



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex

Inman & Broadway

EXTENSION 344

To James L. Sullivan, City Manager

From David R. Vickery, Assistant City
Manager for Community Development

Date June 12, 1981

Subject Land Acquisition for Open Space Development
in Neighborhood Four

The Community Development Department recommends the acquisition by the City of Cambridge of approximately 4,288 square feet of land at 70 Columbia Street for the purpose of open space development. The proposed taking is shown on the accompanying map. The site currently houses an auto repair shop.

As you know the area known as Neighborhood Four suffers a serious deficiency in recreational open space. According to the City's new Five Year Open Space plan (Recovery Action Program) Neighborhood Four is a highest priority neighborhood in terms of public recreational facilities. Currently the area has 4.6 acres of public recreational open space (1.5% of total city-wide) for its 8,000 citizens.

The parcel recommended for acquisition, located at 70 Columbia Street, will connect two lots recently acquired from the Poloroid Corporation. Acquisition of this site and demolition of the existing structure would create a large area for development. An active recreational facility will be designed in conjunction with the neighborhood residents. As well as meeting some of the residents recreational needs, the park will add considerably to the quality and enjoyment of the neighborhood.

Fair market value has been set at \$83,000. Funds for acquisition, as well as development, have already been appropriated as a part of years 5 and 6 Block Grant, Open Space Acquisition and Development (appropriated in FY 80 and 81) and from a \$400,000 Land and Water Conservation Fund Grant (appropriated in FY 8).



City of Cambridge

Calendar Item # 13

June 12, 1981

IN CITY COUNCIL

WHEREAS:

By Section 30 of Chapter 43, Section 14 of Chapter 40 and Chapter 79 of the General Laws, all as amended, it is provided that the City Council may take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

WHEREAS:

The Community Development Department has requested and the City Manager and City Council have approved and authorized that the City should under the provisions of the aforesaid Chapters of the General Laws take and hold for recreation open space purposes the parcel of land hereinafter bounded and described; and

WHEREAS:

An appropriation of \$83,000 from Year 5 Community Development Block Grant Funds, sufficient to cover the estimated expense therefore has been duly made by the City Council as required by the aforesaid Sections of Chapter 40 and 43;

NOW, THEREFORE, by virtue and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Cambridge by its City Council does hereby take the land hereinafter described for recreation open space purposes and all easements, privileges and appurtenances thereto belonging as well as all trees and all structures thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned, including the fee to the center of any and all streets, highways and public ways contiguous and adjacent to the said areas but excluding any and all easements on Columbia Street bounded and described, vis:

A certain parcel of land, with the buildings thereon, situated in Cambridge, Middlesex County, Massachusetts, at 70 Columbia Street, bounded and described as follows:

Southwesterly, by land of others, 115.88';

Southeasterly, by land of others 30';

Northeasterly, by land of others, 112.65'; and

Northwesterly by Columbia Street, 37';

This parcel contains 4,288 square feet more or less. The damages awarded with respect to said parcel are \$83,000 and the supposed owner is Arthur Papazian.

ORDERED:

The taking of fee simple title in land herein described is hereby authorized in accordance with General Laws, Chapter 40, Section 14 and Chapter 43, Section 30 as amended for the purpose of public recreation open space.

Said land is described as a certain developed parcel of land situated in Cambridge, bounded and described as follows:

A certain parcel of land, with the building thereon, situated in Cambridge, Middlesex County, Massachusetts, at 70 Columbia Street bounded and described as follows:

Southwesterly, by land of others, 115.88';

Southeasterly, by land of others, 38';

Northeasterly, by land of others, 112.65'; and

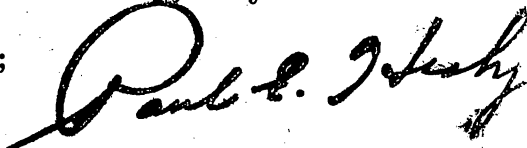
Northwesterly, by Columbia Street, 37'.

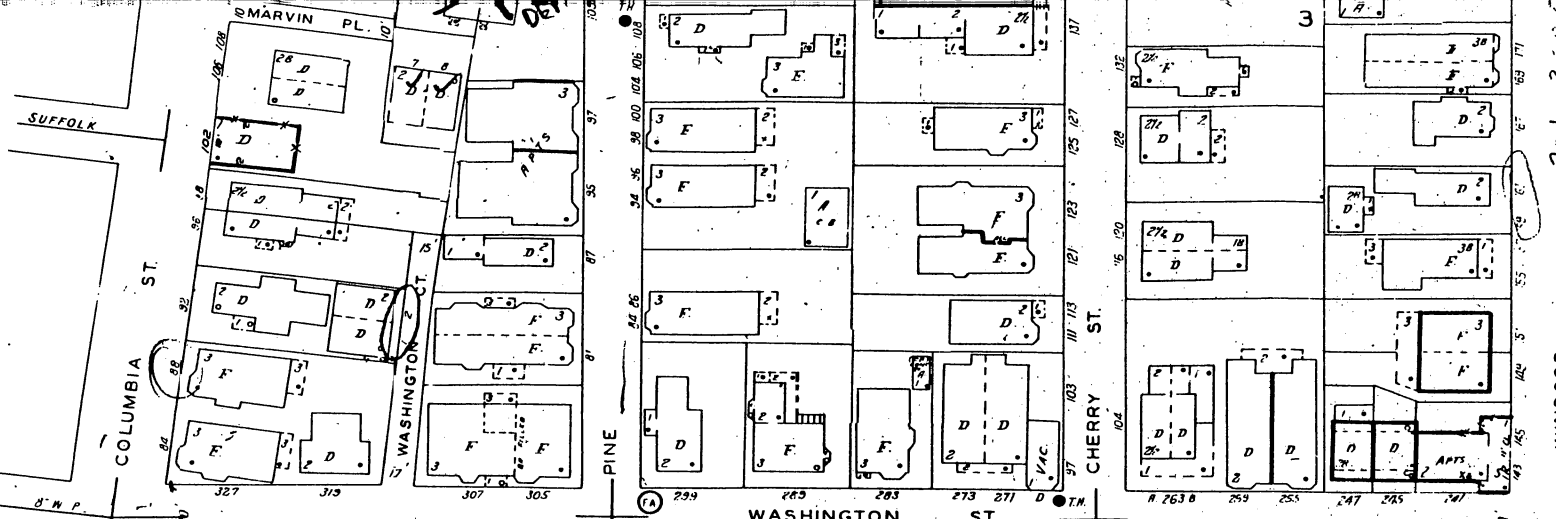
This parcel contains 4,288 square feet more or less. The damages awarded with respect to said parcel are \$83,000 and the supposed owner is Arthur Papazian.

In City Council June 29, 1981.
Adopted by ayea and nay vote:-
Yeas 8; Nays 0; Absent 1.
ATTEST:- Paul E. Healy, City Clerk.

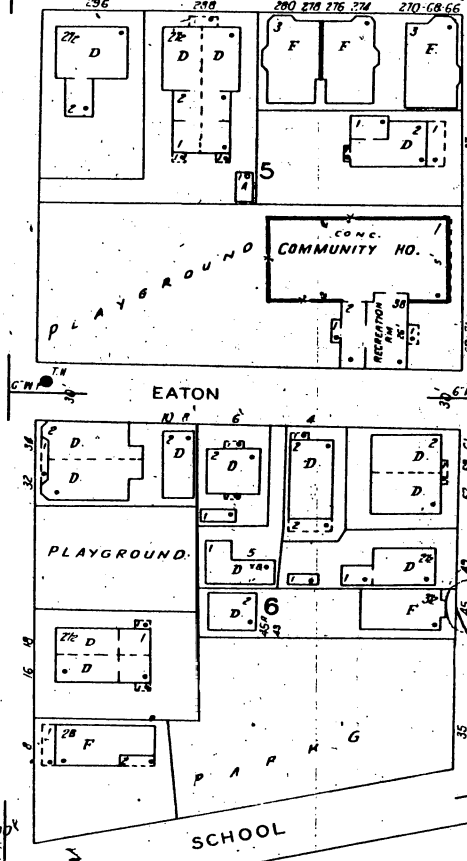
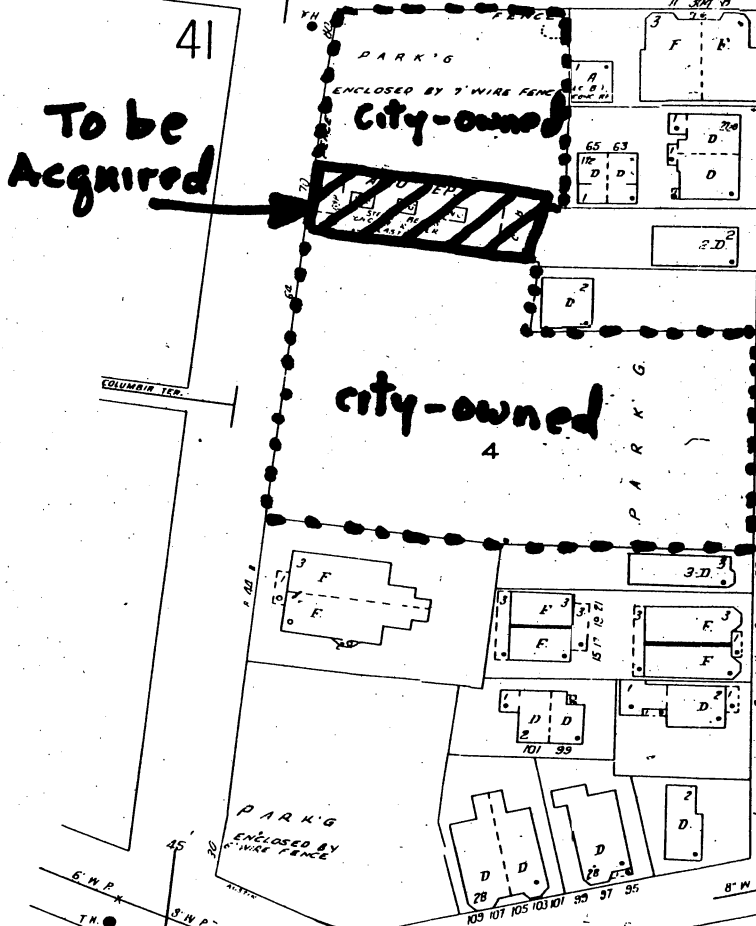
A true copy;

ATTEST:-

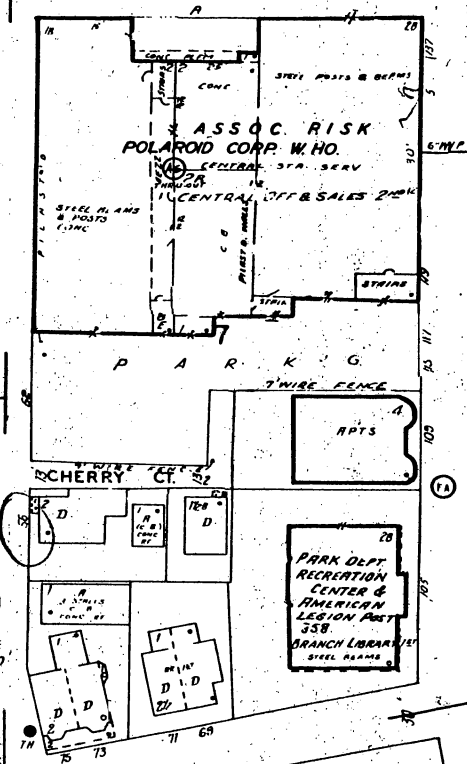




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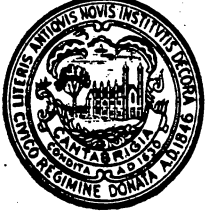


47



70 Columbia St.
Acquisition





CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway EXTENSION 344

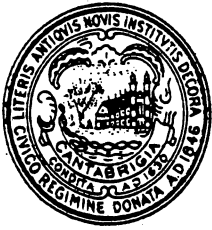
To James L. Sullivan, City Manager
From David R. Vickery, Assistant City Manager for Community Development
Date June 12, 1981
Subject Land Acquisition for Open Space Development in Neighborhood Four

The Community Development Department recommends the acquisition by the City of Cambridge of approximately 4,288 square feet of land at 70 Columbia Street for the purpose of open space development. The proposed taking is shown on the accompanying map. The site currently houses an auto repair shop.

As you know the area known as Neighborhood Four suffers a serious deficiency in recreational open space. According to the City's new Five Year Open Space plan (Recovery Action Program) Neighborhood Four is a highest priority neighborhood in terms of public recreational facilities. Currently the area has 4.6 acres of public recreational open space (1.5% of total city-wide) for its 8,000 citizens.

The parcel recommended for acquisition, located at 70 Columbia Street, will connect two lots recently acquired from the Poloroid Corporation. Acquisition of this site and demolition of the existing structure would create a large area for development. An active recreational facility will be designed in conjunction with the neighborhood residents. As well as meeting some of the residents recreational needs, the park will add considerably to the quality and enjoyment of the neighborhood.

Fair market value has been set at \$83,000. Funds for acquisition, as well as development, have already been appropriated as a part of years 5 and 6 Block Grant, Open Space Acquisition and Development (appropriated in FY 80 and 81) and from a \$400,000 Land and Water Conservation Fund Grant (appropriated in FY 8).



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

June 12, 1981

To the Honorable, the City Council:

I hereby signify my approval, as required under General Laws, Chapter 40, Section 14, and Chapter 43, Section 30, of the taking of the parcel of land at 70 Columbia Street for the purpose of developing public open space.

Very truly yours,

James L. Sullivan
City Manager

JLS:sl



City of Cambridge

June 12, 1981

IN CITY COUNCIL

WHEREAS:

By Section 30 of Chapter 43, Section 14 of Chapter 40 and Chapter 79 of the General Laws, all as amended, it is provided that the City Council may take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

WHEREAS:

The Community Development Department has requested and the City Manager and City Council have approved and authorized that the City should under the provisions of the aforesaid Chapters of the General Laws take and hold for recreation open space purposes the parcel of land hereinafter bounded and described; and

WHEREAS:

An appropriation of \$83,000 from Year 5 Community Development Block Grant Funds, sufficient to cover the estimated expense therefore has been duly made by the City Council as required by the aforesaid Sections of Chapter 40 and 43;

NOW, THEREFORE, by virtue and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Cambridge by its City Council does hereby take the land hereinafter described for recreation open space purposes and all easements, privileges and appurtenances thereto belonging as well as all trees and all structures thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned, including the fee to the center of any and all streets, highways and public ways contiguous and adjacent to the said areas but excluding any and all easements on Columbia Street bounded and described, vis:

A certain parcel of land, with the buildings thereon, situated in Cambridge, Middlesex County, Massachusetts, at 70 Columbia Street, bounded and described as follows:

Southwesterly, by land of others, 115.88';

Southeasterly, by land of others 30';

Northeasterly, by land of others, 112.65'; and

Northwesterly by Columbia Street, 37';

This parcel contains 4,288 square feet more or less. The damages awarded with respect to said parcel are \$83,000 and the supposed owner is Arthur Papazian.

ORDERED:

The taking of fee simple title in land herein described is hereby authorized in accordance with General Laws, Chapter 40, Section 14 and Chapter 43, Section 30 as amended for the purpose of public recreation open space.

Said land is described as a certain developed parcel of land situated in Cambridge, bounded and described as follows:

A certain parcel of land, with the building thereon, situated in Cambridge, Middlesex County, Massachusetts, at 70 Columbia Street bounded and described as follows:

Southwesterly, by land of others, 115.88';

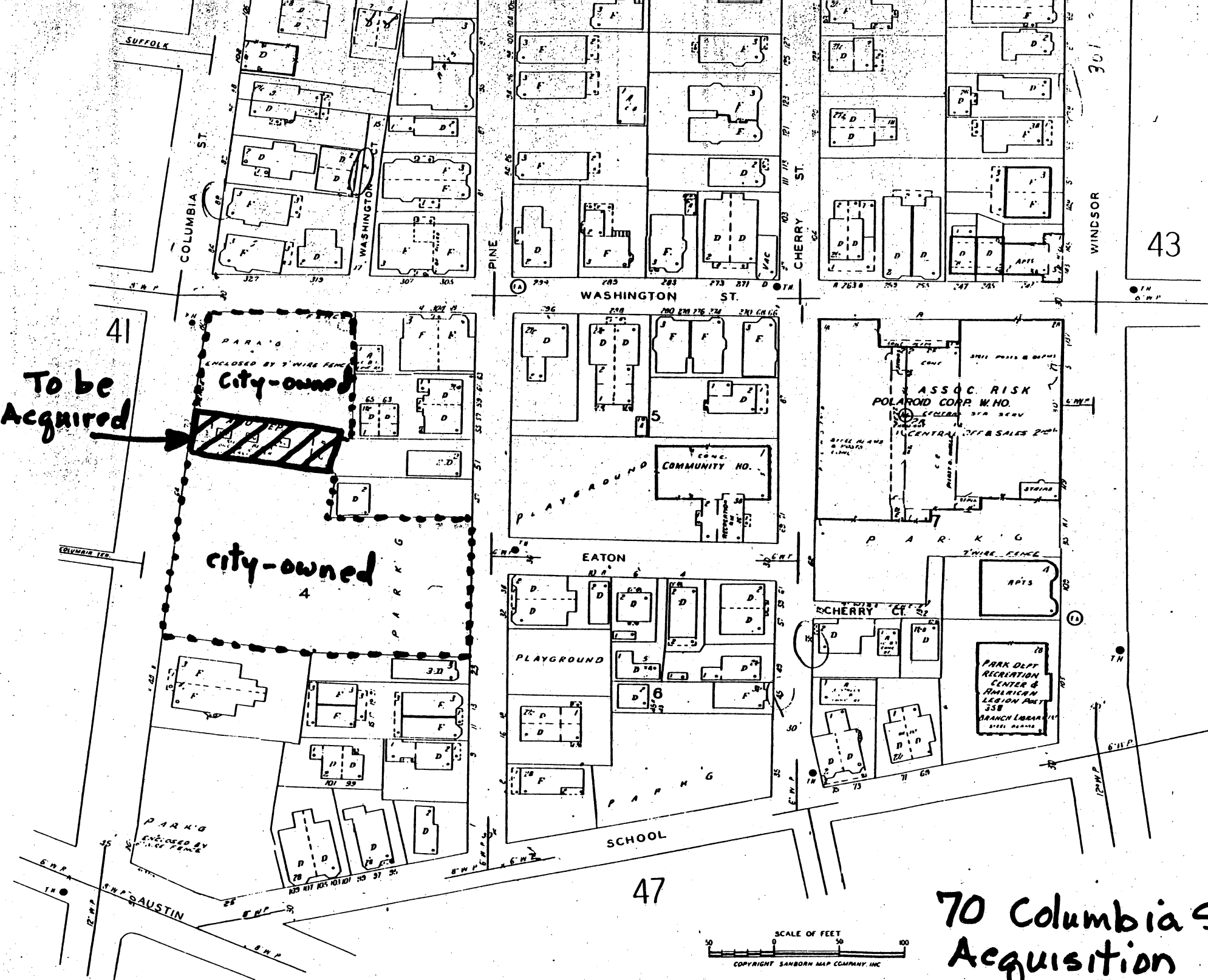
Southeasterly, by land of others, 38';

Northeasterly, by land of others, 112.65'; and

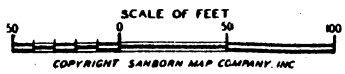
Northwesterly, by Columbia Street, 37'.

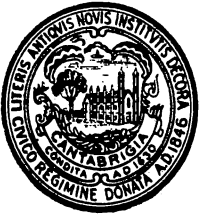
This parcel contains 4,288 square feet more or less. The damages awarded with respect to said parcel are \$83,000 and the supposed owner is Arthur Papazian.

To be Acquired



70 Columbia St. Acquisition





CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway EXTENSION 344

To David R. Vickery, CDD

From Betsy Ware, CDD

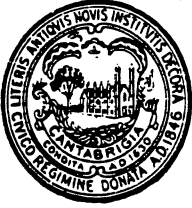
Date June 26, 1981

Subject Land Takings in Neighborhood Four

In response to Councillor Crane's request for both Arthur Papazian, owner of 70 Columbia Street, and Margaret Fuller Neighborhood House, owner of 149-151 Harvard Street, 79 Moore Street and 80 Moore Street (Neighborhood House Site Lot) to sign forms indicating acceptance of the award as a final payment, both Mr. Papazian and Harry Johnson of Margaret Fuller House have been contacted. As you know, Arthur Papazian will not sign this form. Harry Johnson, President of the Board of Directors of the Margaret Fuller House has signed the attached form, indicating that Margaret Fuller House will accept \$125,000 for final payment.

In regard to the Margaret Fuller site there is a deed restriction on the property. Lot 27 must be used as a playground or the proceeds must go towards a new playground or possibly play-recreational programming. I have spoken informally with Mr. Johnson in regard to this restriction. He hopes that Margaret Fuller could be paid the full fair market value and spend the funds from that site (approx. \$23,000) toward the Margaret Fuller playground. He is fully aware, however, that the City may request approximately \$23,000 back from the total land sale.

To clarify the recent sale of 70 Columbia Street, the site was sold to Arthur Papazian from Avvedis Dakessian in March 1981 for a sales price of \$70,000. If Mr. Papazian had waited until August 1981, his option to buy would have been \$75,000 plus improvements on the site. Papazian has had the option to buy the land since he started renting at 70 Columbia Street three years ago. Papazian is seriously considering a Cambridge site in his relocation of business.



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex - Inman & Broadway - Cambridge, Mass.-02139

498-9034

June 15, 1981

Mr. Arthur Papazian
70 Columbia Street
Cambridge, Massachusetts 02139

Dear Mr. Papazian:

Re: Maximum Price Offer for Real Property Property Located at
70 Columbia Street, Cambridge, Mass.

Cambridge Open Space Acquisition Program - Neighborhood Four
Parks and Playgrounds

In accordance with the provisions of the Community Development Block Grant Program as established by the Department of Housing and Urban Development, the City is prepared at this time to acquire all real estate, together with all rights, title and interests therein.

Mechanical equipment associated with the auto repair shop on the property to be acquired will be relocated with the owners. The price offer shall not include the mechanical equipment.

The amount of the City's price offer for the real property and all rights, title and interests therein, which is to be acquired, is limited under Massachusetts General Laws, Chapter 43, Section 30 to only 125 percent of the average assessed valuation of the property for the three years prior to the proposed purchase. Thus we can only offer \$12,500. However, if the property is taken under eminent domain proceedings, the award would be the fair market value of \$83,000 (Eight-Three Thousand Dollars). This offer is a firm offer and not subject to negotiation.

After acquisition by the City, you may wish to continue to occupy the property. To the greatest extent practicable, no lawful occupant will be displaced without notification in writing at least 120 days in advance of required moving date. The City will permit you to occupy the property temporarily for all present purposes. However, if you do so, the City will collect use and occupancy charges not exceeding the lesser of (i) the fair rental value to a short-term occupier, or (ii) the pro rata portion of the fair rental value for a typical rental period. The City requests that you advise it promptly of your relocation plans.

If you were a former owner-occupant, you would be eligible for moving expenses and/or direct losses of property and/or settlement costs, pursuant to government regulations. If this applies, the City will assist you in moving and/or obtaining the appropriate payments.

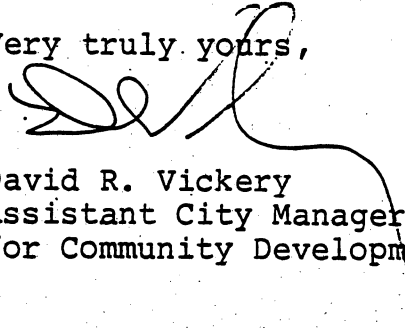
Mr. Arthur Papazian

-2-

June 15, 1981

If you have any questions about the City's offer or about any matter of substance or procedure relating thereto, please contact Mr. Peter Helwig at the Cambridge Community Development Department at 498-9034.

Very truly yours,



David R. Vickery
Assistant City Manager
for Community Development

DRV:jp

cc: Russell Higley,
City Solicitor

Peter R. Helwig
Edward Handy



CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

Summary Statement of Basis for Just Compensation
Property Located at 70 Columbia Street Cambridge, Ma.

Cambridge Open Space Acquisition Program
Neighborhood Four Parks and Playgrounds

Description of Property:

Interests to be Acquired

Title to this parcel, when acquired, is to be in fee simple, free and clear of all reservations, encumbrances, and other exceptions to title, except:

- (1) Liens for any taxes that are not payable at the time of vesting title in the City of Cambridge.
- (2) Easements or other outstanding interests that have been designated as parcels to be acquired separately.
- (3) Easements or other interests that under the Urban Renewal Plan are not to be acquired.
- (4) Reservation of interests or rights, if any, in the owner, if authorized by the City.

Inventory of Real Property to be Acquired

A parcel of land containing 4,288 square feet more or less at 70 Columbia Street.

Amount of Offer

The amount of the City's price offer for the real property and all rights, title and interests therein, which is to be acquired, is limited under Massachusetts General Laws, Chapter 43, Section 30 to only 125 percent of the average assessed valuation of the property for the three years prior to the proposed purchase. Thus we can only offer \$12,500. However, if the property is taken under eminent domain proceedings, the award would be the fair market value of \$83,000. (eighty-three thousand dollars). This is a firm offer not subject to negotiation.

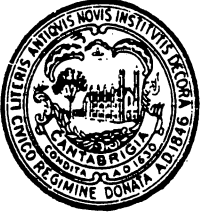
The amount of the offer by the City is the maximum amount allowable under Massachusetts General Laws, Chapter 43, Section 30. The statute does not allow the City to purchase property at a price that is more than 25% of the average assessed valuation of the property for the three years prior to the proposed purchase.

The basis of the amount established as compensation is, in part, a consideration by the appraisers of Comparable Sales Approach to Value.

The appraisals and determination of compensation do not reflect any consideration of or allowance for any relocation assistance and payments which the owner is entitled to receive under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 or for the City's agreement to pay certain settlement costs.

Definition of "Fair Market Value"

The definition of "fair market value" recognized by the eminent domain courts of the Commonwealth of Massachusetts and used by the City and its appraisers in making their determinations of value is ("the price which a willing buyer would pay to a willing seller in an open market, free of coercion, economic or social or governmental". (Chapter 4, Rule 29, Manual of Massachusetts Eminent Domain Appraisal Law, September, 1965)).



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

June 4, 1981

Mr. Arthur Papazian
70 Columbia Street
Cambridge, Massachusetts 02139

Dear Mr. Papazian:

Re: Notice of Intent to Acquire and Invitation for Preliminary Conference on Real Property Acquisition Property located at 70 Columbia Street, Cambridge, Massachusetts.

As you may know, your property, the location of which is noted above, is located at the future site of the Neighborhood Four Parks and Playgrounds project. Some time ago the City of Cambridge made plans to develop this site. The plan was approved by appropriate reviewing agencies of the Federal, State and City governments and now, in order to provide space for the project, your property must be acquired by the City of Cambridge.

The City has retained highly qualified real property and finance appraisers to prepare appraisals of all property to be acquired. The City will review these appraisals to determine "fair market value" for the property to be acquired.

The City intends to pay a full and fair price for all property designated to be acquired by it, and desires to utilize all of the resources available to it in order to determine the "fair market value" for such property. On the basis of this determination, the City will make a maximum price offering for the property.

The City does not believe that it would be appropriate for it to "bargain" with owners, using a process whereby the City starts by offering less than full amount it is ready to pay, then moving, as necessary, slowly up to a maximum figure. Rather, in fairness to all, the City feels it should offer the maximum price immediately. Furthermore, this maximum price offering is intended by the City to be a firm offering, not subject to negotiation unless evidence that the price is not sound is furnished by the owner or otherwise brought to the attention of the City.

The City intends that the price which it will approve as the maximum offer should reflect all elements of value for any given property, and is anxious that its appraisers and consultants have the benefit of any information or data which owners may wish to present before the maximum price is fixed.

June 4, 1981

Appraisers have already inspected your property in order to determine its "fair market value". At the time of the appraisers' examinations, you, or the former owner, Mr. Arredis Dakessian, had the opportunity to accompany each appraiser during his inspection and to call to his attention all relevant facts or information. Since the appraiser has already inspected your property, if you believe that there are additional facts or information you wish to bring to the attention of the City, you are invited, together with your appraiser and/or attorney, if you so desire, to submit such information to the City.

Since the City's maximum price offering for your property is soon to be established, the City invites you, if you so wish to do so, together with your appraiser and/or attorney, to meet with the City's negotiator.

At this meeting or "preliminary conference" the City's negotiator will accept relevant information and data as to any element of value which you or your representative may wish to present, and will, if requested, view the property and any features which you or your representatives may wish to point out. In cases where fixtures, equipment or machinery affixed to the real estate are involved, you may wish to point out items which you believe should be either specifically included or specifically excluded in establishing any final settlement price.

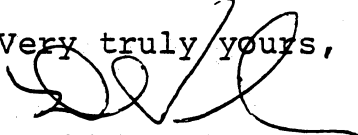
The City wants to emphasize the fact that the limited objective of this "preliminary conference" is simply to give you as the owners an opportunity to express your views to the City's negotiator.

The negotiator will not be at liberty at that time to discuss such matters as the consultant's opinion as to the amount, or determination of the "fair market value," or the acquisition price, vacate dates, relocation expenses, use and occupancy charges, or the appraiser's evaluation processes, or findings with respect to land values, economic life, obsolescence, rental income, capitalization rates, or other components of the appraisals. Some of these matters, however, may later be discussed in "pre-offering conferences" with the City's negotiator after the maximum acquisition price for your property has been approved has been approved by the City.

The procedure outlined above is proposed in an effect to be as fair as possible and to give you as a property owner an opportunity to call your views and all relevant facts to the attention of the City.

If the procedure described here is to be useful to you, a "preliminary conference" meeting must be arranged before our consultant's "fair market value" recommendation is made. If you are interested in arranging for this conference I would appreciate it if you would contact Peter R. Helwig at the Community Development Department at 498-9034 as soon as possible.

Very truly yours,


David R. Vickery
Assistant City Manager
for Community Development

DRV:jp

cc: Peter R. Helwig

Russell B. Higley

#13 Tabled Item

City of Cambridge

MASSACHUSETTS

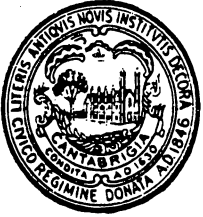
In City Council June 29 1981

L. Graham

	YEA	NAY	ABSENT	PRESENT
Mr. Kevin P. Crane	✓			
Mr. Thomas W. Danehy			✓	
Ms. Sandra Graham	✓			
Mr. Leonard J. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Mr. David A. Wylie	✓			
Mayor Francis H. Duehay	✓			

8 0 1

*Order
Adopted*



CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

June 4, 1981

Mr. Harry Johnson
Board of Directors
Margaret Fuller Neighborhood House, Inc.
71 Cherry Street
Cambridge, Massachusetts 02139

Dear Mr. Johnson:

Re: Notice of Intent to Acquire Property and Invitation for Preliminary Conference on Property Located at 149-151 Harvard Street, 79 Moore Street and 89 Moore Street., Assessor's Plat Nos. 42, Parcels 27, 28, 29 and 73; 31,235 square feet.
Cambridge Open Space Acquisition Program
Neighborhood Four Parks and Playgrounds

As you probably know, the City of Cambridge suffers from a severe shortage of public open space. The Neighborhood Four area is particularly lacking in this vital urban amenity. Thus the Cambridge Community Development Department is engaged in a program of acquisition and development of open space throughout the City. Your property, being vacant and well-located to serve a large population, has been selected for acquisition by the City.

To begin with, a copy of the booklet "When A Public Agency Acquires Your Property" is enclosed for your information. It explains the entire acquisition process and your rights under the law. As our first step, we have retained two firms to appraise your property and provide us with a basis to determine a "fair market value". We intend to pay a full and fair price, considering, of course, the situation of your property as well as any and all facts you may wish to present. We will then offer a maximum price based on all information available to us. It is not City policy to offer a lower figure, nor will any increase be considered unless significant new information is brought to our attention.

In this light, we urge you to join the appraisers as they make their determinations and point out features you feel are significant. If this cannot be done, we invite you and your appraiser and/or attorney to meet with us for a "preliminary conference" to express your views on the property to the City's representative. No final determination will be made at this time, however, regarding fair market value or other aspects of the acquisition. Once a maximum price offer has been determined by the City, you will be invited to a "pre-offering conference." At that time we may discuss acquisition price, vacate dates, relocation expenses, use and occupancy charges, and details of the appraisals.

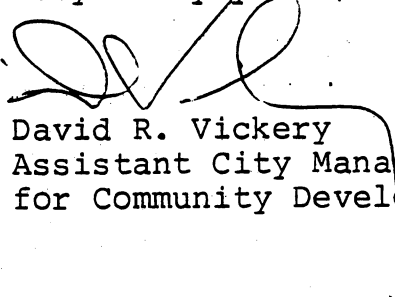
Mr. Harry Johnson

-2-

June 4, 1981

The procedures outlined above should be fair and provide you with the opportunity to have all relevant facts considered during the acquisition process. To arrange for a preliminary conference or ask any question on this matter, please call Mr. Peter Helwig or Ms. Elizabeth Ware of the Community Development Department at 498-9034. We hope that this process can be completed to our mutual satisfaction.

Very truly yours,



David R. Vickery
Assistant City Manager
for Community Development

DRV:jp

Enclosure

cc: Russell B. Higley
City Solicitor

Edward Handy



CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

June 15, 1981

Mr. Harry Johnson
Board of Directors
Margaret Fuller Neighborhood House, Inc.
71 Cherry Street
Cambridge, Massachusetts 02139

Dear Mr. Johnson:

Re: Maximum Price Offer for Real Property Property located at
149-151 Harvard Street, 79 Moore Street and 89 Moore Street

Cambridge Open Space Acquisition Program - Neighborhood Four
Parks and Playgrounds

In accordance with the provisions of the Community Development Block Grant Program as established by the Department of Housing and Urban Development, the City is prepared at this time to acquire all real estate, together with all rights, title and interests therein.

The amount of the City's price offer for the real property and all rights, title and interests therein, which is to be acquired, is limited under Massachusetts General Laws, Chapter 43, Section 30 to only 125 percent of the average assessed valuation of the property for the three years prior to the proposed purchase. Thus we can only offer \$20,500. However, if the property is taken under eminent domain proceedings, the award would be the fair market value of \$125,000 (One Hundred Twenty-Five Thousand Dollars). This is a firm offer not subject to negotiation.

After acquisition by the City, you may wish to continue to occupy the property. To the greatest extent practicable, no lawful occupant will be displaced without notification in writing at least 120 days in advance of required moving date. The City will permit you to occupy the property temporarily for all present purposes. However, if you do so, the City will collect use and occupancy charges not exceeding the lesser of (i) the fair rental value to a short-term occupier, or (ii) the pro rata portion of the fair rental value for a typical rental period. The City requests that you advise it promptly of your relocation plans.

If you were a former owner-occupant, you would be eligible for moving expenses and/or direct losses of property and/or settlement costs, pursuant to government regulations. If this applies, the City will assist you in moving and/or obtaining the appropriate payments.

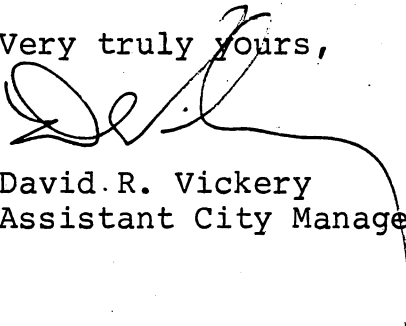
Mr. Harry Johnson

-2-

June 15, 1981

If you have any questions about the City's offer or about any matter of substance or procedure relating thereto, please contact Mr. Peter Helwig at the Cambridge Community Development Department at 498-9034.

Very truly yours,

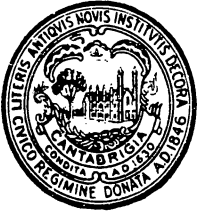
A handwritten signature in black ink, appearing to read "D. R. Vickery", with a long, sweeping underline that extends to the right and then curves downwards.

David R. Vickery
Assistant City Manager

DRV:jp

cc: Russell Higley,
City Solicitor

Peter R. Helwig
Edward Handy



CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

Summary Statement of Basis for Just Compensation
Property Located at 149-151 Harvard, 79 Moore Street and 89 Moore Street

Cambridge Open Space Acquisition Program
Neighborhood Four Parks and Playgrounds

Description of Property:

Interests to be Acquired

Title to this parcel, when acquired, is to be in fee simple, free and clear of all reservations, encumbrances, and other exceptions to title, except:

- (1) Liens for any taxes that are not payable at the time of vesting title in the City of Cambridge.
- (2) Estimates or other outstanding interests that have been designated as parcels to be acquired separately.
- (3) Easements or other interests that under the Urban Renewal Plan are not to be acquired.
- (4) Reservation of interests or rights, if any, in the owner, if authorized by the City.

Inventory of Real Property to be Acquired

An irregular shaped parcel of land containing 31,625 square feet.

Amount of Offer

The amount of the City's price offer for the real property and all rights, title and interests therein, which is to be acquired, is limited under Massachusetts General Laws, Chapter 43, Section 30 to only 125 percent of the average assessed valuation of the property for the three years prior to the proposed purchase. Thus we can only offer \$20,500. However, if the property is taken under eminent domain proceedings, the award would be the fair market value of \$125,000 (One Hundred Twenty-Five Thousand Dollars). This is a firm offer not subject to negotiation.

(continued on next page...)

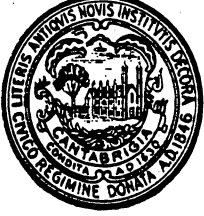
The amount of the offer by the City is the maximum amount allowable under Massachusetts General Laws, Chapter 43, Section 30. The statute does not allow the City to purchase property at a price that is more than 25% of the average assessed valuation of the property for the three years prior to the proposed purchase.

The basis of the amount established as compensation is, in part, a consideration by the appraisers of Comparable Sales Approach to Value.

The appraisals and determination of compensation do not reflect any consideration of or allowance for any relocation assistance and payments which the owner is entitled to receive under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 or for the City's agreement to pay certain settlement costs.

Definition of "Fair Market Value"

The definition of "fair market value" recognized by the eminent domain courts of the Commonwealth of Massachusetts and used by the City and its appraisers in making their determinations of value is ("the price which a willing buyer would pay to a willing seller in an open market, free of coercion, economic or social or governmental". (Chapter 4, Rule 29, Manual of Massachusetts Eminent Domain Appraisal Law, September, 1965)).



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex Inman & Broadway EXTENSION 344

To James L. Sullivan, City Manager

From David R. Vickery, Assistant City Manager for Community Development Date June 12, 1981

Subject Land Acquisition for Open Space Development in Neighborhood Four

The Community Development Department recommends the acquisition by the City of Cambridge of approximately 31,235 square feet of land on 149-151 Harvard Street, 79 Moore Street and 89 Moore Street for the purposes of open space development.

The proposed taking is shown on the accompanying map. The site is currently owned by the Margaret Fuller Neighborhood House Inc.

According to the City's new five-year open space plan (Recovery Action Program) Neighborhood Four is a highest priority neighborhood for public recreational open space facilities. The neighborhood currently has only one field area, Sennott Park, to serve its large juvenile and teen populations. Neighborhood Four currently has only 1.5% of total city-wide open space (or 4.6 acres of public open space). Clearly there is a serious need to provide public recreational facilities in this neighborhood. The parcel recommended for acquisition is centrally located in the community, adjacent to two public housing developments, and the Roberts School. It would be the playfield for the Roberts School. The parcel has been vacant for several years. This acquisition added to three sites purchased two years ago from the Poloroid Corporation, will provide a good opportunity to correct some of the neighborhood's recreational deficiencies. Once the land is acquired the Community Development Department would work with the neighborhood residents to develop the site into an active public recreational facilities.

The fair market value has been set at \$125,000. Funds for acquisitions as well as development have already been appropriated as a part of Years 5 and 6 Block Grant, Open Space Acquisition and Development.



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

Tel. 498-9011

EXECUTIVE DEPARTMENT

JAMES L. SULLIVAN

City Manager

June 12, 1981

To the Honorable, the City Council:

I hereby signify my approval, as required under General Laws, Chapter 40, Section 14, and Chapter 43, Section 30, of the taking of the parcel of land at 149-151 Harvard Street, 79 Moore Street and 89 Moore Street for the purposes of developing public open space.

Very truly yours,

James L. Sullivan
City Manager

JLS:sl



City of Cambridge

June 12, 1981

IN CITY COUNCIL

June 12, 1981

WHEREAS:

By Section 30 of Chapter 43, Section 14 of Chapter 40 and Chapter 79 of the General Laws, all as amended, it is provided that the City Council may take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

WHEREAS:

The Community Development Department has requested and the City Manager and City Council have approved and authorized that the City should under the provisions of the aforesaid Chapters of the General Laws take and hold for recreation open space purposes the parcel of land hereinafter bounded and described; and

WHEREAS:

An appropriation of \$125,000 from Year 5 Community Development Block Grant Funds, sufficient to cover the estimated expense therefore has been duly made by the City Council as required by the aforesaid Sections of Chapter 40 and 43;

NOW, THEREFORE, by virtue and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Cambridge by its City Council does hereby take the land hereinafter described for recreation open space purposes and all easements, privileges and appurtenances thereto belonging as well as all trees and all structures thereon. Intending to take and hereby taking in fee simple all the land included the within such description by whomsoever the same may be owned, including the fee to the center of any and all streets, highways and public ways contiguous and adjacent to the said areas but excluding any and all easements on Moore, Harvard and Clark Streets bounded and described, vis:

A certain parcel of land, situated in Cambridge, Middlesex County, Massachusetts at 149-151 Harvard Street, 79 Moore Street, and 89 Moore Street, bounded and described as follows:

Northwesterly, by Clark Street, 176.0';
Northeasterly, by Dickinson Street, 69.78';
Northeasterly, by land of others, 77.65';
Northeasterly, by land of others, 40.00';
Northeasterly, by land of others, 35.70';
Northeasterly, by land of others, 35.30';

Northeasterly, by land of others, 45.00';
Northeasterly, by Dickinson Street, 53.88';
Southeasterly, by Moore Street, 180.94'; and
Southwesterly, by Harvard Street, 203.60'.

This parcel contains 31,235 square feet more or less. This parcel is also described on Assessor's Plat #42, parcels 27, 28, 29 and 73. The damages awarded with respect to said parcel are \$125,000 and the supposed owner is the Margaret Fuller Neighborhood House, Inc.

ORDERED:

The taking of fee simple title in land herein described is hereby authorized in accordance with General Laws, Chapter 40, Section 14 and Chapter 43, Section 30 as amended for the purpose of public recreation open space.

Said land is described as a certain developed parcel of land situated in Cambridge, bounded and described as follows:

A certain parcel of land situated in Cambridge, Middlesex County, Massachusetts, on 149-151 Harvard Street, 79 Moore Street and 89 Moore Street, bounded and described as follows:

Northwesterly, by Clark Street, 176.00';
Northeasterly, by Dickinson Street, 69.78';
Northeasterly, by land of others, 77.65';
Northeasterly, by land of others, 40.00';
Northeasterly, by land of others, 35.70';
Northeasterly, by land of others, 35.30';
Northeasterly, by land of others, 45.00';
Northeasterly, by land of others, 53.88';
Southeasterly, by Moore Street, 180.94'; and
Southwesterly, by Harvard Street, 203.60'.

This parcel contains 31,235 square feet more or less. The parcel is also described on Assessor's Plat #42, parcels 27, 28, 29 and 73. The damages awarded with respect to said parcel are \$125,000 and the supposed owner is the Margaret Fuller Neighborhood House, Inc.

I, Robert S. Morison, of Cambridge in the County of Middlesex in the Commonwealth of Massachusetts, being unmarried, for consideration paid, grant to Cambridge Neighborhood House, a corporation established under the laws of said Commonwealth, a parcel of land in said CAMBRIDGE, bounded and described as follows: Southeasterly by Moore Street eighty and 94/100 (80 94/100) feet, Northeasterly by Dickinson Street fifty-three and 78/100 (53 78/100) feet, Northwesterly by land of Robert W. Knowles forty-five (45) feet, Northeasterly again by said Knowles thirty-eight (38) feet, Northwesterly by land now or late of Newmarch thirty-three and 39/100 (33 39/100) feet, Southwesterly by said Knowles ninety-two and 69/100 (92 69/100) feet, upon the trust and for the uses and purposes following, viz., To maintain the premises as a playground for Cambridge children, as a memorial of Anne T. Morison. If at any time, in the judgment of the management of said corporation, it is inexpedient to maintain the premises as such playground, then the said corporation is authorized to sell the same free of any trusts and invest the proceeds in another playground to be held for like purpose. If at any time it is deemed inexpedient by said corporation to maintain

BOOK 4418, Pg 52
LOT 27.

MORISON

to

CAMBRIDGE
NEIGHBORHOOD
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any such playground, then the said corporation is authorized to sell the said premises, or any premises acquired from time to time, in accordance with the foregoing provision, free from any trust, and pay the proceeds of said premises, or of any premises from time to time hereafter acquired, to the City of Cambridge, to be used by the City for the purchase of a playground for children, to be known as "The Anne T. Morison Memorial Playground", or to be held by the City as a fund to be known as "The Anne T. Morison Memorial Fund", the income thereof to be used for the healthful recreation of Cambridge children, the granted premises being the same conveyed to me by Robert W. Knowles by deed dated October 20, 1920, and recorded with Middlesex South District Deeds, Book 4396, Page 473. WITNESS my hand and seal this fifth day of February, A.D. 1921.

Robert S. Morison (seal) COMMONWEALTH OF MASSACHUSETTS. Middlesex ss. Cambridge, Feb. 5, 1921. Then personally appeared the above named Robert S. Morison and acknowledged the foregoing instrument to be his free act and deed, before me, Wm. S. Hall, Justice of the Peace. My commission expires May 1921. - - - - -

Middlesex ss. March 2, 1921. 8h. 52m. A.M. Rec'd & Recorded.



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

26 June 1981
Date

Mr. James L. Sullivan
City Manager
City Hall
Cambridge, Ma. 02139

Dear Sir:

Please be advised that I have initialed the below, indicating acceptance of the award for the taking of 149-151 Harvard Street, 79 Moore Street, and 89 Moore Street (The Neighborhood House Site Lot) in Cambridge, Massachusetts as final or partial payment.

1. I have accepted the award as final payment. Harry Johnson
2. I have accepted the award as partial settlement. _____

Thank you.

Sincerely yours,

Harry Johnson

PREIDENT, BOARD OF DIRECTORS
MARGARET FULLER NEIGHBORHOOD HOUSE

City of Cambridge

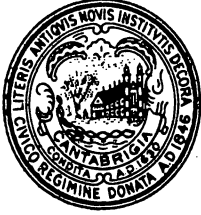
MASSACHUSETTS

In City Council June 22, 1981 198

Agenda # 4 taking of a parcel of land at
70 Columbia Street for public
open space

Sorted Item #13 6/22/81

	YEA	NAY	ABSENT	PRESENT
Mr. Kevin P. Crane				
Mr. Thomas W. Danehy				
Ms. Sandra Graham				
Mr. Leonard J. Russell				
Mr. David E. Sullivan				
Mr. Walter J. Sullivan				
Mr. Alfred Vellucci				
Mr. David A. Wylie				
Mayor Francis H. Duehay				



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

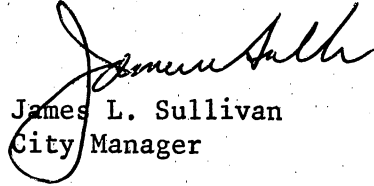
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

June 22, 1981

To the Honorable, the City Council:

I hereby signify my approval, as required under General Laws, Chapter 40, Section 14, and Chapter 43, Section 30, of the taking of the parcel of land at 70 Columbia Street for the purpose of developing public open space.

Very truly yours,



James L. Sullivan
City Manager

JLS/mbf

13

Agenda # 4

Table 72

Taking of a parcel of land at 70 Columbia Street for public open space.

4/29/81

CE Ordinance
Adopted 2-0-1

In City Council,

June 22, 1981

6/22/81

Resolution
704 on the Table
for 1 week

ALL CONTRACTORS
to APPROVE City
FROM FUTURE SUITS
FOR DAMAGES