



City of Cambridge

Agenda No. 6(A)

IN CITY COUNCIL

June 15, 1998

ORDERED:

Pursuant to Sec. 2.110.010 G of the Cambridge Municipal Code, the City Council hereby orders that the City Council shall utilize a diminished process for the disposition of a non-exclusive surface easement to Lawrence P. Ciarletta and Mary A. Ciarletta for the purpose of constructing, maintaining, repairing, replacing and rebuilding a paved driveway, for foot and vehicular traffic usually associated with residential uses on a private driveway only, as set forth in Robert W. Healy's June 15, 1998 letter to the City Council.

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

A handwritten signature in cursive script, reading "D. Margaret Drury".

D. Margaret Drury
City Clerk



City of Cambridge

Agenda No. 6(B)

IN CITY COUNCIL

June 15, 1998

- WHEREAS:** The City of Cambridge is the owner through its Water Board of a certain parcel of land abutting Cottage Street, Watertown, Massachusetts, shown as Easement Area (2630 S.F.) on a plan entitled Easement Plan, 25-27 Cottage Street - Watertown, MA, attached hereto, which land comprises a portion of its Cambridge Water Works and reservoir facilities. The Easement Area is also shown as "City of Cambridge Water Taking" on a plan marked "Town of Watertown Plan of Cottage Street", dated February 1923, recorded in the Middlesex South Registry of Deeds, Plan Book 319, Page 41, and on a plan marked "Cambridge Water Works, Stony Brook Supply", dated April 4, 1905, filed in the Middlesex South Registry of deeds as Plan Number 388 of 1905; and
- WHEREAS:** Lawrence P. Ciarletta and Mary A. Ciarletta are the owners of the property at 25-27 Cottage Street, Watertown, MA, also shown on the plan hereinabove referred to; and
- WHEREAS:** The City of Cambridge land was originally acquired by eminent domain; and
- WHEREAS:** The Cambridge Water Board has determined that the granting of an Easement over the Easement Area would not derogate from the public interest or the public purposes for the area in question within the charge of the City of Cambridge and the Cambridge Water Board; and
- WHEREAS:** Mr. and Mrs. Ciarletta have requested the grant of a non-exclusive surface easement over the said Easement Area from the City of Cambridge to accommodate a driveway for vehicular access to their property at 25-27 Cottage Street in Watertown, Massachusetts; and
- WHEREAS:** The land over which the Ciarlettas seek the surface easement totals 2,630 square feet, and the Ciarlettas have agreed to pay a one-time fee of \$2,130.00 for this surface easement (\$1.00 per square foot of the easement area, less \$500.00 of the \$1,000.00 fee for the certified plan of the easement area); and

WHEREAS:

The City Council of the City of Cambridge has accepted the recommendation that the granting of a non-exclusive surface easement over the Easement Area would not derogate from the public interest or the public purposes for the area in question; now therefore be it

ORDERED:

That the City Council hereby approves and authorizes the City Manager to grant, on behalf of the City of Cambridge, a non-exclusive surface easement to Lawrence P. Ciarletta and Mary A. Ciarletta for the purpose of constructing, maintaining, repairing, replacing and rebuilding a paved driveway for foot and vehicular traffic usually associated with residential uses on a private driveway in the Easement Area, and to execute and deliver such easement in such form and substance as the City Manager determines is necessary or advisable.

In City Council June 15, 1998.

Adopted by a yea and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

D. Margaret Drury

ATTEST:

D. Margaret Drury
City Clerk



City of Cambridge

Agenda No. 6(C)

IN CITY COUNCIL

June 15, 1998

ORDERED:

That the City Council hereby go on record favoring the filing of the attached Home Rule Petition entitled "An Act Authorizing The City Of Cambridge To Grant A Surface Easement Over Certain Water Resource Land In Watertown".

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

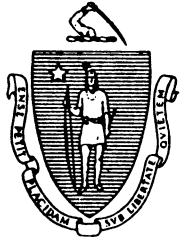
Attest: D. Margaret Drury, City Clerk

A true copy:

D. Margaret Drury

ATTEST:

D. Margaret Drury
City Clerk



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-EIGHT

AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT A SURFACE
EASEMENT OVER CERTAIN WATER RESOURCE LAND IN
WATERTOWN

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the
authority of the same, as follows:*

SECTION 1.

The City of Cambridge is hereby authorized to grant a non-exclusive surface easement over a small parcel of land whose surface is not required exclusively for public purposes. The land consists of the following described premises now owned and held by said City for the public purpose of providing clean natural water resources:

A portion of the land owned by the City of Cambridge, abutting Cottage Street, Watertown, Massachusetts, shown as Easement Area (2630 square feet) on a plan entitled Easement Plan, 25-27 Cottage Street - Watertown, Massachusetts, attached hereto, which land comprises a portion of its Water Works and reservoir facilities, scale 1" = 20', dated August 11, 1997, prepared by American Surveying Co., 1264 Main Street, Waltham, Massachusetts, said land being further bounded and described as follows:

Beginning at the most Northerly corner of the parcel of land at the intersection of Cottage Street and the Watertown Branch, Boston & Maine Railroad. Said point being N 22-13'13"W, 194.65' from a point of curvature of a 15.00 radius curve at the intersection of Cottage Street and Hearn Street. Said parcel of land is bounded and described as follows:

S 39-58'-30"W by land now or formerly of the Boston and Maine Railroad, (130.56) feet to a corner, thence running

S 28-09'-12"E by land now or formerly of Morningside Investment Trust I, (21.92) feet to a corner, thence running

N 39-58'-30"E by lot of Grantee and land owned by Lawrence P. and Mary A. Ciarletta, (80.00) feet to a point, thence running

N 39-58'-30"E by land now or formerly of Ruth A. Diliberto, (48.00) feet to the Westerly side line of Cottage Street, thence running

N. 22-13'13"W along the Westerly side line of Cottage Street, (23.00) feet to a corner and the first point began at.

SECTION 2. This act shall take full effect upon its passage.

Approved:

PLAN REFERENCES

TOWN PLAN, SEWER LAYOUT 1896.
TOWN PLAN 59/A, PLAN & PROFILE COTTAGE ST., JULY 1897.
PLAN # 388 (B of 3), WATER WORKS PLAN, APRIL 14, 1905.
PLAN BK. 162, PLAN 21, FEB. 7, 1906.
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TOWN PLAN 25/B, EASEMENT PLAN, SEPT. 17, 1930.
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PLAN # 201 of 1932, REC. BK. 5639, Pg. 309.
TOWN PLAN 50/G, COTTAGE ST. LAYOUT, JUNE 29, 1935.
L.C. PLAN # 20861A, COTTAGE ST., JUNE 25, 1946.
TOWN PLAN 197/S, ACCEPTANCE PLAN HEARN STREET, JAN. 15, 1947.
PLAN 83 of 1957, COTTAGE ST., REC. BK. 8894, Pg. 547, DEC. 27, 1956.
TOWN PLAN 273/S, ACCEPTANCE PLAN COTTAGE LANE, JAN. 28, 1960.
PLAN # 465 of 1960, REC. BK. 9575, Pg. 456.
PLAN # 748 of 1964, REC. BK. 10563, Pg. 26, MAY 5, 1964.
PLAN # 1398 of 1965, REC. BK. 10974, Pg. 176, JULY 22, 1965.
PLAN # 805 of 1966, REC. BK. 11154, Pg. 389, MARCH 1966.
ASSESSORS MAP SECTION 16, BLOCK 16.

PLAN NOTES

THIS PLAN COMPILED FROM PREVIOUS PLANS AND DEEDS OF RECORD AND IS NOT THE RESULT OF AN ACTUAL FIELD SURVEY. THE INTENT OF THIS PLAN IS TO SHOW THE EASEMENT OR RIGHT OF WAY AREA MARKED "EASEMENT AREA = 2,630 S.F." WHICH RUNS FROM COTTAGE STREET TO THE PROJECTION OF THE SOUTH WESTERLY LOT LINE OF LAWRENCE P. AND MARY A. CIARLETTA. THE EASEMENT AREA SHALL BE TO PASS AND REPASS FOR THE PURPOSE OF ACCESS AND EGRESS TO AND FROM COTTAGE STREET TO THE LAND OF CIARLETTA.

"I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN."

JOHN S. LAURETANI P.L.S.

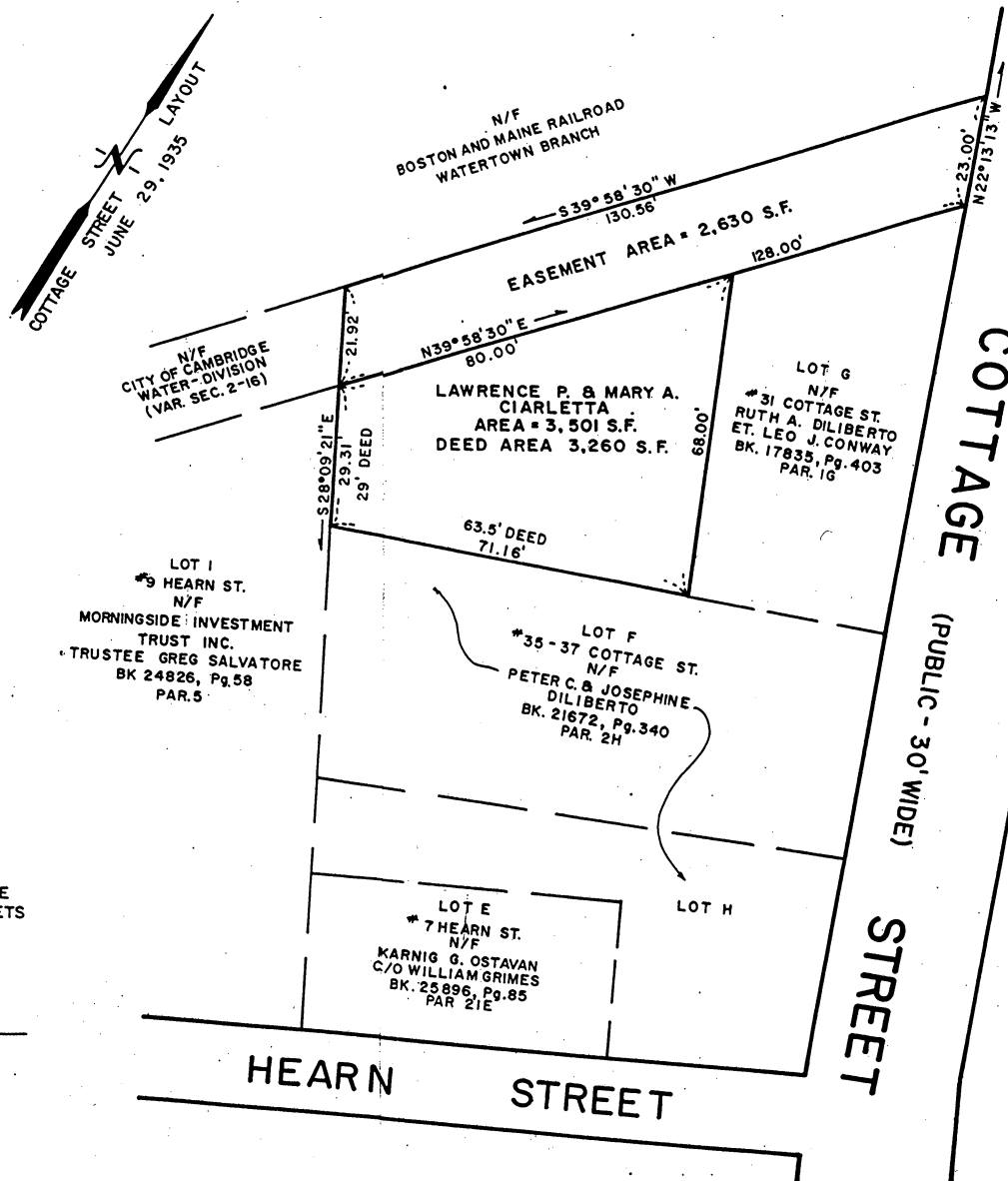
DATE

"I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS"

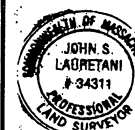
JOHN S. LAURETANI P.L.S.

DATE

THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.



REGISTRY USE ONLY



EASEMENT PLAN OF LAND IN
WATERTOWN, MIDDLESEX COUNTY, MA.
25-27 COTTAGE ST.

PROPERTY OF

LAWRENCE P. & MARY A. CIARETTA &
CITY OF CAMBRIDGE, WATER DIVISION

SCALE: 1" = 20'

AUGUST 11, 1997

0 10 20 40
FEET

0
METERS

CALC'D: J.S.L.

DRAWN: S.M.B.

CHECKED: J.S.L.

AMERICAN SURVEYING CO.

1264 MAIN STREET, WALTHAM, MA. 02154
TELEPHONE (617) 893-6477

J.O. NO.

700025

*To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.*

*The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation authorizing the city of
Cambridge to grant a surface easement over certain water resource
land in Watertown.*

Petitioners are requested to sign names and addresses legibly.

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.

The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation authorizing the city of
Cambridge to grant a surface easement over certain water resource
land in Watertown.

Petitioners are requested to sign names and addresses legibly.

Wm. J. Dunbar Mayor
Richard A. Decker
Charles T. Russell
H. D. Hall
Lathaniel Burr
Paul J. Cooney
William E. Jones
Wm. E. Jones

26 Lowell St Cambridge
28 Putnam Ave Cambridge
5 Hawthorne Pl Cambridge
30 Normandy Ave Camb Ma.
3 Walnut Avenue, Camb. Ma.
88 Sixth St Cambridge
120 Chestnut St Cambridge
340 Harvard St, Cambridge



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-EIGHT

AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT A SURFACE
EASEMENT OVER CERTAIN WATER RESOURCE LAND IN
WATERTOWN

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1.

The City of Cambridge is hereby authorized to grant a non-exclusive surface easement over a small parcel of land whose surface is not required exclusively for public purposes. The land consists of the following described premises now owned and held by said City for the public purpose of providing clean natural water resources:

A portion of the land owned by the City of Cambridge, abutting Cottage Street, Watertown, Massachusetts, shown as Easement Area (2630 square feet) on a plan entitled Easement Plan, 25-27 Cottage Street - Watertown, Massachusetts, attached hereto, which land comprises a portion of its Water Works and reservoir facilities, scale 1" = 20', dated August 11, 1997, prepared by American Surveying Co., 1264 Main Street, Waltham, Massachusetts, said land being further bounded and described as follows:

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SECTION 2. This act shall take full effect upon its passage.

Approved:

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ASSESSORS MAP SECTION 16, BLOCK 16.

PLAN NOTES

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"I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN."

John S. Lauretani
JOHN S. LAURETANI P.L.S.

Aug 11, 1997
DATE

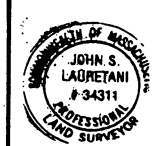
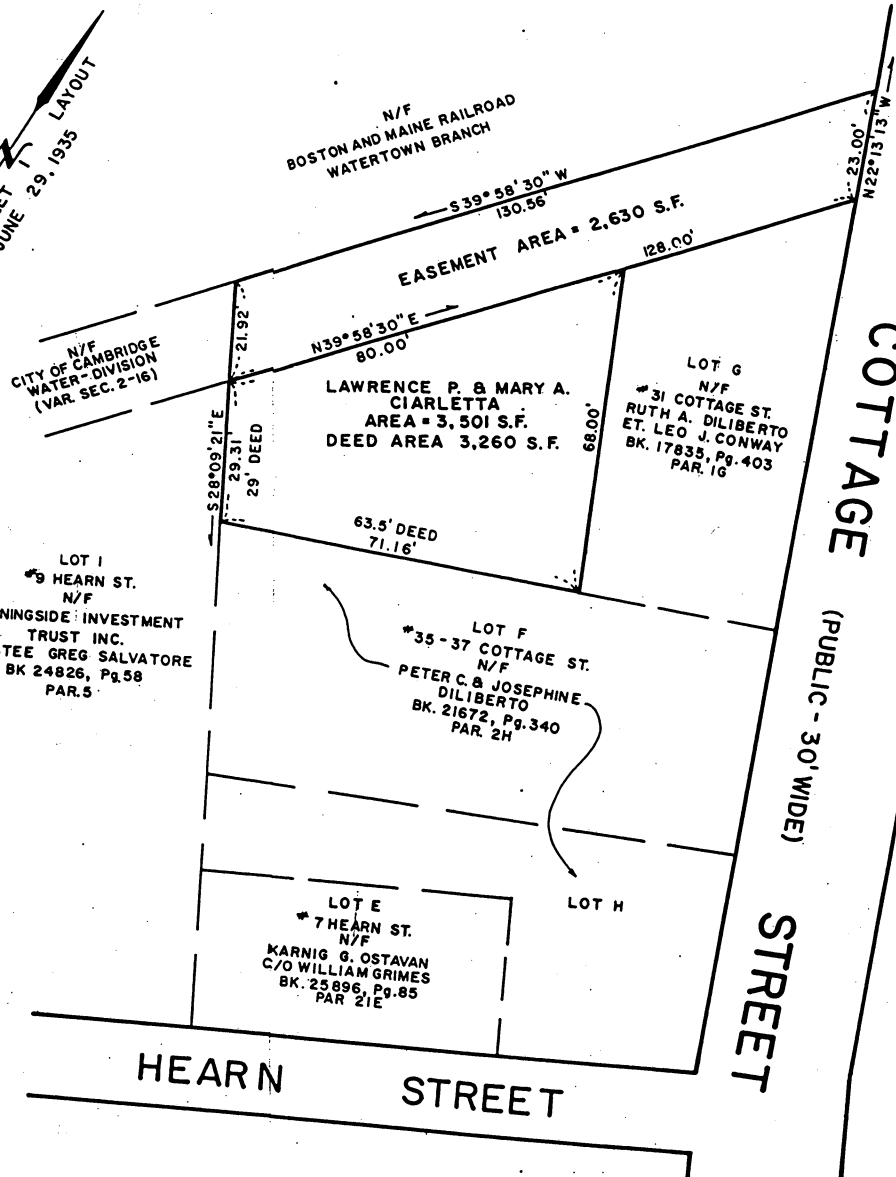
"I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS"

John S. Lauretani
JOHN S. LAURETANI P.L.S.

Aug 11, 1997
DATE

THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

COTTAGE STREET
JUNE 29, 1935 LAYOUT



John S. Lauretani
Aug 11, 1997

CALC'D: J.S.L.
DRAWN: S.M.B.
CHECKED: J.S.L.

EASEMENT PLAN OF LAND IN
WATERTOWN, MIDDLESEX COUNTY, MA.
25-27 COTTAGE ST.
PROPERTY OF
LAWRENCE P. & MARY A. CIARETTA &
CITY OF CAMBRIDGE, WATER DIVISION

SCALE: 1" = 20'
0 10 20 40 FEET
0 METERS

AMERICAN SURVEYING CO.
1264 MAIN STREET, WALTHAM, MA. 02154
TELEPHONE (617) 893-6477

REGISTRY USE ONLY

J.O. NO.
700025



City of Cambridge

Agenda No. 6(A)

IN CITY COUNCIL

June 15, 1998

ORDERED:

Pursuant to Sec. 2.110.010 G of the Cambridge Municipal Code, the City Council hereby orders that the City Council shall utilize a diminished process for the disposition of a non-exclusive surface easement to Lawrence P. Ciarletta and Mary A. Ciarletta for the purpose of constructing, maintaining, repairing, replacing and rebuilding a paved driveway, for foot and vehicular traffic usually associated with residential uses on a private driveway only, as set forth in Robert W. Healy's June 15, 1998 letter to the City Council.

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

D. Margaret Drury

D. Margaret Drury
City Clerk



City of Cambridge

Agenda No. 6(B)

IN CITY COUNCIL

June 15, 1998

- WHEREAS:** The City of Cambridge is the owner through its Water Board of a certain parcel of land abutting Cottage Street, Watertown, Massachusetts, shown as Easement Area (2630 S.F.) on a plan entitled Easement Plan, 25-27 Cottage Street - Watertown, MA, attached hereto, which land comprises a portion of its Cambridge Water Works and reservoir facilities. The Easement Area is also shown as "City of Cambridge Water Taking" on a plan marked "Town of Watertown Plan of Cottage Street", dated February 1923, recorded in the Middlesex South Registry of Deeds, Plan Book 319, Page 41, and on a plan marked "Cambridge Water Works, Stony Brook Supply", dated April 4, 1905, filed in the Middlesex South Registry of deeds as Plan Number 388 of 1905; and
- WHEREAS:** Lawrence P. Ciarletta and Mary A. Ciarletta are the owners of the property at 25-27 Cottage Street, Watertown, MA, also shown on the plan hereinabove referred to; and.
- WHEREAS:** The City of Cambridge land was originally acquired by eminent domain; and
- WHEREAS:** The Cambridge Water Board has determined that the granting of an Easement over the Easement Area would not derogate from the public interest or the public purposes for the area in question within the charge of the City of Cambridge and the Cambridge Water Board; and
- WHEREAS:** Mr. and Mrs. Ciarletta have requested the grant of a non-exclusive surface easement over the said Easement Area from the City of Cambridge to accommodate a driveway for vehicular access to their property at 25-27 Cottage Street in Watertown, Massachusetts; and
- WHEREAS:** The land over which the Ciarlettas seek the surface easement totals 2,630 square feet, and the Ciarlettas have agreed to pay a one-time fee of \$2,130.00 for this surface easement (\$1.00 per square foot of the easement area, less \$500.00 of the \$1,000.00 fee for the certified plan of the easement area); and

WHEREAS:

The City Council of the City of Cambridge has accepted the recommendation that the granting of a non-exclusive surface easement over the Easement Area would not derogate from the public interest or the public purposes for the area in question; now therefore be it

ORDERED:

That the City Council hereby approves and authorizes the City Manager to grant, on behalf of the City of Cambridge, a non-exclusive surface easement to Lawrence P. Ciarletta and Mary A. Ciarletta for the purpose of constructing, maintaining, repairing, replacing and rebuilding a paved driveway for foot and vehicular traffic usually associated with residential uses on a private driveway in the Easement Area, and to execute and deliver such easement in such form and substance as the City Manager determines is necessary or advisable.

In City Council June 15, 1998.

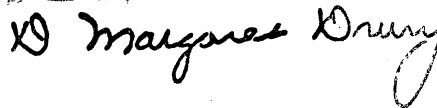
Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

A handwritten signature in cursive script, appearing to read "D. Margaret Drury", written over a horizontal line.

D. Margaret Drury
City Clerk



City of Cambridge

Agenda No. 6(C)

IN CITY COUNCIL

June 15, 1998

ORDERED:

That the City Council hereby go on record favoring the filing of the attached Home Rule Petition entitled "An Act Authorizing The City Of Cambridge To Grant A Surface Easement Over Certain Water Resource Land In Watertown".

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

D. Margaret Drury

D. Margaret Drury
City Clerk

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
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Petitioners are requested to sign names and addresses legibly.

Wm. J. Dunbar Mayor
Michael A. Decker
Shirley T. Russell
H. D. Hall
Lathaniel Brown
Paul J. Connors
Robert J. Jones

26 Lowell St Cambridge
28 Putnam Ave Cambridge
5 Hawthorne Pk Cambridge
30 Normandy Ave Camb Ma.
3 Walnut Avenue, Camb. Ma.
88 Sixth St Cambridge
120 Chestnut St Cambridge
340 Harvard St, Cambridge



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-EIGHT

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SECTION 2. This act shall take full effect upon its passage.

Approved:

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TOWN PLAN 59/A, PLAN & PROFILE COTTAGE ST., JULY 1897.
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ASSESSORS MAP SECTION 16, BLOCK 16.

PLAN NOTES

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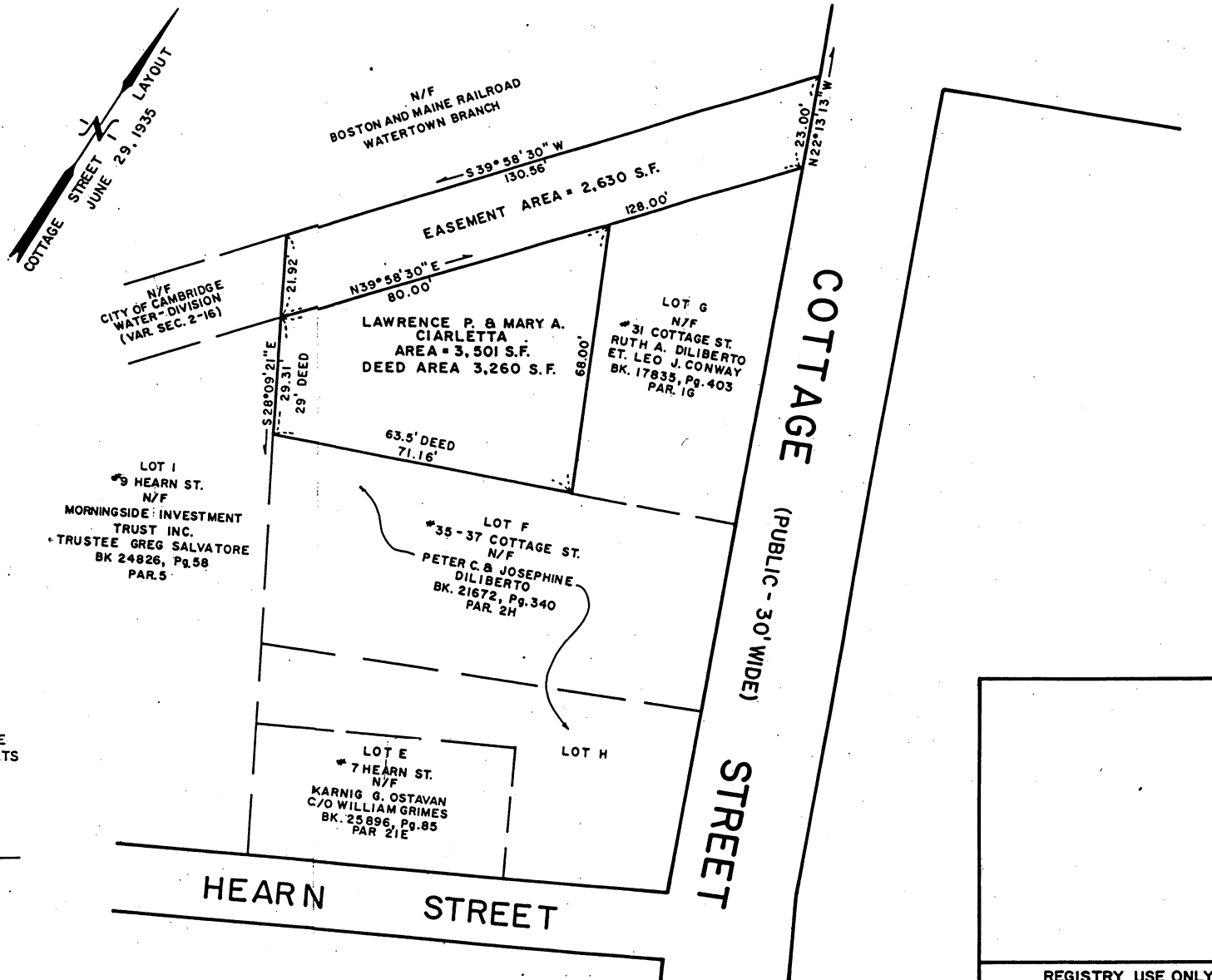
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"I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS"

JOHN S. LAURETANI P.L.S.

DATE

THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.



JOHN S. LAURETANI
34311
PROFESSIONAL
LAND SURVEYOR

CALC'D: J.S.L.
DRAWN: S.M.B.
CHECKED: J.S.L.

EASEMENT PLAN OF LAND IN
WATERTOWN, MIDDLESEX COUNTY, MA.
25-27 COTTAGE ST.

PROPERTY OF
LAWRENCE P. & MARY A. CIARETTA &
CITY OF CAMBRIDGE, WATER DIVISION

SCALE: 1" = 20'
0 10 20 40
FEET

AUGUST 11, 1997

AMERICAN SURVEYING CO.
1264 MAIN STREET, WALTHAM, MA. 02154
TELEPHONE (617) 893-6477

J.O. NO
700025



City of Cambridge

Agenda No. 6(A)

IN CITY COUNCIL

June 15, 1998

ORDERED:

Pursuant to Sec. 2.110.010 G of the Cambridge Municipal Code, the City Council hereby orders that the City Council shall utilize a diminished process for the disposition of a non-exclusive surface easement to Lawrence P. Ciarletta and Mary A. Ciarletta for the purpose of constructing, maintaining, repairing, replacing and rebuilding a paved driveway, for foot and vehicular traffic usually associated with residential uses on a private driveway only, as set forth in Robert W. Healy's June 15, 1998 letter to the City Council.

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

D. Margaret Drury

D. Margaret Drury
City Clerk



City of Cambridge

Agenda No. 6(B)

IN CITY COUNCIL

June 15, 1998

- WHEREAS:** The City of Cambridge is the owner through its Water Board of a certain parcel of land abutting Cottage Street, Watertown, Massachusetts, shown as Easement Area (2630 S.F.) on a plan entitled Easement Plan, 25-27 Cottage Street - Watertown, MA, attached hereto, which land comprises a portion of its Cambridge Water Works and reservoir facilities. The Easement Area is also shown as "City of Cambridge Water Taking" on a plan marked "Town of Watertown Plan of Cottage Street", dated February 1923, recorded in the Middlesex South Registry of Deeds, Plan Book 319, Page 41, and on a plan marked "Cambridge Water Works, Stony Brook Supply", dated April 4, 1905, filed in the Middlesex South Registry of deeds as Plan Number 388 of 1905; and
- WHEREAS:** Lawrence P. Ciarletta and Mary A. Ciarletta are the owners of the property at 25-27 Cottage Street, Watertown, MA, also shown on the plan hereinabove referred to; and
- WHEREAS:** The City of Cambridge land was originally acquired by eminent domain; and
- WHEREAS:** The Cambridge Water Board has determined that the granting of an Easement over the Easement Area would not derogate from the public interest or the public purposes for the area in question within the charge of the City of Cambridge and the Cambridge Water Board; and
- WHEREAS:** Mr. and Mrs. Ciarletta have requested the grant of a non-exclusive surface easement over the said Easement Area from the City of Cambridge to accommodate a driveway for vehicular access to their property at 25-27 Cottage Street in Watertown, Massachusetts; and
- WHEREAS:** The land over which the Ciarlettas seek the surface easement totals 2,630 square feet, and the Ciarlettas have agreed to pay a one-time fee of \$2,130.00 for this surface easement (\$1.00 per square foot of the easement area, less \$500.00 of the \$1,000.00 fee for the certified plan of the easement area); and

WHEREAS:

The City Council of the City of Cambridge has accepted the recommendation that the granting of a non-exclusive surface easement over the Easement Area would not derogate from the public interest or the public purposes for the area in question; now therefore be it

ORDERED:

That the City Council hereby approves and authorizes the City Manager to grant, on behalf of the City of Cambridge, a non-exclusive surface easement to Lawrence P. Ciarletta and Mary A. Ciarletta for the purpose of constructing, maintaining, repairing, replacing and rebuilding a paved driveway for foot and vehicular traffic usually associated with residential uses on a private driveway in the Easement Area, and to execute and deliver such easement in such form and substance as the City Manager determines is necessary or advisable.

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

A handwritten signature in cursive script, reading "D. Margaret Drury". The signature is written in dark ink and is positioned to the right of the printed word "ATTEST".

D. Margaret Drury
City Clerk



City of Cambridge

Agenda No. 6(C)

IN CITY COUNCIL

June 15, 1998

ORDERED:

That the City Council hereby go on record favoring the filing of the attached Home Rule Petition entitled "An Act Authorizing The City Of Cambridge To Grant A Surface Easement Over Certain Water Resource Land In Watertown".

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

D. Margaret Drury

D. Margaret Drury
City Clerk

To the Honorable Senate and House of Representatives of The Commonwealth of Massachusetts
in General Court assembled.

The undersigned, citizens of Cambridge, respectfully
petition for the passage of the accompanying bill or resolve, and/or for legislation authorizing the city of
Cambridge to grant a surface easement over certain water resource
land in Watertown.

Petitioners are requested to sign names and addresses legibly.

Wm. J. Dunbar Mayor
Richard A. Seale
Charles T. Russell
H. D. Hall
Fathleen P.
F. J. 2 Corner
D. W. W. W.
Wm. J. Russell

26 Lowell St Cambridge
28 Putnam Ave Cambridge
5 Hawthorne Pl Cambridge
30 Normandy Ave Camb Ma.
3 Walnut Avenue, Camb. Ma.
88 Sixth St Cambridge
120 Chestnut St Cambridge
340 Harvard St, Cambridge



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-EIGHT

AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT A SURFACE
EASEMENT OVER CERTAIN WATER RESOURCE LAND IN
WATERTOWN

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the
authority of the same, as follows:*

SECTION 1.

The City of Cambridge is hereby authorized to grant a non-exclusive surface easement over a small parcel of land whose surface is not required exclusively for public purposes. The land consists of the following described premises now owned and held by said City for the public purpose of providing clean natural water resources:

A portion of the land owned by the City of Cambridge, abutting Cottage Street, Watertown, Massachusetts, shown as Easement Area (2630 square feet) on a plan entitled Easement Plan, 25-27 Cottage Street - Watertown, Massachusetts, attached hereto, which land comprises a portion of its Water Works and reservoir facilities, scale 1" = 20', dated August 11, 1997, prepared by American Surveying Co., 1264 Main Street, Waltham, Massachusetts, said land being further bounded and described as follows:

Beginning at the most Northerly corner of the parcel of land at the intersection of Cottage Street and the Watertown Branch, Boston & Maine Railroad. Said point being N 22-13'13"W, 194.65' from a point of curvature of a 15.00 radius curve at the intersection of Cottage Street and Hearn Street. Said parcel of land is bounded and described as follows:

- S 39-58'-30"W by land now or formerly of the Boston and Maine Railroad, (130.56) feet to a corner, thence running
- S 28-09'-12"E by land now or formerly of Morningside Investment Trust I, (21.92) feet to a corner, thence running
- N 39-58'-30"E by lot of Grantee and land owned by Lawrence P. and Mary A. Ciarletta, (80.00) feet to a point, thence running
- N 39-58'-30"E by land now or formerly of Ruth A. Diliberto, (48.00) feet to the Westerly side line of Cottage Street, thence running
- N. 22-13'13"W along the Westerly side line of Cottage Street, (23.00) feet to a corner and the first point began at.

SECTION 2. This act shall take full effect upon its passage.

Approved:

PLAN REFERENCES

TOWN PLAN, SEWER LAYOUT 1896.
TOWN PLAN 59/A, PLAN & PROFILE COTTAGE ST., JULY 1897.
PLAN # 388 (B of 3), WATER WORKS PLAN, APRIL 14, 1905.
PLAN BK. 162, PLAN 21, FEB. 7, 1906.
TOWN PLAN 43/S, ACCEPTANCE PLAN, FEB. 6, 1923.
TOWN PLAN 25/B, EASEMENT PLAN, SEPT. 17, 1930.
TOWN PLAN 20/G, SEWER LAYOUT, SEPT. 24, 1930.
PLAN # 383 of 1931, REC. BK. 5557, Pg. END.
PLAN # 201 of 1932, REC. BK. 5639, Pg. 309.
TOWN PLAN 50/G, COTTAGE ST. LAYOUT, JUNE 29, 1935.
L.C. PLAN # 20861A, COTTAGE ST., JUNE 25, 1946.
TOWN PLAN 197/S, ACCEPTANCE PLAN HEARN STREET, JAN. 15, 1947.
PLAN 83 of 1957, COTTAGE ST., REC. BK. 8894, Pg. 547, DEC. 27, 1956.
TOWN PLAN 273/S, ACCEPTANCE PLAN COTTAGE LANE, JAN. 28, 1960.
PLAN # 465 of 1960, REC. BK. 9575, Pg. 456.
PLAN # 748 of 1964, REC. BK. 10563, Pg. 26, MAY 5, 1964.
PLAN # 1398 of 1965, REC. BK. 10974, Pg. 176, JULY 22, 1965.
PLAN # 805 of 1966, REC. BK. 11154, Pg. 389, MARCH 1966.
ASSESSORS MAP SECTION 16, BLOCK 16.

PLAN NOTES

THIS PLAN COMPILED FROM PREVIOUS PLANS AND DEEDS OF RECORD AND IS NOT THE RESULT OF AN ACTUAL FIELD SURVEY. THE INTENT OF THIS PLAN IS TO SHOW THE EASEMENT OR RIGHT OF WAY AREA MARKED "EASEMENT AREA = 2,630 S.F." WHICH RUNS FROM COTTAGE STREET TO THE PROJECTION OF THE SOUTH WESTERLY LOT LINE OF LAWRENCE P. AND MARY A. CIARETTA. THE EASEMENT AREA SHALL BE TO PASS AND REPASS FOR THE PURPOSE OF ACCESS AND EGRESS TO AND FROM COTTAGE STREET TO THE LAND OF CIARETTA.

"I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN."

John S. Lauretani
JOHN S. LAURETANI P.L.S.

Aug 11, 1997
DATE

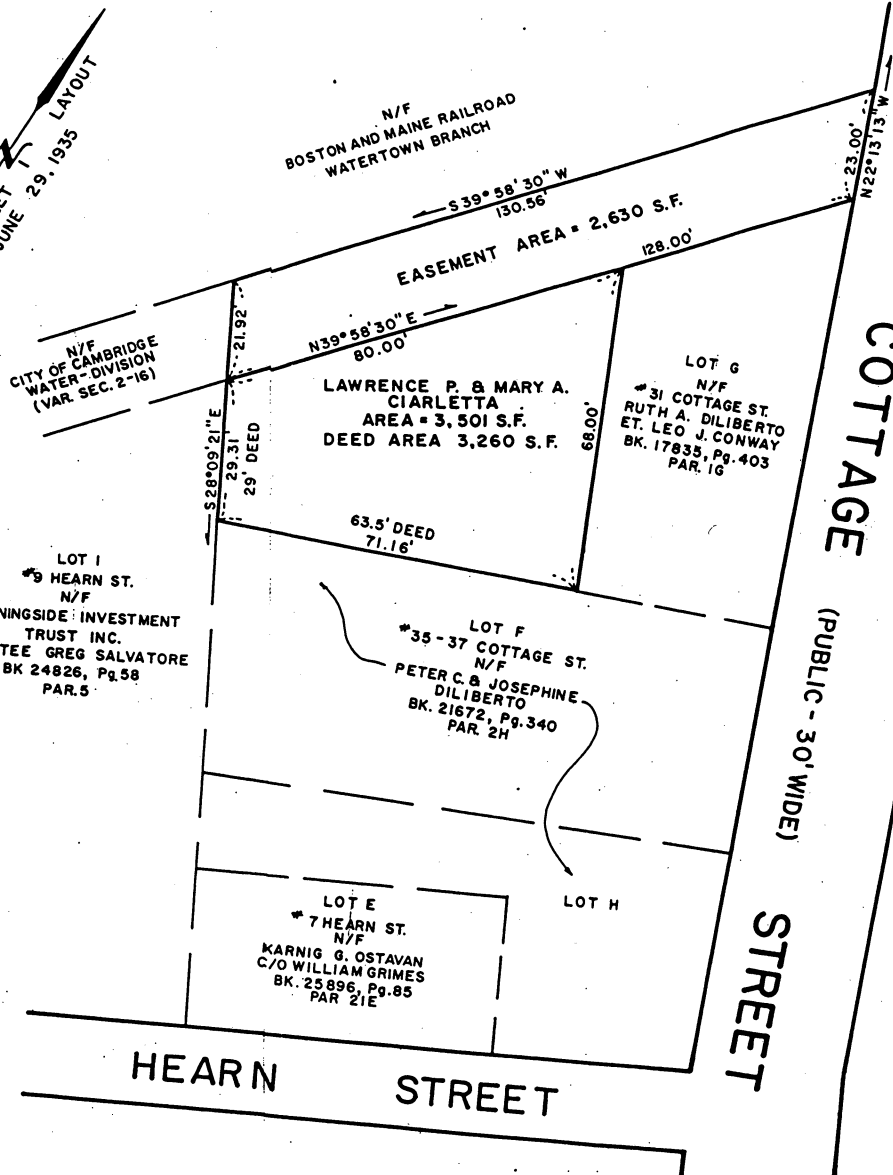
"I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS"

John S. Lauretani
JOHN S. LAURETANI P.L.S.

Aug 11, 1997
DATE

THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.

COTTAGE STREET
JUNE 29, 1935 LAYOUT



COMMONWEALTH OF MASSACHUSETTS
JOHN S. LAURETANI
#34311
PROFESSIONAL
LAND SURVEYOR
John S. Lauretani
Aug 11, 1997

REGISTRY USE ONLY

EASEMENT PLAN OF LAND IN
WATERTOWN, MIDDLESEX COUNTY, MA.
25-27 COTTAGE ST.
PROPERTY OF
LAWRENCE P. & MARY A. CIARETTA &
CITY OF CAMBRIDGE, WATER DIVISION

SCALE: 1" = 20'
0 10 20 40 FEET
0 METERS

AUGUST 11, 1997

AMERICAN SURVEYING CO.
1264 MAIN STREET, WALTHAM, MA. 02154
TELEPHONE (617) 893-6477

J.O. NO.
700025



City of Cambridge

Agenda No. 6(A)

IN CITY COUNCIL

June 15, 1998

ORDERED:

Pursuant to Sec. 2.110.010 G of the Cambridge Municipal Code, the City Council hereby orders that the City Council shall utilize a diminished process for the disposition of a non-exclusive surface easement to Lawrence P. Ciarletta and Mary A. Ciarletta for the purpose of constructing, maintaining, repairing, replacing and rebuilding a paved driveway, for foot and vehicular traffic usually associated with residential uses on a private driveway only, as set forth in Robert W. Healy's June 15, 1998 letter to the City Council.

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

D. Margaret Drury

D. Margaret Drury
City Clerk



City of Cambridge

Agenda No. 6(B)

IN CITY COUNCIL

June 15, 1998

- WHEREAS: The City of Cambridge is the owner through its Water Board of a certain parcel of land abutting Cottage Street, Watertown, Massachusetts, shown as Easement Area (2630 S.F.) on a plan entitled Easement Plan, 25-27 Cottage Street - Watertown, MA, attached hereto, which land comprises a portion of its Cambridge Water Works and reservoir facilities. The Easement Area is also shown as "City of Cambridge Water Taking" on a plan marked "Town of Watertown Plan of Cottage Street", dated February 1923, recorded in the Middlesex South Registry of Deeds, Plan Book 319, Page 41, and on a plan marked "Cambridge Water Works, Stony Brook Supply", dated April 4, 1905, filed in the Middlesex South Registry of deeds as Plan Number 388 of 1905; and
- WHEREAS: Lawrence P. Ciarletta and Mary A. Ciarletta are the owners of the property at 25-27 Cottage Street, Watertown, MA, also shown on the plan hereinabove referred to; and
- WHEREAS: The City of Cambridge land was originally acquired by eminent domain; and
- WHEREAS: The Cambridge Water Board has determined that the granting of an Easement over the Easement Area would not derogate from the public interest or the public purposes for the area in question within the charge of the City of Cambridge and the Cambridge Water Board; and
- WHEREAS: Mr. and Mrs. Ciarletta have requested the grant of a non-exclusive surface easement over the said Easement Area from the City of Cambridge to accommodate a driveway for vehicular access to their property at 25-27 Cottage Street in Watertown, Massachusetts; and
- WHEREAS: The land over which the Ciarlettas seek the surface easement totals 2,630 square feet, and the Ciarlettas have agreed to pay a one-time fee of \$2,130.00 for this surface easement (\$1.00 per square foot of the easement area, less \$500.00 of the \$1,000.00 fee for the certified plan of the easement area); and

WHEREAS:

The City Council of the City of Cambridge has accepted the recommendation that the granting of a non-exclusive surface easement over the Easement Area would not derogate from the public interest or the public purposes for the area in question; now therefore be it

ORDERED:

That the City Council hereby approves and authorizes the City Manager to grant, on behalf of the City of Cambridge, a non-exclusive surface easement to Lawrence P. Ciarletta and Mary A. Ciarletta for the purpose of constructing, maintaining, repairing, replacing and rebuilding a paved driveway for foot and vehicular traffic usually associated with residential uses on a private driveway in the Easement Area, and to execute and deliver such easement in such form and substance as the City Manager determines is necessary or advisable.

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

ATTEST:

A handwritten signature in cursive script, appearing to read "D. Margaret Drury", written over a faint circular stamp.

D. Margaret Drury
City Clerk



City of Cambridge

Agenda No. 6(C)

IN CITY COUNCIL

June 15, 1998

ORDERED:

That the City Council hereby go on record favoring the filing of the attached Home Rule Petition entitled "An Act Authorizing The City Of Cambridge To Grant A Surface Easement Over Certain Water Resource Land In Watertown".

In City Council June 15, 1998.

Adopted by a ye and nay vote:

Yeas: 8 Nays: 0 Absent: 1

Attest: D. Margaret Drury, City Clerk

A true copy:

D. Margaret Drury

ATTEST:

D. Margaret Drury
City Clerk

PLAN REFERENCES

TOWN PLAN, SEWER LAYOUT 1896.
TOWN PLAN 59/A, PLAN & PROFILE COTTAGE ST., JULY 1897.
PLAN # 388 (B of 3), WATER WORKS PLAN, APRIL 14, 1905.
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TOWN PLAN 25/B, EASEMENT PLAN, SEPT. 17, 1930.
TOWN PLAN 20/G, SEWER LAYOUT, SEPT. 24, 1930.
PLAN # 383 of 1931, REC. BK. 5557, Pg. END.
PLAN # 201 of 1932, REC. BK. 5639, Pg. 309.
TOWN PLAN 50/G, COTTAGE ST. LAYOUT, JUNE 29, 1935.
L.C. PLAN # 20861A, COTTAGE ST., JUNE 25, 1946.
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PLAN # 1398 of 1965, REC. BK. 10974, Pg. 176, JULY 22, 1965.
PLAN # 805 of 1966, REC. BK. 11154, Pg. 389, MARCH 1966.
ASSESSORS MAP SECTION 16, BLOCK 16.

PLAN NOTES

THIS PLAN COMPILED FROM PREVIOUS PLANS AND DEEDS OF RECORD AND IS NOT THE RESULT OF AN ACTUAL FIELD SURVEY. THE INTENT OF THIS PLAN IS TO SHOW THE EASEMENT OR RIGHT OF WAY AREA MARKED "EASEMENT AREA = 2,630 S.F." WHICH RUNS FROM COTTAGE STREET TO THE PROJECTION OF THE SOUTH WESTERLY LOT LINE OF LAWRENCE P. AND MARY A. CIARLETTA. THE EASEMENT AREA SHALL BE TO PASS AND REPASS FOR THE PURPOSE OF ACCESS AND EGRESS TO AND FROM COTTAGE STREET TO THE LAND OF CIARLETTA.

"I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN."

JOHN S. LAURETANI P.L.S.

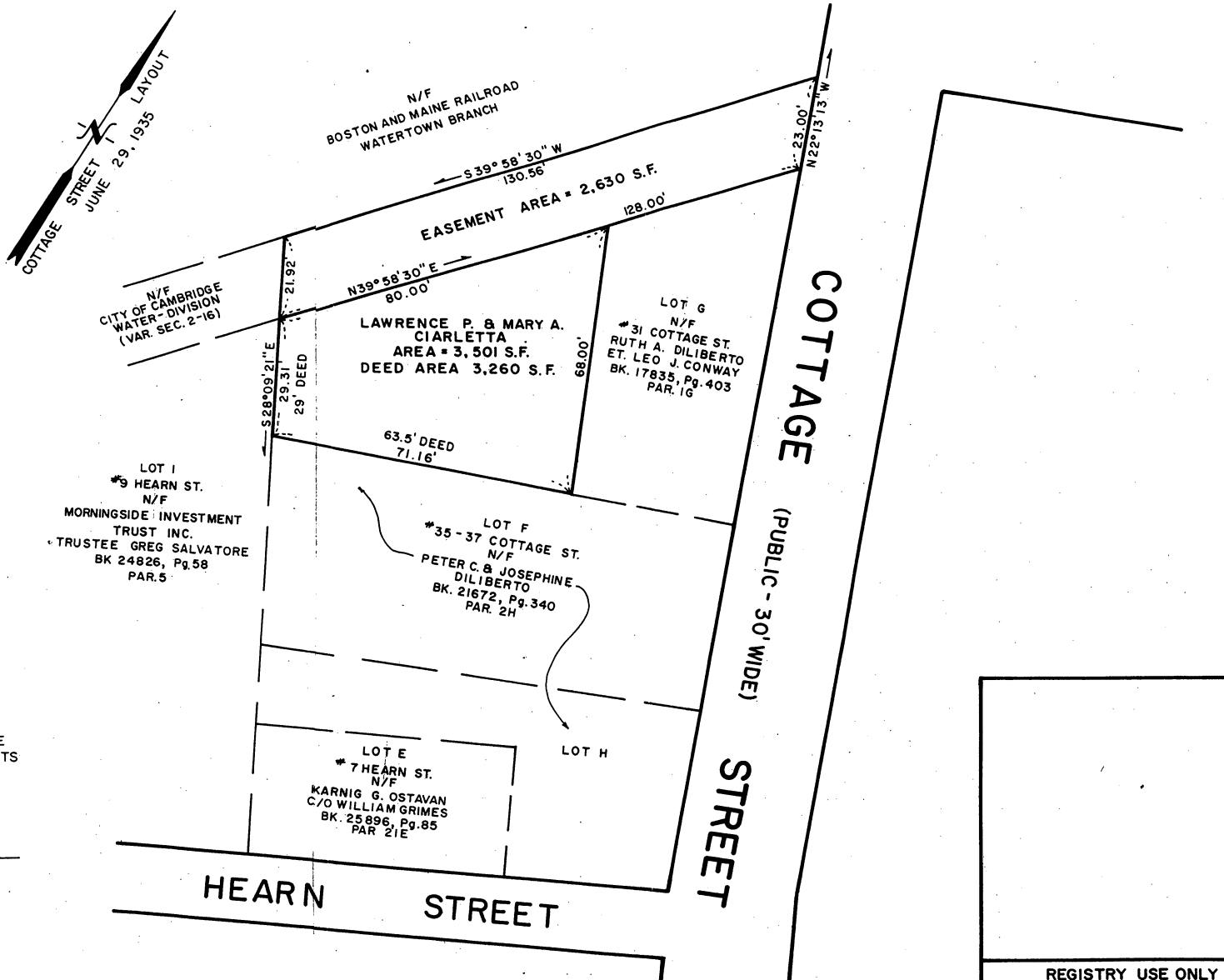
DATE

"I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS"

JOHN S. LAURETANI P.L.S.

DATE

THIS CERTIFICATION IS INTENDED TO MEET THE REQUIREMENTS OF THE REGISTRY OF DEEDS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE LAND SHOWN HEREON.



COMMONWEALTH OF MASSACHUSETTS
JOHN S. LAURETANI
34311
PROFESSIONAL LAND SURVEYOR

John S. Lauretani
Aug 11, 1997

CALC'D: J.S.L.
DRAWN: S.M.B.
CHECKED: J.S.L.

EASEMENT PLAN OF LAND IN WATERTOWN, MIDDLESEX COUNTY, MA. 25-27 COTTAGE ST.
PROPERTY OF
LAWRENCE P. & MARY A. CIARETTA & CITY OF CAMBRIDGE, WATER DIVISION

SCALE: 1" = 20'
0 10 20 40 FEET
0 METERS

AUGUST 11, 1997

AMERICAN SURVEYING CO.
1264 MAIN STREET, WALTHAM, MA. 02154
TELEPHONE (617) 893-6477

J.O. NO.
700029

A portion of the land owned by the City of Cambridge, abutting Cottage Street, Watertown, Massachusetts, shown as Easement Area (2630 square feet) on a plan entitled Easement Plan, 25-27 Cottage Street - Watertown, Massachusetts, attached hereto, which land comprises a portion of its Water Works and reservoir facilities, scale 1" = 20', dated August 11, 1997, prepared by American Surveying Co., 1264 Main Street, Waltham, Massachusetts, said land being further bounded and described as follows:

Beginning at the most Northerly corner of the parcel of land at the intersection of Cottage Street and the Watertown Branch, Boston & Maine Railroad. Said point being N 22-13'13"W, 194.65' from a point of curvature of a 15.00 radius curve at the intersection of Cottage Street and Hearn Street. Said parcel of land is bounded and described as follows:

- S 39-58'-30"W by land now or formerly of the Boston and Maine Railroad, (130.56) feet to a corner, thence running
- S 28-09'-12"E by land now or formerly of Morningside Investment Trust I, (21.92) feet to a corner, thence running
- N 39-58'-30"E by lot of Grantee and land owned by Lawrence P. and Mary A. Ciarletta, (80.00) feet to a point, thence running
- N 39-58'-30"E by land now or formerly of Ruth A. Diliberto, (48.00) feet to the Westerly side line of Cottage Street, thence running
- N. 22-13'13"W along the Westerly side line of Cottage Street, (23.00) feet to a corner and the first point began at.

SECTION 2. This act shall take full effect upon its passage.

Approved:



The Commonwealth of Massachusetts

IN THE YEAR ONE THOUSAND NINE HUNDRED AND NINETY-EIGHT

AN ACT

AUTHORIZING THE CITY OF CAMBRIDGE TO GRANT A SURFACE
EASEMENT OVER CERTAIN WATER RESOURCE LAND IN
WATERTOWN

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the
authority of the same, as follows:*

SECTION 1. The City of Cambridge is hereby authorized to grant a non-exclusive surface easement over a small parcel of land whose surface is not required exclusively for public purposes. The land consists of the following described premises now owned and held by said City for the public purpose of providing clean natural water resources:

this disposition may properly be subject to Section 2.110.010 (G) of that Ordinance. Section G provides for the disposition of City-owned property that is of such little significance that the full process of the Ordinance would be unduly burdensome. Under this section, the City Manager may request of the Council a diminution of the process in the Ordinance; approval of this request requires a two-thirds vote of the City Council. I recommend such approval at this time.

Secondly, Section 2.110.010 also requires a two-thirds vote of the City Council to authorize the City Manager to grant the easement to the Ciarlettas. I also recommend that the City Council vote to grant the non-exclusive surface easement to the Ciarlettas for the purpose of accommodating a driveway for vehicular access to their property at 25-27 Cottage Street and to execute and deliver such easement in such form and substance as I determine is necessary or advisable.

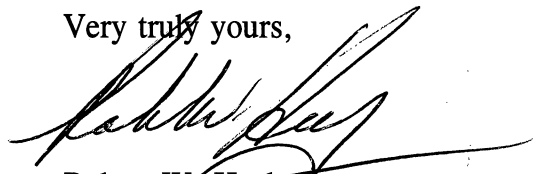
Article 97 of the Amendments to the Massachusetts Constitution requires a two-thirds vote of each branch of the Legislature to dispose of land taken or acquired for, among other purposes, protection of the people in their right to conserve water. This land was taken by eminent domain in or about 1905 for the Cambridge Reservoir. I recommend that the Council approve submission of the attached home rule petition to the State Legislature at this time.

After the City Council votes to approve the disposition of the surface easement, diminution of process and grant of the easement, and authorizes the home rule petition, the following steps must occur for this conveyance of the easement to take place:

- (1) The City will approach the Town of Watertown. Watertown has up to six months to accept or decline the offer. (M.G.L. c. 40, section 15 and 15B).
- (2) The City will approach the Massachusetts Department of Environmental Protection for approval. (M.G.L. c. 40, section 15B).

I urge your acceptance of my recommendations on this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Robert W. Healy', written over a horizontal line.

Robert W. Healy
City Manager

Attachments



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 15, 1998

To the Honorable, the City Council:

Lawrence P. Ciarletta and Mary A. Ciarletta are requesting the grant of a non-exclusive surface easement from the City to accommodate a driveway for vehicular access to their property at 25-27 Cottage Street in Watertown, Massachusetts. The City owns property abutting the Ciarletta's property, which comprises a part of the City's Water Works and reservoir facilities. The land over which the Ciarlettas seek the surface easement totals 2,630 square feet. The Ciarlettas have agreed to pay a one-time fee of \$2,130.00 for this surface easement (\$1.00 per square foot of the easement area, less \$500.00 of the \$1,000.00 fee for the certified plan of the easement area).

On May 18, 1998, the Cambridge Water Board, which has jurisdiction over land in the Cambridge watershed, voted unanimously on the motion: "... that it does not consider that the granting of the proposed Easement ... would derogate from the public interest or public purposes, including the public purposes within the charge of the Cambridge Water Board", and further voted unanimously "that the City Council, through the City Manager, in its discretion, be permitted pursuant to the terms of M.G.L. c. 40, §15 to authorize granting of the said Easement to Mr. and Mrs. Ciarletta on such terms and conditions as the City Council may approve."

As you know, in order to dispose of City-owned land, the City must comply with its City Ordinance as well as State law. In addition, because this land is technically a part of the Cambridge Watershed and was taken by eminent domain for these purposes in or about 1905, additional State laws apply as well. These include: M.G.L. c. 40, Section 15 which requires the approval of the Cambridge Water Board (obtained in May, 1998); M.G.L. c. 40, Section 15B which requires the approval of the Massachusetts Department of Environmental Protection; M.G.L. Chapter 40, sections 15 and 15B which require an offer to the Town of Watertown; and pursuant to Article 97 of the Articles of Amendment to the Massachusetts Constitution, a two-thirds vote of each branch of the State legislature is required.

The steps to be taken are outlined below:

First, the proposal must be considered by the Council pursuant to Chapter 2.110 of the Cambridge Municipal Code, which governs the disposition of City-owned property. I believe

Consent Agenda #6

83 H

Grant a non-exclusive surface easement to accommodate a driveway for vehicular access to 25-27 Cottage Street in Watertown, which abuts City's Water Works and reservoir facilities property.

In City Council June 15, 1998

6A. *diminution*

8-0-1.

6B. *Grant Easement*

8-0-1.

6C. *Filing home rule
legislation*

8-0-1