

REAL ESTATE INVESTMENT TRUST OF AMERICA

294 WASHINGTON STREET

BOSTON, MASSACHUSETTS 02108

GEORGE HOWLAND
CHAIRMAN

AREA CODE 617
426-2921

REPLY ADDRESS: P.O. BOX 1135, BOSTON, MASS. 02103

TRUSTEES
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THOMAS S. K. BUTLER
JOHN H. GARDINER
FRANCIS C. WELCH

June 1, 1979

City of Cambridge
Planning Board
Cambridge, MA

Gentlemen:

The Trustees of Real Estate Investment Trust of America file this opposition to the Application of East Cambridge Community Development Corporation for authorization and approval of a Project under G.L. Ch. 121A, and request that this letter be filed with the records of the public hearing dated June 5, 1979, of which the Trust received notice on May 23, 1979.

The Project Area described in the Application includes the property of our Trust, about 200,000 sq. ft. of land improved with five office/research buildings, situated on Cambridge Parkway between Nos. 31 and 83. The Application alleges that the Project Area is "blighted, substandard and decadent...within the meaning of Ch. 121A...". We object to the allegation that our property is either blighted or substandard or decadent. In this regard we would point out that all of our buildings are in excellent condition and occupied by rent-paying tenants and that approximately 400 jobs are generated by the present occupants. We would further point out the apparent inconsistency of the Application's failure to include as part of the Project Area the vacant lot immediately to the south of our property, implying that it is not blighted whereas our income-producing property is. The use which has been proposed for development of the property adjoining us to the south - office/research - is comparable to the current uses of our property. Our neighbor to the north is a successful Hotel which we understand plans to expand and add office space to its facilities. We fail to see why our similar properties should receive different treatment.

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We request that the boundaries of the Project Area be amended to remove therefrom all of our property on Cambridge Parkway because the same is not blighted, substandard or decadent and for other reasons set forth below.

We respectfully question the legality and appropriateness of the proposed corporation, since in our view it may constitute an improper delegation of the powers and responsibilities of your Board, the City Council, the City of Cambridge or the Cambridge Redevelopment Authority. We see no public purpose to be served by the creation and operation of the proposed new entity which could not be met under existing law either by the City of Cambridge itself, acting through its Community Development Department, or by the Redevelopment Authority. Despite the involvement of City officials in its operation and the allegation that Applicant will "act as a public body." the proposed entity might well be able to accomplish its functions outside the jurisdiction of the well-established matrix of law regulating the exercise of municipal authority, and we question whether such a structure is good public policy. For these reasons and in view of the apparent limitation of St.1975, c. 827 S20A, we doubt that the proposal is in conformity with the legislative intent expressed by Ch.121A and other laws applicable to municipalities. Furthermore, since the Applicant neither owns our property nor has requested the power nor demonstrated the ability to appropriate funds to acquire it, we contest the Applicant's right and standing to include our property in the Project Area.

By the action proposed in the Application and Notice of Public Hearing, the City and its affiliates would now create the cloud of eminent domain while affording us no assurance of compensation for such a taking nor any timetable either for the development of our land or the completion of eminent domain proceedings. The deleterious effect of this action on our efforts to keep the property fully rented and obtain a reasonable return on our shareholders' investment, as is our duty and right, should be obvious.

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We respectfully submit that the proposal to include our property in the Application is premature at the very least and possibly unlawful. We urge your reconsideration.

Very truly yours,

Real Estate Investment Trust
of America

By 
George Howland
Chairman, Board of Trustees

GH:dh

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THOMAS S. K. BUTLER
PRESIDENT

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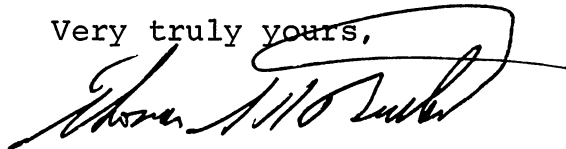
June 6, 1979

City Council
City Hall
Cambridge, Mass. 02139

Ladies and Gentlemen:

We enclose for your consideration a copy of our letter dated June 1, 1979 which was delivered to the Planning Board at their meeting on June 5, 1979 to consider the application of East Cambridge Community Development Corporation for authorization and approval of a Project under G.L. Ch. 121A. We understand the City Council will consider said application at a meeting on June 11, 1979, and wish to state our opposition to the application for reasons contained in the enclosed letter.

Very truly yours,



Thomas S. K. Butler

TSKB:dh
Enclosure

Certified Mail, RRR

5346 15.1
Comm. from Thomas S. K. Butler, Pres., Real Estate Investment Trust of America, opposing the application of East Cambridge Community Development Corporation for authorization and approval of a project under G.L. Chapter 121A.

In City Council,

June 11, 1979

REFERRED TO CITY MANAGER AND CITY SOLICITOR
FOR REPORT 6/11/79

Copy sent to C. Mgr. &
C. Solicitor 6-13-79