

No. 23 P. Sewer 1956

City of Cambridge

In City Council,

October 22, 1956.

WHEREAS:-

President and Fellows of Harvard College, owner of the land lying easterly of Oxford Street, extending in the direction of Museum Street, propose to erect a new laboratory to be located in part above a ten (10) feet sewer easement and agree to grant a new easement as appearing on a plan entitled "Harvard University, Cambridge, Massachusetts, Relocation of Sewer and Water Easement, dated 10, October 1956, by Chas. T. Main, Inc." and further agree to install sewer and water pipes in the new easement in accordance with documents and specifications for the construction of sewer and water mains by Chas. T. Main, Inc., dated October 1956, a copy of which is on file in the Office of the City Engineer.

ORDERED:-

That an easement for the installation, maintenance, operation and repair of sewer and water pipes in a strip of land ten (10) feet wide across land of President and Fellows of Harvard College in Cambridge, Middlesex County, Massachusetts, from Oxford Street to Museum Street, as shown on a plan entitled "Harvard University, Cambridge, Massachusetts, Relocation of Sewer and Water Easement," dated 10 October 1956, by Chas. T. Main, Inc., to be recorded herewith, and more particularly bounded and described as follows:

Beginning at a point in the Easterly line of Oxford Street at the Southerly line of the existing sewer easement created by a taking recorded with City Clerk's records, Volume 30, Pages 174 and 175, adopted May 24, 1892 and approved May 25, 1892, and running thence

City of Cambridge

-2-

Easterly by the Southerly line of the existing sewer easement one hundred seventy-five and 9/10 (175.9) feet; thence Southeasterly three hundred twenty-two and 15/100 (322.15) feet; thence Northeasterly two hundred ninety-eight and 42/100 (298.42) feet; thence Northerly one hundred twenty and 37/100 (120.37) feet to the Southerly line of Museum Street; thence Westerly by the Southerly line of Museum Street ten (10) feet; thence Southerly one hundred eighteen and 35/100 (118.35) feet; thence Southwesterly two hundred eighty-three and 56/100 (283.56) feet; thence Northwesterly three hundred seventeen and 66/100 (317.66) feet to the Northerly line of the existing sewer easement; thence Westerly by the Northerly line of the existing sewer easement one hundred seventy-seven and 6/10 (177.6) feet to the Easterly line of Oxford Street, thence Southerly by the Easterly line of Oxford Street ten (10) feet to the point of beginning, be and hereby is accepted.

2. The City of Cambridge releases to President and Fellows of Harvard College all its right, title and interest in and to that portion of the existing sewer easement shown on said plan as "10' Sewer Easement to be Abandoned" and outlined thereon by broken lines, from and after the completion of the installation of the sewer and water pipes in the new easement as aforesaid.

3. The City Manager on behalf of the City of Cambridge is hereby authorized and instructed to sign, acknowledge and deliver an indenture carrying out the aforesaid in the form herewith submitted and accompanied by a copy of said plan.

In City Council October 22, 1956.
 Adopted by a yeas and nays vote -
 Yeas 5; Nays 3; Voting Present 1.
 Attest:- Frederick H. Burke, City Clerk.

A true copy, Attest:-

Frederick H. Burke

City Clerk.

City of Cambridge

In City Council,

OCT 22 1956

WHEREAS:-

President and Fellows of Harvard College, owner of the land lying easterly of Oxford Street, extending in the direction of Museum Street, propose to erect a new laboratory to be located in part above a ten (10) feet sewer easement and agree to grant a new easement as appearing on a plan entitled "Harvard University, Cambridge, Massachusetts, Relocation of Sewer and Water Easement, dated 10, October 1956, by Chas. T. Main, Inc." and further agree to install sewer and water pipes in the new easement in accordance with documents and specifications for the construction of sewer and water mains by Chas. T. Main, Inc., dated October 1956, a copy of which is on file in the Office of the City Engineer.

ORDERED:-

That an easement for the installation, maintenance, operation and repair of sewer and water pipes in a strip of land ten (10) feet wide across land of President and Fellows of Harvard College in Cambridge, Middlesex County, Massachusetts, from Oxford Street to Museum Street, as shown on a plan entitled "Harvard University, Cambridge, Massachusetts, Relocation of Sewer and Water Easement," dated 10 October 1956, by Chas T. Main, Inc., to be recorded herewith, and more particularly bounded and described as follows:

Beginning at a point in the Easterly line of Oxford Street at the Southerly line of the existing sewer easement created by a taking recorded with City Clerk's records, Volume 30, Pages 174 and 175, adopted May 24, 1892 and approved May 25, 1892, and running thence Easterly by the Southerly line of the existing sewer easement one

City of Cambridge

-2-

hundred seventy-five and 9/10 (175.9) feet; thence Southeasterly three hundred twenty-two and 15/100 (322.15) feet; thence Northeasterly two hundred ninety-eight and 42/100 (298.42) feet; thence Northerly one hundred twenty and 37/100 (120.37) feet to the Southerly line of Museum Street; thence Westerly by the Southerly line of Museum Street ten (10) feet; thence Southerly one hundred eighteen and 35/100 (118.35) feet; thence Southwesterly two hundred eighty-three and 36/100 (283.36) feet; thence Northwesterly three hundred seventeen and 66/100 (317.66) feet to the Northerly line of the existing sewer easement; thence Westerly by the Northerly line of the existing sewer easement one hundred seventy-seven and 6/10 (177.6) feet to the Easterly line of Oxford Street; thence Southerly by the Easterly line of Oxford Street ten (10) feet to the point of beginning, be and hereby is accepted.

2. The City of Cambridge releases to President and Fellows of Harvard College all its right, title and interest in and to that portion of the existing sewer easement shown on said plan as "10' Sewer Easement to be Abandoned" and outlined thereon by broken lines, from and after the completion of the installation of the sewer and water pipes in the new easement as aforesaid.

3. The City Manager on behalf of the City of Cambridge is hereby authorized and instructed to sign, acknowledge and deliver an indenture carrying out the aforesaid in the form herewith submitted and accompanied by a copy of said plan.

OCT 22 1956

In, City Council

Adopted by yea and nay Vote

Yeas 5 Nays 3 Absent 1 (Veterary Present)

Frederick H. Burke City Clerk

H A M M O N D S T.

G O R H A M S T.

M U S E U M S T.

O X F O R D S T.

GORDON McKAY
ENGINEERING LAB.

CYCLOTRON LAB

CYCLOTRON

177.6'
10' Existing Sewer Easement
175.9'

161°10'

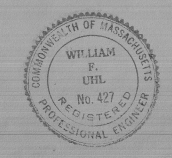
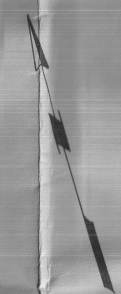
10' Relocated Sewer Easement
317.66'
322.15'

10' Sewer Easement To Be Abandoned

116°50'

283.36'
298.42'

120.31'
118.55'
102°33'



| DATE | ISSUED FOR | DRAWN | D. P. L. | CHECKED | F. H. D. |
|----------|------------|-------|----------|-----------|----------|
| 10-10-56 | Registry | No. | | REVISIONS | DATE |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

HARVARD UNIVERSITY
CAMBRIDGE, MASSACHUSETTS

RELOCATION OF SEWER & WATER EASEMENT

CHAS. T. MAIN, INC.
BOSTON MASSACHUSETTS
CHARLOTTE NORTH CAROLINA

SCALE: 1" = 30'-0"
CLIENT JOB DWG. NO.
2092-1-C6

granted, including the right to erect and maintain temporary buildings and other structures which do not interfere with access to the sewer and water pipes, and the further right to construct ramps or roadways crossing the easement below the finished grade of the surface of the ground but not below the top of the sewer pipe, provided that such ramps or roadways shall be so constructed as to protect the pipes from injury by traffic vibration, and so as not to interfere with access to the pipes from the sides of the ramps or roadways. If any ramp or roadway shall be constructed, after the water pipes have been installed, below the grade of the water pipes, Harvard shall, at its expense, and without undue interruption of service, install a syphon to carry the water under the ramp.

3. In consideration of the foregoing, and upon condition that Harvard shall have installed sewer and water pipes in the easement hereby granted, in accordance with Documents and Specifications for the Construction of Sewer and Water Lines, by Chas. T. Main, Inc., dated October 1956, a copy of which is on file in the Office of the City Engineer, the City hereby releases to Harvard all its right, title and interest in and to that portion of the existing sewer easement shown on said plan as "10' Sewer Easement To Be Abandoned" and outlined thereon by broken lines, from and after the completion of the installation of the sewer and water pipes in the new easement as aforesaid.

No documentary stamps are affixed hereto, none being required by law.

IN WITNESS WHEREOF, the said President and Fellows of Harvard College has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by _____, its

hereto duly authorized, and the said City of Cambridge has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by _____, its hereto duly authorized, as of the day and year first above written.

PRESIDENT AND FELLOWS OF HARVARD COLLEGE

By _____

CITY OF CAMBRIDGE

By _____

COMMONWEALTH OF MASSACHUSETTS

, ss. October , 1956

Then personally appeared the above-named and acknowledged the foregoing instrument to be the free act and deed of President and Fellows of Harvard College, before me

Notary Public
My commission expires

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. October , 1956

Then personally appeared the above-named and acknowledged the foregoing instrument to be the free act and deed of the City of Cambridge, before me

Notary Public
My commission expires

CITY MANAGER
OFFICE OF THE

OCT 18 10 05 AM '97

RECEIVED

23 = Public Service 1956

C O P Y

ROPES, GRAY, BEST, COOLIDGE & RUGG
50 FEDERAL STREET
BOSTON 10

November 21, 1956

Richard D. Gerould, Esq.
City Solicitor
City Hall
Cambridge, Massachusetts

Dear Dick:

The Indenture between Harvard and Cambridge, covering the sewer easement, was recorded on November 20, 1956 as Document No. 304 of that date. The plan is No. 1961 of 1956. When I have the book and page numbers of the Indenture, I'll let you know.

Sincerely,

Dick Johnson

RBJ/mgc

C O P Y

ROPES, GRAY, BEST, COOLIDGE & RUGG
50 FEDERAL STREET
BOSTON 10

November 21, 1956

Richard D. Gerould, Esq.
City Solicitor
City Hall
Cambridge, Massachusetts

Dear Dick:

The Indenture between Harvard and Cambridge, covering the sewer easement, was recorded on November 20, 1956 as Document No. 304 of that date. The plan is No. 1961 of 1956. When I have the book and page numbers of the Indenture, I'll let you know.

Sincerely,

Dick Johnson

RBJ/mgo

C O P Y

Ropes, Gray, Best, Coolidge & Rugg
50 Federal Street
Boston 10

December 13, 1956

Richard D. Gerould, Esq.
City Solicitor
City Hall
Cambridge, Massachusetts

Dear Dick:

The Indenture dated November 5, 1956 between Harvard and the City, covering the sewer easement, was recorded with Middlesex South District Deeds on November 20, 1956 in Book 8858, page 239.

Sincerely,

Dick

RBJ/mgc

October 22, 1956.

Mr. Frederick H. Burke,
City Clerk,
Cambridge, Mass.

Dear Sir:-

I hereby notify you of my intention to move reconsideration of a vote of the City Council on October 22, 1956 adopting an order accepting a new easement for sewer and water pipes from Harvard College and releasing a portion of the existing easement.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John D. Deane".

Harvard College Easement

AGENDA

SUPPLEMENTARY FOR CITY COUNCIL MEETING

October 22, 1956

DATA

NOTES

3. Transmitting communication from Richard D. Gerould, City Solicitor, with proposed order for the City Council accepting a new easement for sewer and water pipes from Harvard College, and releasing a portion of the existing easement, together with the form of indenture and a copy of the plan.

4. Transmitting communication from Stephen F. Spencer, Supt. of Bldgs., requesting the following transfers in appropriations:

| | | |
|---|---------|---------|
| From Building Dept., Schedule C-9, Equipment | \$15.00 | |
| From Building Dept., Schedule D-16, Supplies Not Otherwise Coded | 5.00 | |
| From Building Dept., Schedule D-17, Motor Vehicle, Parts | 5.66 | |
| From Building Dept., Schedule F-1, Subscription | 5.00 | |
| | 30.66 | |
| To Building Dept., Schedule D-11, Motor Vehicle, Gas & Oil | | \$30.66 |

5. Transmitting communication from Edward J. O'Connell, Secretary, School Committee, requesting the following transfers in appropriations:

| | | |
|---|-------------|-------------|
| From School Dept., Schedule A-1, Permanent Employees | \$30,950.00 | |
| To School Dept., Schedule B-1, Printing and Binding | 300.00 | |
| To School Dept., Schedule B-3, Advertising & Posting | 50.00 | |
| To School Dept., Schedule B-4, Transportation of Employees | 300.00 | |
| To School Dept., Schedule B-39, Services Not Otherwise Coded | 800.00 | |
| To School Dept., Schedule D-3, Fuel | 15,000.00 | |
| To School Dept., Schedule D-9, Educational & Recreational | 9,000.00 | |
| To School Dept., Schedule F-3, Committee Expenses | 1,500.00 | |
| To School Dept., Schedule F-4, Transportation of Pupils | 3,000.00 | |
| To School Dept., Schedule D-16, Supplies Not Otherwise Coded | 1,000.00 | \$30,950.00 |



CITY OF CAMBRIDGE
MASSACHUSETTS
LAW DEPARTMENT

TELEPHONE
TR 6-6800

RICHARD D. GEROULD
CITY SOLICITOR
J. HENRY SMITH
MOSIER B. GOLDBERG
ASSISTANT CITY SOLICITORS
CITY HALL

October 19, 1956

Mr. John J. Curry
City Manager
City Hall
Cambridge, Massachusetts

Dear Sir:

I am transmitting herewith a proposed Order for the City Council, accepting a new easement for sewer and water pipes from Harvard College, and releasing a portion of the existing easement, together with the form of indenture and a copy of the plan.

Since the college proposes to commence construction forthwith, the City has been requested to take prompt action and it is hoped that the Council can act at its meeting next Monday.

Yours very truly,

Richard D. Gerould
City Solicitor

RDG:F

Encls.

CITY MANAGER
OFFICE OF THE

OCT 18 10 08 AM '98

RECEIVED



CITY OF CAMBRIDGE

MASSACHUSETTS
EXECUTIVE DEPARTMENT

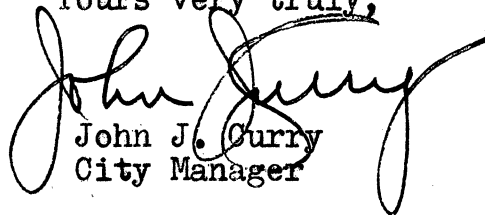
JOHN J. CURRY
CITY MANAGER

October 22, 1956

To the Honorable, the City Council:

I transmit herewith communication from Richard D. Gerould, City Solicitor, with proposed order for the City Council accepting a new easement for sewer and water pipes from Harvard College, and releasing a portion of the existing easement, together with the form of indenture and a copy of the plan.

Yours very truly,


John J. Curry
City Manager

JJC/R

³
COMMUNICATION
from the City Manager trans-
mitting one from City Director 7

Together With an Order accepting
a new agreement for Sewer & Water
Paper from Harvard College etc.

Pills
L = Finance
No. 111

OCT 22 1956

Cal. Oct. 29