

The Commonwealth of Massachusetts

Layout No. 7218

Alteration (Limited Access)

City of

Cambridge

Date

April 2, 2003

I HEREBY CERTIFY that the following document and plan have been
April 7, 2003
this day filed in the office of the City Clerk:

A certified copy of a plan and location bearing thereon a certificate Alteration (Limited Access)
dated: March 19, 2003, purporting to be signed by the Massachusetts
Department of Highways, or a majority of the members thereof, attesting
that said Massachusetts Department of Highways has altered the location
of the State highway in the City of Cambridge, and has laid out and
taken charge of, as a State highway, said was altered in the City of
Cambridge, as shown on said plan

Attest

D. Margaret Dwyer
Cambridge City Clerk

4/14/03 Copies sent to
City Solicitor &
City Engineer

COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF HIGHWAYS

- 0000000 -

CITY OF CAMBRIDGE
ASSESSING DEPT.
RECEIVED

2003 APR -7 A 10:17

**Cambridge
Layout No. 7218
and Order**

Whereas, the Department of Public Works, now known as the Department of Highways, acting on behalf of the Commonwealth of Massachusetts, did, under dates of April 3, 1951, (layout number 3845, apparently not recorded, but filed with the Clerk of the Boston City Council), and August 9, 1967, (layout number 5700), lay out and take charge of, as a limited access State highway, a road in the City of Boston, County of Suffolk, being a portion of the Central Artery and Interstate Route 93, certified copies of which plans have been filed in the offices of the Mayor of the City of Boston and the Boston City Council for the County of Suffolk, and in the office of the City Clerk of said City of Boston; and an attested copy of layout number 5700 has been filed in the Registry of Deeds for Suffolk County at book 8141, page 1; and

Whereas, said Department did, under date of November 25, 1987 (layout number 6605 in Boston and layout number 6606 in Cambridge), alter the location of said State highway, to provide for an interchange connecting Interstate Route 93 with U.S. Route 1, all as shown on plans of said State highway on file in the office of the Department of Highways; an attested copy of layout 6605 has been filed in the Registry of Deeds for Suffolk County at book 14314, page 258, and an attested copy of layout 6606 has been filed in the Registry of Deeds for Middlesex County at book 18745, page 96; and

Whereas, Section 63 of Chapter 235 of the Acts of 2000 authorizes the Department of Highways to construct its highway across the land of the Commonwealth of Massachusetts under the care, custody and control of its Metropolitan District Commission;

Whereas, it is now necessary to make further changes to the aforesaid State highway location.

Now, therefore, acting under the provisions of Chapter 81 of the General Laws and acts in amendment thereof and in addition thereto, the Department of Highways hereby adjudges that public necessity and convenience require that the Commonwealth should alter the location of said State highway as part of the Central Artery/Tunnel Project, and should lay out and take charge of said State highway as altered with limited access provisions, as hereinafter described.

The alteration consists of establishing a location for the construction of a bridge across the Charles River to carry connector ramps to and from Leverett Circle with Interstate Route 93.

The baseline for this alteration is an extension of auxiliary baseline C (for the construction of Ramp N-S) established under the 2003 L.O. No. 7217 in Boston, Suffolk County (executed on even date with this instrument) and begins at the point of ending of said auxiliary baseline C shown on plan as station 79+23.08 and extends thence leaving said point north 40°25'30" west 280.94 feet to the point of ending thereof shown on plan as station 82+04.02, said point being identical with station 20+82.34, of auxiliary baseline A established under aforereferenced L.O. No. 6606.

The southwesterly location line of the State highway as hereby altered and laid out begins at the point of ending of the southwesterly location line of the 2003 L.O. No. 7217 in Boston, Suffolk County, said point also being approximately on the City/County line bearing south

49°34'30" west and 14.00 feet distant from station 79+34.84 of auxiliary baseline C extended hereinbefore described, and extends thence leaving said point north 40°25'30" west 228.45 feet to the point of ending thereof on Section 1 of the southwesterly location line of the aforereferenced L.O. No. 6606, said point bearing south 49°34'30" west and 14.00 feet distant from station 81+63.28 of said auxiliary baseline C extended.

The northeasterly location line of the State highway as hereby altered and laid out begins at a point on the location line defining the Excluded Area in the 2003 L.O. 7217 in Boston, Suffolk County, said point also being approximately on the aforesaid City/County line bearing north 49°34'30" east and 78.00 feet distant from station 79+50.07 of auxiliary baseline C extended hereinbefore described and extends thence leaving said point north 40°25'30" west 152.24 feet to the point of ending thereof on Section 1 of the southwesterly location line of the aforesaid L.O. No. 6606, said point bearing north 49°34'30" east and 78.00 feet distant from station 81+02.31 of said auxiliary baseline C extended.

The location lines of the State highway altered and laid out as hereinbefore described are to be further defined by bounds set thereon at the points of beginning and ending thereof, where feasible.

The limited access provisions imposed under the aforesaid November 25, 1987 State highway alteration (L.O. No. 6606) to that portion of Section 1 of the southwesterly location line thereof within the limits of this alteration are hereby voided.

The right of access to and egress from the State highway location is limited, being permitted across the location lines altered as hereinbefore described, only as follows:

1. Access to and egress from the State highway location is allowed across both the southwesterly and northeasterly location lines laid out as hereinbefore described within the limits of the Charles River for those purposes for which the Charles River presently serves.
2. Access to and egress from said location across the southwesterly location line thereof at ground level is allowed for Massachusetts Bay Transportation Authority (MBTA) purposes and for park and recreation purposes authorized under the control of the Metropolitan District Commission between a point thereon marking the intersection of said location line with the property line dividing land of said MBTA previously taken as shown on the plan hereinafter referred to from land of the Commonwealth of Massachusetts (Charles River) said point bearing south 49°34'30" west and 14.00 feet distant from about station 81+29 of auxiliary baseline C extended hereinbefore described, and extending northwesterly along said location line to the point of ending.

For the purpose of laying out, constructing and maintaining said State highway, the Department of Highways, acting on behalf of the Commonwealth of Massachusetts, under Chapter 235 Section 63 of the Acts of 2000 does hereby provides an easement for highway purposes in the parcel of land hereinafter referred to as parcel 5-E-1.

~~The permanent easement for highway purposes established with this order, (the "Highway Easement Area" comprises parcel 5-E-1 herein acquired and parcel 5-E-2 previously taken as shown on the plan hereinafter referred to), is bounded vertically at the lowest elevation by: (i) the bottommost portion of the elevated structure and appurtenances; or (ii) the bottommost portion of the foundation support structure; or (iii) the bottommost portion of utility pipes, associated structures and appurtenances, whichever applies; and at the highest elevation by: (i) the topmost portion of the bridge structure; or (ii) a plane located fourteen feet six inches (14'-6") above the topmost portion of the roadway surface, plus any additional space which may be required to~~

accommodate the use, installation, construction, reconstruction or maintenance of State highway signs and associated roadway lighting, and appurtenances, whichever applies.

Except as provided below, the permanent easement for highway purposes shall include the following three appurtenant rights: (a) the exclusive right, during the period of construction of said roadway and appurtenances, to use the areas at, above, or below ground level and within the Highway Easement Area for any purpose that the Department of Highways deems necessary or desirable in connection with the construction of said roadway and appurtenances, provided, however, that any use of the areas at, above or below ground level and within the Highway Easement Area shall be limited to the horizontal limit of the Highway Easement Area as established by this order and as shown on the plan hereinafter referred to; (b) the right, after completion of said roadway and appurtenances, to use, operate and maintain, and from time to time repair and replace said roadway and appurtenances from within the Highway Easement Area as may be necessary or desirable; and (c) the right to locate any necessary utility facilities at, above or below ground level as the case may be, within the Highway Easement Area hereinbefore referred to. After the construction of said roadway and appurtenances has been completed, the ~~appurtenant right set forth in clause (a) above shall terminate and be of no further force or effect,~~ and the Commonwealth shall retain only those rights set forth in clauses (b) and (c) above. The owner of the underlying fee shall then have the right to use the land burdened by the Highway Easement Area in a manner which does not interfere with the roadway and appurtenances or said retained rights, after having first obtained written approval from the Department of Highways.

The State highway hereby altered and laid out as hereinbefore described and the inclusion of the aforesaid highway easement in parcel 5-E-1 are shown on a plan signed by the Chief

Engineer and signed by the Department of Highways and on file in its office, said plan being entitled:

**"THE COMMONWEALTH OF MASSACHUSETTS
PLAN OF ROAD
IN THE CITY OF
CAMBRIDGE
MIDDLESEX COUNTY
ALTERED AND LAID OUT AS A STATE HIGHWAY
BY THE DEPARTMENT OF HIGHWAYS
MARCH 19, 2003
SCALE: 40 FEET TO THE INCH",**

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

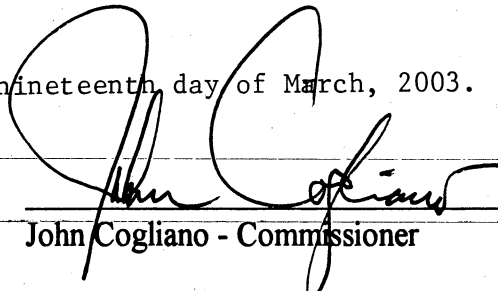
<u>Parcel No.</u>	<u>Supposed Owner</u>	<u>Area About</u>	<u>Book</u>	<u>Page</u>
5-E-1	Commonwealth of Massachusetts (Charles River)	19,860 S.F.		N/A
5-E-2	Massachusetts Bay Transportation Authority (Existing State highway Easement taken under order dated April 30, 1997)	1,600 S.F.	27295	542

The names of the owners herein given, although supposed to be correct, are such only as matters of opinion and belief.

It is therefore

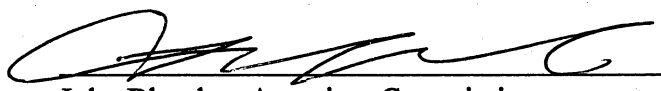
Voted: That said way as altered, as described herein and as shown on said plan, be and the same is hereby taken charge of by the Commonwealth; that the Secretary to the Highways Commission be and hereby is instructed to file, in the office of the County Commissioners for the County of Middlesex and in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

Dated at Boston this nineteenth day of March, 2003.



John Cogliano - Commissioner

Members of



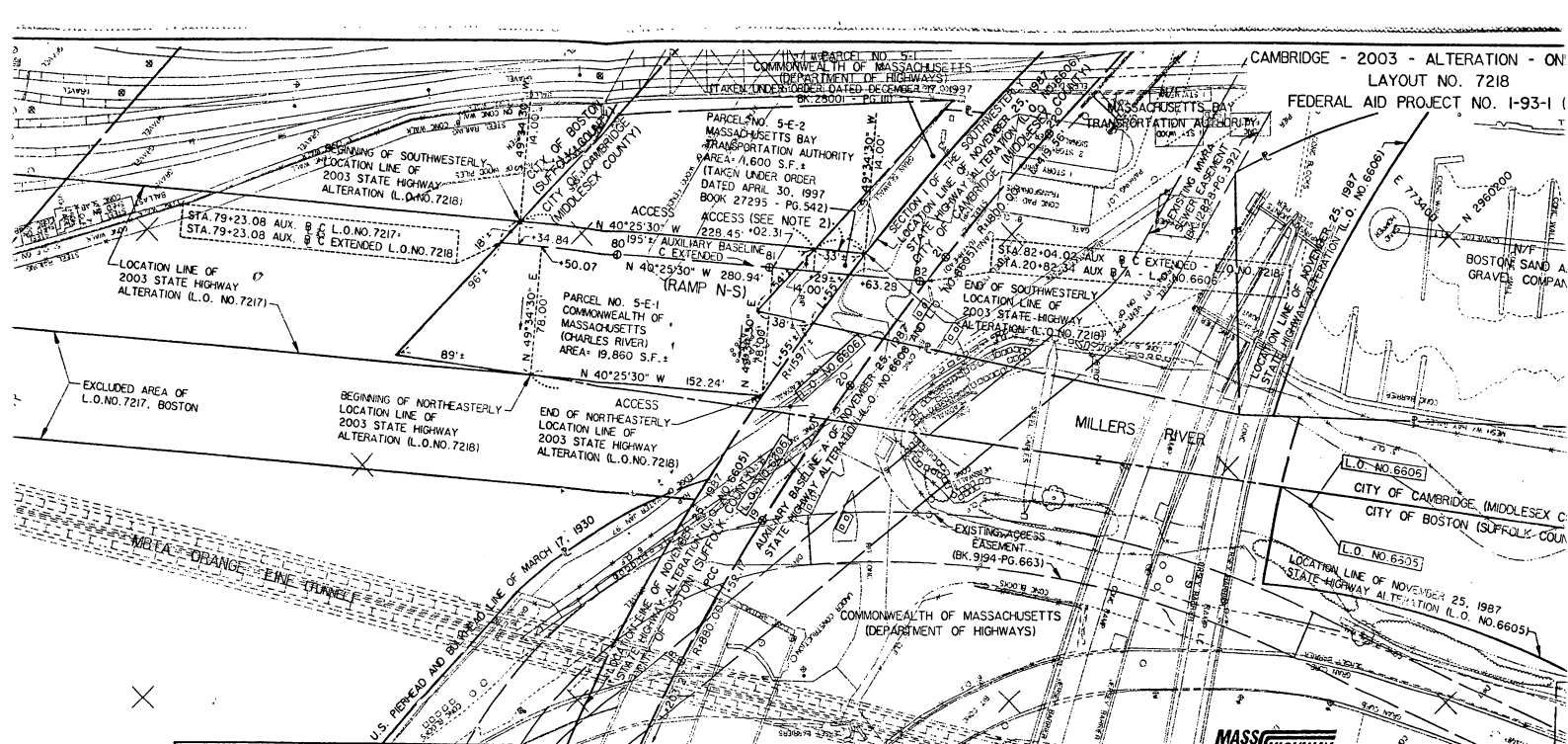
John Blundo - Associate Commissioner

the Highways



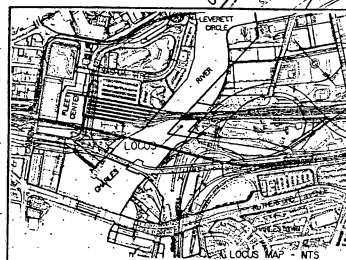
Mary L. Burns - Associate Commissioner

Commission



OF SELECTED FEATURES
TOGRAPHY FOR THE CA/TWT
ATION PURPOSES ONLY.
REFLECTED DUE TO ONGOING

VED FOR MASSACHUSETTS
PROPOSES AND FOR PARK
DRIZED UNDER THE CONTROL
MISSION.



I CERTIFY THAT THIS PLAN HAS
BEEN PREPARED IN CONFORMITY WITH THE
RULES AND REGULATIONS OF THE REGISTERS
OF DEEDS OF THE COMMONWEALTH OF
MASSACHUSETTS.



Mund 6, 2003 *Mark Hassaunty*
DATE SIGNATURE

THIS CERTIFIES THAT THE LOCATION OF THE HIGHWAY
HAS BEEN ALTERED AS SHOWN ON THIS PLAN AND THAT
SAID HIGHWAY AS ALTERED WAS LAID OUT AND TAKEN
CHARGE OF AS A LIMITED ACCESS STATE HIGHWAY BY
THE DEPARTMENT OF HIGHWAYS ON MARCH 19, 2003.
IN ACCORDANCE WITH CHAPTER 81 OF THE GENERAL LAWS
AS AMENDED BY SECTION 7-C INSERTED BY CHAPTER 397
OF THE ACTS OF 1963.

John Coffey

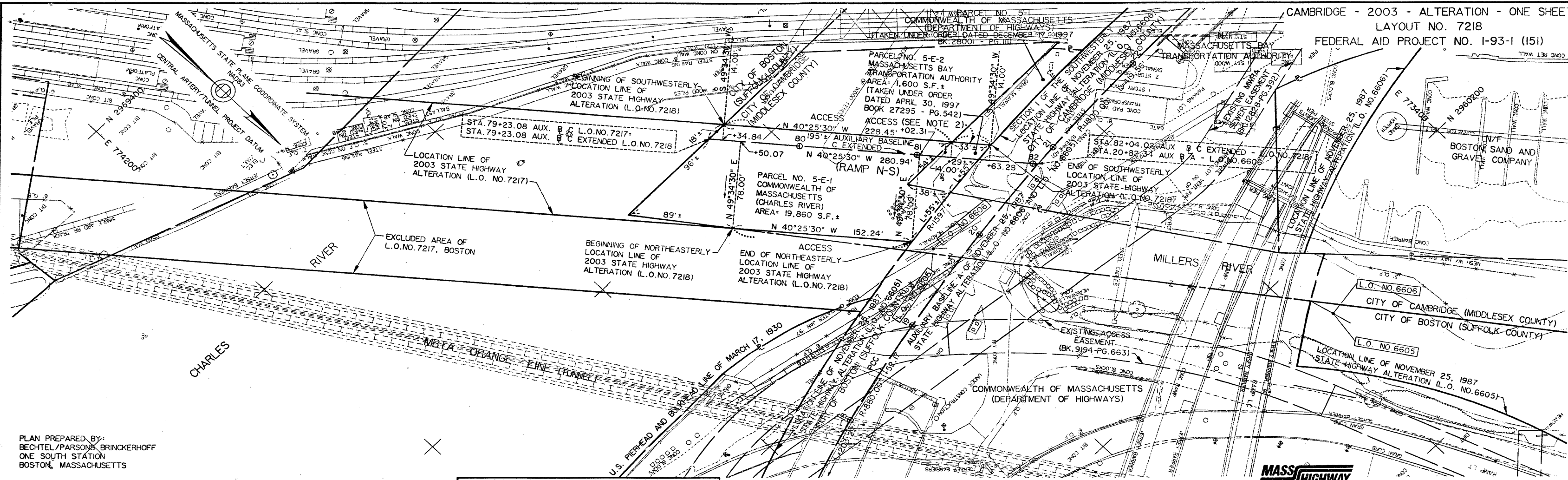
MASSACHUSETTS DEPARTMENT OF HIGHWAYS

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

MARCH 19, 2003

SCALE: 40 FEET TO THE INCH
Thomas F. Brennan, Jr.
CHIEF ENGINEER

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PV

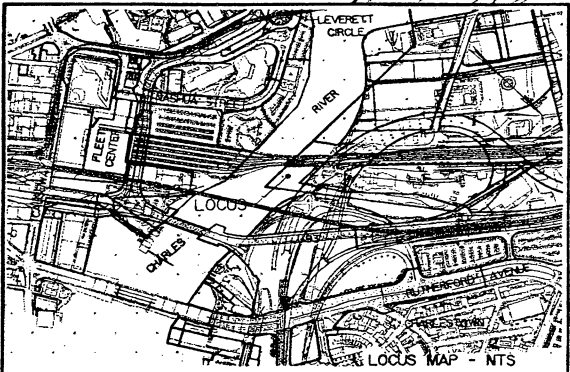


PLAN PREPARED BY:
BECHTEL/PARSONS BRINCKERHOFF
ONE SOUTH STATION
BOSTON, MASSACHUSETTS

RESERVED FOR REGISTRY USE

NOTES:

1. THE BACKGROUND MAPPING CONSISTS OF SELECTED FEATURES STEREO-COMPILED FROM AERIAL PHOTOGRAPHY FOR THE CA/TWT PROJECT AND IS SHOWN FOR ORIENTATION PURPOSES ONLY. CURRENT CONDITIONS MAY NOT BE REFLECTED DUE TO ONGOING CONSTRUCTION.
2. ACCESS AT GROUND LEVEL IS ALLOWED FOR MASSACHUSETTS BAY TRANSPORTATION AUTHORITY PURPOSES AND FOR PARK AND RECREATIONAL PURPOSES AUTHORIZED UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION.



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



March 6, 2003
DATE

Marie Hassanova
SIGNATURE

THIS CERTIFIES THAT THE LOCATION OF THE HIGHWAY HAS BEEN ALTERED AS SHOWN ON THIS PLAN AND THAT SAID HIGHWAY AS ALTERED WAS LAID OUT AND TAKEN CHARGE OF AS A LIMITED ACCESS STATE HIGHWAY BY THE DEPARTMENT OF HIGHWAYS ON MARCH 19, 2003 IN ACCORDANCE WITH CHAPTER 8I OF THE GENERAL LAWS AS AMENDED BY SECTION 7-C INSERTED BY CHAPTER 397 OF THE ACTS OF 1963.

John Coffey
SIGNATURE

MASSACHUSETTS DEPARTMENT OF HIGHWAYS

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

MARCH 19, 2003

SCALE: 40 FEET TO THE INCH
Thomas J. Brennan, P.E.
CHIEF ENGINEER

LAYOUT NO. 7218

2003 APR -4 A 11: 57
CLERK
MASSACHUSETTS

2003 APR -7 A 10:17

April 2, 2003

City Clerk
City Hall
Central Square Cambridge, MA 02139

Re: Cambridge
Layout: 7218 Alteration (Limited Access)
Dated: March 19, 2003

2003 APR -8 A 8:50
CITY CLERK
CAMBRIDGE, MASSACHUSETTS

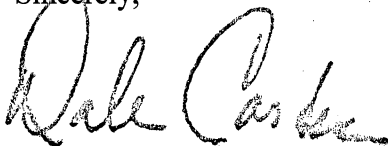
Dear Sir/Madam:

Acting under the provisions of Chapter 81 Section 5 of the General Laws, the Massachusetts Department of Highways did, under date of March 19, 2003 alter the location of a section of State highway in the City of Cambridge that had been previously altered.

A certified plan thereof and a certificate that the Massachusetts Department of Highways has laid out and taken charge of said State highway as altered in accordance with said plan, are sent to you herewith for filing in your office according to the law.

Would you please sign the enclosed receipt form as soon as possible. Thank you for your cooperation. If you have any questions I can be reached at (617) 973-8216.

Sincerely,



Ms. Dale Carder
Administrative Manager
Right of Way Bureau

DC/dd

Enclosures

4/14 N-50

A certified copy of a plan and
location bearing thereon a Certificate
Alteration (Limited Access) dated
March 19, 2003, purporting to be
signed by the Mass Dept of
Highways.

April 14, 2003