

7/30/85

Hillcoac II

School

~~Cogswell~~

~~Place~~

Barb and

Ray

My Tabia Wick

and



# CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139  
Tel. 498-9011

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

July 17, 1985

Anthony J. Giulino, Trustee of  
the Lincoln House Trust  
c/o Margaret Bill @  
Testa, Hurwitz & Thiebeault  
Boston, MA 02109

Re: Notice of Taking of a Portion of Cogswell Place,  
Cambridge, Massachusetts

Dear Mr. Giulino:

In order that police, fire and other emergency vehicles have access to Cogswell Place, the City of Cambridge has acquired by eminent domain the property, including land, structures, and other improvements, appurtenances, rights of way, easements and other rights and interests, which is a portion of Cogswell Place, Cambridge, and more particularly described in an Order of Taking adopted by the City Council on June 24, 1985, which is enclosed herewith.

Pursuant to said Order and on behalf of the City Council, I hereby inform you that the total amount of damages awarded for said taking is Thirteen thousand forty-seven dollars (\$13,047.00), and the amount allocated to the owner of (inside address) 33-41 Walden Street, is None (\$0.00). Payment of this award or the portion to which any owner, mortgagee of record, or other person having any interest is entitled, will be made, subject to adequate proof of interest, at the Office of the City Manager, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts, within fifteen

(15) days of a written demand therefor received at said office.

Said payment may be accepted in full settlement of the right of such owner or person to damages in respect to the taking of the subject property under Chapter 79, Section 39 of the Massachusetts General Laws, or may be accepted as payment pro tanto pursuant to Chapter 79, Section 8A of the Massachusetts General Laws, without prejudice to or waiver or surrender of any right to claim a larger sum by proceeding before an appropriate tribunal, but subject to the obligation to refund to the City an amount equal to the difference between such payment and damages subsequently assessed by such tribunal if said payment pro tanto shall be accepted and prove to be in excess of the damages subsequently assessed by such tribunal. If you accept the payment pro tanto pursuant to Chapter 79, Section 8A, you have the right to petition the Middlesex Superior Court to contest the amount of damages awarded any time before July 16, 1988 (three years from the date of recording the Order of Taking).

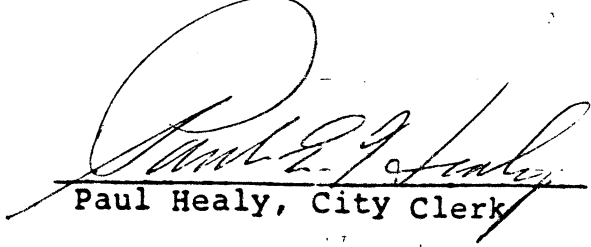
Thank you for your anticipated attention and cooperation in this matter.

Very truly yours,

  
Robert W. Healy  
City Manager

Enclosure

cc: Russell B. Higley, City Solicitor  
Paul Healy, City Clerk  
Michael Rosenberg, CDD

  
Paul Healy, City Clerk



# City of Cambridge

(Agenda Item No. 26)

RECEIVED

'85 JUN 27 AM 9 05

IN CITY COUNCIL

CAMBRIDGE COMMUNITY  
DEVELOPMENT DEPT.

June 24, 1985

**WHEREAS:**

By Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 79 of the General Laws, all as amended, it is provided that the City Council may take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

**WHEREAS:**

The Community Development Department has requested, and the City Manager and City Council have approved and authorized that the City should, under the provisions of the aforesaid Chapters of the General Laws, take and hold for a public way the parcel of land which is a portion of Cogswell Place hereinafter bounded and described; and

**WHEREAS:**

An appropriation of \$13,047.00, sufficient to cover the estimated expense therefore has been duly made by the City Council as required by the aforesaid Sections of Chapter 43; and

NOW, THEREFORE, by virtue and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Cambridge by its City Council does hereby take, in fee, the land hereinafter described, a portion of what is known as Cogswell Place, for a public way in order that police, fire, and other emergency vehicles have free access to Cogswell Place, and all easements, privileges, and appurtenances thereto belonging, as well as all improvements thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned, a certain parcel of land which is a portion of Cogswell Place in North Cambridge, Middlesex County, Massachusetts, which has heretofore been a private way, bounded and described as follows:

Beginning at a point on the easterly line of Mead Street at the north west corner of land now or formerly of the City of Cambridge being numbered 19 Mead Street, said point being the most southerly corner of the parcel herein described;

THENCE, N 76° 24' 40" E, along lands now or formerly of City of Cambridge, a distance of 330.0 feet, to a point;

THENCE, Northerly, along the easterly line of the proposed public right-of-way line of Cogswell Place, a distance of 20.12 feet, to a point;

THENCE, S 76° 24' 40" W, along lands now or formerly of Warren Bechtold, and John J. Farrell and Lavonia C. Farrell, and Frederick J. Smith, and Robert Clemons Jr. and Margaret Clemons, and Wendy Hoge, a distance of 329.59 feet to a point along the easterly line of Mead Street;

THENCE, S 19° 54' 00" E along said easterly line of Mead Street a distance of 20.12 feet to the point of beginning.

The above described parcel contains 6,635 square feet more or less.

The total damages awarded with respect to said parcel are \$ 13,047.00. The owners of the twelve properties abutting Cogswell Place, which owners have interests in said parcel, are:

8 Cogswell Avenue	Henry Saffel
8A and 8B Cogswell Avenue	Timothy W. Pugh and Joan R. Pugh
10 Cogswell Avenue	Carol A. Ames
12 Cogswell Avenue	Israel Valentin and Germaine Valentin
14 Cogswell Avenue	Phillip Chassler and Louise Cody
16 Cogswell Avenue	Joyce E. Coleman
18 Cogswell Avenue	Warren Bechtold
20 Cogswell Avenue	John J. Farrell and Lavonia C. Farrell
22-32 Cogswell Avenue	Frederick J. Smith
21 Mead Street	Wendy Hoge
41-43 Cogswell Place	Robert Clemons, Jr. and Margaret Clemons
1-3 Houston Park	Harry I. David and Jonah Jacob
19 Walden Street	Enos A. Jones and Iris E. Jones

ORDERED:

The taking of fee simple title in land which is a portion of Cogswell Place, Cambridge, Middlesex County, Massachusetts, is

hereby authorized in accordance with General Laws, Chapter 40, Section 15 and Chapter 43, Section 30, as amended, for the purpose of a public way to provide access for police, fire, and other emergency vehicles.

Said land is described as a parcel of land, a portion of Cogswell Place, bounded and described as follows:

Beginning at a point on the easterly line of Mead Street at the north west corner of land now or formerly of the City of Cambridge being numbered 19 Mead Street, said point being the most southerly corner of the parcel herein described;

THENCE, N 76° 24' 40" E, along lands now or formerly of City of Cambridge, a distance of 330.0 feet, to a point;

THENCE, Northerly, along the easterly line of the proposed public right-of-way line of Cogswell Place, a distance of 20.12 feet, to a point;

THENCE, S 76° 24' 40" W, along lands now or formerly of Warren Bechtold, and John J. Farrell and Lavonia C. Farrell, and Frederick J. Smith, and Robert Clemons Jr. and Margaret Clemons, and Wendy Hoge, a distance of 329.59 feet to a point along the easterly line of Mead Street;

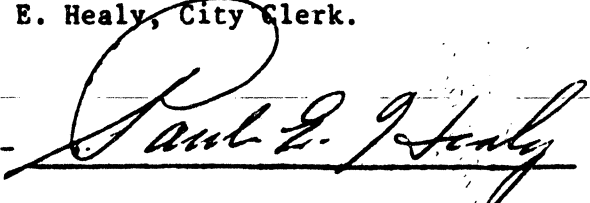
THENCE, S 19° 54' 00" E along said easterly line of Mead Street a distance of 20.12 feet to the point of beginning.

The above described parcel contains 6,635 square feet more or less.

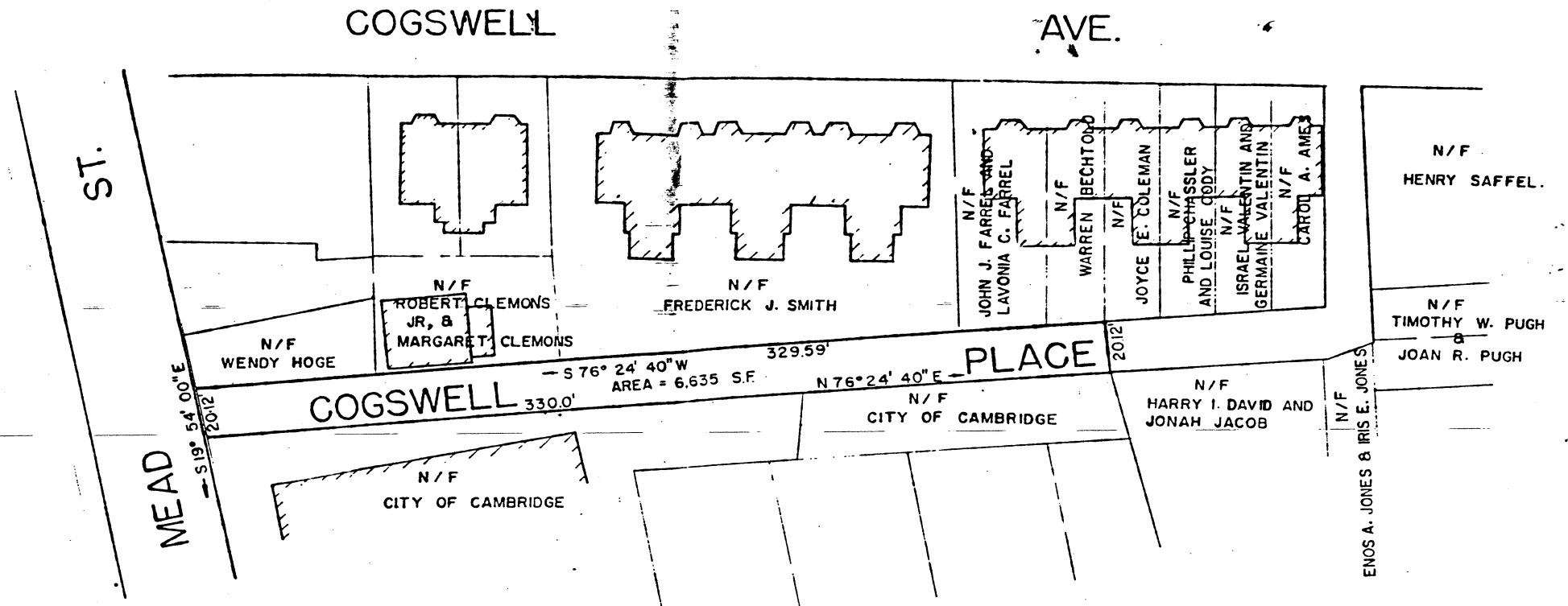
In City Council June 24, 1985.  
Adopted by a yea and nay vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

  
Paul E. Healy, City Clerk.

CITY CLERK

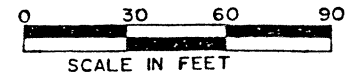


I CERTIFY THAT THIS HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

PLAN OF PROPOSED ACCEPTANCE OF  
**COGSWELL PLACE**  
 CAMBRIDGE, MASSACHUSETTS.

SCALE 1" = 30' JAN 18, 1985

OFFICE OF THE CITY ENGINEER  
 CAMBRIDGE MASSACHUSETTS.  
 DRAWN BY - J. OKAFOR.





CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139  
Tel. 498-9011

*Copy - of better sent  
18 July 1985  
By Lois Deu*

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

July 17, 1985

Mr. Timothy W. Pugh and  
Ms. Joan R. Pugh  
8A and 8B Cogswell Avenue  
Cambridge, Massachusetts 02141

Re: Notice of Taking of a Portion of Cogswell Place,  
Cambridge, Massachusetts

Dear Mr. Pugh and Ms. Pugh:

In order that police, fire and other emergency vehicles have access to Cogswell Place, the City of Cambridge has acquired by eminent domain the property, including land, structures, and other improvements, appurtenances, rights of way, easements and other rights and interests, which is a portion of Cogswell Place, Cambridge, and more particularly described in an Order of Taking adopted by the City Council on June 24, 1985, which is enclosed herewith.

Pursuant to said Order and on behalf of the City Council, I hereby inform you that the total amount of damages awarded for said taking is Thirteen Thousand Forty-Seven Dollars (\$13,047.00), and the amount allocated to the owner of 8A and 8B Cogswell Avenue, Cambridge, Massachusetts is

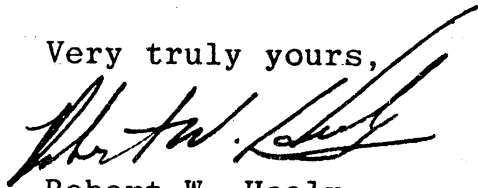
NONE (\$ 0.00 ). Payment of this award or the portion to which any owner, mortgagee of record, or other person having any interest is entitled, will be made, subject to adequate proof of interest, at the Office of the Community Development Department, 57 Inman Street,

Cambridge, Massachusetts, within fifteen (15) days of a written demand therefore received at said office.

Said payment may be accepted in full settlement of the right of such owner or person to damages in respect to the taking of the subject property under Chapter 79, Section 39 of the Massachusetts General Laws, or may be accepted as payment pro tanto pursuant to Chapter 79, Section 8A of the Massachusetts General Laws, without prejudice to or waiver or surrender of any right to claim a larger sum by proceeding before an appropriate tribunal, but subject to the obligation to refund to the City an amount equal to the difference between such payment and damages subsequently assessed by such tribunal if said payment pro tanto shall be accepted and prove to be in excess of the damages subsequently assessed by such tribunal. If you accept the payment pro tanto pursuant to Chapter 79, Section 8A, you have the right to petition the Middlesex Superior Court to contest the amount of damages awarded any time before July 16, 1988 (three years from the date of recording the Order of Taking).

Thank you for your anticipated attention and cooperation in this matter.

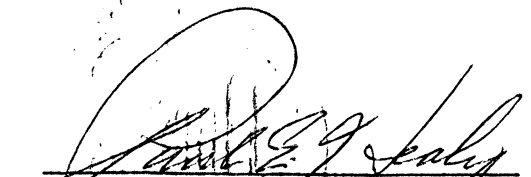
Very truly yours,



Robert W. Healy  
City Manager

Enclosure

cc: Russell B. Higley, City Solicitor  
Paul Healy, City Clerk  
Michael Rosenberg, CDD



Paul Healy, City Clerk



CITY OF CAMBRIDGE  
INTEROFFICE CORRESPONDENCE

To Michael Rosenberg  
Community Development Dept.

Date July 5, 1985

From Paul E. Healy  
City Clerk

Reference

Subject Cogswell Place - Eminent Domain

I am in receipt of your communication dated July 2, 1985 relative to the Cogswell Avenue eminent domain, however, pursuant to Ordinance Number 743, a copy of which is enclosed, written approval must be obtained from various departments concerned.

Would you kindly forward to this office the remainder of the approvals from the departments concerned so that we may complete our file on this matter, together with a plan from the Engineering Department which includes the dimensions and the grade of the new public way.

Your kind attention in this matter will be greatly appreciated.

7/18/85 Eminent Domain Orders signed  
BT Counter - list of addresses

- Recorded 12 July 1985 by  
Mason Taber at Herengrady  
and Barnes 227-7940

7/18/85 Need copy of Book and  
Page for Record -

Book 16292

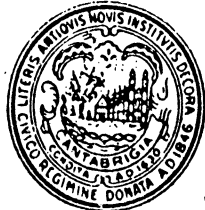
Page 317

**Legal Notice**

743

ORDINANCE NO. 742  
Final Publication No. 1567. First  
Publication in Cambridge Cour-  
ler, April 21, 1966.

**CITY OF CAMBRIDGE  
MASSACHUSETTS**



In the Year One Thousand,  
Nine Hundred and Sixty-six.

**AN ORDINANCE**

In amendment to an ordinance en-  
titled: - "The General Ordinances  
of the City of Cambridge"

Be it ordained by the City Coun-  
cil of the City of Cambridge as  
follows: -

Chapter 33 of the General Or-  
dinances of the City of Cambridge  
entitled "Streets and Sidewalks"  
is hereby amended by adding at  
the end thereof the followings: -

**ARTICLE VIII**

**ACCEPTANCE OF PUBLIC WAYS**

**Section 1.**

To protect the citizens of Cam-  
bridge and their real estate values,  
and to encourage the best possible  
land development, no proposed  
public way shall be accepted by  
the City Council until such pro-  
posal has been referred to the  
Engineer, Electrical, Planning,  
Public Works, Traffic and Water  
Departments for a review and re-  
port concerning the design, en-  
gineering, construction, and utility  
aspects of said proposed road or  
until thirty days have elapsed af-  
ter such submittal and no such  
report shall have been filed with  
the City Council.

In City Council May 2, 1966.  
Passed to be ordained by a yea  
and nay vote -- Yeas 8; Nays  
0; Absent 1.

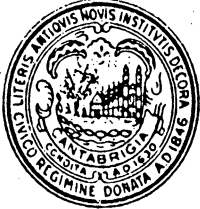
Daniel J. Hayes, Jr. Mayor.  
A true copy, Attest:-Thomas M.  
McNamara, City Clerk.

# Legal Notice

ORDINANCE NO. ~~742~~ 743

Final Publication No. 1567. First  
Publication in Cambridge Cour-  
ler, April 21, 1966

## CITY OF CAMBRIDGE MASSACHUSETTS



In the Year One Thousand,  
Nine Hundred and Sixty-six.

### AN ORDINANCE

In amendment to an ordinance en-  
titled: "The General Ordinances  
of the City of Cambridge"

Be it ordained by the City Coun-  
cil of the City of Cambridge as  
follows:

Chapter 33 of the General Or-  
dinances of the City of Cambridge  
entitled "Streets and Sidewalks"  
is hereby amended by adding at  
the end thereof the followings:

### ARTICLE VIII

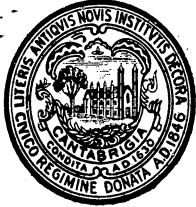
#### ACCEPTANCE OF PUBLIC WAYS

##### Section 1.

To protect the citizens of Cam-  
bridge and their real estate values,  
and to encourage the best possible  
land development, no proposed  
public way shall be accepted by  
the City Council until such pro-  
posal has been referred to the  
Engineer, Electrical, Planning,  
Public Works, Traffic and Water  
Departments for a review and re-  
port concerning the design, en-  
gineering, construction, and utility  
aspects of said proposed road or  
until thirty days have elapsed af-  
ter such submittal and no such  
report shall have been filed with  
the City Council.

In City Council May 2, 1966.  
Passed to be ordained by a yea  
and nay vote -- Yeas 8; Nays  
0; Absent 1.

Daniel J. Hayes, Jr. Mayor.  
A true copy, Attest:-Thomas M.  
McNamara, City Clerk.



**CITY OF CAMBRIDGE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

City Hall Annex Inman & Broadway

**To** : Paul Healy, City Clerk

**From** : Michael Rosenberg *MR*

**Date** July 2, 1985

**Subject** : Cogswell Place - Eminent Domain

As you requested, I am enclosing the following:

- Plan of Cogswell Place, Office of the City Engineer;
- Letter from Chief Thomas Scott;
- Letter from Cambridge Planning Board;
- Letter from George Teso, Traffic Director;
- Letter from the Lincoln School Re-Use Advisory Committee.

As you suggested, I will advise Mason Taber to inform you of the date of the recording. If I can be of further help, please let me know.

*227  
1985*



# CITY OF CAMBRIDGE

491 BROADWAY, CAMBRIDGE, MASSACHUSETTS 02138 • TEL. 876-0125

## FIRE DEPARTMENT HEADQUARTERS

**THOMAS V. SCOTT**  
Chief of Department

March 11, 1985

Community Development Department  
City Hall Annex  
Cambridge, Ma. 02139

Dear Sir,

In response to your request for comments concerning the proposed taking of a portion of Cogswell Place for a public way, including that section of Cogswell Place beginning at the intersection of Mead St. and continuing for approximately 330 linear feet, please be advised that such action will improve access for fire fighting equipment in the event of a fire at the Lincoln School, 10-20 Cogswell Ave., 41-43 Cogswell Place, 21 Mead St., and 22-24 Cogswell Ave. The Cambridge Fire Department understands that due to the current multiple private ownership of Cogswell Place, emergency access to the rear of these properties can be obstructed. Since there is no alternative access to the rear of these residential structures, it is important that such access be maintained along Cogswell Place. We, therefore, conclude that the proposed taking of the above-cited portion of Cogswell Place for a public right of way is in the best interest of public safety provided all Traffic Department regulations are adhered to.

Chief Thomas V. Scott  
Cambridge Fire Department



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

June 18, 1985

To the Honorable, the City Council:

SUBJECT: Taking of a private way named Cogswell Place as  
a public street.

The Planning Board at its regular meeting on June 18, 1985 reviewed the proposal to take as a public way a portion of an existing private way called Cogswell Place.

As the taking will guarantee better public access and emergency service to a number of existing homes abutting the private way as well as to the new Lincoln School conversion project without any real change in the use of the right of way, the Board supports the proposed action.

For the Planning Board,

*Arthur C. Parris*



**CITY OF CAMBRIDGE**  
**INTEROFFICE CORRESPONDENCE**

**To** Kathy Spiegelman, Asstt. City Manager for  
Community Development

**Date** June 24, 1985

**From** *G. Teso*  
George Teso, Traffic Director

**Reference**

**Subject** Cogswell Place

I have reviewed the plan of proposed acceptance of Cogswell Place and find that this is satisfactory in terms of improving traffic flow in the neighborhood. We will continue to review the use of this street in regard to parking and work with the neighbors to improve conditions.

June 24, 1985

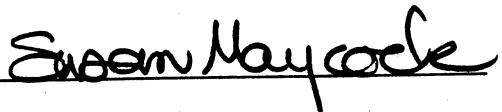
To: Cambridge City Council

From: The Lincoln School Re-use Advisory Committee

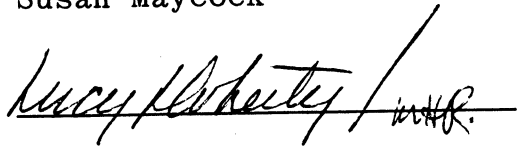
Re: The Proposal to Convert a portion of Cogswell Place to  
a Public Way

The Lincoln School Re-use Advisory Committee wishes to inform the Cambridge City Council that we are familiar with the plans for the taking of Cogswell Place for a public way, and that we are in agreement that this measure is in the best interests of the public and the reuse of the Lincoln School for housing.

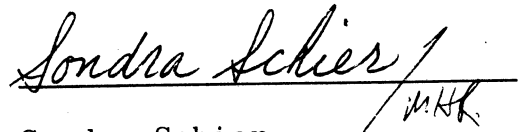
For the Committee:



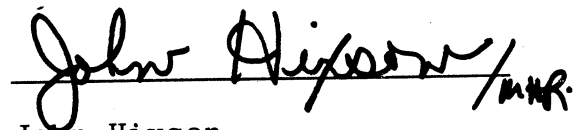
Susan Maycock



Lucy Doherty



Sandra Schier



John Hixson



# CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

OFFICE OF THE  
CITY ENGINEER

Joan Lastovica P.E.  
City Engineer

May 1, 1985

LEGAL DESCRIPTION  
COGSWELL PLACE  
CAMBRIDGE, MASSACHUSETTS

Description of land in the Commonwealth of Massachusetts, County of Middlesex, City of Cambridge, being the parcel of land known as Cogswell Place situated between Mead Street and Cogswell Ave. in North Cambridge, bounded and described as follows:

Beginning at a point on the easterly line of Mead Street at the north west corner of land now or formerly of the City of Cambridge being numbered 19 Mead street, said point being the most southerly corner of the parcel herein described;

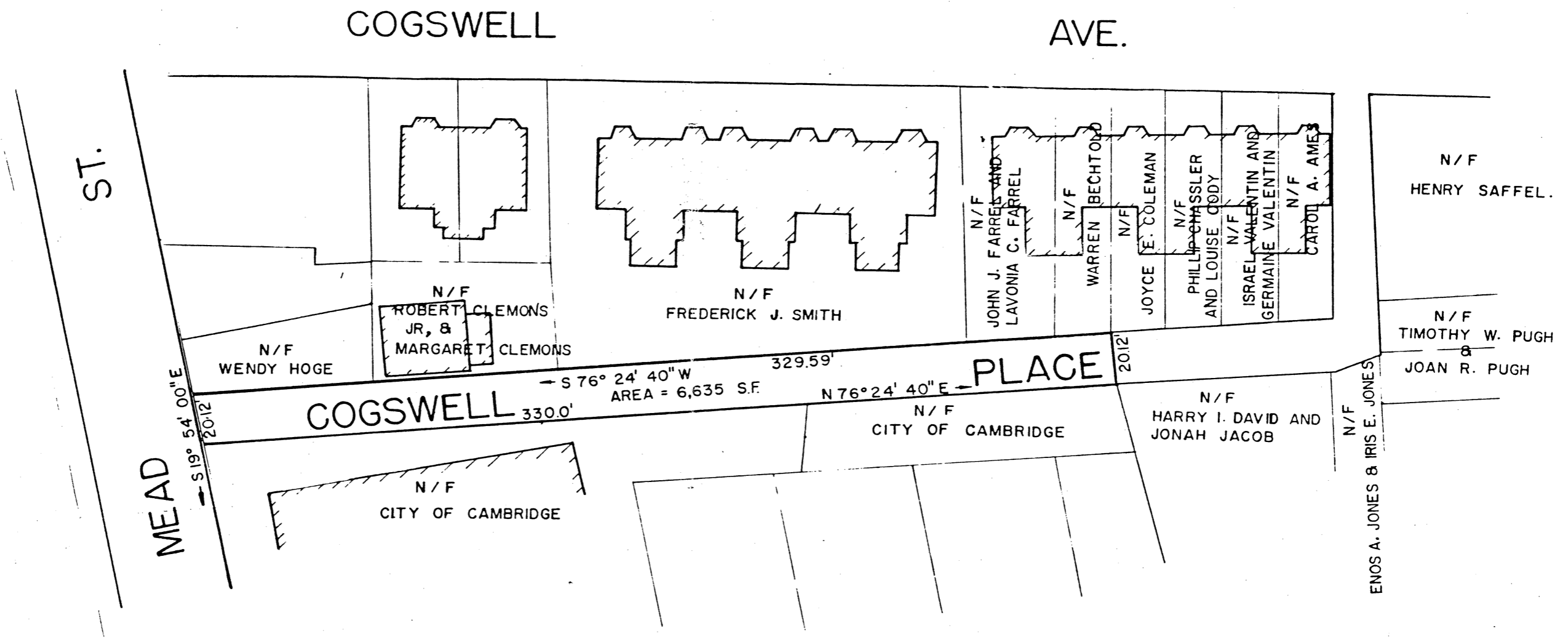
THENCE, N 76° 24' 40" E, along lands now or formerly of City of Cambridge, a distance of 330.0 feet, to a point;

THENCE, Northerly, along the easterly line of the proposed public right-of-way line of Cogswell Place, a distance of 20.12 feet, to a point;

THENCE, S 76° 24' 40" W, along lands now or formerly of Warren Bechtold, and Jonn J. Farrell and Lavonia C. Farrell, and Frederick J. Smith, and Robert Clemons Jr. and Margaret Clemons, and Wendy Hoge, a distance of 329.56 feet to a point along the easterly line of Mead Street;

THENCE, S 19° 54' 00" E along said easterly line of Mead Street a distance of 20.12 feet to the point of beginning.

The above described parcel contains 6635 square feet more or less.

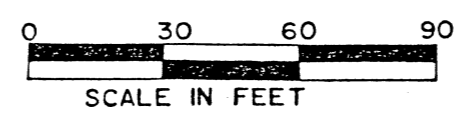


I CERTIFY THAT THIS HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

PLAN OF PROPOSED ACCEPTANCE OF  
**COGSWELL PLACE**  
 CAMBRIDGE, MASSACHUSETTS.

SCALE 1" = 30' JAN 18, 1985

OFFICE OF THE CITY ENGINEER  
 CAMBRIDGE MASSACHUSETTS.  
 DRAWN BY J. OKAFOR.





# City of Cambridge

(Agenda Item No. 26)

IN CITY COUNCIL

June 24, 1985

WHEREAS:

By Section 30 of Chapter 43, Section 14 of Chapter 40, and Chapter 79 of the General Laws, all as amended, it is provided that the City Council may take in fee in the name of the City for any municipal purpose any land within the limits of the City not already appropriated for public use; and

WHEREAS:

The Community Development Department has requested, and the City Manager and City Council have approved and authorized that the City should, under the provisions of the aforesaid Chapters of the General Laws, take and hold for a public way the parcel of land which is a portion of Cogswell Place herein-after bounded and described; and

WHEREAS:

An appropriation of \$13,047.00, sufficient to cover the estimated expense therefore has been duly made by the City Council as required by the aforesaid Sections of Chapter 43; and

NOW, THEREFORE, by virtue and in pursuance of the authority conferred by said Chapters of the General Laws and by every other power and authority it thereto enabling, the City of Cambridge by its City Council does hereby take, in fee, the land hereinafter described, a portion of what is known as Cogswell Place, for a public way in order that police, fire, and other emergency vehicles have free access to Cogswell Place, and all easements, privileges, and appurtenances thereto belonging, as well as all improvements thereon. Intending to take and hereby taking in fee simple all the land included within such description by whomsoever the same may be owned, a certain parcel of land which is a portion of Cogswell Place in North Cambridge, Middlesex County, Massachusetts, which has heretofore been a private way, bounded and described as follows:

Beginning at a point on the easterly line of Mead Street at the north west corner of land now or formerly of the City of Cambridge being numbered 19 Mead Street, said point being the most southerly corner of the parcel herein described;

THENCE, N 76° 24' 40" E, along lands now or formerly of City of Cambridge, a distance of 330.0 feet, to a point;

THENCE, Northerly, along the easterly line of the proposed public right-of-way line of Cogswell Place, a distance of 20.12 feet, to a point;

THENCE, S 76° 24' 40" W, along lands now or formerly of Warren Bechtold, and John J. Farrell and Lavonia C. Farrell, and Frederick J. Smith, and Robert Clemons Jr. and Margaret Clemons, and Wendy Hoge, a distance of 329.59 feet to a point along the easterly line of Mead Street;

THENCE, S 19° 54' 00" E along said easterly line of Mead Street a distance of 20.12 feet to the point of beginning.

The above described parcel contains 6,635 square feet more or less.

The total damages awarded with respect to said parcel are \$ 13,047.00. The owners of the twelve properties abutting Cogswell Place, which owners have interests in said parcel, are:

8 Cogswell Avenue	Henry Saffel
8A and 8B Cogswell Avenue	Timothy W. Pugh and Joan R. Pugh
10 Cogswell Avenue	Carol A. Ames
12 Cogswell Avenue	Israel Valentin and Germaine Valentin
14 Cogswell Avenue	Phillip Chassler and Louise Cody
16 Cogswell Avenue	Joyce E. Coleman
18 Cogswell Avenue	Warren Bechtold
20 Cogswell Avenue	John J. Farrell and Lavonia C. Farrell
22-32 Cogswell Avenue	Frederick J. Smith
21 Mead Street	Wendy Hoge
41-43 Cogswell Place	Robert Clemons, Jr. and Margaret Clemons
1-3 Houston Park	Harry I. David and Jonah Jacob
19 Walden Street	Enos A. Jones and Iris E. Jones

ORDERED:

The taking of fee simple title in land which is a portion of Cogswell Place, Cambridge, Middlesex County, Massachusetts, is

hereby authorized in accordance with General Laws, Chapter 40, Section 15 and Chapter 43, Section 30, as amended, for the purpose of a public way to provide access for police, fire, and other emergency vehicles.

Said land is described as a parcel of land, a portion of Cogswell Place, bounded and described as follows:

Beginning at a point on the easterly line of Mead Street at the north west corner of land now or formerly of the City of Cambridge being numbered 19 Mead Street, said point being the most southerly corner of the parcel herein described;

THENCE, N 76° 24' 40" E, along lands now or formerly of City of Cambridge, a distance of 330.0 feet, to a point;

THENCE, Northerly, along the easterly line of the proposed public right-of-way line of Cogswell Place, a distance of 20.12 feet, to a point;

THENCE, S 76° 24' 40" W, along lands now or formerly of Warren Bechtold, and John J. Farrell and Lavonia C. Farrell, and Frederick J. Smith, and Robert Clemons Jr. and Margaret Clemons, and Wendy Hoge, a distance of 329.59 feet to a point along the easterly line of Mead Street;

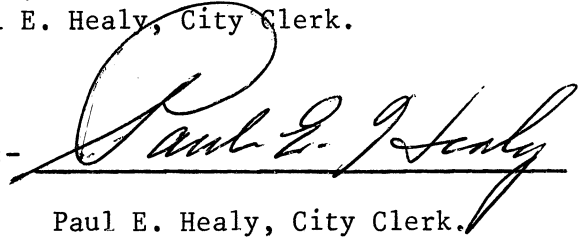
THENCE, S 19° 54' 00" E along said easterly line of Mead Street a distance of 20.12 feet to the point of beginning.

The above described parcel contains 6,635 square feet more or less.

In City Council June 24, 1985.  
Adopted by a yea and nay vote:-  
Yeas 8; Nays 0; Absent 1.  
Attest:- Paul E. Healy, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script, reading "Paul E. Healy", is written over a horizontal line. The signature is positioned to the right of the "ATTEST:-" text.

Paul E. Healy, City Clerk.



# CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139  
Tel. 498-9011

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

June 24, 1985

To the Honorable, the City Council:

I hereby signify my approval, as required under General Laws, Chapter 40, Section 14, and Chapter 43, Section 30, of the taking of the parcel of land known as Cogswell Place for the purpose of providing a public way in order that police, fire, and other emergency vehicles have free access to Cogswell Place.

Very truly yours,

Robert W. Healy  
City Manager

RWH:cdg

# City of Cambridge

MASSACHUSETTS

In City Council

June 24,

1985

AGENDA ITEM NO. 26

RE: PROPOSED ORDER OF TAKING OF COGSWELL PLACE

	YEA	NAY	ABSENT	PRESENT
Mr. Daniel J. Clinton	✓			
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Saundra Graham	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. Alfred Vellucci	✓			
Ms. Alice K. Wolf	✓			
Mayor Russell			✓	

*EWN*  
*RF*  
*A*

8

0

1



**CITY OF CAMBRIDGE**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

City Hall Annex Inman & Broadway

**To** : Robert Healy, City Manager  
**From** : Kathy Spiegelman, Asst. City Manager **Date** June 19, 1985  
for Community Development  
**Subject** : Proposed Taking of Cogswell Place

Construction has now begun at the Lincoln School and we are anticipating occupancy of the new residential units in November/December of this year. With the new population, there will be a marked increase in traffic and parking demand along the Cogswell Place right of way. In its current multiple, private ownership, access for fire fighting equipment and other emergency vehicles cannot be adequately assured.

In effect, the City cannot regulate traffic or parking in the right of way unless Cogswell Place is taken by eminent domain for a public way. Already, there are fences in the right of way that block access to some off-street parking. It is clear that unless there is a taking of at least a portion of Cogswell Place by the City, there will be further obstruction of the right of way, followed by disputes, with a high probability of lawsuits among the parties.

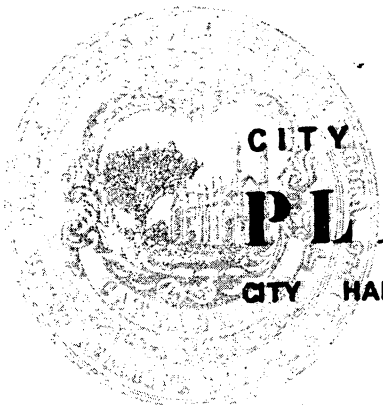
Community Development staff have conferred on this matter with various city agencies, including the Fire Department, Public Works and Engineering, Traffic and Parking, Police and the Planning Board. The Fire Department agrees that the proposed taking would improve access for fire equipment in the right of way and would enable more adequate protection of the rear of a number of structures, including the Lincoln School building. The Traffic and Parking Department has worked with us on a plan for the street that best serves the traffic and parking needs of abutters and also provides for continued accessibility by emergency vehicles. The staff has also met several times with the abutters to devise a plan that is generally agreeable. As a result of such consultation, a section of Cogswell Place would still remain a private way -- at Cogswell Street, while the creation of a public way coming off Mead Street for a distance of 330 linear feet would ensure adequate accessibility without establishing a through-street.

Damages to be paid for the taking amount to \$13,047, based on the higher of two independent appraisals of property values. Lincoln House Associates has previously agreed to resurface Cogswell Place at the completion of the school re-use project at no cost to the City.

**Attachments:**

- Letter to the City Council from the City Manager
- City Council Resolution - Order of Taking
- Plan and description of land to be taken
- Letter from Chief Scott

KAS:cdg



CITY OF CAMBRIDGE, MASSACHUSETTS

**PLANNING BOARD**

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

June 18, 1985

To the Honorable, the City Council:

SUBJECT: Taking of a private way named Cogswell Place as a public street.

The Planning Board at its regular meeting on June 18, 1985 reviewed the proposal to take as a public way a portion of an existing private way called Cogswell Place.

As the taking will guarantee better public access and emergency service to a number of existing homes abutting the private way as well as to the new Lincoln School conversion project without any real change in the use of the right of way, the Board supports the proposed action.

For the Planning Board,

*Arthur C. Parris*



# CITY OF CAMBRIDGE

491 BROADWAY, CAMBRIDGE, MASSACHUSETTS 02138 • TEL. 876-0125

## FIRE DEPARTMENT HEADQUARTERS

**THOMAS V. SCOTT**  
Chief of Department

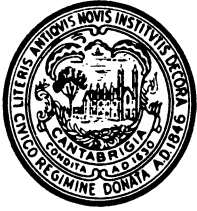
March 11, 1985

Community Development Department  
City Hall Annex  
Cambridge, Ma. 02139

Dear Sir,

In response to your request for comments concerning the proposed taking of a portion of Cogswell Place for a public way, including that section of Cogswell Place beginning at the intersection of Mead St. and continuing for approximately 330 linear feet, please be advised that such action will improve access for fire fighting equipment in the event of a fire at the Lincoln School, 10-20 Cogswell Ave., 41-43 Cogswell Place, 21 Mead St., and 22-24 Cogswell Ave. The Cambridge Fire Department understands that due to the current multiple private ownership of Cogswell Place, emergency access to the rear of these properties can be obstructed. Since there is no alternative access to the rear of these residential structures, it is important that such access be maintained along Cogswell Place. We, therefore, conclude that the proposed taking of the above-cited portion of Cogswell Place for a public right of way is in the best interest of public safety provided all Traffic Department regulations are adhered to.

Chief Thomas V. Scott  
Cambridge Fire Department



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139  
TEL. 498-9011

EXECUTIVE DEPARTMENT  
ROBERT W. HEALY  
City Manager

June 24, 1985

RICHARD C. ROSSI  
DEPUTY CITY MANAGER

To the Honorable, the City Council:

I transmit herewith communication from Kathy A. Spiegelman, Assistant City Manager for Community Development, with proposed order, relative to the taking of Cogswell Place.

Very truly yours,

Robert W. Healy  
City Manager

RWH/b

5-504A

Re: communication & proposed order of taking  
of Cogswell Place.

Proposed persons  
FROM DEPT. CONCERNED

VLD / 6/26/1985  
D

Order  
Adopted

P-01

QWA / 18 July 1985 sent  
PT / 50 letters re: MAIL  
A / COMM DEV.

In City Council, Orders of Taking

June 24, 1985

7/15/85  
6/24/85

for Planning FOR

Acceptance of  
Cogswell Place

copies of folder sent to City Mgr., Council  
Office, Land Dept., Treasurer, Auditor,  
Community Development, Assessment  
Inspectional Services Dept. 6/26/85 mlh