 Inman Street or call Elsa Cumbell at (617) 349-4600.

(C)July2
#7816

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that Courtyard Donuts, Inc., doing business as **Dunkin' Donuts Helen D'Aleio, manager,** has applied for a common victualer's license to be exercised on the 1st floor at 5 Third Street. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 12 persons. Said license if granted would be exercised 24 hours.

A hearing on said application will be held on Tuesday, July 14, 1992 at 6:00 p.m., in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue. Any person wishing to comment on said application may attend the hearing, or such person may prior to the hearing submit a written statement to the License Commission, Michael J. Lombardi Municipal Building, 1st floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Alex Rodriguez
Kevin Fitzgerald
Henry Breen
License Commission

(C)July2
#10429

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division
DOCKET NO.92P2835E
Estate of Peter G. Iannelli
Died on January 2, 1992
late of **Cambridge**
in the County of Middlesex

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **June A. Ferracane of Cambridge** in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 16, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the Eighteenth day of June in the year of our Lord one thousand nine hundred and ninety two.

Donna M.Lambert
Register of Probate

(C)July2
#10467

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division
DOCKET NO.92P2805E
Estate of **Charlotte Blake Richardson**
Also known as Charlotte B. Richardson
Died on May 31, 1992
late of **Cambridge**
in the County of Middlesex

NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that **John Richardson Junior of Bethesda in the State of Maryland and Nicholas A. Grace of Milton in the County of Norfolk** be appointed executors without giving surety on their bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 15, 1992.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the Seventeenth day of June in the year of our Lord one thousand nine hundred and ninety two.

Donna M.Lambert
Register of Probate

(C)July2
#5101

CITY OF CAMBRIDGE
RENT CONTROL BOARD
OFFICIAL NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to St. 1976, c.36 (the Rent Control Act) s.7 that the Cambridge Rent Control Board will hold a public hearing on Monday, July 20, 1992 at 7:00 pm at the Cambridge Rent Control Board office at 831 Massachusetts Avenue, 2nd floor Cambridge Massachusetts to consider general adjustments, by percentage, of the legal maximum rents of all rent-controlled rental units within the City of Cambridge on account of:

(1) Increases and decreases in real estate taxes due to revaluation and changes in tax rate;

(2) Increases and decreases in heating expenses, including a consideration of energy efficiency in buildings;

(3) Increases and decreases in other operating expenses including payroll, utilities, water and sewer, maintenance, and insurance;

(4) Adjustments in net operating income.

The Board will consider the establishment of such classes as will ensure the accurate apportionment of expense or income changes, including changes in real estate taxes due to revaluation, taking account of those buildings which have received individual rent adjustments.

The Board will consider measures to ensure that energy conservation efforts are being undertaken by owners to lessen the impact of heat expense increases. The Board may establish classes based on conservation methods. The Board will also consider classifying buildings according to whether heat is supplied by the landlord or tenant.

In considering a general adjustment, the Board will receive information on increases or decreases in operating costs and net operating income. The Board will also receive information on possible energy conservation measures which may be incorporated into any general adjustment.

Following the Public Hearing, the Board will determine the need for a general adjustment. If it is determined that a general adjustment is necessary, the Board will determine the method of adjusting rents by general adjustment and promulgate a regulation to that effect.

The Board desires to receive written presentations on the issues to be raised at the Public Hearing. Written presentations will be accepted from persons attending the Hearing. Persons unable to attend the Hearing may send written material to Laurie Goetz at the Rent Control office.

All persons wishing to address the Board may submit their names and addresses prior to the Public Hearing and indicate if they wish to appear in opposition to or in favor of a general adjustment. Persons submitting their names and addresses prior to the Hearing shall be heard first by the Board. Persons wishing to address the Board should contact Laurie Goetz at the Board's office, prior to the Hearing.

Please make all inquiries to the Rent Control Board at telephone number 349-6161 or at the Board's office at 831 Massachusetts Avenue, 2nd Floor, Cambridge, Massachusetts 02139.

By Order of the Rent Control Board

(C)July2,9,16
#10472

B&B TOWING

To **William Gaines, 11 Braddock Pk, Boston, MA 02116.**

B&B Towing Co, Inc: of 41 Mooney Street, Cambridge, MA, has in its possession a **1989 Suzuki bike,** VIN # JS1GM51A9K2101448 and last registered to you in 1991.

This vehicle (bike) has been in the possession of B&B Towing Co, Inc since June 28, 1991, and has not been claimed after due notice.

This vehicle (bike) will be sold at private sale at B&B Towing Co, Inc: 41 Mooney Street, Cambridge, MA 02138 on July 5, 1992.

B&B Towing Co, Inc:
41 Mooney Street
Cambridge, MA 02138
Michael Sorrentino
Owner & Officer

(C)June18,25,July2
#10631

COMMONWEALTH OF MASSACHUSETTS
PROBATE COURT
Middlesex, ss. No. 92E0078PI

To **Florence W. Beesley of Cambridge,** and City of Cambridge, of Cambridge, in the county of Middlesex and to all other persons interested.

A petition has been presented to said court by **Perry C. Wilson** of West Redding in the State of Connecticut representing that he hold as tenant in common one undivided half part or share of certain land lying in Cambridge in said County Middlesex and briefly described as follows: the land in said Cambridge, bounded and described as follows: A certain parcel of land with the buildings thereon situated in said Cambridge, being a part of lot 4 and a part of lot 5 on a "Plan of Land in Old Cambridge belonging to the estate of the late J.P. Melledge", dated January 30, 1886, and recorded with Middlesex South District Deeds, Book of Plans No. 47, Plan No. 15, and bounded and described as follows, to wit: Beginning on the Northeasterly side of Cleveland Street to a point distant seventy and 23/100 (70.23) feet Northwesterly from Dana Street, thence running Northeasterly by land now or formerly of Daniel W. Job et al., Trustees, seventy (70) feet to land now or formerly of L.A. Blish at a point ninety-nine and 89/100 (69.89) feet northwesterly from said Dana Street; thence turning and running Northwesterly by said Blish's land thirty (30) feet to land now or formerly of one Woolway; thence turning and running southwesterly by said Woolway's land by a line through the centre of a partition wall separating the house on the granted premises from the house on said Woolway's land, seventy (70) feet to said Cleveland Street; thence turning and running Southeasterly by the line of said Cleveland Street; thirty (30) feet, to the point of beginning. Containing twenty-one hundred (2,100) square feet of land, more or less.

setting forth that he desires that - all the following described part - of said land may be sold at private sale for not less than $100,000.00 dollars, and praying that partition may be made of all the land aforesaid according to law, and to that end that a commissioner be appointed to make such partition and be ordered to make sale and conveyance of all, or any part of said land which the Court finds cannot be advantageously divided either at private sale or public auction, and be ordered to distribute the net proceeds thereof.

If you desire to object thereto you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the tenth day of July 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this third day of June 1992

Donna M. Lambert
Register

(C)June18,25,July2
#10635

COMMONWEALTH OF MASSACHUSETTS
Middlesex ss. Probate Court
No. 92D 1416 D1
SUMMONS BY PUBLICATION
Placido Alves de Morais, Plaintiff
vs.
Herminda Lopes, Defendant

To the above-named Defendant:

A complaint has been presented to this Court by your spouse, Placido Alves de Morais, seeking divorce.

You are required to serve upon Jose J. Macedo, Esquire, plaintiff--plaintiff's attorney, whose address is 421 Highland Avenue, Somerville, MA 02144 your answer on or before the third day of August, 1992. If you fail to do so, the Court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness Sheila E. McGovern, Esq., First Judge of said Court at Cambridge.

June 8, 1992 Donna M. Lambert
Register of Probate

(C)June18,25,July2
#10644

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court
Case No. 92A0163-T1

To the alleged father of parts unknown of **Ashley Paige Lessard,** a minor child received by the Adoption Center, Inc. under the provisions of General Laws, Chapter 119, Section 23.

A petition has been presented to said Court by Judith Muzzioli Bailey, Executive Director, of Cambridge praying that said Court establish that the consent of said alleged father shall not be required upon a petition for adoption of said minor sponsored by your petitioner, as provided by the General Laws, Chapter 210, Section 3, as most recently amended by Chapter 200.

If you desire to object thereto, you or your attorney should file a written appearance in said Court at Cambridge before ten o'clock in the forenoon on the 17th day of August, 1992, the return day of this citation.

Witness, Sheila E. McGovern, Esquire, First Judge of said Court, this ninth day of June 1992.

Donna M. Lambert
Register

(C)June18,25,July2
#10570

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain Mortgage given by **Paul P. Ciccolo and Phyllis E. MacDonald** a/k/a **Phyllis E. Macdonald** (now known as Phyllis Andrew) to Medford Savings Bank, a corporation duly established under the laws of Massachusetts, having a place of business at 29 High Street, Medford, Middlesex County, Massachusetts, as Mortgagee, said Mortgage being dated May 2, 1986 and recorded with Middlesex County (Southern District) Registry of Deeds, Book 16967, Page 586, of which Mortgage the undersigned is the present holder, for breach of the conditions of the Mortgage and for the purpose of foreclosing the same will be sold at public auction at 10:00 a.m. on July 29, 1992, upon the mortgaged premises which are partly in Cambridge, Massachusetts and partly in Belmont, Massachusetts at **80-82 Oxford Avenue, Cambridge,** Massachusetts, all and singular the premises described in said mortgage to wit:

The land with the buildings thereon, situated partly in Cambridge and partly in Belmont, Middlesex County, Massachusetts, being shown as Lot "B" on a plan entitled "Plan of Land belonging to Charles M. Miller", dated April 27, 1912, drawn by E. F. Bowker, Engineer and Surveyor, duly recorded with Middlesex South District Deeds in plan Book 206, as plan No. 31, said Lot "B" being further bounded and described as follows:

SOUTHEASTERLY by Oxford Avenue, formerly called Oxford Street, as shown on said plan, Ninety-one and 27/100 (41.25) feet;

NORTHEASTERLY by Lot "C" as shown on said plan, one hundred (100) feet;

NORTHWESTERLY by part of Lots 143 and 144 as shown on said plan, forty-one and 25/100 (41.25) feet;

SOUTHWESTERLY by Lot "A" as shown on said plan, one hundred (100) feet.

Containing according to said plan 4,125 square feet of land, be any or all of said measurements more or less.

Said real estate will be sold in "as is " condition with no warranties or guarantees as to fitness or condition, express or implied. Said real estate will be sold subject to and/or with the benefit of any and all easements, restrictions, liens or claims in the nature of liens and encumbrances of record, which have priority over the mortgage being foreclosed, if any there be. Said premises will be sold subject to any and all unpaid real estate taxes, municipal liens, water and sewer liens and assessments and tax title takings, if any there be. But no purchaser at the sale shall be bound to complete the purchase if there are encumbrances, other than those named in the mortgage and included in the notice of sale, which are not stated at the sale and included in the auctioneer's contract with the purchaser.

For mortgagor's title see deed of Placido Ciccolo in Book 16022 at Page 354 in said Registry of Deeds.

Said real estate will also be sold subject to (a) all leases and tenancies having priority over the mortgage, (b) tenancies or occupation by persons or entities on the premises now and at the time of said auction which tenancies or occupation are subject to said mortgage, this provision (b) is not intended to constitute a subordination of said mortgage to any such tenancies or occupations, (c) rights or claims in personal property installed by tenants or former tenants now located on the premises and (d) all laws and ordinances, including but not limited to, all building and zoning laws and ordinances. The premises are also to be sold subject to the right of redemption of the United States of America.

TERMS OF SALE: Deposit of $15,000.00 by certified or bank treasurer's or cashier's check or checks made payable to Medford Savings Bank or properly endorsed to Medford Savings Bank by the person desiring to bid at the auction with no intervening endorsements shall be required at the time and place of the auction sale and such deposit check(s) shall be shown to the auctioneer prior to the commencement of the bidding in order for the person to be entitled to bid. The balance of the purchase price shall be paid in or within 30 calendar days thereafter to be deposited in escrow, along with the aforesaid deposit, with the mortgagee or its attorney pending approval of said sale by the Land Court. The deed shall be transferred within ten (10) days from the date of approval of said sale by the Land Court, said approval being the only condition of the escrow. The successful bidder shall be required to sign a Memorandum of Terms of Sale including but not limited to the above terms at the Auction sale.

As an additional condition and term of the sale, in the event the successful bidder refuses to sign the Memorandum of Sale or fails to complete the purchase in accordance with the terms and conditions of said foreclosure sale, the holder of the mortgage reserves the right, but shall not be obligated, to sell the mortgaged premises to the next highest bidder and to accept said bid upon the condition that the second highest bidder shall execute the Memorandum of Sale and deposit with mortgagee the amount of the required deposit as set forth herein within three (3) business days after written notice of default of the previous highest bidder.

The mortgagee hereby reserves the right to cancel or continue this sale to such later date by announcement made prior to or at the time of the sale and without further public notice, to bid at and purchase the mortgaged property, to reject any and all bids, to change the foregoing terms of sale by announcement, written or oral, made before the foreclosure sale or at the commencement thereof, and such change or changes shall be binding upon all prospective bidders.

June 18,1992

Medford Savings Bank
Present Holder of said Mortgage
By its Attorneys,
Francis T. Reynolds, Esquire
Keshian & Reynolds, P.C.
1040 Massachusetts Avenue
Arlington, Massachusetts 02174
Tel. No. 617-646-0600

(C)June18,25,July2
#10208

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage of property at Unit B, Newport Condominium, 1783 Massachusetts Avenue, Cambridge, Middlesex County, and 94 Thetford Avenue, Boston, Suffolk County, Massachusetts given by **Leo H. Desire,** as Trustee of L & M Realty Trust to Progressive Consumers Federal Credit Union, a corporation organized and existing under the laws of the United States, with a principal place of business at 366 Cross Street, Malden, Massachusetts 02148 dated March 15, 1988 and recorded with the Middlesex Registry of Deeds (Southern District) at Book 18924, Page 143, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same, will be sold at Public Auction at 10:00 a.m. on the 29th day of July, 1992 at **Unit B, Newport Condominium, 1783 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts,** being a portion of the premises described in said mortgage, with the buildings thereon, if any, to wit:

Parcel I

Unit #1783-B in the Newport Condominium situated at 1783 Massachusetts Avenue, Cambridge, Massachusetts, a condominium established pursuant to Massachusetts General Laws, Chapter 183A, by Master Deed dated July 29, 1981, and recorded with Middlesex South District Registry of Deeds in Book 14369, Page 290.

The Unit is shown on the floor plans of the building recorded simultaneously with said Master Deed and on the copy of the portion of said plans attached to the Unit Deed, to which is affixed a verified statement in the form required by Section 9 of said Chapter 183A.

Said Unit is conveyed together with an undivided 1.874 percent interest in the Common Elements described in the Master Deed.

Said Unit is conveyed together with, subject to, and with the benefit of the provisions of said Chapter 183A, the Master Deed, Condominium Trust and Unit Deed, and all rights, easements and agreements described therein.

Said Unit is also subject to any easements, restrictions and agreements of record insofar as any of the same are in force and applicable.

For title reference, see unit deed recorded herewith.

Parcel II

That certain real estate situated in Boston, in the County of Suffolk, bounded and described as follows: A certain parcel of land with the buildings thereon situated in that part of Boston, Suffolk County, Massachusetts, formerly Dorchester, now known as and numbered 94 Thetford Avenue, bounded and described as follows:

Southwesterly by said Thetford Avenue, fifty-four (54) feet;

Northwesterly by land now or formerly of Brackett, one hundred forty-two and 25/100 (142.25) feet;

Northeasterly by land now or late of Smith and by land now or late of Waldron, fifty (50) feet;

Southeasterly by land now or late of Margaret Weber, about forty-three (43) feet;

Northeasterly again by said land last mentioned, four (4) feet; and

Southeasterly again by land now or late of Weber, one hundred and 11/100 (100.11) feet.

The above-described premises are shown on a plan made by E. L. Moulton, Surveyor, dated June 1, 1906, recorded with Suffolk Registry of Deeds in Book 3136, Page 334.

For title reference, see deed dated January 9, 1987, recorded with said Deeds in Book 14257, Page 104

Excepting and excluding from Public Auction Parcel II described above. Only Parcel I will be sold at Public Auction.

There is also included in the sale all equipment and fixtures situated on the above-described premises to the extent the same are part of the realty.

Said premises will also be sold subject to and/or with the benefit of any and all rights of way, easements, restrictions, covenants, conditions, reservations and agreements of record, to the extent the same are in force and applicable and do not materially interfere with the current use of the premises, outstanding tax liens, municipal or other public liens or assessments, water and sewer bills, unpaid condominium fees and expenses.

Said premises will also be sold subject to all leases and tenancies having priority over said mortgage, to rights or claims in personal property installed by tenants or former tenants now located on the premises, and also to all laws and ordinances including, but not limited to, all building and zoning laws and ordinances.

Terms of Sale: The successful bidder shall tender a deposit of Five Thousand Dollars and 00 Cents ($5,000.00) in certified or bank funds at the time of the sale, with the remainder of the purchase price to be paid to the Mortgagee in cash or certified or bank funds on the twenty-fifth (25th) day following the auction sale (or the first business day following thereafter if such date falls on a Saturday, Sunday or legal holiday), to Thomas A. Hippler, Esquire, Sherin and Lodgen, 100 Summer Street, Boston, Massachusetts as agent for the Bank, and the deed shall be delivered at that time. Other terms, if any, to be announced at the sale. The successful bidder shall be required to sign a Memorandum of Terms and conditions containing the above terms and others announced at the sale.

For further information contact Thomas A. Hippler, Esquire, Sherin and Lodgen, 100 Summer Street, Boston, Massachusetts 02110, (617) 426-5720.

Progressive Consumers Federal Credit Union
Present Holder of said Mortgage,
By Its Attorneys,
Sherin and Lodgen
100 Summer Street
Boston, Massachusetts 02110
(617) 426-5720

(C)June18,25,July2
#10625

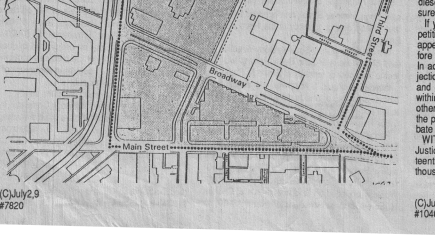
PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, July 22, 1992 at 7:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition to consider amendments to the Zoning Ordinance in Article 14.000 Mixed Use Development District: Cambridge Center as follows: first, in Section 14.32.2(5), the amendment would increase the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum gross Floor Area of 2,773,000 square feet; second, in Section 403 and Exhibit E, the amendment would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; and third, in Section 803, the amendment would extend the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. These change would affect the outlined area on the accompanying map.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Alice K. Wolf
Chair



Shaded area is the MXD District to be affected by the proposed Zoning Ordinance amendments.

Outlined area is the Kendall Square Urban Renewal Area of Cambridge to be affected by the proposed amendments to the Urban Renewal Plan.

(C)July2,9
#7820

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

June 26, 1992

To Whom It May Concern:

Enclosed you will find a copy of a hearing scheduled before the Committee on Ordinances for Wednesday, July 22, 1992 at 7:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition to consider amendments to the Zoning Ordinance in Article 14.000 Mixed Use Development District: Cambridge Center as follows:

In Section 14.32.2(5) the amendment would increase the number of square feet of gross floor area in the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum development in the area.

In Sections 14.45.1, Table 2 and 14.45.2 the amendments would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways.

In Section 14.60 the amendment would exempt the MXD district from the requirements of Section 7.10 Signs.

Also, the committee will consider a proposed amendment # 3 to the Urban Renewal Plan for Kendall Square Urban Renewal Area of Cambridge.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

D. Margaret Drury
Temporary City Clerk

DMD/dl

Enc. (1)

C. C. 106

PUBLIC NOTICE
RELATIVE TO ZONING

City of Cambridge

MASSACHUSETTS

OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, July 22, 1992 at 7:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition to consider amendments to the Zoning Ordinance in Article 14.000 Mixed Use Development District: Cambridge Center as follows: first, in Section 14.32.2(5), the amendment would increase the number of square feet of gross floor area in the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum development in the area; second, in Sections 14.45.1, Table 2, and 14.45.2 the amendments would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; the third amendment in Section 14.60 would exempt the MXD district from the requirements of Section 7.10 - Signs. These amendments would affect the shaded area on the accompanying map.

The Ordinance Committee will also consider a proposed amendment # 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area of Cambridge as follows: first, in Section 402(a) the amendment would increase the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum aggregate Gross Floor Area of 2,773,000 square feet; second, in Section 403 and Exhibit E, the amendment would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; and third, in Section 803, the amendment would extend the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. These changes would affect the outlined area on the accompanying map.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

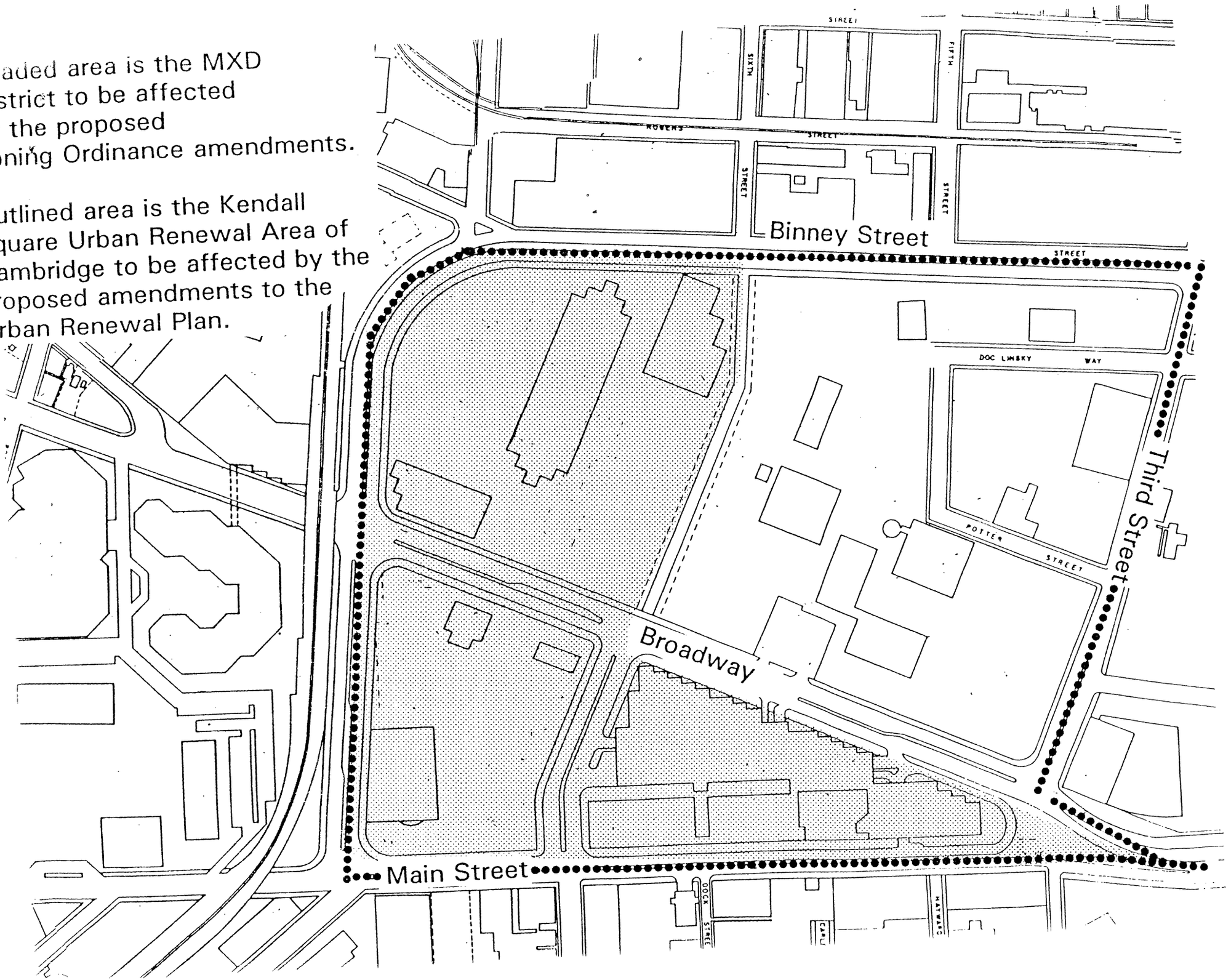
All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Alice K. Wolf
Chair

Shaded area is the MXD District to be affected by the proposed Zoning Ordinance amendments.

Outlined area is the Kendall Square Urban Renewal Area of Cambridge to be affected by the proposed amendments to the Urban Renewal Plan.



Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

June 18, 1992

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

Re: Request for City Council Approvals of Proposed Amendments to the "Zoning Ordinance of the City of Cambridge" and Proposed "Amendment No. 3 to the Kendall Square Urban Renewal Plan"

Dear Mr. Healy:

We have identified certain requisite public approvals and actions in connection with the Kendall Square Urban Renewal area. Those approvals and actions, cited above, include the following:

1. Chapter 121A Project Application. Working with your staff and the Authority, Boston Properties is preparing an Application for a "Chapter 121A Project" for submission to the Executive Office of Communities and Development, for which a public hearing will be required following submission of the Application.

2. Amendments to the Zoning Ordinance. We have identified the following amendments to the Zoning Ordinance:

- It is necessary to amend Article 14.00 (MXD Zoning District) to vary how the established maximum aggregate gross floor area in the MXD district (i.e., 2,773,000 Square Feet) may be utilized within the presently permissible use categories. Specifically, the number of square feet of gross floor area of office use would be increased by 500,000, without increasing the maximum development in the area.

- It is necessary to amend Article 14.00 by changing Table 2 in Section 14.45.1 and by amending Section 14.45.2 in order to add a new definition of "roof-top pedestrian deck" as an open space substitute for constructing pedestrian ways.

- It is necessary to amend Article 14.00 by deleting Section 14.60 which was adopted in June, 1991 without appropriate notice and to reinstate the prior provision exempting the MXD district from any additional requirements of Section 7.10 - Signs.

Proposed Transmittals to the Council for referral to its Committee on Ordinances and to the Planning Board for the requisite public hearing(s) and recommendations are enclosed as Exhibit A.

3. Minor Amendments to the Urban Renewal Plan. We have identified amendments to the Urban Renewal Plan. Those amendments are as follows:

- It is necessary to amend Section 402(a) of the Plan, consistently with the proposed zoning amendment, to increase the cumulative multi-purpose "float" (or "pool") by 500,000 Square Feet (i.e., from 973,000 Square Feet to 1,473,000 Square Feet). Such an amendment would not, however, increase the maximum aggregate GFA of 2,773,000 for the total Cambridge Center project.

- It is necessary to amend Section 403 and Exhibit E of the Plan by adding a new definition of "roof-top pedestrian deck" as an open space substitute for constructing pedestrian ways.

- It is necessary to amend Section 803 of the Plan by extending the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. This will result in the Plan being co-terminous with the proposed term of the Chapter 121A project and related tax agreement.

Proposed transmittals to the City Council and the Planning Board, together with forms of Resolutions to be considered and approved by both bodies, are enclosed as Exhibit B.

4. Timing of Public Hearings/Approvals. Based on our prior discussions and applicable required legal notices, it is recommended that you propose the following:

- That the City Council, at its meeting of June 22, 1992, vote to advertise a public hearing for Monday, August 3, 1992 to accept testimony on the proposed Application for a Chapter 121A Project.

- That the City Council, at its meeting of June 22, 1992, vote to refer the proposed amendments to the Zoning Ordinance to its Committee on Ordinances and to the Planning Board for public hearing prior to August 3, 1992 to accept testimony on the proposed zoning amendments.

- That the City Council, at its meeting of June 22, 1992, vote: (a) to refer Amendment Number 3 to the Kendall Square Urban Renewal Plan, as proposed by Cambridge Redevelopment Authority, to the Planning Board requesting a determination before August 3, 1992, that the proposed amendments are based upon a local survey and conform to a comprehensive plan for the locality as a whole; (b) to schedule a City Council public hearing on August 3, 1992 to consider the adoption of a resolution approving the proposed Amendment; and (c) to encourage Cambridge Redevelopment Authority to secure requisite approvals from the Department of Housing and Urban Development (HUD) -- on the Federal level -- the Executive Office of Environmental Affairs and the Executive Office of Communities and Development -- on the State level.

The actions outlined above are consistent with local comprehensive planning considerations, with the goals of the Kendall Square Urban Renewal Plan and with the City's objectives of improving blighted areas, of retaining existing businesses, of providing job opportunities for unemployed and under-employed workers, and for improving the City's tax base in these difficult economic times.

Your continued and essential participation and cooperation are appreciated.

Sincerely,

Joseph F. Tulimieri

Joseph F. Tulimieri
Executive Director

cc: Michael Rosenberg
James Maloney
Margaret Drury
Russell B. Higley, Esq.
Mortimer B. Zuckerman
Edward A. Linde
David Barrett
David Vickery

Enclosures

RESOLUTION OF THE CAMBRIDGE PLANNING BOARD
REGARDING AMENDMENT NO. 3
TO THE KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

RESOLVED: That the Kendall Square Urban Renewal Plan, Project No. Mass. R-107, as amended by Amendment No. 3, dated _____, 1992, is hereby found and determined to be based upon a local survey and to conform to a comprehensive plan for the locality as a whole.

On a motion by _____, seconded by _____, the above resolution was passed unanimously by the Planning Board at its meeting on _____, 1992.

For the Planning Board,

Chairman

C. C. 106

City of Cambridge

AMENDMENT NO. 3 TO URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

RESOLUTION OF CAMBRIDGE CITY COUNCIL
APPROVING AMENDMENT NO. 3 TO THE
KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

WHEREAS Cambridge Redevelopment Authority has undertaken and is carrying out an urban renewal plan in the City of Cambridge identified as the Kendall Square Urban Renewal Plan, Project No. Mass. R-107, with financial assistance under the provisions of Title I of the Housing Act of 1949, as amended, and in accordance with an amended Urban Renewal Plan duly approved by the City Council and City Manager of the City of Cambridge; and

WHEREAS Cambridge Redevelopment Authority has proposed and submitted Amendment No. 3, dated _____, 1992, to the Urban Renewal Plan, and the Cambridge Planning Board has found that the Urban Renewal Plan, as amended by said Amendment No. 3, is based upon a local survey and conforms to a comprehensive plan for the locality as a whole; and

WHEREAS Cambridge Redevelopment Authority has applied for financial assistance under the Housing Act of 1949, as amended, and may enter into an amendatory contract or contracts with the

Department of Housing and Urban Development for additional financial assistance for the Project; and

WHEREAS the City Council and City Manager are cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under Title I, including those prohibiting discrimination because of race, color, religion, sex, or national origin:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. That Amendment No. 3, dated _____, 1992 to the Urban Renewal Plan for the Kendall Square Urban Renewal Project (Mass. R-107) is hereby approved; and a copy of said approved Amendment No. 3 is hereby ordered made a part of the records of this meeting.

2. That it is hereby found and determined that the objectives of the Urban Renewal Plan, as amended, cannot be achieved through rehabilitation of the Project area.

3. That it is hereby determined that the Urban Renewal Plan, as amended, for the Project area conforms to the general plan of the locality.

4. That it is hereby determined that the financial aid provided and to be provided pursuant to the contracts for Federal financial assistance pertaining to the Project is necessary to enable the Project to be undertaken in accordance with the Urban Renewal Plan, as amended, for the Project area.

5. That it is hereby found and determined that, in addition to other purposes, the undertaking of the Project will further promote the public welfare and the proper development of

the community by providing, through the redevelopment of the Project area in accordance with the Urban Renewal Plan, as amended, a cohesive neighborhood environment compatible with the functions and needs of institutions furnishing Section 112 credits as local grants-in-aid for the Project.

6. That it is hereby found and determined that the Urban Renewal Plan, as amended, for the Project area will afford maximum opportunity, consistent with the sound needs of the locality as a whole, for the urban renewal of the area by private enterprise.

7. That it is hereby found and determined that the Urban Renewal Plan, as amended, for the Project area gives due consideration to the provision of adequate park and recreational areas and facilities, as may be desirable for neighborhood improvement, with special consideration for the health, safety, and welfare of children residing in the general vicinity of the site covered by the Plan.

8. That, in order to implement and facilitate the effectuation of the Urban Renewal Plan, as amended, it is found and determined that certain official action must be taken by this Body with reference, among other things, to changes in zoning, the vacating and removal of streets, alleys, and other public ways, the establishment of new street patterns, the location and relocation of sewer and water mains and other public facilities, and other public actions, and, accordingly, this Body hereby (a) pledges its cooperation in helping to carry out the Urban Renewal Plan, as amended; (b) requests the various officials,

departments, boards, and agencies of the locality having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the Urban Renewal Plan, as amended; and (c) stands ready to consider and take appropriate action upon proposals and measures designed to effectuate the Urban Renewal Plan, as amended.

In City Council _____, 1992

Adopted by a "yea" and "nay" vote
Yeas ____; Nays ____; Absent ____

A true copy:

_____
City Clerk

ATTEST:

_____

APPROVED AS TO FORM:

_____
City Solicitor

APPROVED:

_____
City Manager

(SEAL)

C. C. 106

City of Cambridge

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

1. She is the duly qualified Acting City Clerk of Cambridge, Massachusetts (hereinafter called the "Locality"), and the custodian of the records of the Locality, including the minutes and journal of the proceedings of the City Council (hereinafter called the "Governing Body"); and is duly authorized to execute this certificate.

2. Attached hereto is a true and correct copy of a resolution including the WHEREAS clauses, adopted at a meeting of the Governing Body held on the _____ day of _____, 1992 (hereinafter called the "Resolution of the Governing Body").

3. Also attached hereto is a true and correct copy of Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area, Project No. Mass. R-107, presented at the meeting, and approved by the Resolution of the Governing Body.

4. The Resolution of the Governing Body has been duly recorded in the minutes of the meeting and is now in full force and effect.

5. The meeting was duly convened and held in all respects in accordance with law and the bylaws of the Locality. To the extent required by law or the bylaws, due and proper notice of the meeting was given. A legal quorum of members of the Governing Body was present throughout the meeting, and a legally sufficient number of members of the Governing Body voted in the proper manner for the adoption of the Resolution of the Governing Body. All other requirements and proceedings under law, the bylaws, or otherwise, incident to the proper adoption of the Resolution of the Governing Body, including any publication, if required by law, have been duly fulfilled, carried out, and otherwise observed.

6. The seal below constitutes the official seal of the Locality and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this _____ day of _____, 1992.

(SEAL)

_____
Margaret Drury
Acting City Clerk

C. C. 106

City of Cambridge

In City Council
June 22, 1992

ORDERED: That the attached proposed amendments to the Cambridge Zoning Ordinance be referred to the Council Committee on Ordinances and to the Planning Board; and that the City Clerk schedule and give due notice of a public hearing for Monday, August 3, 1992.

LIB3 /32106.

C. C. 106

City of Cambridge

In City Council
June 22, 1992

ORDERED: That the attached Amendment No. 3 to the Kendall Square Urban Renewal Plan, containing minor changes prepared by Cambridge Redevelopment Authority, be referred to the Council Committee on Ordinances and to the Planning Board; that the City Clerk schedule and give due notice, including notice to the Massachusetts Historical Commission with a map of the area, of a public hearing for Monday, August 3, 1992; that the Planning Board consider the adoption of the enclosed form of Resolution after receiving public testimony and conducting its review; that the City Council consider the adoption of the proposed form of Resolution after receiving testimony and conducting its review; that the City Clerk utilize the proposed form of Certificate upon adoption of the Resolution approving Amendment No. 3 to the Kendall Square Urban Renewal Plan.

LIB3 /32159.

RESOLUTION OF CAMBRIDGE REDEVELOPMENT AUTHORITY
APPROVING AMENDMENT NO. 3 TO THE
KENDALL SQUARE URBAN RENEWAL PLAN
PROJECT NO. MASS. R-107

WHEREAS there was presented to, reviewed and considered at this meeting of Cambridge Redevelopment Authority a copy of Amendment No. 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Project Area, Project No. Mass. R-107, (hereinafter referred to as "Amendment No. 3"); and

WHEREAS Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color or national origin under any program or activity receiving Federal financial assistance and Executive Order 11063 prohibits discrimination on the basis of race, color, creed or national origin in the sale, lease or other disposition of residential property (including land intended for residential use) or in the use or occupancy thereof:

NOW, THEREFORE, BE IT RESOLVED BY CAMBRIDGE REDEVELOPMENT AUTHORITY:

1. That Amendment No. 3 is hereby in all respects approved, and the Executive Director is hereby directed to file a certified copy of Amendment No. 3 with the minutes of this meeting.

2. That it is hereby found and determined that the objectives of the Urban Renewal Plan as heretofore amended and as further amended by Amendment No. 3 cannot be achieved through more extensive rehabilitation of the Project area.

3. That Cambridge Redevelopment Authority hereby determines that Amendment No. 3 is a minor plan change.

4. That Cambridge Redevelopment Authority hereby finds that the Plan, as amended by Amendment No. 3, conforms to the general plan for the development of the locality and community as a whole.

5. That it is hereby found that, in addition to other purposes, the Plan, as amended by Amendment No. 3, will afford maximum opportunity for privately financed urban renewal consistent with the sound needs of the community, will support the economic stability of the City of Cambridge, will provide employment opportunities, particularly for persons earning low and moderate incomes, and will promote the public welfare and the proper development of the area.

6. That Cambridge Redevelopment Authority make available a copy of Amendment No. 3 for public inspection at its offices located at Four Cambridge Center, Cambridge, Massachusetts.

7. That the United States of America and the Secretary of Housing and Urban Development be, and they hereby are, assured of full compliance by Cambridge Redevelopment Authority with regulations of the Department of Housing and Urban Development effectuating Title VI of the Civil Rights Act of 1964 and applicable Executive Orders.

8. That Cambridge Redevelopment Authority submit Amendment No. 3 for review and approval by all requisite public authorities, as required by law.

Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

AMENDMENT NO. 3
URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

Whereas, Cambridge Redevelopment Authority desires to modify, as hereinafter set forth, certain provisions of the urban renewal plan known as the "Urban Renewal Plan, Kendall Square Urban Renewal Area, Project No. Mass R-107", as heretofore amended:

Now, therefore, said Plan is hereby further modified as follows:

1. Section 402(a) of the Plan is hereby amended by deleting the seventh paragraph thereof and by substituting in lieu thereof the following:

> "Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations: Cumulative GFA=973,000 s.f. for buildings which are located or are being constructed or may be constructed at any location within the MXD District, plus an additional 500,000 s.f. for buildings which may be constructed within the MXD District north of Broadway."

Nothing herein shall affect or increase the maximum aggregate GFA

stated in the first paragraph of said Section 402(a) of the Plan.

2. Section 403 of the Plan is hereby amended by adding a new paragraph at the end thereof to read as follows:

> (8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings.

3. Exhibit E to Section 403 of the Plan is hereby amended by adding the following at the end thereof:

"Roof-Top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each sq. ft. of total area provided, whichever is greater"

4. Section 803 of the Plan is hereby amended by revising the reference in the second line thereof from "thirty (30) years" to "forty-five (45) years".

DATED: , 1992

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 349-4260

June 26, 1992

To Whom It May Concern:

Enclosed you will find a copy of a hearing scheduled before the Committee on Ordinances for Wednesday, July 22, 1992 at 7:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition to consider amendments to the Zoning Ordinance in Article 14.000 Mixed Use Development District: Cambridge Center as follows:

In Section 14.32.2(5) the amendment would increase the number of square feet of gross floor area in the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum development in the area.

In Sections 14.45.1, Table 2 and 14.45.2 the amendments would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways.

In Section 14.60 the amendment would exempt the MXD district from the requirements of Section 7.10 Signs.

Also, the committee will consider a proposed amendment # 3 to the Urban Renewal Plan for Kendall Square Urban Renewal Area of Cambridge.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

D. Margaret Drury
Temporary City Clerk

DMD/dl

Enc. (l)

C. C. 106

PUBLIC NOTICE
RELATIVE TO ZONING

City of Cambridge

MASSACHUSETTS

OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, July 22, 1992 at 7:30 P. M. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition to consider amendments to the Zoning Ordinance in Article 14.000 Mixed Use Development District: Cambridge Center as follows: first, in Section 14.32.2(5), the amendment would increase the number of square feet of gross floor area in the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum development in the area; second, in Sections 14.45.1, Table 2, and 14.45.2 the amendments would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; the third amendment in Section 14.60 would exempt the MXD district from the requirements of Section 7.10 - Signs. These amendments would affect the shaded area on the accompanying map.

The Ordinance Committee will also consider a proposed amendment # 3 to the Urban Renewal Plan for the Kendall Square Urban Renewal Area of Cambridge as follows: first, in Section 402(a) the amendment would increase the cumulative multipurpose "float" by 500,000 square feet without increasing the maximum aggregate Gross Floor Area of 2,773,000 square feet; second, in Section 403 and Exhibit E, the amendment would add a new definition of "roof top pedestrian deck" as an open space substitute for constructing pedestrian ways; and third, in Section 803, the amendment would extend the expiration date of the Urban Renewal Plan from August 30, 1995 to August 30, 2010. These changes would affect the outlined area on the accompanying map.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

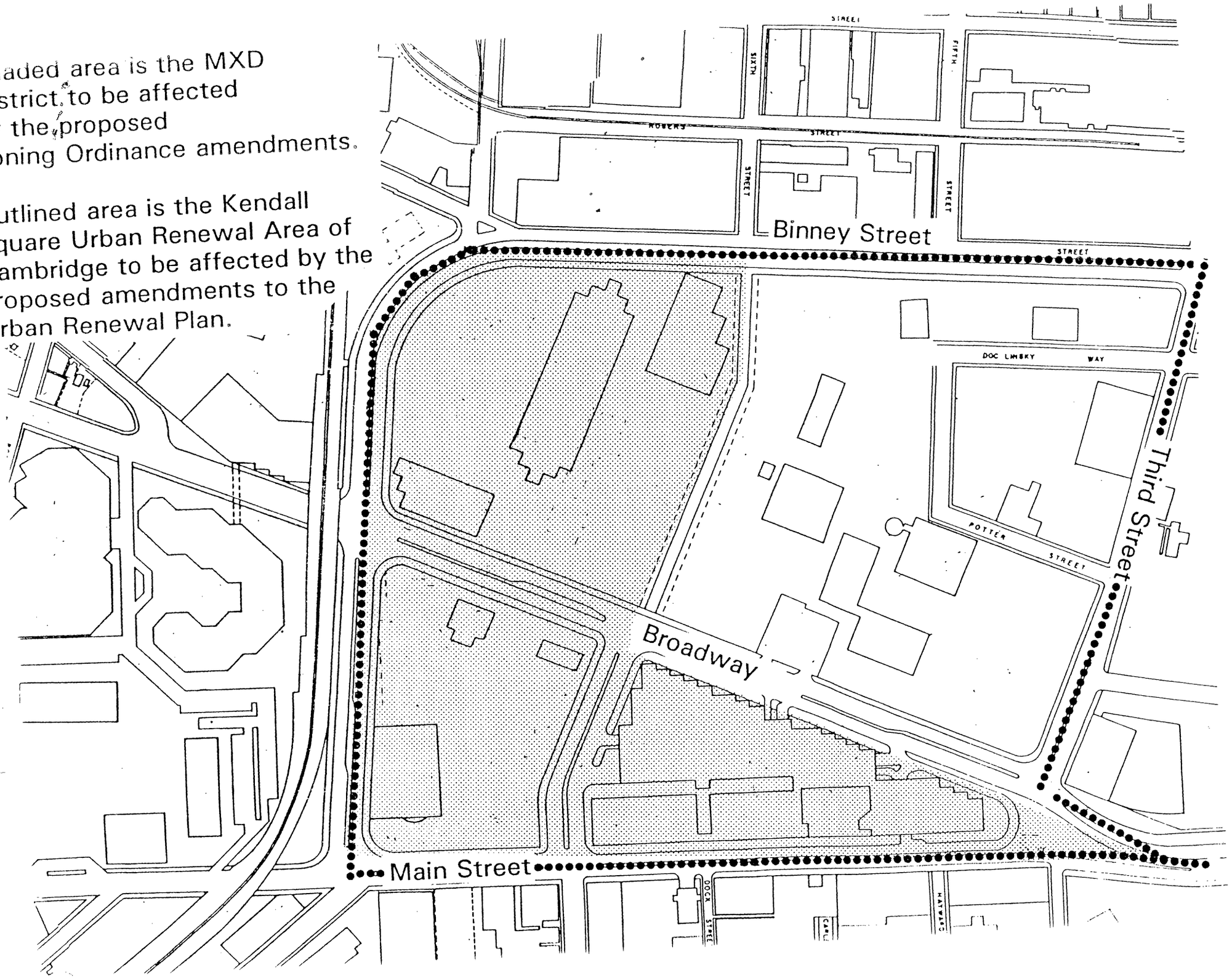
All persons interested in this matter may appear at this time and be heard.

For the Committee,

Councillor Alice K. Wolf
Chair

Shaded area is the MXD District to be affected by the proposed Zoning Ordinance amendments.

Outlined area is the Kendall Square Urban Renewal Area of Cambridge to be affected by the proposed amendments to the Urban Renewal Plan.



ATTACHMENT A

Cambridge Redevelopment Authority

Four Cambridge Center/Second Floor
Cambridge, Massachusetts 02142
617 492 6800
617 492 6804 (FAX)

AMENDMENT NO. 3
URBAN RENEWAL PLAN
PROJECT NO. MASS R-107

Kendall Square Urban Renewal Area
Cambridge Redevelopment Authority
Cambridge, Massachusetts

Whereas, Cambridge Redevelopment Authority desires to modify, as hereinafter set forth, certain provisions of the urban renewal plan known as the "Urban Renewal Plan, Kendall Square Urban Renewal Area, Project No. Mass R-107", as heretofore amended:

Now, therefore, said Plan is hereby further modified as follows:

1. Section 402(a) of the Plan is hereby amended by deleting the seventh paragraph thereof and by substituting in lieu thereof the following:

> "Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 401(5), 401(6) and 401(7) and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations: Cumulative GFA=973,000 s.f. for buildings which are located or are being constructed or may be constructed at any location within the MXD District, plus an additional 500,000 s.f. for buildings which may be constructed within the MXD District north of Broadway."

Nothing herein shall affect or increase the maximum aggregate GFA

stated in the first paragraph of said Section 402(a) of the Plan.

2. Section 403 of the Plan is hereby amended by adding a new paragraph at the end thereof to read as follows:

> (8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings.

3. Exhibit E to Section 403 of the Plan is hereby amended by adding the following at the end thereof:

"Roof-Top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each sq. ft. of total area provided, whichever is greater"

4. Section 803 of the Plan is hereby amended by revising the reference in the second line thereof from "thirty (30) years" to "forty-five (45) years".

DATED: , 1992

ATTACHMENT B

PROPOSED AMENDMENTS OF CAMBRIDGE ZONING ORDINANCE

1. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby amended by deleting clause (5) of Section 14.32.2 and by substituting in lieu thereof the following:

> "(5) Entertainment, recreational, institutional, transportation, communication and utility uses permitted by Sections 14.21.5, 14.21.6 and 14.21.7 and additional development of industrial, office, retail, consumer service and hotel/motel uses exceeding the foregoing cumulative GFA limitations of paragraphs (1), (2), (3), and (4b) above: Cumulative GFA=1,473,000 square feet."

Nothing herein shall affect or increase the maximum aggregate GFA of development in the District stated in Section 14.32.1.

2. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to "Table 2: Open Space Substitutions for Constructing Pedestrian Ways" in Section 14.45.1 thereof, the following:

"Roof-top Pedestrian Deck"	"50 sq. ft. or 2.5 sq. ft. for each 1 sq. ft. of total area provided, whichever is greater"

3. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by deleting the first two lines of Section 14.45.2 and substituting therefor the following:

> "The pedestrian ways listed in Table 2 shall be designed to provide for public access (except in the case of a roof-top pedestrian deck) and shall have the following meanings:"

4. Article 14.00 of the Zoning Ordinances of the City of Cambridge is hereby further amended by adding to the list of meanings in Section 14.45.2, the following:

> "(8) A roof-top pedestrian deck is a continuous, open platform at least twenty (20) feet in width which is at least fifteen (15) feet above the mean elevation of the lot and which is built in whole or in part on or over the roof of a structure providing any of the uses as permitted by Section 14.21. Such roof-top pedestrian deck may also extend in part over a street, pedestrian way, access or service road or open space within a lot or between two adjacent lots. It shall have pedestrian access from one or more abutting buildings, either directly from the buildings or otherwise, shall provide seating facilities, and shall be landscaped with appropriate materials which shall include plantings."

5. Article 14.00 of the Zoning Ordinance of the City of Cambridge is hereby further amended by deleting Section 14.60 in its entirety and by substituting in lieu thereof the following:

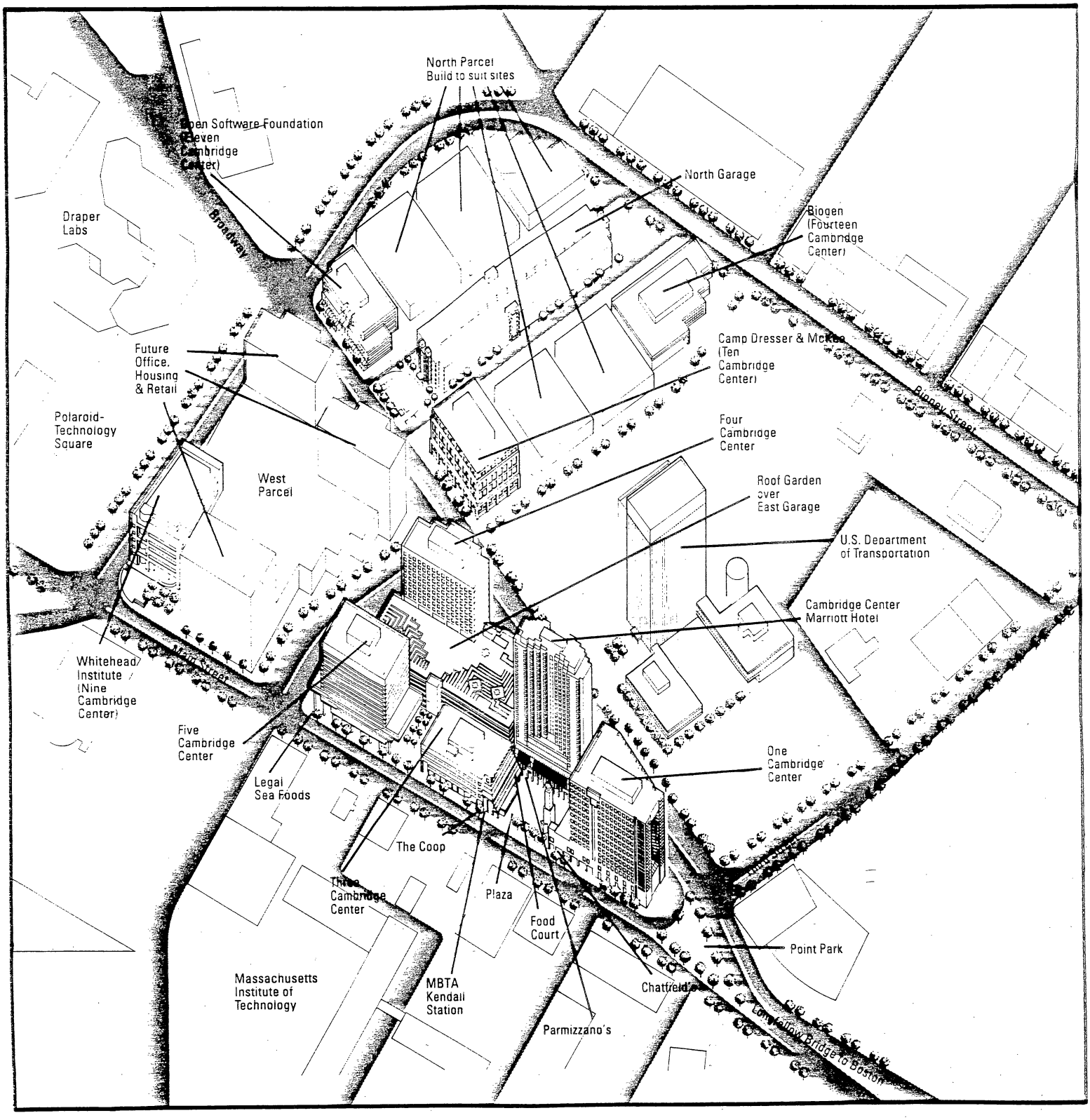
"14.60 - Signs

"During the life of the Kendall Square Urban Renewal Plan, as amended, the sign regulations of Section 7.10 shall not be applicable in the MXD District."

ATTACHMENT C

Cambridge Center

Completed and Future Development



C. C. 106

City of Cambridge

The Ordinance Committee held a public hearing on Wednesday, July 22, 1992, beginning at 9:15 p.m. in the Sullivan Chamber for the purpose of considering Proposed Amendment Number Three to the Kendall Square Urban Renewal Plan; proposed amendments to the Zoning Ordinances of the City of Cambridge in Article 14.000 entitled "Mixed Use Development district: Cambridge Center and in Section 14.60 of Article 14.000 entitled "Signs;" and confirmation of three appointments to the Cambridge Redevelopment Authority. Members present were Vice Mayor Edward N. Cyr, Councillor Francis H. Duehay, Councillor Jonathan S. Myers, Mayor Kenneth E. Reeves, Councillor Sheila T. Russell, Councillor Walter J. Sullivan, Councillor Timothy J. Toomey, Jr., Councillor William H. Walsh and Councillor Alice K. Wolf.

Councillor Wolf, Chair of the Committee, opened the hearing with a brief description of the proposed amendments to the urban renewal plan and the proposed amendments to the Zoning Ordinances. Copies of the proposed urban renewal plan amendment (Attachment A) and the proposed zoning amendments (Attachment B) are attached to this report, labeled as indicated. Councillor Wolf explained that there would be a presentation by the City Manager, followed by an opportunity for public testimony.

City Manager Robert W. Healy introduced Joseph Tulimeri, Executive Director of the Cambridge Redevelopment Authority (CRA). Mr. Tulimeri submitted a map of the area of the proposed changes (Attachment C). He said that the proposed amendment to exempt the development area from the Sign Ordinance would restore a previous exemption and was important to allow a level of consistency in the signage of the entire redevelopment area. Mr. Tulimeri also introduced David Barrett, Senior Vice President of Boston Properties, the developer of the redevelopment area.

Councillor Duehay asked whether the sign ordinance as it pertained to the redevelopment area could be changed rather than made completely inapplicable by exemption, and requested that the redevelopment area sign regulations be submitted. Mr. Tulimeri responded that he believed there were many parts of the ordinance with which the redevelopment area does not comply, for example there is corporate signage on several different faces of buildings. Vice Mayor Cyr said he believed that issues of corporate signage could be dealt with through changes to two sections of the Sign Ordinance.

Councillor Duehay said that he would like more information about the implications of extending the urban renewal plan before voting on that proposed amendment. Mr. Tulimeri said that it is important to keep the plan in place to keep the public controls on the development of the area and to prevent changes in use. Currently, the plan would expire on August 30, 1995. He also said

that development agreements could be impacted by expiration of the plan. Mr. Tulimeri added that the extension of the urban renewal plan is unrelated to the existence of the CRA, and that a decision to extend the plan would not affect whether the CRA continues to exist or not.

Councillor Duehay asked whether the urban renewal plan extension had to be decided that night. David Barrett answered that it could be important to have an extension in place before the state and federal reviewing agencies had to give their approvals. Robert Healy said that because there were several complexities to this issue that the City does not have all the answers to , it would be a good idea to keep this matter moving along, but it was not imperative to act on it tonight. Councillor Wolf suggested that this matter be referred to the Ordinance Committee and that the Ordinance Committee could meet at 2:30 p.m. on August 3, 1992, before the meeting of the City Council on same date.

Testimony in support of the proposed amendments to the urban renewal plan and zoning ordinances was presented by Paul Casey, Director of Real Estate, Comm Energy Services, who voiced Comm Energy's strong support for these amendments and the support for development that they represented.

There was not public testimony presented in opposition.

Thereupon Councillor Duehay moved:

> **That paragraph number 4 on page 2 of Amendment No. 3 to the Urban Renewal Plan be removed from Amendment No. 3 and remain in the Ordinance Committee.**

The motion carried on a voice vote.

Councillor Duehay further moved:

> **That the Ordinance Committee recommend to the City Council Approval of Amendment No. 3, as amended.**

The motion carried on a voice vote.

Vice Mayor Cyr moved:

> **That the proposed amendments to the Zoning Ordinances be forwarded to the City Council with recommendation that the amendments be adopted.**

The motion carried unanimously on a roll call vote.

Councillor Wolf moved the discussion to the City Manager's request for confirmation of appointments to the Cambridge Redevelopment Board. Robert Healy listed his selections for the Board: Allen Bell, as a re-appointment, Karen K. Swaim and Manuel Rogers, Jr. In response to a question from Mayor Reeves, Robert Healy explained that the CRA Board consists of five members, four appointed by the City Manager with confirmation by the City Council, and one appointed by the Governor. If these people are all appointed, there will still be on City Manager appointment vacancy on the Board.

Councillor Myers asked what criteria had been used in making these appointments. Robert Healy responded that integrity, willingness to serve and balance for the Board were the most important factors. He noted that there were eight applicants and he interviewed the five who were available for interviews.

Councillor Russell stated that the Manager had done a good job in selecting Board members. Each one brings something different to the CRA.

Councillor Toomey congratulated the Manager on his recommendations.

Councillor Duehay moved:

> **That the appointments be reported to the City Council with a recommendation for confirmation.**

The motion carried on a voice vote.

The hearing was adjourned at 10:15 p.m.

For the Committee,

Councillor Alice K. Wolf
Chair

Committee Report # 10 of 35

Ordinance Committee Report for a hearing held on Wednesday, July 22, 1992 relative to Kendall Square Urban Renewal Plan Amendment Number Three, proposed amendments to the Zoning Ordinances in Article 14.000 entitled "Mixed Use Development district: Cambridge Center and Section 14.60 of Article 14.000 entitled "Signs" and the confirmation of three appointments to the Cambridge Redevelopment Authority.

9/21/92 Placed on file on motion of Councillor Duehay

In City Council,

August 3, 1992