



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800

LAW DEPARTMENT

EDWARD D. MCCARTHY
ACTING CITY SOLICITOR

ROWENA E. TAYLOR
ASSISTANT CITY SOLICITOR

RUSSELL B. HIGLEY
SPECIAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

April 19, 1974

RE: 463-467 Massachusetts Avenue, Cambridge, Massachusetts

Gentlemen:

The above property was sold by Mr. George Rothman on March 22, 1974, to McDonald's Corporation, a Delaware Corporation, for the amount, according to the Deed, of \$170,000.00.

The following Monday, the Law Department obtained a temporary restraining order enjoining the owners from proceeding with the demolition of the building, because of a contemplated taking by eminent domain for purposes of preserving the building in question.

General Laws, Chapter 79, Section 5A, requires approval and certification from the State Historical Commission that the building has historical significance to justify such a taking, and I have been notified in writing by the Commission of their determination that this building does not meet those standards.

I know of no way in which the City could proceed to make a taking for purposes of preserving this building without said approval; however, as suggested by the State Historical Commission, I have made a final request to McDonald's Corporation that they voluntarily consider the prospect of preserving the building with the restaurant on the first level and residential quarters on the upper levels.

The restraining order, which the Superior Court issued, expires April 24, 1974, unless there has been an order of taking approved by the City Manager.

It is my feeling that we have made every possible effort to preserve this property and that the matter now rests with the discretion



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of McDonald's Corporation.

If the Law Department can be of any further assistance, please let us know.

Very truly yours,

Edward D. McCarthy
Edward D. McCarthy,
City Solicitor

EDM:jmw

cc: James L. Sullivan, City Manager
Ms. Polly Rettig
Charles Kickham, Esquire



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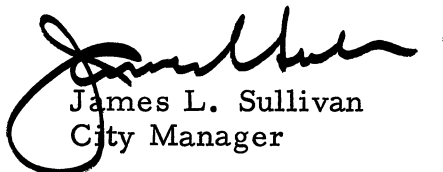
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

April 22, 1974

To the Honorable, the City Council:

I transmit herewith self-explanatory communication from Edward D. McCarthy, City Solicitor, relative to 463-467 Massachusetts Avenue, Cambridge.

Very truly yours,



James L. Sullivan
City Manager

JLS/f

Agenda # 11

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Comm. from Edward D. McCarthy, City Solicitor
relative to 463-467 Mass. Avenue.

In City Council,

April 22, 1974

Placed on file