

CITY OF CAMBRIDGE .

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9020

LAW DEPARTMENT

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CITY SOLICITOR

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LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

June 30, 1980

Mr. James L. Sullivan
City Manager
City Hall
Cambridge, MA

Dear Mr. Sullivan:

You have asked for my opinion relative to the request by GTE Laboratories, Inc. for a right-of-way of land owned by the City of Cambridge which is located in Waltham.

It is my understanding that GTE Laboratories, Inc. does not intend to purchase, lease or rent the land in question, but is seeking access to a landlocked piece of property.

Section 2-10 of the Cambridge City Code provides, in pertinent part, the following:

Manner of handling sale or rental
of City owned land; hearing; notice.

(a) For the purposes of protecting the citizens, real estate values and obtaining the best possible land use, no sale, lease or rental of City owned land or ways shall be accomplished until such offer, when received by the Council, shall be referred to the Planning Board for study and a report made to the Council. The Council shall hold a public hearing, to which the Planning Board shall be invited, within one (1) month after receipt of the report.

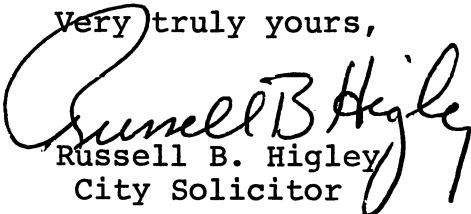
June 30, 1980

The purpose of this Section of the Code is to provide adequate public notice by a hearing process which involves the Planning Board. The Section only comes into effect when City owned land is sold, leased or rented.

In the instant case, the granting of a right-of-way for vehicular access to the property in question is not a sale, lease or rental of property.

Therefore, it is my opinion that the City Manager, with the approval of the City Council, is authorized to enter into an agreement for a right-of-way.

Very truly yours,


Russell B. Higley
City Solicitor

RBH:jl



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011


EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

June 30, 1980

To the Honorable, the City Council:

Enclosed please find copy of the opinion of the City Solicitor relative to the taking of an easement at Hobbs Brook in Waltham.

Very truly yours,


James L. Sullivan
City Manager

JLS/mbf
Enc.

Agenda # 8

F-286

Opinion from the City Solicitor in regard to the taking of an easment at the Hobbs Brook in Waltham.

In City Council,

June 30, 1980

6/30/1980

Referred to the
Hearing this
Evening on the
MATTER

After Hearing

- Placed on File -