



City of Cambridge

IN CITY COUNCIL

February 26, 1979

ORDERED:

That the permit granting authority to Jordan Marsh Company to construct and operate a spur track across Vassar Street, Cambridge, be and the same hereby is revoked. This permit was granted under order adopted by the City Council on October 20, 1925.

In City Council February 26, 1979
Adopted by the affirmative vote of 9 members.
Attest: Paul E. Healy, City Clerk

A true copy,

ATTEST:

A handwritten signature in cursive script, reading "Paul E. Healy".



BOSTON, MASSACHUSETTS 02107

EXECUTIVE OFFICES

February 8, 1979

Russell Higley, Esquire
City Solicitor
City Hall - Law Department
795 Massachusetts Avenue
Cambridge, MA 02139

RE.: Bond to City of Cambridge
Railroad Spur Track

Dear Sir:

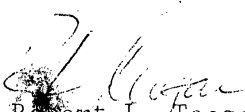
For some time, Jordan Marsh Company has paid the premium on a bond running to the City of Cambridge in connection with a railroad spur track leading to what was formerly the Jordan Marsh Cambridge Warehouse. This bond is still in effect.

We sold the property in 1972 to Graham Gund and it is now the site of the Hyatt Regency Hotel. By letter dated September 11, 1974 from Heminway and Barnes, our attorneys (copy attached), we proposed to cancel the bond as we no longer owned the property. By letter dated February 4, 1975 (copy attached), Mr. William J. Fitz Maurice, Chief Investigator for the Cambridge Law Department, advised the bond issuer, the Hartford Insurance Company, that he was not at liberty to cancel the bond until a new bond was secured by the new owner.

We have recently discovered that when the Hyatt Regency was being developed, the entire spur track on the property (formerly owned by us) was removed. As there is no spur track on our former property, it is clear that there is no subject for the bond to cover.

Accordingly, we propose to instruct the insurance carrier to cancel this bond and request your authorization to do so.

Sincerely yours,


Robert L. Teagan
General Counsel

RLT.mb

Enclosures

HEMENWAY & BARNES
COUNSELORS AT LAW
73 TREMONT STREET
BOSTON, MASSACHUSETTS 02108
(617) 227-7940

ALFRED HEMENWAY JR. (1907-1971)
CHARLES B. BARNES (1913-1966)
ARTHUR C. MATSON (1907-1960)

A. DUTZELL
NORMAN M. LOMBARD
JAMES D. BARNES
CHARLES M. EMMES
ROBERT H. KIDDER
ARTHUR C. MATSON
DAVID H. MORSE
ROY A. HAMMER
GEORGE T. SHAW
JOHN J. MASSEN
PHILIP LIVINGSTONE
TIMOTHY F. PERCEON
MICHAEL B. ELEFANTE
ERNEST B. MURPHY
DOUGLAS A. MOIR

CLAYTON R. FETTER
OF COUNSEL

September 11, 1974

Edward McCarthy, Esquire
City Solicitor
City Hall
Cambridge, Massachusetts

Re: Bond to City of Cambridge
Railroad Spur Track

Dear Sir:

For some time Jordan Marsh Company has paid the premium on a bond running to the City of Cambridge in connection with a railroad spur track leading to what was formerly the Jordan Marsh Cambridge Warehouse. I believe that Jordan Marsh renewed this bond in 1974 for six years.

I understand that Jordan Marsh's obligation with respect to this bond, if any, arose from the original order for assessment by the City of Cambridge to Gray & Davis Corp., dated October 20, 1925, and recorded with Middlesex Deeds Book 4935, Page 323.

Gray & Davis owned the property prior to its acquisition by Jordan Marsh Company.

I have been unable to find any direct agreement by Jordan Marsh to maintain this bond in effect. I suppose that it has kept this bond in effect since acquisition of the property from Gray & Davis as a successor in title to the premises. I believe that any obligation on the part of Jordan Marsh Company would, therefore, terminate upon conveyance of the property to a new owner. As you are no doubt aware, the property was conveyed to Graham Cund on January 13, 1972.

We, therefore, propose to instruct the insurance carrier to cancel this bond unless you can suggest some basis for Jordan Marsh's continued responsibility in this matter.

Very truly yours,
Alfred Hemenway Jr.
Charles B. Barnes



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139. • TEL. 876-6800

LAW DEPARTMENT

WARD D. MCCARTHY
CITY SOLICITOR

ROWENA E. TAYLOR
ASSISTANT CITY SOLICITOR

CHARLES WATSON
LEGISLATIVE AGENT

RUSSELL B. HIGLEY
SPECIAL COUNSEL

February 4, 1975

Mr. Steven May
Bond Department
The Hartford Insurance Company
Boston Regional Office
Two Center Plaza
Boston, Massachusetts 02108

Re: Jordan Marsh Co.
License: Exp. - Railroad Spur Track - 1/1/75
 obligee: City of Cambridge
Effective date: 1/9/75

Dear Mr. May:

Please be advised that I am not at liberty to cancel the bond held by the Hartford Insurance Company on the Jordan Marsh Company spur track. There is a city ordinance that requires that a new bond be enforced before I can cancel the previous bond.

I would suggest that you deal with Graham Gurd, the owner of the property to effectuate a new bond or renew your bond. At that point, I could then cancel your bond when I receive Mr. Gurd's bond.

If I can be of any further assistance, please let me know.

Very truly yours,

William J. Fitzmaurice

William J. Fitzmaurice
Chief Investigator

WJP:lm

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OFFICE OF CITY CLERK
CITY OF CAMBRIDGE
CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139 • (617) 876-6800
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LAW DEPARTMENT
CAMBRIDGE, MASS.

RUSSELL B. HIGLEY
CITY SOLICITOR

RUSSELL B. HIGLEY

EDWARD A. CUNNINGHAM
ANDREW T. TRODDEN
LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

February 12, 1979

Mr. Paul E. Healy
City Clerk
City Hall
Cambridge, Massachusetts

Dear Mr. Healy:

In relation to the letter by General Counsel, Robert L. Teagan of the Jordan Marsh Company, please be advised that after an investigation, I find that there is no spur track presently in existence at this location and therefore, the bond should be cancelled by the Honorable City Council.

Very truly yours,

William J. FitzMaurice
Chief Investigator

WJF:jl

Encs.



City of Cambridge

IN CITY COUNCIL
February 12, 1979

Ordered:-

That the permit granting authority to Jordan Marsh Company
to construct and operate a spur track across Vassar Street, Cambridge be and
~~for the erection of a sign at~~
the same hereby is revoked. This permit was granted under order adopted by
the City Council October 20, 1925

City Council-----

Adopted by the affirmative vote

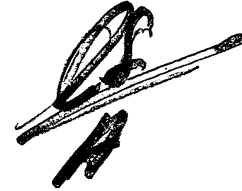
of-----members

-----City Clerk,

Revocation: Jordan Marsh Co.
Spur track across Vassar St.

H-24

in Council-----February 12, 1979



2/26/79

Hold-
Need Repairs
from City Police
Dadon Not Be
Redeveloped