



RECEIVED BY
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CITY OF CAMBRIDGE
CAMBRIDGE MA.

Office of the City Solicitor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139
Tel. (617) 349-4121
Fax. (617) 349-4134

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Legal Counsel

Birge Albright
Gail S. Gabriel
Arthur J. Goldberg
Linda A. Stamper
Deborah R. Cautela
Nancy E. Glowa

February 2, 1996

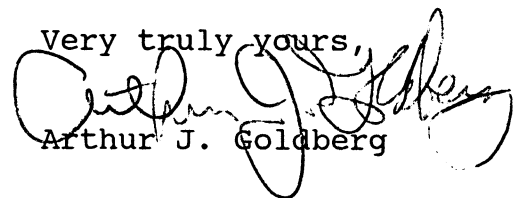
Margaret Drury
City Clerk
City Hall
Cambridge, MA 02139

Re: YMCA/City reciprocal easements

Dear Ms. Drury:

Enclosed for your records is the original document entitled Reciprocal Easements filed at the Middlesex South District Registry of Deeds. Through this document the City and the Cambridge YMCA have given each other limited rights to enter and use parts of each other's adjoining property at 806 Massachusetts Avenue (the new Senior Center) and 820 Massachusetts Avenue (the YMCA). Because part of the property at issue is registered land, a duplicate of this document is also on file with the Middlesex Land Court registry.

Very truly yours,


Arthur J. Goldberg

cc. Richard Foot, Cambridge YMCA

10E
REV
JVRECIPROCAL EASEMENTS

The Cambridge Young Men's Christian Association, also known as The Cambridge Family YMCA, a Massachusetts charitable association organized pursuant to M.G.L.c.180 with its principal office at 820 Massachusetts Avenue, Cambridge, Massachusetts, as Trustee of the Cambridge Family YMCA Condominium Trust; The Cambridge Young Men's Christian Association, also known as The Cambridge Family YMCA, a Massachusetts charitable association organized pursuant to M.G.L.c.180 with its principal office at 820 Massachusetts Avenue, Cambridge, Massachusetts; and The Cambridge Family YMCA, Inc. as general partner of the Cambridge Family YMCA Affordable Housing Limited Partnership, (collectively the "YMCA"), and the City of Cambridge, a Massachusetts municipal corporation duly organized under the laws of the Commonwealth of Massachusetts, which has a business address at Cambridge City Hall, 795 Massachusetts Avenue, Cambridge, Middlesex County, Massachusetts 02139, (the "City"), in consideration of the mutual obligations stated herein and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, grant the following easements related to the use of the land and buildings at 820 Massachusetts Avenue, Cambridge comprising the Cambridge Family YMCA Condominium established by Master Deed dated November 26, 1991 and recorded on November 27, 1991 at the Middlesex South District Registry of Deeds at Book 21571, Page 570 (the "YMCA premises") and the land and buildings located at 806 Massachusetts Avenue, Cambridge (the "City premises"). For the City's title, see instruments recorded at the Middlesex South District Registry of Deeds on December 5, 1991 at

clerk in land court

26.00

309

MSD 11/23/93 05:45:15

SEE PLAN IN RECORD BOOK PAGE 25852-207

Book 21585, Page 10 and registered land Book 1089, Page 1.

Reference is made to the following facts:

*The City is renovating the land and buildings located at 806 Massachusetts Avenue, which is adjacent to the YMCA premises at 820 Massachusetts Avenue. The City is creating a new Senior Center.

*Due to the close proximity and the current configuration of the two buildings, both the City and the YMCA desire to use the other's property as stated below.

Accordingly:

A. The following non-exclusive easements are hereby granted by the YMCA to the City:

1. A surface and access easement to use a portion of the YMCA premises, as identified below, for the purpose of placing and enclosing barrels and/or other trash receptacles needed for the refuse generated by the new Senior Center. This easement includes the right of reasonable access to the barrels and/or other trash receptacles and the right to build and maintain a small enclosure for the barrels and/or other trash receptacles. The City or its agent will be responsible for snow removal from this area and will not plow snow up against the building located on the YMCA premises or otherwise interfere with the use of the YMCA premises. The City will keep the area in good order and repair. The portion of the YMCA premises subject to this easement is identified as Easement Item No. A1 on a Plan entitled "Plan of Easements in Cambridge,

Mass." prepared by Wendell H. Mason, Professional Land Surveyor dated June 12, 1995, attached hereto.

Easement Item No. A1 begins thirteen (13') feet north of Green Street along the lot line between No. 798-808 Massachusetts Avenue and No. 820-834, and extends thirty-two (32') feet northerly, seven and six tenths (7.6') feet westerly more or less, thirty-two (32') feet southerly, and seven and six tenths (7.6') feet easterly more or less.

2. A surface and access easement to use a portion of the YMCA premises, as identified below, for the purpose of constructing, maintaining and using a paved ramp and ground area in conjunction with the parking lot for the new Senior Center. The ramp will be approximately five to six (5' to 6') feet wide, ten to twelve (10' to 12') feet long, and one to one and one half (1' to 1.5') feet high. The City or its agent will be responsible for snow removal from this area and will not plow snow up against the building located on the YMCA premises or otherwise interfere with the use of the YMCA premises. The City or its agent will be responsible for promptly repairing any damage caused to the building, including without limitation the foundation of the building located on the YMCA premises, from any excavation carried out by the City or its agent in conjunction with the exercise of its rights under this easement. The portion of the YMCA premises subject to this easement is identified as Easement Item No. A2 on a Plan entitled "Plan of Easements in Cambridge, Mass." prepared by Wendell H.

Mason, Professional Land Surveyor dated June 12, 1995, attached hereto.

Easement Item No. A2 extends northerly from Green Street along the lot line between No. 798-808 Massachusetts Avenue and No. 820-834, for seventy-two (72') feet, westerly seven and six tenths (7.6') feet, southerly seventy-two (72') feet and easterly seven and one half (7.5') feet.

3. Where the roof of the building located on the City premises abuts the wall of the building located on the YMCA premises from the Massachusetts Avenue frontage southerly approximately thirty-eight (38') feet, an easement is granted to attach plywood to the outside wall of said building on the YMCA premises approximately fifteen (15") inches high, to insert a layer of compressible filler with backer rod under the plywood between the two buildings, to attach membrane flashing to the plywood, to cut approximately three (3") inches into the outer wall of said building on the YMCA premises at the top of the plywood, to insert a reglet into the three inch cut and lead coated copper flashing into the reglet to be held in the reglet and made watertight by lead wedges for the full length of the flashing. The City or its agent will be responsible for maintaining the easement area and for promptly repairing any damage that may result from the use of the YMCA premises as describe above.

The portion of the YMCA premises subject to this easement is identified as Easement Item No. A3 on a Plan entitled "Plan of

Easements in Cambridge, Mass." prepared by Wendell H. Mason, Professional Land Surveyor dated June 12, 1995, attached hereto.

B. The following non-exclusive surface and access easement is granted by the City to the YMCA:

An easement to cross the paved parking area at the rear of the building located on the City premises as shown on the attached Plan entitled "Plan of Easements in Cambridge, Mass." prepared by Wendell H. Mason, Professional Land Surveyor dated June 12, 1995, and identified as Easement Item B, for access to the dumpsters located on the YMCA premises and as may be reasonably necessary for access to boilers located on YMCA premises. This easement for access may only be exercised by the YMCA or its agents at such times and in such manner so as not to unreasonably interfere with any operations of the City or its agents in that area, and especially those operations related to the use of the new Senior Center on the City premises.

These easements are conditioned on the existence of the YMCA building at 320 Massachusetts Avenue, Cambridge and the existence of the City building at 806 Massachusetts Avenue. If either building is demolished or substantially reconstructed so that these easements are no longer reasonably necessary, then the easements may be revoked by either party.

These easements shall not be revocable by the YMCA or the City

except by written instrument delivered by the revoking party. Such revocation may only occur upon substantial breach of the conditions contained herein, and upon failure to cure the breach of conditions within a reasonable time after receiving written notice of such breach, or as may be mutually agreed by the parties.

Executed as an instrument under seal at Cambridge, Middlesex County, Massachusetts, this 22nd day of July, 1995.

CITY OF CAMBRIDGE

By:

Robert W. Healy City Manager

Approved as to form:

Russell B. Higley
City Solicitor

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

August
July 22, 1995

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

Russell B. Higley
Notary Public

My commission expires: 12/14/95

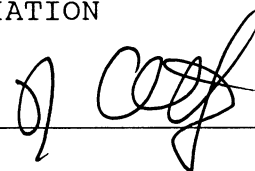
CAMBRIDGE FAMILY YMCA, INC. AS
GENERAL PARTNER OF CAMBRIDGE
FAMILY YMCA AFFORDABLE HOUSING
LIMITED PARTNERSHIP

By: _____
Its: _____



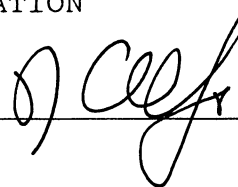
CAMBRIDGE YOUNG MEN'S CHRISTIAN
ASSOCIATION

By: _____
Its: _____



CAMBRIDGE FAMILY YMCA
CONDOMINIUM TRUST BY ITS TRUSTEE
CAMBRIDGE YOUNG MEN'S CHRISTIAN
ASSOCIATION

By: _____
Its: _____



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

August 11
~~July~~, 1995

Then personally appeared before me the above-named Richard A. Foot, President of the Cambridge Young Men's Christian Association, and President of Cambridge Family YMCA, Inc. and acknowledged that he executed the foregoing instrument as his free act and deed, after having been duly authorized.

Mary E. Cosgrove

Notary Public
My commission expires:

My Commission Expires
May 8, 1998

CAMBRIDGE YOUNG MEN'S CHRISTIAN ASSOCIATION
CLERK'S CERTIFICATE

At a meeting of the Board of Directors of the Cambridge Young Men's Christian Association held on February 16, 199⁴~~8~~ at which a quorum was present and acting throughout, after an affirmative recommendation of the Executive and Finance Committee, it was unanimously voted that the President of the Cambridge Young Men's Christian Association be and is hereby authorized in its name and behalf, and in the name and behalf of the Cambridge Young Men's Christian Association as Trustee of the Cambridge Family YMCA Condominium Trust, to sign, seal with the corporate seal, acknowledge and deliver to the City of Cambridge, a grant of the above-mentioned easements in the land and buildings at 820 Massachusetts Avenue.

A true copy attest

Corporate Seal


Secretary to the Corporation

Date: July , 1995

ACTION OF THE DIRECTORS TAKEN BY WRITTEN CONSENT

Pursuant to Section 59 of Chapter 156B of the General Laws of the Commonwealth of Massachusetts and Article 2.14 of the By-Laws of Cambridge Family YMCA, Inc., a Massachusetts corporation (the "Corporation"), the undersigned, being the Directors of the Corporation (the "Directors"), do hereby consent in writing, by placing their signatures below, to the adoption of the following votes and to the taking of the actions set forth herein without a meeting of the Directors of the Corporation. This written consent shall be treated for all purposes as a vote of the Directors at a meeting, provided that this written consent is filed with the records of the Directors' meetings.

VOTED: That Richard A. Foot, president of the Corporation (the "President"), is hereby authorized on behalf of the Corporation to enter into an agreement regarding reciprocal easements (the "Agreement") with the City of Cambridge relating to the granting and accepting certain easements burdening and benefiting, as the case may be, land and buildings located at 820 Massachusetts Avenue and 806 Massachusetts Avenue in Cambridge, Massachusetts, as said premises may be more particularly described in the Agreement.

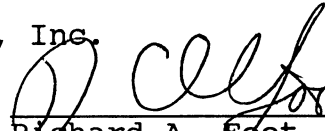
VOTED: That the President is authorized to engage the services of attorneys and other professionals in connection with the execution of the Agreement.

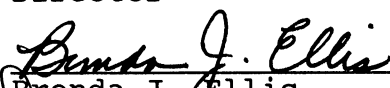
VOTED: That the President is authorized to execute, deliver and accept on behalf of the Corporation any and all documents

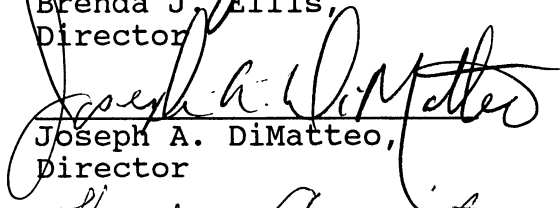
and instruments required and/or related to the granting and accepting of said reciprocal easements.

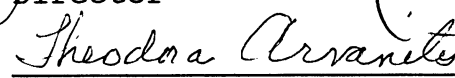
VOTED: To adopt, ratify and confirm all actions heretofore taken by the President in connection with the matters set forth above.

Signed as of the 17th day of September, 1995, by the Directors of Cambridge Family YMCA, Inc.


Richard A. Foot,
Director


Brenda J. Ellis,
Director


Joseph A. DiMatteo,
Director


Theodora Arvanites,
Director

RECEIVED
SOUTHERN DISTRICT
REGISTER
ATTEST:
J. C. B. REGISTER

Arthur Goldberg, Esq.
Law Dept., City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

F-# 4124/1934



City of Cambridge

Consent Agenda Item #11A

IN CITY COUNCIL

March 21, 1994

WHEREAS: The City Council finds that the proposed grant of an easement from the City to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpsters located on the YMCA premises is of such little significance that the ordinary process for disposition of City property pursuant to Ch. 2.110 of the Municipal Ordinances of Cambridge would be unduly burdensome; now therefore be it

ORDERED: That the City Council hereby approves diminution of the process pursuant to Sec. 2.110G of Ch. 2.110 of the Municipal Ordinances of Cambridge for the Disposition of the proposed easement.

In City Council March 21, 1994

Adopted by a ye and nay vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

D. Margaret Drury
City Clerk



City of Cambridge

Consent Agenda # 11B

IN CITY COUNCIL

March 21, 1994

ORDERED: That the City Council go on record authorizing the City Manager to grant an easement to the YMCA to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpster located on the YMCA premises; City Manager to execute and deliver such easement in form and substance as he determines is reasonable and necessary and to give the City Council copies after said easement has been finalized.

In City Council March 21, 1994.

Adopted by a yeas and nays vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk



City of Cambridge

Consent Agenda Item #11A

IN CITY COUNCIL

March 21, 1994

WHEREAS: The City Council finds that the proposed grant of an easement from the City to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpsters located on the YMCA premises is of such little significance that the ordinary process for disposition of City property pursuant to Ch. 2.110 of the Municipal Ordinances of Cambridge would be unduly burdensome; now therefore be it

ORDERED: That the City Council hereby approves diminution of the process pursuant to Sec. 2.110G of Ch. 2.110 of the Municipal Ordinances of Cambridge for the Disposition of the proposed easement.

In City Council March 21, 1994

Adopted by a ye and nay vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

D. Margaret Drury
City Clerk



City of Cambridge

Consent Agenda # 11B

IN CITY COUNCIL

March 21, 1994

ORDERED: That the City Council go on record authorizing the City Manager to grant an easement to the YMCA to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpster located on the YMCA premises; City Manager to execute and deliver such easement in form and substance as he determines is reasonable and necessary and to give the City Council copies after said easement has been finalized.

In City Council March 21, 1994.

Adopted by a yeas and nays vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council 3-21 1994

Mye's Agenda # 11B On Authorizing the City Mgr				
YEA	NAY	ABSENT	PRESENT	
				to grant the Easement for To The YMCA to cross the paved parking area at the rear of 806 Mass Ave for access to the dumpster located on the YMCA premises; City Mgr to execute + deliver such easement in form + substance as he determines is reasonable + necessary + to give the City Council copies after easement has been finalized.
✓				Ms. Kathleen L. Born
✓				Mr. Francis H. Duehay
✓				Mr. Jonathan S. Myers
✓				Mr. Sheila T. Russell
		✓		Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mr. William H. Walsh
✓				Mayor Kenneth E. Reeves

V M Russell m sup/8-0
 V M R M R
 R F / 0-8



City of Cambridge

Consent Agenda # 11B

IN CITY COUNCIL

March 21, 1994

ORDERED: That the City Council go on record authorizing the City Manager to grant an easement to the YMCA to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpster located on the YMCA premises; City Manager to execute and deliver such easement in form and substance as he determines is reasonable and necessary and to give the City Council copies after said easement has been finalized.

In City Council March 21, 1994.

Adopted by a ye and nay vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

D. Margaret Drury

ATTEST:-

D. Margaret Drury
City Clerk



City of Cambridge

Consent Agenda # 11B

IN CITY COUNCIL

March 21, 1994

ORDERED: That the City Council go on record authorizing the City Manager to grant an easement to the YMCA to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpster located on the YMCA premises; City Manager to execute and deliver such easement in form and substance as he determines is reasonable and necessary and to give the City Council copies after said easement has been finalized.

In City Council March 21, 1994.

Adopted by a ye and nay vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk

City of Cambridge

MASSACHUSETTS

In City Council 3-21 1994

Ingr's Agenda # 11 - On Denunciation of the Pines
Pursuant to Ch. 211D + to ~~Authorize~~ ~~to~~ to

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Mr. Francis H. Duehay
✓				Mr. Jonathan S. Myers
✓				Ms. Sheila T. Russell
		✓		Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mr. William H. Walsh
✓				Mayor Kenneth E. Reeves

8

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City of Cambridge

Consent Agenda Item #11A

IN CITY COUNCIL

March 21, 1994

WHEREAS: The City Council finds that the proposed grant of an easement from the City to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpsters located on the YMCA premises is of such little significance that the ordinary process for disposition of City property pursuant to Ch. 2.110 of the Municipal Ordinances of Cambridge would be unduly burdensome; now therefore be it

ORDERED: That the City Council hereby approves diminution of the process pursuant to Sec. 2.110G of Ch. 2.110 of the Municipal Ordinances of Cambridge for the Disposition of the proposed easement.

In City Council March 21, 1994
Adopted by a ye and nay vote:-
Yeas 8; Nays 0; Absent 1.
Attest:- D. Margaret Drury, City Clerk.

A true copy; *D. Margaret Drury*

ATTEST:-

D. Margaret Drury
City Clerk



City of Cambridge

Consent Agenda Item #11A

IN CITY COUNCIL

March 21, 1994

WHEREAS: The City Council finds that the proposed grant of an easement from the City to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpsters located on the YMCA premises is of such little significance that the ordinary process for disposition of City property pursuant to Ch. 2.110 of the Municipal Ordinances of Cambridge would be unduly burdensome; now therefore be it

ORDERED: That the City Council hereby approves diminution of the process pursuant to Sec. 2.110G of Ch. 2.110 of the Municipal Ordinances of Cambridge for the Disposition of the proposed easement.

In City Council March 21, 1994

Adopted by a ye and nay vote:-

Yeas 8; Nays 0; Absent 1.

Attest:- D. Margaret Drury, City Clerk.

A true copy *D. Margaret Drury*

ATTEST:-

D. Margaret Drury
City Clerk

receptacles to block them from view (permanent easement);

- * Where the roof of the City building abuts the wall of the YMCA building, the City will attach a reglet and flashing made watertight to the side of the YMCA building to divert runoff (permanent easement);
- * The City will use scaffolding on YMCA property in the alley between the YMCA and City building during construction to the senior center (temporary easement); and
- * The City will excavate at the foundation of the YMCA property, build a ramp and pave the area for purposes of leveling the land and parking area (permanent easement).

Description of the Easement for YMCA

In exchange for the easements granted to the City by the YMCA, an easement granted to the YMCA by the City will allow it to cross the paved parking area at the rear of 806 Massachusetts Avenue for access to the dumpsters located on the YMCA premises. Access to this area may only be exercised by the YMCA or its agents at such times and in such manner so as not to unreasonably interfere with any operations of the City or its agents in that area, and especially those operations related to the construction and operation of the new Senior Center.

The YMCA currently accesses its dumpsters by entering the 806 Massachusetts Avenue parking lot via Green Street (using an existing curbcut) and backing up to the dumpsters; it will continue to need to do this once the enclosure around the dumpsters is constructed. The YMCA would like an easement to assure it that this arrangement will be able to continue once the Senior Center is open.

Garbage trucks will only access the dumpsters before the building is open for business. If space permits, the YMCA will allow the Senior Center dumpster to be located with its dumpsters, on YMCA property.

The Senior Center architect has reviewed this plan, and has determined that this truck usage will have no impact on the proposed surface for the parking lot. The architect and City staff working on this project have determined that this is the most feasible way for the YMCA to continue to empty its dumpsters.

The easement described above is of nominal value to the City. There is no interest in this easement by any other parties, and there are no possible alternative uses for this space. There will be little or no traffic impact by granting this easement.

Request for Diminution of Process Stipulated in Chapter 2.110

Chapter 2.110 of the Cambridge Municipal Code on the disposition of city property outlines an

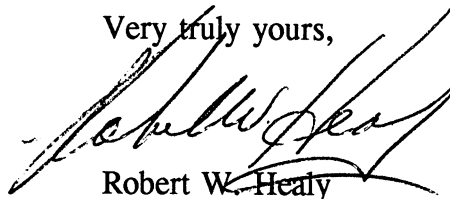
extensive process to be applied to the "sale, transfer, lease or rental, or exchange of any city-owned property or property rights or interests such as a public easement on private property." Paragraph G of section 2.110.010 allows for the diminution of the procedural requirements, by 2/3 vote of the City Council, for "property that is of such little significance that the ... described process would be unduly burdensome." I believe that Paragraph G is appropriate for review of the YMCA's request for this easement to cross the paved parking area behind the 806 Massachusetts Avenue to access its dumpsters, and request that a limited review process be approved.

The stated purpose of this Chapter of the Municipal Code is "to protect the citizens of Cambridge and to achieve land uses that best serve the City's public purpose." When that purpose is best served by a disposition of city-owned property for a private purpose, the City's primary objective is "to receive the fair market value for such property, to protect real estate values, and to dispose of each property without favoritism." The request for an easement is a request for the conveyance of an interest in land and consequently falls within the purview of this Chapter; however, the purposes of the Chapter and references to the property interests therein indicate that the detailed and comprehensive process set forth in the Section pertains to property that is of some significance or use to the City or the public.

Limiting the scope of review for the requested easement would be consistent with the expressed objective of the procedure required by the Chapter: to render "a fair analysis of how the greatest public benefit can be obtained from the City property in question." I believe that the information furnished in this letter is sufficient to enable the City Council to make a determination on this matter. In addition, the detailed review outlined in this Chapter requires information on zoning status and recent attempts to rezone, traffic and parking analyses, a report of the development potential of the property, and two independently prepared appraisals of the property's value; this extensive analysis is inappropriate in this situation. Carrying out this detailed review would require a significant amount of money and staff time. Since the procedure set forth in the Chapter would be costly, I believe this to be the type of disposition anticipated by subsection (G) which allows for a simpler process.

I appreciate your consideration of this matter, and welcome any questions you may have.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Healy", written over a horizontal line.

Robert W. Healy
City Manager

Attachment: Area Map



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

March 21, 1994

To the Honorable, the City Council:

The Cambridge Family YMCA ("the YMCA") is requesting the grant of an easement from the City to cross the paved parking area at the rear of 806 Massachusetts Avenue, the site of the future Senior Center, for access to the dumpsters located on the YMCA premises. This proposal requires action by the City Council.

First, the proposal must be considered by the Council pursuant to Chapter 2.110 of the Cambridge Municipal Code which governs the disposition of city-owned property. I believe this proposal may properly be subject to Section 2.110.010 (G) of that ordinance. Section G provides for the disposition of city-owned property that is of such little significance that the full process of the ordinance would be unduly burdensome. Under this section, the City Manager may request of the City Council a diminution of the process in the ordinance; approval of this request requires a two-thirds vote of the City Council. I recommend such approval at this time.

Secondly, Section 2.110.010 also requires a two-thirds vote of the City Council to authorize the City Manager to grant the easement to the YMCA. I also recommend that the City Council vote to grant the easement to the YMCA and to execute and deliver such easement in form and substance as I determine is necessary or advisable.

Background:

As you are aware, the City is renovating its property at 806 Massachusetts Avenue to use as a citywide senior center. This property abuts the YMCA property located at 820 Massachusetts Avenue. Through the process of construction and thereafter, the architects retained by the City have identified several ways in which the City needs to use the YMCA property. The YMCA has agreed (contingent upon the City agreeing to grant the YMCA its easement), to grant the City the following four easements (3 permanent and 1 temporary) for nominal consideration paid:

- * The City will have the right to place a receptacle for refuse generated by the senior center on YMCA property, and will build and maintain a small enclosure for the trash

Consent Agenda #11

F-41

Transmitting comm. from R.W. Healy relative to the YMCA requesting the grant of an easement from the City to cross the paved parking area at the rear of 806 Massachusetts Avenue to site of the future Senior Center for access to the dumpsters located on the YMCA premises.

In City Council March 21, 1994

Question comes on diminution
of process stipulated
in Chapter 2.110

11A - 8-0-1

11B - 8-0-1 Authorization
of easement.