



CITY OF CAMBRIDGE

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LAW DEPARTMENT

PHILIP M. CRONIN
CITY SOLICITOR

EDWARD D. MCCARTHY
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JOHN A. SERINO
LEGISLATIVE AGENT

February 2, 1970

Paul E. Healy
Temporary City Clerk
City Hall
Cambridge, Massachusetts

Dear Mr. Healy:

You have asked my opinion in behalf of the City Council as to the power of the City to take by eminent domain for public use the land, buildings or recreational facilities of any university within the City.

Provided that the taking is for a public use, the City has a clear right to take the land, buildings or recreational facilities of any university with the exception of Harvard College by eminent domain. In the absence of a constitutional amendment, the property of Harvard College would appear beyond the City's power to take by eminent domain under the Constitution of the Commonwealth.

Very truly yours,

Philip M. Cronin
City Solicitor

PMC:ja

Communication from the City Solicitor
rendering an opinion as to the power of
the City to take by eminent domain for
public use the land, buildings or recrea-
tional facilities of any university within
the City

February 9, 1970

2/9/1970 - Referred to
the Calendar Item #2