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OFFICE OF CITY CLERK

THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF PUBLIC WORKS

---oooOooo---

Cambridge

Layout No. 6646

and Order of Taking

The Commonwealth of Massachusetts, Department of Public Works, acting under the authority of Chapter 81, Section 29A of the General Laws, and of all other general or special laws thereto enabling, hereby adjudges that public necessity and and convenience require that said Department of Public Works should alter and lay out in behalf of the City of Cambridge portions of First Street and Commercial Avenue in the City of Cambridge, County of Middlesex.

The Alteration is made into four sections.

Auxiliary baseline "J" begins at a point within the existing layout of First Street shown on said plan as Station 11 and extends thence; North $09^{\circ}-37'-10''$ East 355.74 feet; thence by a curve to the right of 711.00 feet radius 317.33 feet; thence North $35^{\circ}-11'-29''$ East 76.93 feet to the point of ending thereof shown on said plan as Station 18+50.00.

Note: Station 14+55.74 of auxiliary baseline "J" is identical with Station 10+00.00 of auxiliary baseline "K".

Note: Station 18+50.00 of auxiliary baseline "J" is identical with Station 10+00.00 of auxiliary baseline "H".

Auxiliary baseline "H" begins at a point herein after referred to as Station 10+00.00 and extends thence; South $54^{\circ}-48'-31''$ East 23.00 feet to the point of ending thereof shown on said plan as Station 10+23.00.

Note: Station 10+23.00 of auxiliary baseline "H" is identical with Station 18+50.00 of auxiliary baseline "G".

Auxiliary baseline "G" begins at a point hereinafter referred to as Station 18+50.00 and extends thence; North 35° -11'-29" East 1325.00 feet to the point of ending thereof shown on said plan as Station 31+75.00.

Note: Station 21+34.19 auxiliary baseline "G" is identical with Station 22+78.66 auxiliary baseline "L".

Auxiliary baseline "K" begins at a point within the existing layout of First Street shown on said plan as Station 10+00.00 and extends thence; North 80° -22'-50" West 4.90 feet to the point of ending thereof shown on said plan as Station 10+04.90.

Note: Station 10+04.90 of auxiliary baseline "K" is identical with Station 13+72.76 auxiliary baseline "E".

Auxiliary baseline "E" begins at a point within the existing layout of First Street shown on said plan as Station 13+72.76 and extends thence; North 09° -31'-17" East 370.24 feet to the point of ending thereof shown on said plan as Station 17+43.00.

Auxiliary baseline "L" begins at a point within the existing layout of Binney Street shown on said plan as Station 21+59.12 and extends thence; South 80° -28'-24" East 119.54 feet to the point of ending thereof shown on said plan as Station 22+78.66.

SECTION 1

The first section of highway laid out on behalf of the City of Cambridge establishes a location for the widening of First Street on the easterly side thereof and of Commercial Avenue on the westerly side thereof and is bounded by the easterly street line of First street and by the westerly street line of Commercial Avenue and by the line described as follows:

Beginning at a point on the aforesaid easterly street line of the First Street, said point being South $80^{\circ}-28'-43''$ East and 30.30 feet distant from Station 17+43.00 of auxiliary baseline "E" hereinbefore described and extending thence; leaving said street line southerly by a curve to the left of 5.00 feet radius 7.86 feet to a point bearing South $80^{\circ}-28'-43''$ East and 35.30 feet distant from Station 17+37.99 of said auxiliary baseline "E"; thence South $80^{\circ}-28'-43''$ East 33.65 feet to a point bearing North $54^{\circ}-48'-31''$ West and 30.83 feet distant from Station 18+23.11 of said auxiliary baseline "J"; thence northerly by a curve to the left of 5.00 feet radius 5.61 feet to a point bearing North $54^{\circ}-48'-31''$ West and 28.00 feet distant from Station 18+27.62 of said auxiliary baseline "J"; thence North $35^{\circ}-11'-29''$ East 66.77 feet to the point of ending thereof at a point on the southerly street line of Monroe Street Extension, said point bearing North $54^{\circ}-48'-31''$ West and being 51.00 feet distant from Station 18+94.39 of said auxiliary baseline "G".

SECTION 2

The second section of highway hereby laid out on behalf of the City of Cambridge establishes a location for the widening of Commercial Avenue on the westerly side thereof and is bounded by the westerly street line of Commercial Avenue and by the line described as follows:

Beginning at a point on the aforesaid westerly street line of Commercial Avenue said point bearing North $54^{\circ}-48'-31''$ West and being 51.00 feet distant from Station 19+34.73 of auxiliary baseline "G" herebefore described and extending thence; leaving said street line North $09^{\circ}-36'-29''$ East 0.97 feet to a point bearing North $54^{\circ}-48'-31''$ West and being 51.00 feet distant from Station 19+35.60 of said auxiliary baseline "G"; thence North $35^{\circ}-11'-29''$ East 96.98 feet to a point bearing North $54^{\circ}-48'-31''$ West and being 51.00 feet distant from Station 20+32.58 of said auxiliary baseline "G"; thence northerly by a curve to the left of 15.00 feet radius 30.28 feet to a point bearing South $09^{\circ}-31'-36''$ West and being 48.00 feet distant from Station 21+75.16 of auxiliary baseline "L" hereinbefore described; thence North $80^{\circ}-28'-24''$ West 16.12 feet to a point; thence North $09^{\circ}-36'-29''$ East 46.09 feet to the point of ending thereof on the southerly street line of Binney Street, said point bearing South $09^{\circ}-36'-29''$ West and being 1.91 feet distant from Station 21+59.12 of auxiliary baseline "L".

SECTION 3

The third section of highway hereby laid out on behalf of the City of Cambridge establishes a location for the widening of Commercial Avenue on the westerly side thereof and is bounded by the westerly street line of Commercial Avenue and by the line described as follows:

Beginning at a point on the aforesaid westerly street line of Commercial Avenue said point bearing North $54^{\circ}-48'-31''$ West and being 76.19 feet distant from Station 21+50.00 of auxiliary baseline "G" hereinbefore described and extending; thence northerly by a curve to the left of 25.00 feet radius 28.09 feet to a point bearing North $54^{\circ}-48'-31''$ West and being 62.00 feet distant from Station 21+73.44 of auxiliary baseline "G" thence

North $35^{\circ}-11'-29''$ East 179.48 feet to a point bearing North $54^{\circ}-48'-31''$ West and being 62.00 feet distant from Station 23+52.92 of auxiliary baseline "G"; thence westerly by a curve to the left of 17.00 feet radius 34.33 feet to the point of ending thereof on the southerly street line of Rogers Street, said point bearing North $54^{\circ}-48'-31''$ West and being 86.38 feet distant from station 23+68.23 of auxiliary baseline "G".

SECTION 4

The fourth section of highway laid out on behalf of the City of Cambridge establishes a location for the widening of Commercial Avenue on the westerly side thereof and is bounded by the westerly street line of Commercial Avenue and by the line described as follows:

Beginning at a point on the aforesaid westerly side of Commercial Avenue said point bearing North $54^{\circ}-48'-31''$ West and being 76.15 feet distant from Station 24+28.64 of auxiliary baseline "G" hereinbefore described and extending thence; northerly by a curve to the left of 25.00 feet radius 28.05 feet to a point bearing North $54^{\circ}-48'-31''$ West and being 62.00 feet distant from Station 24+51.17 of auxiliary baseline "G"; thence North $35^{\circ}-11'-29''$ East 482.59 feet to a point bearing North $54^{\circ}-48'-31''$ West and being 62.00 feet from Station 29+74.76 of auxiliary baseline "G"; thence westerly by a curve to the left of 30.00 feet radius 47.12 feet to a point bearing North $54^{\circ}-48'-31''$ West and being 92.00 feet from auxiliary baseline "G"; thence North $54^{\circ}-48'-31''$ West 99.66 feet to a point; thence northerly by a curve to the right of 350.00 feet radius 70.96 feet to a point; thence South $54^{\circ}-48'-31''$ East 110.52 feet to a point bearing North $54^{\circ}-48'-31''$ West and being 92.00 feet distant from Station 30+74.76 of auxiliary baseline "G"; thence easterly by a curve to the left of 30.00 feet radius 47.12 feet to a point bearing North $54^{\circ}-48'-31''$ West and being

62.00 feet distant from Station 31+04.76 of auxiliary baseline "G"; thence North $35^{\circ}-11'-29''$ East 70.24 feet to the point of ending thereof at a point on the aforesaid westerly street line of Commercial Avenue said point bearing North $54^{\circ}-48'-31''$ West and being 64.00 feet distant from Station 31+75.00 of auxiliary baseline "G."

The location lines of the sections of highway hereby laid out on behalf of the City of Cambridge are to be further defined by bounds set thereon at angle points, points of curvature and at points of beginning and ending thereof, where feasible.

In connection with the laying out of the City highway in the location hereinbefore described, it is necessary to take certain land outside the limits of said location which would otherwise constitute an uneconomic remnant. Said land is hereby taken in fee simple, in behalf of the Commonwealth of Massachusetts, under the provisions of Chapter 79 of the General Laws, including all trees and structures located thereon (not, however, including poles, towers, lines, wires, cables and other appurtenances for the conveyance of electricity and telephone communication), excepting from the rights herein taken all easements for wires, pipes, conduits, poles and other appurtenances for the conveyance of water, sewage, gas, oil, electricity and for telephone communication now lawfully in or upon said premises hereby taken. Said land is shown as Parcel 1-1-C-UR on the plan hereinafter referred to and is described as follows:

Parcel 1-1-C-UR A parcel of land supposed to be owned by Robert A. Jones and K. George Najarian, Trustees Athaneum Realty Nominee Trust, adjoining the northerly location line of the City highway laid out as hereinbefore described and bounded:

Southwesterly by the said City highway location about 7.86 feet; southerly by the said City highway location about 33.65 feet; Southeasterly by the said City highway location about 5.61 feet; and northerly by land now or formerly of the City of Cambridge about 44 feet; containing about 221 square feet.

Easements are hereby taken in the parcels of land shown on the plan hereinafter referred to as Parcels 1-TE-1, 1-TE-18, 1-TE-19, and 1-TE-21 to 1-TE-27 inclusive for the purpose of effecting the necessary construction within said parcels, and consist of the right to enter upon said land at any time during the effective period of the easements to construct thereon slopes of excavation and/or embankment. Said easements are temporary in nature and are to be in effect only until three years from the date of this instrument.

The location of the aforesaid easements are more particularly shown on the plan hereinafter referred to.

For the purpose of laying out, constructing and maintaining the sections of City highway hereinbefore described, the Department of Public Works on behalf of the City of Cambridge, does hereby take in fee simple, under the provisions of Chapter 79 of the General Laws, and of all other general or special laws thereto enabling Parcel 1-1-C, shown on the plan hereinafter referred to, including all trees and structures located thereon (not, however, including poles, towers, lines, wires, cables and other appurtenances for the conveyance of electricity and telephone communication), situated in the City of Cambridge, County of Middlesex, excepting from the rights herein taken, all easements for wires, pipes, conduits, poles and other appurtenances for the conveyance of water, sewage, gas, oil and electricity and for telephone communication now lawfully in or upon said premises hereby taken, and all lawful rights of the public to use

those parts of the public way or ways in the City of Cambridge which are included in the foregoing description.

The sections of City highway hereby laid out, and the aforesaid takings are shown on a plan signed by the Chief Engineer, and signed by the Department of Public Works 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 City highway by the Department of Public Works April 10, 1985 Scale: 20 feet to the inch" an attested copy of which is to be recorded with this order of layout and taking in the Registry of Deeds of Middlesex County, Southern District at Cambridge.

Certain parcels of land included in this instrument are registered land and are shown on the plan hereinbefore referred to as Parcels 1-5-C, 1-6-C, 1-9-C, 1-10-C, 1-11-C, 1-12-C, 1-13-C, 1-14-C, 1-TE-21 and 1-TE-22, said land being registered in the Land Court at Boston and recorded in the Registered Land Division of the Registry of Deeds for Middlesex County, Southern District, at Cambridge as follows:

<u>Parcel</u>	<u>Owner</u>	<u>Certificate</u>	<u>Land Court Case</u>	<u>Book</u>	<u>Page</u>
1-5-C	City of Cambridge	94661	18329	603	111

standing in the

name of Alvin E.

Sutherland and Ruth

M. Sutherland

Trustees of A. & R. S.

Trust

1985

L.O. 6646

In Cambridge

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<u>Parcel</u>	<u>Owner</u>	<u>Certificate</u>	<u>Land Court Case</u>	<u>Book</u>	<u>Page</u>
1-6-C	City of Cambridge standing in the name of Alvin E. Sutherland and Ruth M. Sutherland Trustees of A. & R. S. Trust	90398	18329	582	48
1-9-C	City of Cambridge standing in the name of the Mezuries Corpora- tion of Florida	148235	85	871	85
1-10-C	City of Cambridge	171076	85	985	126
1-11-C	City of Cambridge	171076	85	985	126
1-12-C	City of Cambridge standing in the name of The Mezuries Corpora- tion	106636	85	663	86

<u>Parcel</u>	<u>Owner</u>	<u>Certificate</u>	<u>Land Court Case</u>	<u>Book</u>	<u>Page</u>
1-13-C	City of Cambridge standing in the name of The Mezuries Corpora- tion	119474	85	734	124
1-14-C	City of Cambridge standing in the name of John J. Duane, Roger P. Sonnabend & Brian T. Owen, Trustee of Charterhouse of Cam- bridge Trust	159417	85	927	67
1-TE-21	REITA of America, Inc.	133646	19747 9438	798	96
1-TE-22	REITA of America, Inc.	101534	19747	637	184

For damages sustained by the following persons in their property by reason of the aforesaid takings, and in accordance with the provisions of General Laws, Chapter 79, Section 6, as amended, awards are made.

The Department reserves the right to amend the award any time prior to the payment thereof for good cause shown.

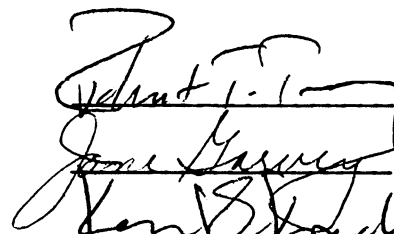
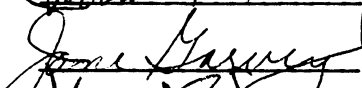
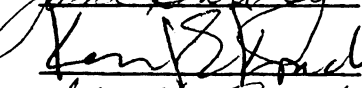
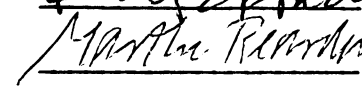
<u>Parcel</u>	<u>Supposed Owner</u>	<u>Area</u>
1-1-C	Robert A. Jones, K. George Najarian, Trustees Athaneum Realty Nominee Trust	5,980 s.f.

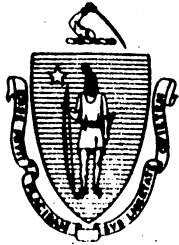
<u>Parcel</u>	<u>Supposed Owner</u>	<u>Area</u>
1-1-C-UR	Robert A. Jones, K. George Najarian, Trustees Athaneum Realty Nominee Trust	221 s.f.
1-2-C	City of Cambridge	3,550 s.f.
1-5-C	City of Cambridge	5,180 s.f.
1-6-C	City of Cambridge	5,470 s.f.
1-9-C	City of Cambridge	8,034 s.f.
1-10-C	City of Cambridge	13,520 s.f.
1-11-C	City of Cambridge	360 s.f.
1-12-C	City of Cambridge	5,490 s.f.
1-13-C	City of Cambridge	11,580 s.f.
1-14-C	City of Cambridge	25,367 s.f.
1-30-C	City of Cambridge	6,403 s.f.
1-TE-1	Robert A. Jones and K. George Najarian Trustees of Athaneum Realty Nominee Trust	200 s.f.
1-TE-18	Cambridge Electric Lighting Company	1,605 s.f.
1-TE-19	Riverview Building Limited	900 s.f.
1-TE-21	REITA of America, Inc.	960 s.f.
1-TE-22	REITA of America, Inc.	136 s.f.
1-TE-23	REITA of America, Inc.	290 s.f.
1-TE-24	REITA of America, Inc.	600 s.f.
1-TE-25	City of Cambridge	700 s.f.
1-TE-26	REITA of America, Inc.	6,000 s.f.
1-TE-27	John J. Duane, Roger P. Sonnabend and Brian T. Owen Trustees of Charter- house of Cambridge Trust	1,100 s.f.

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 new or existing way, as described herein and as described and shown on said plan, be and the same is hereby laid out by the Massachusetts Department of Public Works in behalf of the City of Cambridge; that the Secretary to the Massachusetts Public Works Commission be and hereby is instructed to file, in the office of the County Commissioners of the County of Middlesex and in the office of the City Clerk of the City of Cambridge, certified copies of said plan and of this certificate, signed by at least a majority of the members of the Public Works Commission, attesting that said Department of Public Works has laid out said sections of City way in accordance with said plan, together with a copy of this adjudication and vote.

Dated at Boston this tenth day of April, 1985.


_____ Members

_____ of the

_____ Public

_____ Works
_____ Commission



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MAY 14 1985
The Commonwealth of Massachusetts
Executive Office of Transportation and Construction
CAMBRIDGE, MASS
Department of Public Works

May 12, 1985

Ten Park Plaza, Boston 02116

CAMBRIDGE - Layout No. 6646 &
Order of Taking April 10, 1985

Paul E. Healy, City Clerk
City Hall
795 Massachusetts Avenue
Cambridge, MA. 02139

Dear Sir:

Acting under the provisions of Chapter 81 of the General Laws, Ter. Ed., the Department of Public Works did, under date of April 10, 1985, alter the location of a section of State highway laid out in Cambridge in the year 1985.

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

Kindly sign and return to this office as soon as possible the enclosed form of receipt.

Sincerely,

A handwritten signature in cursive script, reading "Joseph A. Fanale".

Joseph A. Fanale, Director
Right of Way Bureau

JAF/adw

Enclosure

5.

S-386

Comm. from Joseph A. Fanale, Director, Right
of Way Bureau of the Mass. Dept. of Public
Works trans,itting a copy of Layout No. 6646
& Order of Taking dated April 10, 1985, alter-
ing a section of State highway in the First
St. & Commercial Ave. area.

In City Council,

May 13, 1985

Referred to City Engineer

*copy sent to Joan Lasterica
City Engineer, 5/15/85 m.h.*