

EASEMENTR²

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the City of Cambridge, a municipal corporation in Cambridge, Middlesex County, Massachusetts, is the owner of certain land hereinafter more particularly described:

NOW THEREFORE, for consideration paid, the City of Cambridge, acting by and through its City Manager, thereunto authorized, does hereby grant an easement for the use of CSILLA JACOBSON, her heirs, successors, transferees and assigns, to use the land described herein and the structures that are presently on the said parcel for the use and behoof for the lifetime of the structure now located thereon, with the right and the obligation to repair, maintain and even abolish that portion of the structure that is part of the easement as shown on the plan referred to hereinafter. However, if the structure presently on said parcel of land is abolished or ceases to exist in its entirety then the within easement shall expire.

The Grantees agree for themselves, their heirs, transferees and assigns to save the City of Cambridge harmless from any and all liability that might ensue from the Grantee's assumption of the repair, maintenance and control of the structures within the easement area, with the exception of any poles or lines that might fall within the said area.

That portion of the Grantor's land that is subject to the said easement is further described as follows:

A certain parcel of land located in Cambridge, Middlesex County, Massachusetts, shown as Balcony Easement on the 3rd Floor Plan, Sheet A-1.3, latest revision date May 6, 1992, of the architectural drawings entitled "Omni Travel Management Headquarters, Bow Street Properties, Inc., 3 Bow Street, Cambridge, Mass." by Line Company Architects, Inc. The parcel is more particularly bounded and described as follows:

Beginning at a point on the southwesterly sideline of Bow Street, S24-00-00 E twenty-seven and 64/100 (27.64) feet from the right front property corner of the locus parcel, thence running;

Southeasterly

On a curve to the right having a radius of ten and 25/100 (10.25) feet, and arc length of thirteen and 91/100 (13.91) feet to a point, thence turning and running;

N 24-00-00 E

On the southwesterly sideline of Bow Street, twelve and 87/100 (12.87) feet to the point of beginning.

MARGINAL REEL REQUESTED

BOOK 6946 PAGE 267

Locus: 3 Bow St, Cambridge, MA.

10.00

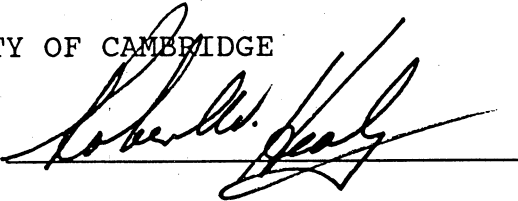
471

7/13/92 11:49:20

Said parcel containing twenty square feet more or less, (20 s.f. +/-).

IN WITNESS WHEREOF, said City of Cambridge has caused these presents to be signed in its name and behalf by ROBERT HEALY, City Manager, hereunto duly authorized, and corporate seal affixed.

CITY OF CAMBRIDGE

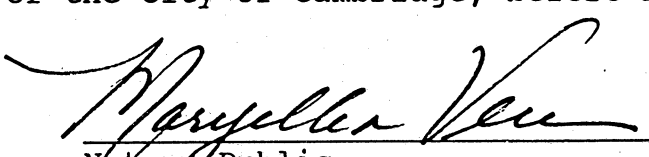
By: 

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

November 2, 1992

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


Notary Public

My Commission expires: 11/5/93

RECEIVED & ENTERED
MIDDLESEX COUNTY
REGISTRY OF DEEDS
SOUTHERN DISTRICT
ATTEST:

John C. Jones
REGISTER

MUSSELL HIGLEY, ESQ
CITY SOLICITOR
295 MASS AVE
CAMBRIDGE, MA 02139

2961M
8L#

Middlesex South Registry of Deeds

DATE EASEMENT TIME

11-13-92

11:49

DOC#

471

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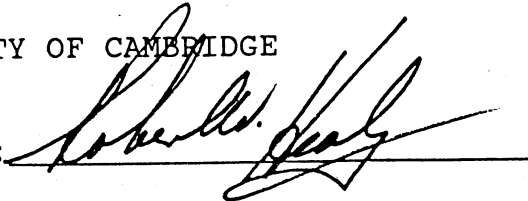
Title Reference: BOOK 6946 Pg 267

LOCUS: 3 BOW ST, CAMBRIDGE, MA.

Said parcel containing twenty square feet more or less, (20 s.f. +/-).

IN WITNESS WHEREOF, said City of Cambridge has caused these presents to be signed in its name and behalf by ROBERT HEALY, City Manager, hereunto duly authorized, and corporate seal affixed.

CITY OF CAMBRIDGE

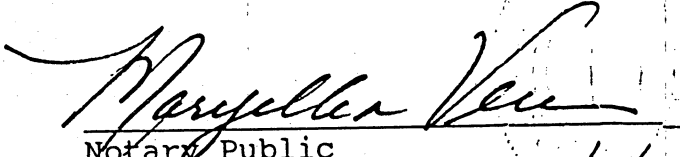
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Notary Public

My Commission expires: *11/5/93*



City of Cambridge

Agenda # 23

IN CITY COUNCIL

October 19, 1992

WHEREAS: The City of Cambridge, a municipal corporation in Cambridge, Middlesex County, Massachusetts, is the owner of certain land hereinafter more particularly described:

NOW THEREFORE, for consideration paid, the City of Cambridge, acting by and through its City Manager, thereunto authorized, does hereby grant an easement for the use of Csilla Jacobson, her heirs, successors, transferees and assigns, to use the land described herein and the structures that are presently on the said parcel for the use and behoof for the lifetime of the structure now located thereon, with the right and the obligation to repair, maintain and even abolish that portion of the structure that is part of the easement as shown on the plan referred to hereinafter. However, if the structure presently on said parcel of land is abolished or ceases to exist in its entirety then the within easement shall expire.

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Said parcel containing twenty square feet more or less, (20 s.f. +/-).

In City Council October 19, 1992.

Adopted by a ye and nay vote:

Yeas 9; Nays 0; Absent 0.

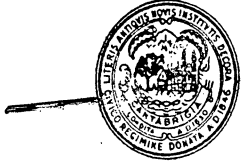
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk



City of Cambridge

Agenda # 23

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Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury

D. Margaret Drury
City Clerk



City of Cambridge

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A true copy;

ATTEST:-

D. Margaret Drury
City Clerk



CITY OF CAMBRIDGE

Office of the City Solicitor

City Hall

795 Massachusetts Avenue

Cambridge, Massachusetts 02139

Tel. (617) 349-4121

Fax. (617) 349-4307

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Laura H. Yager
Legal Counsel

Linda A. Stamper
Legal Counsel

Arthur J. Goldberg
Legal Counsel

October 14, 1992

Mr. Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

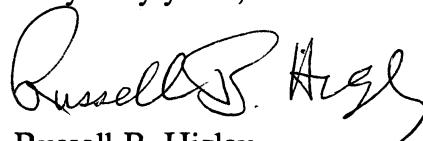
Re: *Communication No. 10, dated 6/10/92*

Dear Mr. Healy:

In response to your request for further information, I have reviewed the proposed easement for 3 Bow Street. This easement, like those involving MIT, is governed by the Cambridge Municipal Code, Chapter 2.110.010, Disposition of City Property. The interest in land sought by this land owner is an interest in land that is governed by that ordinance. As you know, prior to enactment of the referenced ordinance the City Council frequently referred this type of "air rights easement" for balconies or bay windows extending out over a sidewalk or street to the City Manager with authority to grant the easement. Under the terms of the ordinance, however, the applicant must now follow the process described in the ordinance. It may be that the Council might view this sort of easement as fitting in the section which allows a diminished process for dispositions that are "...of such little significance that the above described process would be unduly burdensome."

Since a full process requiring two full appraisals seems burdensome when applied to this sort of proposal, I would recommend that you refer the matter to the Council and indicate that this appears to be the sort of disposition intended to be handled through a diminished process.

Very truly yours,


Russell B. Higley

EASEMENT

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By: _____

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

, 1992

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Notary Public

My Commission expires:



CITY OF CAMBRIDGE

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City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

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City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

RECEIVED
92 JUL 36 PM 3:47
OFFICE OF THE CITY MANAGER

Diane Wynshaw-Boris
Legal Counsel

Laura H. Yager
Legal Counsel

Linda A. Stamper
Legal Counsel

Arthur J. Goldberg
Legal Counsel

August 4, 1992

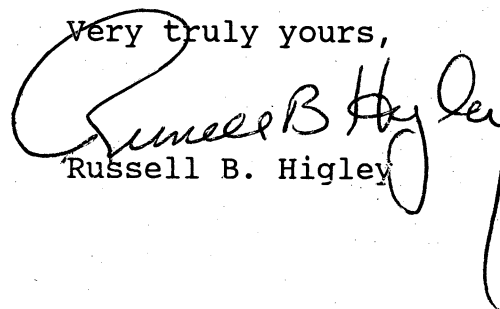
Mr. Robert W. Healy
City Manager
City Hall
Cambridge, MA 02139

Re: Communication No. 10, dated 6/10/92

Dear Mr. Healy:

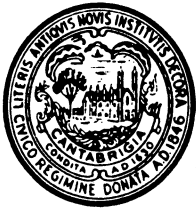
In response to the above communication I am enclosing an easement running from the City to Csilla Jacobson of Bow Street Properties for a balcony at 3 Bow Street. Please transmit this easement to the City Council for its action.

Very truly yours,


Russell B. Higley

RBH/jml
Enclosure

LAW DEPARTMENT
'92 AUG 10 AM 10 50



23.

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

October 19, 1992

To The Honorable, The City Council:

Please find attached a response to Communication No. 10, dated 6/10/92, regarding the proposed easement for 3 Bow Street, received from Russell B. Higley, City Solicitor.

Very truly yours,

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

Robert W. Healy
City Manager

RWH/mev
attachment

Consent Agenda # 23

F-449

Communication Number Ten of June 10,
1992 regarding the proposed easement for
3 Bow Street.

In City Council,

Oct. 19, 1992

*Recorded easement
Order enclosed.*