

City of Cambridge.

Office of Park Commissioners,

City Hall.

Nov. 6. 1893

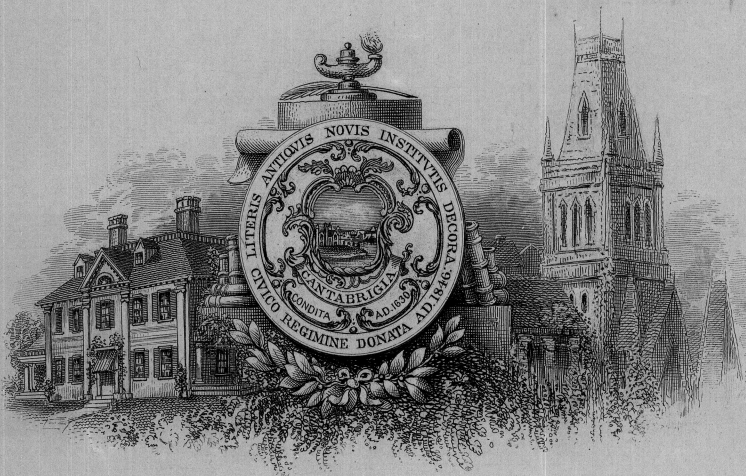
Am. M^r. A. Rancroft
Mayor,

Sir:

The Board of Park Commissioners would respectfully direct your attention to Chapter 462 Section I of the acts of 1893. "an act to authorize the establishment of a building line on public ways" as to suggest its application to Huron Street. The Board earnestly recommend the Establishment of a building line at a suitable distance from the Exterior line of this street, believing that it will materially add to its appearance, and that it will influence the building of a superior class of dwellings.

It can be done at this time without expense to the City, and a handsome approach to Fresh Pond thus secured.

Respectfully Yours
Chas. H. Mansel Secy.



*City of Cambridge,
Mayor's Office.*

Cambridge, Nov. 8th, 1893.

To the Honorable the City Council,

Gentlemen:

I transmit herewith a communication
of the Park Commissioners, relating to the establishment of a building
line on Huron Street by the adoption of Chapter 462 of the Acts of 1893.
I approve the recommendation therein contained.

Respectfully,

Wm. A. Dueroff

Mayor.

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Communication from
the Mayor transmitting a
communication from the
Park Commissioners.

Also Main St

next

Nov 8 1893

IN BOARD OF ALDERMEN

REFERRED TO THE COMMITTEE
ON Roads and Bridges Sent down for Concurrence
Walter W. Pike City Clerk.

IN COMMON COUNCIL

Nov. 14 1893

CONCURRED

Attest

Edward Brandon

City of Cambridge.
Office of City Solicitor.

5 Tremont Street,

Boston, April 2nd. 1894.

Walter H. Larned, Esq.

Chairman Committee on Roads and Bridges.

Dear Sir:-

My attention has been called by you to the communication of the Board of Park Commissioners to the Mayor,- as to the establishment of a building line on Huron street - in which it is stated that "it (i.e. the building line,) can be done (i.e. established,) at this time without expense to the City" &c.

I understand from you that it is proposed to establish the building line at a distance of twenty-five feet from the present boundary line of Huron street.

This line is proposed to be established under the Acts of 1893, Chapter 462, which act, as I have been informed by the City Clerk, has been accepted by the City Council.

Unless the owners of the various parcels of land are willing to release their rights, I do not understand how this line can be established "without expense to the City".

The effect of such an act of establishment is to create an

• (2)

easement upon the land so that "until another building line shall thereafter be established in the same manner, no structure shall thereafter be erected, placed or maintained between such building line and such way, except that steps, windows, porticos and other usual projections appurtenant to the front wall of a building, may be allowed in such restricted space to the extent prescribed in the vote establishing such building line." (see last part Section 1, of said Act,).

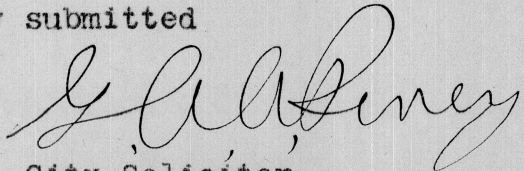
Such an establishment would necessarily cause more or less ~~land~~ damage to the person owning the estate and the law gives him "the same remedies for obtaining payment therefor as may be prescribed *ed* ~~ed~~ by law for obtaining payment for damages sustained by the laying out of a highway", (see Section 2,).

This damage would be estimated at the time at which the act of establishment was made, and it seems to me would be enhanced by the fact that the street has already been laid out. The damage however would not be so much as in "case the part taken was to be used for ordinary street purposes. But should a jury be called upon to pass upon the damages in my opinion they would not be apt to draw much distinction between the two takings, and practically the owners would recover damages twice, first by the original laying out of the street, and second by the establishment of the boundary line.

(3)

Hence if it was contemplated to make such boundary line upon new streets to be established or old streets to be widened, I would suggest whether or not it might not be expedient to devise some scheme whereby if possible such damages might not, so to speak, be paid over twice by such separate takings.

Respectfully submitted


City Solicitor.

Communication
from the City Solicitor in
relation to a "building line"
on Huron Street.

Apr 2. 1878.

CITY OF CAMBRIDGE.

In Board of Aldermen, April 10th, 1894.

The Joint Standing Committee on Roads and Bridges

to which was referred a communication from His Honor the Mayor, under date of Nov. 8, 1893, transmitting a recommendation of the Park Commissioners that the City establish a building line on Huron street,

Reports

That at the request of your Committee, this subject has been brought to the attention of the City Solicitor, with reference to the expense to the City of establishing the building line as recommended by the Park Commissioners. His opinion thereon as furnished is herewith submitted.

In the judgment of your Committee it is inexpedient to establish the building line as recommended.

For the Committee,

W. H. Larned

accepted

Sent down for Concurrence

at test Nath W. Pich

City Clerk

IN COMMON COUNCIL

CONCURRED April 17 1894

Attest: Edward J. Grandin Clerk

REPORT

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COMMITTEE ON ROADS AND BRIDGES.

in relation to establishing a
"building line" on Union Street.

City 10. 1894

For the Committee,

That at the request of your Committee,

a communication from his Honor

John

April 20th, 1894.