LEGAL NOTICES

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **William J. Morris** and **Deirdre F. Patrick** to Cambridge Savings Bank dated July 1, 1975 and recorded with the Middlesex Registry of Deeds (Southern District) at Book 12825, Page 41, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing same will be sold at Public Auction at 10:00 a.m. on the 26th day of July, 1995 at **35-37 Highland Avenue,** Cambridge, Massachusetts all and singular the premises described in said mortgage to wit:

A certain parcel of land with the buildings thereon situated in Cambridge, being now numbered 35-37 Highland Avenue and being shown as Lot 3 on a plan entitled "Plan of Land in Cambridgeport, belonging to John Elston.", dated J anuary 31, 1901, by W.A. Mason & Son, Surveyors, recorded with Middlesex South District Deeds at the end of Record Book 2671, being bounded and described as follows:

SOUTHEASTERLY by said Highland Avenue, forty-one and 67/100 (41.67) feet;

NORTHEASTERLY by land of owners unknown, seventy-five (75) feet;

NORTHWESTERLY by Lot A and by Lot 4 on said plan, forty-one and 67/100 (41.67) feet;

SOUTHWESTERLY by Lot 2 on said plan, seventy-five (75) feet.

Containing 3125.25 square feet of land.

Being the same premises conveyed to said mortgagors by Mary M. McManus, Trustee under a Declaration of Trust dated March 23, 1973, recorded with said Middlesex South District Deeds, Book 12611, Page 187, by deed of even date, duly recorded with said Deeds.

The premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, rights of tenants and parties in possession.

TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS ($5,000.00) DOLLARS shall be required to be paid to the mortgagee in cash, by certified or bank cashier's check at the time and place of the sale. The balance of the purchase price is to be paid in cash, by certified check or by bank's cashier's check in or within thirty (30) days from the date of the sale. **TIME WILL BE OF THE ESSENCE.**

Other terms if any, to be announced at the sale.

Cambridge Savings Bank
Present Holder of said Mortgage,
By Its Attorneys
Barron & Stadfield, P.C.
Thomas V. Bennett
Two Center Plaza
3rd Floor
Boston, Massachusetts 02108
(617) 723-9800

(C)June8,15,22
#35573

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95A0295A1
CITATION
M.G.L. c. 210, § 6

In the Matter of **Isaac Hillson Schwartz Rogers,** minor

To Any Unknown, unnamed alleged father Of parts unknown and/or persons interested in a petition for the adoption of said child and to the Department of Social Services of said Commonwealth.

A petition has been presented to said court by Tracey L. Rogers & Jane T. Schwartz praying for leave to adopt said child.

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT Middlesex Probate Court, 208 Cambridge St., Cambridge, MA 02141 before TEN O'CLOCK in the forenoon (10:00 A.M.) on August 2, 1995.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court.
Date May 19, 1995.

Donna M. Lambert
Register of Probate

(C)June8,15,22
#35562

LEGAL NOTICE
THE NEW SCHOOL OF MUSIC

The New School of Music is seeking the **legal owner of a Baldwin six-foot grand piano with serial number K4540C.** Said piano has been on the premise of The New School of Music at 25 Lowell St. Cambridge since approximately 1988. Proof of ownership must be made to The New School of Music by July 1, 1995. Otherwise, the school shall assume ownership. All correspondence should be directed to John B. Nichols, Interim Administrator c/o The New School of Music 25 Lowell St. Cambridge 02138 (617) 492-8105.

(C)June15,22,29
#35827

Cambridge Historical Commission

Notice is hereby given that a public hearing will be held on Thursday, June 29, at 4:00 PM in the third floor conference room at the City Hall Annex, 57 Inman Street, to consider the following matters under M.G.L. Ch. 40C and Ch. 2.78 of the Code of the City of Cambridge:

For Certificate of Appropriateness in the Old Cambridge Historic District:

Case 613: 40 Brattle Street (Brattle Theatre Building), by Investment Resources Group. New Sign for Coldwell Banker - Hanneman & Co.

Case 614: 4 Longfellow Park, by Church of Jesus Christ of Latter Day Saints. Install satellite dish on roof.

Case 615: 14 Craigie Street, by Carol S. Green. Construct fence from northwest corner of house to east property line.

Case 616: 168 Brattle Street, by Robin LaFoley. Construct kitchen addition and alter front porch.

William B. King
Chairman

(C)June15,22
#35856

REQUEST FOR PROPOSAL FOR LEASE SPECIFICATIONS FOR THE CENTER FOR FAMILIES FOR THE DEPARTMENT OF HUMAN SERVICE PROGRAMS
CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139 until 11:00 A.M., on Thursday, July 6. 1995, at which time and place they will be publicly opened and read aloud for furnishing the following to the City of Cambridge.

The City of Cambridge, Massachusetts is seeking proposals for Lease specifications for the Center for Families in North Cambridge for the Department of Human Service Programs.

Copies of the Request for Proposal may be obtained at the Office of the Purchasing Agent on and after JUNE 20, 1995, between the hours of 8:30 A.M. and 5:00 P.M.

The successful offeror must be an Equal Opportunity Employer.

The City of Cambridge reserves the right to reject any or all proposals, waive any minor informalities in the proposal process, and accept the proposal deemed to be in the best interest of the City.

Each proposal must be delivered, along with three (3) additional proposals in a sealed packaged, plainly marked "Proposal for City of Cambridge Lease Specifications for the Department of Human Service Programs" and addressed to Gail A. Cohen, Purchasing Agent, City of Cambridge, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Ma. 02139.

Gail A. Cohen
Purchasing Agent

(C)June15,22
#35855

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95D1642
Summons By Publication
Delia Maradiaga aka **Delia Perez,** Plaintiff
v.
Roberto Perez, Defendant

To the above named Defendant:

A Complaint has been presented to this Court by the Plaintiff, Delia Maradiaga aka Delia Perez, seeking Divorce.

You are required to serve upon Traci Overton - attorney for plaintiff - whose address is Greater Boston Legal Services 197 Friend Street, Boston, MA 02114 your answer on or before September 18, 1995. If you fail to do so, the court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 7th day of June, 1995.

Donna M. Lambert
Register of Probate Court

(C)June15,22,29
#35826

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed bids will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. **THURSDAY, JULY 6, 1995** at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

REPROGRAPHIC SERVICES (1)
PHOTOGRAPHIC SUPPLIES (2)
CATERING SERVICES (CITY COUNCIL) (3)

The City of Cambridge reserves the right to waive any minor informalities or to reject any or all bids if it is in the City's best interest to do so.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each bid must be in a sealed envelope plainly marked "bid for 'Designate Item' " and addressed to Gail A. Cohen, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Gail A. Cohen
Purchasing Agent

(C)June22
#35899

CITY OF CAMBRIDGE

AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter 8.16 of the "Municipal Code of the City of Cambridge: entitled **"Noise Control"** be and hereby is amended in Paragraph B of Section 8.16.080 as follows:

That paragraph B of Section 8.16.080 of the Noise Ordinance be amended by deleting the language beginning with the word "between" on line six through and including the word "zone", on line nine, as illustrated below by the markout symbol.

B. RADIOS, PHONOGRAPHS, ETC.

The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker or public address systems, unless used by the City of Cambridge, or other machine or device for the producing or reproducing of sound, in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, vehicle or dwelling unit in which it is located.

Be and hereby is amended, passed to a second reading at the City Council meeting held on July 19, 1995 and on or after July 3, 1995 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury, City Clerk

(C)June22
#35901

CITY OF CAMBRIDGE

ANCE NO. 1166
Final publication number 2685
First publication in the Chronicle on June 5, 1995
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred and Ninety-Five
AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge.

That Chapter 2.78 of the Municipal Code of the City of Cambridge entitled **"Historical Buildings & Land Marks."**

In City Council June 19, 1995

Passed to be ordained as amended by a yea and nay vote:- Yeas 8; Nays 0; Absent 1.

ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provisions that said ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST: D. Margaret Drury, City Clerk

(C)June22
#35900

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P3078EP
Estate of **Ellen Mary Quinn**
date of death May 20, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that James H. Quinn of Cambridge in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 21, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the sixteenth day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35890

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 92P3913E
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Michael B. Bever** also known as Michael Berliner Bever, late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R. Civ. P. Rule 72 that the 1st and final account of W. Lincoln Boyden and Marion G. Bever, Executors, as rendered by W. Lincoln Boyden as surviving executor (the fiduciary) of said estate of the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 5th day of July, 1995, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R Civ P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 1st day of June, 1995.

Donna M. Lambert
Register

(C)June22
#35888

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(SEAL) **Case No. 218605**

To **Samuel Yanes; Candix L. Yanes** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended: Portfolio Acceptance Corp. claiming to be the holder of a mortgage covering real property in Cambridge, MA, being **50 Garden Street** given by Samuel Yanes and Candix L. Yanes to Fairbank Mortgage dated November 3, 1994, recorded with Middlesex South Registry of Deeds in Book 24980, Page 476, and now held by Plaintiff by Assignment has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 24th day of July 1995, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, ROBERT V. CAUCHON, Chief Justice of said Court this 8th day of June 1995.

Charles W. Trombly, Jr.
Recorder

(C)June22
#35887

REQUEST FOR PROPOSALS
Energy Consulting Services for:
Cambridge Housing Authority
Request for Energy Consulting Services
Comprehensive Energy Services for Developments Owned and Managed by the Cambridge Housing Authority.

The Cambridge Housing Authority (CHA) requests proposals from qualified energy consulting firms for a Comprehensive Energy Services Program for approximately 2719 units on 33 different sites owned and managed by the Cambridge Housing Authority (CHA). The upset fee for this project is $70,000. The CHA retains the option to amend this contact over the next five years to an upset fee of $100,000.

Reducing energy consumption and associated costs at CHA developments is the primary task of the consultant hired under this contract. There are three components to this RFP. Component One consists of data analysis and collection of utility costs and consumption across CHA developments. In Component Two, the consultant will review previous conservation efforts, catalog energy systems and improvements already in place at different developments and recommend energy conservation strategies and sources of funding for the future. In Component Three, the consultant will provide technical assistance in supporting ongoing conservation efforts and implementing changes proposed in Component Two.

A copy of the Comprehensive Energy Services Request for Proposals may be obtained at the Cambridge Housing Authority's Office of Planning and Development, 675 Massachusetts Avenue, 2nd Floor on Friday, June 23, 1995. A pre-proposal conference to discuss any questions regarding the RFP will be held at 675 Massachusetts Avenue, 2nd Floor, on Monday, July 10, 1995 at 2:30 PM. Four copies of the proposal must be submitted to the Cambridge Housing Authority no later than 5:00 PM on Wednesday, July 12, 1995. Please mail or drop-off completed proposals at the Cambridge Housing Authority, Office of Planning and Development, 675 Massachusetts Avenue, 2nd Floor, Cambridge, MA 02139. Attn: Charlie Adams. For further information, please call Charlie Adams at 497-6800.

(C)June22
#35867

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Essex Division Docket No. 93A0031TM2
Citation
M.G.L. c. 210, § 3

In the Matter of **SONJA ISABEL RIVERA,** minor or any unknown or unnamed father, parent of the above named child.

A petition has been presented to said court by DEPARTMENT OF SOCIAL SERVICES 13 Lawrence Street, Lawrence, MA praying that said court finds that the - father - of said child lack the current ability, capacity, fitness and readiness to assume parental responsibility for said child; that the petitioner's plan for adoption of the child will serve the child's best interests; and, under the provisions of the General Laws of Massachusetts, Chapter 210, Section 3, dispense with the need for the consent of or notice to the within med - father - on any petition for the adoption of said minor child subsequently sponsored the petitioner.

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT PROBATE & FAMILY COURT, 36 Federal St., Salem, MA 01970 before TEN O'CLOCK in the forenoon (10:00 A.M.) on July 17, 1995.

You are entitled to the appointment of an attorney if you are an indigent person. An indigent person is defined by SJC RULE 3:10. Determination of indigency will be made by the Court. Contact the Assistant Register - Adoptions Clerk of said Court.

Witness, Thaddeus Buozko Esquire, First Justice of said Court.
Date June 8, 1995

Julie Stiles Matuzchak
Acting Register of Probate

(C)June22,29,July6
#35868

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 95P2893AD
ADMINISTRATION WITHOUT SURETIES
Estate of **Joseph F. Tichanuk.**
died on Mar. 1, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that Jeanne Tichanuk of Cambridge in the County of Middlesex be appointed administrator of said estate without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 14, 1995.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the ninth day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate Court

(C)June22
#35860

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Demitri Georgakas & Mark T. Spinos d/b/a The Half Shell** holder of a common victualer license at 1760A Massachusetts Avenue has applied for an increase in capacity from 16 to 20.

A hearing on said application will be held on Tuesday, July 11, 1995 at 6 p.m., in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Richard V. Scali
Kevin Fitzgerald
Henry Breen
License Commission

(C)June22
#35880

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(SEAL) **Case No. 218605**

To **Samuel Yanes; Candix L. Yanes** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended: Portfolio Acceptance Corp. claiming to be the holder of a mortgage covering real property in Cambridge, MA, being **50 Garden Street** given by Samuel Yanes and Candix L. Yanes to Fairbank Mortgage dated November 3, 1994, recorded with Middlesex South Registry of Deeds in Book 24980, Page 476, and now held by Plaintiff by Assignment has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 24th day of July 1995, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, ROBERT V. CAUCHON, Chief Justice of said Court this 8th day of June 1995.

Charles W. Trombly, Jr.
Recorder

(C)June22
#35887

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Yu Long, Incorporated,** doing business as **Lucky Garden Restaurant, by Yu Jun Yang & Xiao Li Yang, Managers** has applied for a common victualers license to be exercised on the first floor at 282 Concord Avenue. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 60 persons. Said license if granted would be exercised from Monday-Thursday 11:30 a.m. to 10 p.m. Fri & Sat. 11:30 a.m. to 10:30 p.m. Sunday 11:00 a.m. to Midnight daily.

A hearing on said application will be held on Tuesday, July 11, 1995 at 6:00 p.m., in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue.

Any person wishing to comment on said application may attend the hearing or such person may prior to the hearing submit a written statement to the License Commission, Michael J. Lombardi Municipal Building, 1st floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Richard V. Scali
Kevin Fitzgerald
Henry Breen
License Commission

(C)June22
#35879

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Fresh Pond Automotive, Inc., Andrew V. Bellizia, Jr., President** has applied for a Used Car Dealer, Class I & II license at 275 Fresh Pond Parkway.

The hearing on this application will be held on Tuesday evening, July 11, 1995 at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Richard V. Scali
Kevin Fitzgerald
Henry Breen
License Commission

(C)June22
#35878

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 95P1915AP
PUBLIC ADMINISTRATION
Estate of **Andrew Davis**
died on Mar. 5, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that Dante G. Mummolo of Boston in the County of Suffolk Public Administrator be appointed administrator of said estate.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 20, 1995.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirty-first day of May in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35870

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P2618EP
Estate of **Arthur J. Maguire**
aka **Arthur Joseph Maguire**
died on Mar. 17, 1994
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Phyllis Maguire of Arlington in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 14, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirteenth day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35871

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL AND ONE CODICIL
WITHOUT SURETIES
Middlesex Division Docket No. 95P2814EP
Estate of **Alma M. Boudreau**
also known as **Alma Boudreau**
Date of Death May 5, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will and one codicil of said deceased may be proved and allowed and that Arthur W. Murphy of Newport in the state of Rhode Island be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 12, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the seventh day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35869

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P2843EP
Estate of **John C. Pakstis**
Date of Death November 14, 1994
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Adeline D. Pakstis of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 13, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the eighth day of June in the year or our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35863

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL ADMINISTRATION WITH THE WILL ANNEXED WITHOUT SURETIES
Middlesex Division Docket No. 95P2782AA
Estate of **Tadeusz Szafar**
died on April 10, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Chava Reshef of Jerusalem in the Country of Israel be appointed administratrix with the will annexed of said estate.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 10, 1995.

In addition you must file a written affidavit of objections to the petition stating the specific facts and grounds upon which the objection is based within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the ninth day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35859

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 94D3664DV1
Summons By Publication
Mireille F. Collymore, Plaintiff
v.
Everett E. Collymore, Defendant

To the above named Defendant:

A Complaint has been presented to this Court by the Plaintiff, Mireille F. Collymore, seeking divorce for cruel and abusive treatment and custody.

You are required to serve upon Clarissa Bronson - attorney for plaintiff - whose address is Harvard Legal Aid Bureau, 1511 Mass. Ave., Cambridge MA 02138 your answer on or before September 18, 1995. If you fail to do so, the court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 31st day of May, 1995.

Donna M. Lambert
Register of Probate Court

(C)June22
#35866

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 92P3913E
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Michael B. Bever** also known as Michael Berliner Bever, late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R. Civ. P. Rule 72 that the 1st and final account of W. Lincoln Boyden and Marion G. Bever, Executors, as rendered by W. Lincoln Boyden as surviving executor (the fiduciary) of said estate of the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 5th day of July, 1995, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 1st day of June, 1995.

Donna M. Lambert
Register

(C)June22
#35864

ADMINISTRATOR/EXECUTOR
COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 94P3127E
Estate of **Robert J. Brown**
late of **Cambridge**
the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that for license to sell at - private sale - a certain real estate of said deceased.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 7, 1995.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the seventh day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35865

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P2940EP
Estate of **Michael J. Breen**
also known as **Michael Breen**
Date of Death May 10, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Michael E. Wooldridge of Somerville in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 18, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirteenth day of June in the year of our Lord one thousand nine hundred and ninety five.

Donna M. Lambert
Register of Probate

(C)June22
#35882

LETTERS

Budget bloating

The characteristics that make for excellence and longevity in the local political arena are: satisfying the current constituency; prescience with respect to the constituency of the future.

City Manager Bob Healy has shown himself to be the master of this art in the city of Cambridge. He was ahead of the council when it was dominated by "the more government is better" CCA. He saw the rent control demise handwriting on the wall and moderated a needed counsel consensus transition.

National and state politicians are showing signs that they understand the expectation of the ordinary taxpaying citizen for government to downsize while providing the same or better services to them with fewer employees at lower cost. The logic is clearly why can't the public business downsize just like private business has.

The demise of rent control is gradually but irreversibly changing the majority constituency from transient renters to home owners/taxpayers. The recent 1995 budget discussions attempts to hold the line rather than address the critical problem of how to do the job with fewer people. It reflects the current council constituency with a perceived need for a city subsidized 10,000/student, $50,000/year "Peace Commission" and the $850/kid summer job.

Healy has previously discounted the plaint of the homeowner taxpayers as not being significant because they are a minority constituency and contribute only one-third of the booty. He saw the commercial taxpayers who have no political clout as the primary contributors and, therefore, justifiably, milked to satisfy the majority "renter" constituency. It appears that the manager and his bureaucrats have about a two-year grace period to come up with cuts in the bloated services sector which include but are not limited to education and the hospital. External forces may even solve his hospital problem.

Will the manager understand the historical trend and continue to be Cambridge's number one politician? Watch the council elections and tune in next year.

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LEGAL NOTICES

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **William J. Morris** and **Deirdre F. Patrick** to Cambridge Savings Bank dated July 1, 1975 and recorded with the Middlesex Registry of Deeds (Southern District) at Book 12825, Page 41, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing same will be sold at Public Auction at 10:00 a.m. on the 26th day of July, 1995 at **35-37 Highland Avenue,** Cambridge, Massachusetts all and singular the premises described in said mortgage to wit:

A certain parcel of land with the buildings thereon situated in Cambridge, being now numbered 35-37 Highland Avenue and being shown as Lot 3 on a plan entitled "Plan of Land in Cambridgeport, belonging to John Elston.", dated J anuary 31, 1901, by W.A. Mason & Son, Surveyors, recorded with Middlesex South District Deeds at the end of Record Book 2871, being bounded and described as follows:

SOUTHEASTERLY by said Highland Avenue, forty-one and 67/100 (41.67) feet;

NORTHEASTERLY by land of owners unknown, seventy-five (75) feet;

NORTHWESTERLY by Lot A and by Lot 4 on said plan, forty-one and 67/100 (41.67) feet;

SOUTHWESTERLY by Lot 2 on said plan, seventy-five (75) feet.

Containing 3125.25 square feet of land.

Being the same premises conveyed to said mortgagors by Mary M. McManus, Trustee under a Declaration of Trust dated March 23, 1973, recorded with said Middlesex South District Deeds, Book 12611, Page 187, by deed of even date, duly recorded with said Deeds.

The premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, unpaid taxes, tax liens, water bills, municipal liens and assessments, rights of tenants and parties in possession.

TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS ($5,000.00) DOLLARS shall be required to be paid to the mortgagee in cash, by certified or bank cashier's check at the time and place of the sale. The balance of the purchase price is to be paid in cash, by certified check or by bank's cashier's check in or within thirty (30) days from the date of the sale.

TIME WILL BE OF THE ESSENCE.

Other terms if any, to be announced at the sale.

Cambridge Savings Bank
Present Holder of said Mortgage,
By Its Attorneys
Barron & Stadfeld, P.C.
Thomas V. Bennett
Two Center Plaza
3rd Floor
Boston, Massachusetts 02108
(617) 723-9800

(C)June8,15,22
#35573

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95A0295A1
CITATION
M.G.L. c. 210, § 6

In the Matter of **Isaac Hillson Schwartz Rogers,** minor

To Any Unknown, unnamed alleged father Of parts unknown and/or persons interested in a petition for the adoption of said child and to the Department of Social Services of said Commonwealth.

A petition has been presented to said court by Tracey L. Rogers & Jane T. Schwartz praying for leave to adopt said child.

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT Middlesex Probate Court, 208 Cambridge St., Cambridge, MA 02141 before TEN O'CLOCK in the forenoon (10:00 A.M.) on August 2, 1995.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court.

Date May 19, 1995.

Donna M. Lambert
Register of Probate

(C)June8,15,22
#35562

LEGAL NOTICE
THE NEW SCHOOL OF MUSIC

The New School of Music is seeking the **legal owner of a Baldwin six-foot grand piano with serial number K4540C.** Said piano has been on the premise of The New School of Music at 25 Lowell St. Cambridge since approximately 1988. Proof of ownership must be made to The New School of Music by July 1, 1995. Otherwise, the school shall assume ownership. All correspondence should be directed to John B. Nichols, Interim Administrator c/o The New School of Music 25 Lowell St. Cambridge 02138 (617) 492-8105.

(C)June15,22,29
#35827

Cambridge Historical Commission

Notice is hereby given that a public hearing will be held on Thursday, June 29, at 4:00 PM in the third floor conference room at the City Hall Annex, 57 Inman Street, to consider the following matters under M.G.L. Ch. 40C and Ch. 2.78 of the Code of the City of Cambridge:

For Certificate of Appropriateness in the Old Cambridge Historic District:

Case 613: 40 Brattle Street (Brattle Theatre Building), by Investment Resources Group. New Sign for Coldwell Banker - Hunneman & Co.

Case 614: 4 Longfellow Park, by Church of Jesus Christ of Latter Day Saints. Install satellite dish on roof.

Case 615: 14 Craigie Street, by Carol S. Green. Construct fence from northwest corner of house to east property line.

Case 616: 168 Brattle Street, by Robin LaFoley. Construct kitchen addition and alter front porch.

William B. King
Chairman

(C)June15,22
#35856

REQUEST FOR PROPOSAL FOR LEASE SPECIFICATIONS FOR THE CENTER FOR FAMILIES FOR THE DEPARTMENT OF HUMAN SERVICE PROGRAMS
CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139 until 11:00 A.M., on Thursday, July 6, 1995, at which time and place they will be publicly opened and read aloud for furnishing the following to the City of Cambridge.

The City of Cambridge, Massachusetts is seeking proposals for Lease specifications for the Center for Families in North Cambridge for the Department of Human Service Programs.

Copies of the Request for Proposal may be obtained at the Office of the Purchasing Agent on and after JUNE 20, 1995, between the hours of 8:30 A.M. and 5:00 P.M.

The successful offeror must be an Equal Opportunity Employer.

The City of Cambridge reserves the right to reject any or all proposals, waive any minor informalities in the proposal process, and accept the proposal deemed to be in the best interest of the City.

Each proposal must be delivered, along with three (3) additional proposals in a sealed packaged, plainly marked "Proposal for City of Cambridge Lease Specifications for the Department of Human Service Programs" and addressed to Gail A. Cohen, Purchasing Agent, City of Cambridge, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Ma. 02139.

Gail A. Cohen
Purchasing Agent

(C)June15,22
#35855

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95D1642
Summons By Publication
Delia Maradiaga aka **Delia Perez,** Plaintiff
v.
Roberto Perez, Defendant

To the above named Defendant:

A Complaint has been presented to this Court by the Plaintiff, Delia Maradiaga aka Delia Perez, seeking Divorce.

You are required to serve upon Traci Overton - attorney for plaintiff - whose address is Greater Boston Legal Services 197 Friend Street, Boston, MA 02114 your answer on or before September 18, 1995. If you fail to do so, the court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 7th day of June, 1995.

Donna M. Lambert
Register of Probate Court

(C)June15,22,29
#35826

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed bids will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. **THURSDAY, JULY 6, 1995** at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

REPROGRAPHIC SERVICES (1)
PHOTOGRAPHIC SUPPLIES (2)
CATERING SERVICES (CITY COUNCIL) (3)

The City of Cambridge reserves the right to waive any minor informalities or to reject any or all bids if it is in the City's best interest to do so.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each bid must be in a sealed envelope plainly marked "bid for 'Designate Item' " and addressed to Gail A. Cohen, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Gail A. Cohen
Purchasing Agent

(C)June22
#35899

CITY OF CAMBRIDGE

AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter 8.16 of the "Municipal Code of the City of Cambridge: entitled **"Noise Control"** be and hereby is amended in Paragraph B of Section 8.16.080 as follows:

That paragraph B of Section 8.16.080 of the Noise Ordinance be amended by deleting the language beginning with the word "between" on line six through and including the word "zone", on line nine, as illustrated below by the mark-out symbol.

B. RADIOS, PHONOGRAPHS, ETC.

The using, operating, or permitting to be played, used or operated any radio receiving set, musical instrument, phonograph, loudspeaker or public address systems, unless used by the City of Cambridge, or other machine or device for the producing or reproducing of sound, in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure, vehicle or dwelling unit in which it is located.

Be and hereby is amended, passed to a second reading at the City Council meeting held on July 19, 1995 and on or after July 3, 1995 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury, City Clerk

(C)June22
#35901

CITY OF CAMBRIDGE

ARCE NO. 1166
Final publication number 3685
First publication in the Chronicle on June 5, 1995
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred and Ninety-Five
AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge.

That Chapter 2.78 of the Municipal Code of the City of Cambridge entitled **"Historical Buildings & Land Marks."**

In City Council June 19, 1995

Passed to be ordained as amended by a yea and nay vote:- Yeas 8; Nays 0; Absent 1.

ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provisions that said ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST: D. Margaret Drury, City Clerk

(C)June22
#35900

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P3078EP
Estate of **Ellen Mary Quinn**
date of death May 20, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that James H. Quinn of Cambridge in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 21, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the sixteenth day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35890

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 92P3913E
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Michael B. Bever** also known as Michael Berliner Bever, late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R. Civ. P. Rule 72 that the 1st and final account of W. Lincoln Boyden and Marion G. Bever, Executors, as rendered by W. Lincoln Boyden as surviving executor (the fiduciary) of said estate of the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 5th day of July, 1995, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 1st day of June, 1995.

Donna M. Lambert
Register

(C)June22
#35888

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(SEAL) **Case No. 218605**

To **Samuel Yanes; Candix L. Yanes** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended: Portfolio Acceptance Corp. claiming to be the holder of a mortgage covering real property in Cambridge, MA, being **50 Garden Street** given by Samuel Yanes and Candix L. Yanes to Fairbank Mortgage dated November 3, 1994, recorded with Middlesex South Registry of Deeds in Book 24980, Page 476, and now held by Plaintiff by Assignment has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 24th day of July 1995, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, ROBERT V. CAUCHON, Chief Justice of said Court this 8th day of June 1995.

Charles W. Trombly, Jr.
Recorder

(C)June22
#35887

REQUEST FOR PROPOSALS
Energy Consulting Services for:
Cambridge Housing Authority
Request for Energy Consulting Services Comprehensive Energy Services for Developments Owned and Managed by the Cambridge Housing Authority.

The Cambridge Housing Authority (CHA) requests proposals from qualified energy consulting firms for a Comprehensive Energy Services Program for approximately 2719 units on 33 different sites owned and managed by the Cambridge Housing Authority (CHA). The upset fee for this project is $70,000. The CHA retains the option to amend this contract over the next five years to an upset fee of $100,000.

Reducing energy consumption and associated costs at CHA developments is the primary task of the consultant hired under the contract. There are three components to this RFP. Component One consists of data analysis and collection of utility costs and consumption across CHA developments. In Component Two, the consultant will review previous conservation efforts, catalog energy systems and improvements already in place at different developments and recommend energy conservation strategies and sources of funding for the future. In Component Three, the consultant will provide technical assistance in supporting ongoing conservation efforts and implementing changes proposed in Component Two.

A copy of the Comprehensive Energy Services Request for Proposals may be obtained at the Cambridge Housing Authority's Office of Planning and Development, 675 Massachusetts Avenue, 2nd Floor on Friday, June 23, 1995. A pre-proposal conference to discuss any questions regarding the RFP will be held at 675 Massachusetts Avenue, 2nd Floor, on Monday, July 10, 1995 at 2:30 PM. Four copies of the proposal must be submitted to the Cambridge Housing Authority no later than 5:00 PM on Wednesday, July 12, 1995. Please mail or drop-off completed proposals at the Cambridge Housing Authority, Office of Planning and Development, 675 Massachusetts Avenue, 2nd Floor, Cambridge, MA 02139. Attn: Charlie Adams. For further information, please call Charlie Adams at 497-6800.

(C)June22
#35867

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Essex Division Docket No. 93A0031TM2
Citation
M.G.L. c. 210, § 5

In the Matter of **SONJA ISABEL RIVERA,** minor or any unknown or unnamed father, parent of the above named child.

A petition has been presented to said court by DEPARTMENT OF SOCIAL SERVICES 11 Lawrence Street, Lawrence, MA praying that said court finds that the - father - of said child lacks the current ability, capacity, fitness and readiness to assume parental responsibility for said child; that the petitioner's plan for adoption of the child will serve the child's best interests; and, under the provisions of the General Laws of Massachusetts, Chapter 210, Section 3, dispense with the need for the consent of or notice to the within med - father - on any petition for the adoption of said minor child subsequently sponsored the petitioner.

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT PROBATE & FAMILY COURT, 36 Federal St., Salem, MA 01970 before TEN O'CLOCK in the forenoon (10:00 A.M.) on July 17, 1995.

You are entitled to the appointment of an attorney if you are an indigent person. An indigent person is defined by SJC RULE 3:10. Determination of indigency will be made by the Court. Contact the Assistant Register - Adoptions Clerk of said Court.

Witness, Thaddeus Buczko Esquire, First Justice of said Court.

Date June 8, 1995

Julie Stiles Matuzchak
Acting Register of Probate

(C)June22,29,July6
#35868

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 95P2893AD
ADMINISTRATION WITHOUT SURETIES
Estate of **Joseph F. Tichanuk.**
died on Mar. 7, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that Jeanne Tichanuk of Cambridge in the County of Middlesex be appointed administrator of said estate without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 14, 1995.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the ninth day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate Court

(C)June22
#35860

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Demitri Georgakas & Mark T. Spinos d/b/a The Half Shell** holder of a common victualer license at 1760A Massachusetts Avenue has applied for an increase in capacity from 16 to 20.

A hearing on said application will be held on Tuesday, July 11, 1995 at 6 p.m., in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Richard V. Scali
Kevin Fitzgerald
Henry Breen
License Commission

(C)June22
#35880

COMMONWEALTH OF MASSACHUSETTS
LAND COURT
DEPARTMENT OF THE TRIAL COURT
(SEAL) **Case No. 218605**

To **Samuel Yanes; Candix L. Yanes** and to all persons entitled to the benefit of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended: Portfolio Acceptance Corp. claiming to be the holder of a mortgage covering real property in Cambridge, MA, being **50 Garden Street** given by Samuel Yanes and Candix L. Yanes to Fairbank Mortgage dated November 3, 1994, recorded with Middlesex South Registry of Deeds in Book 24980, Page 476, and now held by Plaintiff by Assignment has filed with said court a complaint for authority to foreclose said mortgage in the manner following: by entry and possession and exercise of power of sale.

If you are entitled to the benefits of the Soldiers' and Sailors' Civil Relief Act of 1940 as amended and you object to such foreclosure you or your attorney should file a written appearance and answer in said court at Boston on or before the 24th day of July 1995, or you may be forever barred from claiming that such foreclosure is invalid under said act.

Witness, ROBERT V. CAUCHON, Chief Justice of said Court this 8th day of June 1995.

Charles W. Trombly, Jr.
Recorder

(C)June22
#35887

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Yu Long, Incorporated,** doing business as **Lucky Garden Restaurant, by Yu Jun Yang & Xiao Li Yang, Managers** has applied for a common victualer's license to be exercised on the first floor at 282 Concord Avenue. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 60 persons. Said license if granted would be exercised from Monday-Thursday 11:30 a.m. to 10 p.m. Fri & Sat. 11:30 a.m. to 10:30 p.m. Sunday 11:00 a.m. to Midnight daily.

A hearing on said application will be held on Tuesday, July 11, 1995 at 6:00 p.m., in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue.

Any person wishing to comment on said application may attend the hearing or such person may prior to the hearing submit a written statement to the License Commission, Michael J. Lombardi Municipal Building, 1st floor, 831 Massachusetts Avenue, Cambridge, Mass., 02139.

Richard V. Scali
Kevin Fitzgerald
Henry Breen
License Commission

(C)June22
#35879

CITY OF CAMBRIDGE
BOARD OF LICENSE COMMISSIONERS

Notice is hereby given that **Fresh Pond Automotive, Inc., Andrew V. Bellizia, Jr., President** has applied for a Used Car Dealer, Class I & II license at 275 Fresh Pond Parkway.

The hearing on this application will be held on Tuesday evening, July 11, 1995 at six o'clock, in the Michael J. Lombardi Municipal Building, 2nd floor, 831 Massachusetts Avenue, Cambridge.

Richard V. Scali
Kevin Fitzgerald
Henry Breen
License Commission

(C)June22
#35878

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 95P1915AP
PUBLIC ADMINISTRATION
Estate of **Andrew Davis**
died on Mar. 5, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that Dante G. Mummolo of Boston in the County of Suffolk Public Administrator be appointed administrator of said estate.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 20, 1995.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirty-first day of May in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35870

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P2618EP
Estate of **Arthur J. Maguire**
aka **Arthur Joseph Maguire**
died on Mar. 17, 1994
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Phyllis Maguire of Arlington in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 14, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirteenth day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35871

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL AND ONE CODICIL
WITHOUT SURETIES
Middlesex Division Docket No. 95P2814EP
Estate of **Alma M. Boudreau**
also known as **Alma Boudreau**
Date of Death May 5, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will and one codicil of said deceased may be proved and allowed and that Arthur W. Murphy of Newport in the state of Rhode Island be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 12, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the seventh day of June in the year of our Lord one thousand nine hundred and ninety five.

Donna M. Lambert
Register of Probate

(C)June22
#35869

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P2843EP
Estate of **John C. Pakstis**
Date of Death November 14, 1994
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Adeline D. Pakstis of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 13, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the eighth day of June in the year or our Lord one thousand nine hundred and ninety five.

Donna M. Lambert
Register of Probate

(C)June22
#35863

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL ADMINISTRATION WITH
THE WILL ANNEXED WITHOUT SURETIES
Middlesex Division Docket No. 95P2782AA
Estate of **Tadeusz Szafar**
died on April 10, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Chava Reshef of Jerusalem in the Country of Israel be appointed administratrix with the will annexed of said estate.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 10, 1995.

In addition you must file a written affidavit of objections to the petition stating the specific facts and grounds upon which the objection is based within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the ninth day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35859

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 94D3664DV1
Summons by Publication
Mireille F. Collymore, Plaintiff
v.
Everett E. Collymore, Defendant

To the above named Defendant:

A Complaint has been presented to this Court by the Plaintiff, Mireille F. Collymore, seeking divorce for cruel and abusive treatment and custody.

You are required to serve upon Clarissa Bronson - attorney for plaintiff - whose address is Harvard Legal Aid Bureau, 1511 Mass. Ave., Cambridge MA 02138 your answer on or before September 18, 1995. If you fail to do so, the court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 31st day of May, 1995.

Donna M. Lambert
Register of Probate Court

(C)June22
#35866

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 92P3913E
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Michael B. Bever** also known as Michael Berliner Bever, late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R. Civ. P. Rule 72 that the 1st and final account of W. Lincoln Boyden and Marion G. Bever, Executors, as rendered by W. Lincoln Boyden as surviving executor (the fiduciary) of said estate of the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 5th day of July, 1995, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 1st day of June, 1995.

Donna M. Lambert
Register

(C)June22
#35864

ADMINISTRATOR/EXECUTOR
COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 94P3127E
Estate of **Robert J. Brown**
late of **Cambridge**
the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that for license to sell at - private sale - a certain real estate of said deceased.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 7, 1995.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the seventh day of June in the year of our Lord one thousand nine hundred and ninety-five.

Donna M. Lambert
Register of Probate

(C)June22
#35865

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P2940EP
Estate of **Michael J. Breen**
also known as **Michael Breen**
Date of Death May 10, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Michael E. Wooldridge of Somerville in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 18, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirteenth day of June in the year of our Lord one thousand nine hundred and ninety five.

Donna M. Lambert
Register of Probate

(C)June22
#35882

LETTERS

Budget bloating

The characteristics that make for excellence and longevity in the local political arena are: satisfying the current constituency; prescience with respect to the constituency of the future.

City Manager Bob Healy has shown himself to be the master of this art in the city of Cambridge. He was ahead of the council when it was dominated by "the more government is better" CCA. He saw the rent control demise handwriting on the wall and moderated a needed counsel consensus transition.

National and state politicians are showing signs that they understand the expectation of the ordinary taxpaying citizen for government to downsize while providing the same or better services to them with fewer employees at lower cost. The logic is clearly why can't the public business downsize just like private business has.

The demise of rent control is gradually but irreversibly changing the majority constituency from transient renters to home owners/taxpayers. The recent 1995 budget discussions attempts to hold the line rather than address the critical problem of how to do the job with fewer people. It reflects the current council constituency with a perceived need for a city subsidized 10,000/student, $50,000/year "Peace Commission" and the $850/kid summer job.

Healy has previously discounted the plaint of the homeowner taxpayers as not being significant because they are a minority constituency and contribute only one-third of the booty. He saw the commercial taxpayers who have no political clout as the primary contributors and, therefore, justifiably, milked to satisfy the majority "renter" constituency. It appears that the manager and his bureaucrats have about a two-year grace period to come up with cuts in the bloated services sector which include but are not limited to education and the hospital. External forces may even solve his hospital problem.

Will the manager understand the historical trend and continue to be Cambridge's number one politician? Watch the council elections and tune in next year.

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PLUMBING/HEATING (CONT)

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LEGAL NOTICES

MORTGAGEE'S SALE OF REAL ESTATE
Premises: 69 1/2 Gore Street, Cambridge, Massachusetts

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **Susan F. Singer** and **Joseph Bresler** to NorthEastern Mortgage Company, Inc. said mortgage dated October 24, 1986, and recorded with Middlesex (Southern District) County Registry of Deeds in Book 17521, Page 535, of which mortgage the undersigned is the present holder, for breach of the conditions in said mortgage contained and for the purpose of foreclosing the same will be sold at a Public Auction at 1:00 p.m. on June 22, 1995, upon the mortgaged premises at **69 1/2 Gore Street,** Cambridge, Massachusetts, all and singular the premises described in said mortgage to wit:

A certain parcel of land with the buildings thereon situated in the rear of 69 Gore Street in that part of Cambridge known as East Cambridge, and bounded and described as follows:

Beginning at the Northeasterly corner thereof at the Southerly line of Lot 42 on a plan by Stephen P. Fuller, recorded with Middlesex South District Registry of Deeds at the end of Book 23, thence running;

SOUTHERLY on land formerly of Edmund Munroe, 48 feet; thence running

WESTERLY on land formerly of Fesseden, 25 feet to land formerly of Winchester; thence running

NORTHERLY on said land formerly of said Winchester, 48 feet; thence running

EASTERLY on Lots 42 and 43 on said plan, 25 feet to the point of beginning.

Together with a right of passage three feet in width from Gore Street along the line of said land formerly of Munroe to the said premises.

TERMS OF SALE: Said premises will be sold and conveyed subject to any and all unpaid taxes and assessments, tax sales, tax titles, and other municipal liens and water liens, tenants and parties in possession, and encumbrances superior to the mortgage referenced herein, if any there are, which take precedence over the said mortgage above described.

Five Thousand ($5,000.00) Dollars of the purchase price must be paid in cash, certified check, bank treasurer's or cashier's check at the time and place of the sale by the purchaser and the balance of the purchase price shall be paid in cash, certified check, bank treasurer's or cashiers' check within thirty (30) days after the later of the date of sale or the approval of the deed by the Land Court, if required. The five thousand dollars shall be deposited in escrow with Thomas C. Bailey, Friedman & Atherton, 53 State Street, 27th Floor, Boston, Massachusetts 02109 - Attorney for Mortgagee.

The deed shall be delivered within ten (10) days from the date of approval of the sale by the Land Court or within thirty (30) days after the sale.

Other terms to be announced at the sale.

MERIDIAN MORTGAGE CORPORATION
Present Holder of Said Mortgage
By its Attorney in Fact:
Thomas C. Bailey
Friedman & Atherton
53 State Street
Boston, Massachusetts 02109
(617) 227-5540

(C)May25,June1,8
#35470

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 95P0631GI2
Notice of GUARDIANSHIP - MENTALLY ILL - WITHOUT SURETIES
NOTICE

To **Shawn Brown** of Cambridge in said County Middlesex and heirs apparent or presumptive:

A petition has been presented in the above-captioned matter alleging that said Shawn Brown is a mentally ill person and for court authorization to treat with antipsychotic medication in accordance with the treatment plan praying that Carolyn Wedge of Cambridge in the County of Middlesex or some other suitable person be appointed his guardian.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before July 28, 1995.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge the Ninth of May, in the year of our Lord one thousand nine hundred and ninety five.

Donna M. Lambert
Register of Probate Court

(C)May25,June1,8
#35467

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95D1816DV1
Summons By Publication
Ana Mascarenhas Borges Mendes, Plaintiff
v.
Paul Leslei Mendes, Defendant

To the above named Defendant:

A Complaint has been presented to this Court by the Plaintiff, Ana Mascarenhas Borges Mendes, seeking divorce for utter desertion.

You are required to serve upon Jose Joaquim Macedo, Esquire - attorney for plaintiff - whose address is Costello & Landrigan, 421 Highland Avenue, Somerville, MA 02144 your answer on or before September 5, 1995. If you fail to do so, the court will proceed to the hearing and adjucation of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 12th day of May, 1995.

Donna M. Lambert
Register of Probate Court

(C)May25,June1,8
#35457

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95A0260T1
Citation
M.G.L. c. 210 § 3

In the Matter of **Lauren Janis Sylvester,** minor

To Linda Grinnell of Cambridge, Mass and/or Phillip Grinnell and any unknown or unnamed father, parent(s) of the above named child.

A petition has been presented to said court by The Department of Social Services, 810 Memorial Dr. Cambridge, Mass praying that said court finds that the - mother - father - of said child lack(s) the current ability, capacity, fitness and readiness to assume parental responsibility for said child; that the petitioner's plan for adoption of the child will serve the child's best interests; and, under the provisions of the General Laws of Massachusetts, Chapter 210, Section 3, dispense with the need for the consent of or notice to the within named - mother - father - or any petition for the adoption of said minor child subsequently sponsored by the petitioner.

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT Middlesex Probate & Family Court 288 Cambridge Street East Cambridge MA 02141 before TEN O'CLOCK in the forenoon (10:00 A.M.) on July 25, 1995.

You are entitled to the appointment of an attorney if you are an indigent person. An indigent person is defined by SJC RULE 3:10. Determination of indigency will be made by the Court. Contact the Assistant Register - Adoptions Clerk of said Court.

Witness Sheila E. McGovern Esquire, First Justice of said Court.

May 9, 1995

Donna M. Lambert
Register of Probate

(C)May25,June1,8
#35466

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95A0245A1
CITATION
M.G.L. c 210, § 6

In the Matter of **William Tobias Bonnell-Bradley,** minor

To Any unknown, unnamed alleged father Of parts unknown and/or persons interested in a petition for the adoption of said child and to the Department of Social Services of said Commonwealth.

A petition has been presented to said court by Sharon L. Bonnell & Marolyn Bradley of Lexington, MA 02173 praying for leave to adopt said child.

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT Middlesex Probate Court, 208 Cambridge St., Cambridge, MA 02141 before TEN O'CLOCK in the forenoon (10:00 A.M.) on July 25, 1995.

Witness, Sheila E. McGovern Esquire, First Justice of said Court

Date May 11, 1995

Donna M. Lambert
Register of Probate

(C)May25,June1,8
#35448

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 91D3454DV1
Summons By Publication
KATHERINE C. FINKLEA, Plaintiff
v.
MICHAEL E. FINKLEA, Defendant

To the above named Defendant:

A Complaint has been presented to this Court by the Plaintiff, KATHERINE C. FINKLEA, seeking A COMPLAINT FOR DIVORCE.

You are required to serve upon 58 CORCORAN PARK, CAMBRIDGE MA 02138 - plaintiff - whose address is 9 WALDEN SQUARE #222, CAMBRIDGE MA 02140 your answer on or before August 21, 1995. If you fail to do so, the court will proceed to the hearing and adjucation of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 4th day of May, 1995.

Donna M. Lambert
Register of Probate Court

(C)May25,June1,8
#35406

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95D1641D1
Summons By Publication
Roza Negash, Plaintiff
v.
Wondimu Assefa, Defendant

To the above named Defendant:

A Complaint has been presented to this Court by the Plaintiff, Roza Negash, seeking Divorce.

You are required to serve upon Norman M. Clement, Esquire - attorney for plaintiff - whose address is 44 School Street, Suite 300, Boston, MA 02108, your answer on or before August 21, 1995. If you fail to do so, the court will proceed to the hearing and adjucation of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First justice of said Court at Cambridge, this 3rd day of May, 1995.

Donna M. Lambert
Register of Probate Court

(C)May25,June1,8
#35401

Mid Cambridge Neighborhood Conservation District Commission

Notice is hereby given that the Mid Cambridge Neighborhood Conservation District Commission will hold Public Hearings on Monday, June 12 and Tuesday, June 13, 1995 at 5:30 P.M. at the Second Floor Auditorium, Macht Center, Cambridge Hospital 1493 Cambridge Street, to consider the following application for Certificate of Appropriateness under Article III, Section 2.78 of the Code of the City of Cambridge and the order establishing the district:

MC-972: Cambridge Hospital, 1493 Cambridge Street: For binding review of REACH project to expand existing in-patient facility, alter existing main entrance for ambulance use, demolish power plant, and construct new ambulatory care facility with underground parking garage. By John G. O'Brien, on behalf of Cambridge Hospital and the City of Cambridge.

John Moos
Chairman

(C)June1,8
#35536

TO **MARGARET VANDIVER**
P.O. BOX 701
CAMBRIDGE, MA 02140

CAMBRIDGE SELF STORAGE HAS HAD IN ITS POSSESSION A 1980 MGB SINCE MARCH 10, 1994. vin #GVVDJAG510770 AND LAST REGISTERED TO YOU. AND HAS NOT BEEN CLAIMED AFTER DUE NOTICE.

THIS VEHICLE WILL BE SOLD AT PRIVATE SALE AT CAMBRIDGE SELF STORAGE 445 CONCORD AVE. CAMBRIDGE, MA 02138 on JULY 8, 1995.

CAMBRIDGE SELF STORAGE
MIKE SORRENTINO
FOR CAMBRIDGE SELF STORAGE

(C)June1,8,15
#35585

ORDINANCE NO. 1165.
Final publication number 2683.
First publication in the Chronicle on May 25, 1995.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred and Ninety-Five
AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter 8.28 of the Municipal Code of the City of Cambridge entitled "Smoking" be and hereby is repealed and replaced by a new Chapter 8.28 entitled: **"Restrictions on Youth Access to Tobacco Products and on Smoking in Workplaces and Public Places."**

In City Council June 5, 1995.

Passed to be ordained as amended by a yea and nay vote:- Yeas 6 Nays 3; Absent 0.

ATTEST:- D. Margaret Drury
City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provisions that said ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- D. Margaret Drury
City Clerk

(C)June8
#35590

FIRST PUBLICATION NO. 2682.
CITY OF CAMBRIDGE
In the Year One Thousand, Nine Hundred Ninety-Five
AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter 2.78 of the "Municipal Code of the City of Cambridge: entitled **"Historical Buildings and Landmarks"** be and hereby is amended, passed to a second reading at the City Council meeting held on June 5, 1995 and on or after June 19, 1995 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- D. Margaret Drury
City Clerk

(C)June8
#35591

CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed bids will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. **THURSDAY, JUNE 22, 1995** at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

BAR CODE READERS AND PRINTERS (1)
HAND TOOLS (2)
GLASS & PLASTICS (3)
GATELY YOUTH CENTER RENOVATIONS (SMALL) (FILE NO. 2993) (6)

The City of Cambridge reserves the right to waive any minor informalities or to reject any or all bids if it is in the City's best interest to do so.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each bid must be in a sealed envelope plainly marked "Bid for 'Designate Item' " and addressed to Gail A. Cohen, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Gail A. Cohen
Purchasing Agent

(C)June8
#35585

Cambridge Public Schools
Purchasing Department
Invitation To Bid

Sealed bids will be received at the Purchasing Department of the Cambridge Public Schools, 159 Thorndike Street, Cambridge, MA. 02141, until 11:00 A.M., JUNE 22, 1995 at which time they will be publicly opened and read for furnishing the following to the Cambridge Public Schools;

94-032 CUSTODIAL SUPPLIES (NON-CHEMICAL)

The Cambridge Public Schools reserves the right to waive any minor informalities or reject, in whole or in part, any or all bids if it is the Department's best interest to do so.

Specifications and bid forms may be obtained from the Purchasing Office, Cambridge Public Schools, 159 Thorndike Street, Cambridge, MA. 02141.

Each bid must be in a sealed envelope plainly marked "Bid for (Designated Item)" and address to Purchasing Department, Cambridge Public Schools 159 Thorndike Street Cambridge, MA. 02141

Cambridge is an Affirmative Action/Equal Opportunity Purchaser.

James M. Conry
Executive Director of
Management Services

(C)June8
#35583

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 91P4994
General Petition
NOTICE

In the **ESTATE OF Ida Estelle Amyrauld.**

To all persons interested in the estate of Ida Estelle Amyrauld of Cambridge of the County of Middlesex.

A petition has been presented in the above captioned matter praying that The court establish an estate plan as more fully described in a petition filed March 10, 1995.

IF YOU DESIRE TO OBJECT THERETO, YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT Cambridge 208 Cambridge Street, Cambridge, MA 02141 BEFORE TEN O'CLOCK IN THE FORENOON (10:00 A.M.) ON June 26, 1995.

Wills only: In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within thirty (30) days after the return day (or such other times as the court, on motion with notice to the petitioner, may allow) of action with Probate Rule 16.

Witness Sheila E. McGovern Esquire, First Justice of said Court.

Date May 23, 1995

Donna M. Lambert
Register of Probate Court

(C)June8
#35579

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss Probate Court No. 91P5789GI
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **William Lawrence** of Cambridge, in said County, a mentally ill person.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of Edward C. Lawrence as Temporary Guardian (the fiduciary) of the property of said Ward has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 26th day of July, 1995, the return day of this citation.You may upon written request by registered or certified mail to the fiduciary, or to he attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid,file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 2nd day of May, 1995.

Donna M. Lambert
Register

(C)June8
#35577

MORTGAGEE'S SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by **William J. Morris** and **Deirdre F. Patrick** to Cambridge Savings Bank dated July 1, 1975 and recorded with the Middlesex Registry of Deeds (Southern District) at Book 12825, Page 41, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing same will be sold at Public Auction at 10:00 a.m. on the 26th day of July, 1995 at **35-37 Highland Avenue,** Cambridge, Massachusetts all and singular the premises described in said mortgage to wit:

A certain parcel of land with the buildings thereon situated in Cambridge, being now numbered 35-37 Highland Avenue and being shown as Lot 3 on a plan entitled "Plan of Land in Cambridgeport, belonging to John Elston.", dated J January 31, 1901, by W.A. Mason & Son, Surveyors, recorded with Middlesex South District Deeds at the end of Record Book 2871, being bounded and described as follows:

SOUTHEASTERLY by said Highland Avenue, forty-one and 67/100 (41.67) feet;

NORTHEASTERLY by land of owners unknown, seventy-five (75) feet;

NORTHWESTERLY by Lot A and by Lot 4 on said plan, forty-one and 67/100 (41.67) feet;

SOUTHWESTERLY by Lot 2 on said plan, seventy-five (75) feet.

Containing 3125.25 square feet of land.

Being the same premises conveyed to said mortgagors by Mary M. McManus, Trustee under a Declaration of Trust dated March 23, 1973, recorded with said Middlesex South District Deeds, Book 12611, Page 187, by deed of even date, duly recorded with said Deeds.

The premises are to be sold subject to and with the benefit of all easements, restrictions, building and zoning laws, unpaid taxes, tax titles, water bills, municipal liens and assessments, rights of tenants and parties in possession.

TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS ($5,000.00) DOLLARS shall be required to be paid to the mortgagee in cash, by certified or bank cashier's check at the time and place of the sale. The balance of the purchase price is to be paid in cash, by certified check or by bank's cashier's check in or within thirty (30) days from the date of the sale. **TIME WILL BE OF THE ESSENCE.**

Other terms if any, to be announced at the sale.

Cambridge Savings Bank
Present Holder of said Mortgage,
By Its Attorneys
Barron & Stadfeld, P.C.
Thomas V. Bennett
Two Center Plaza
3rd Floor
Boston, Massachusetts 02108
(617) 723-9800

(C)June8,15,22
#35573

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 91P5789GI
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **William H. Lawrence** of Cambridge, in said County, a mentally ill person.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of Edward Lawrence as Guardian (the fiduciary) of the property of said Ward has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 26th day of July, 1995, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 24th day of May, 1995.

Donna M. Lambert
Register

(C)June8
#35578

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 95P0330AD
ADMINISTRATION WITHOUT SURETIES
Estate of **Joao De Medeiros Oliveira,**
a/k/a **John Medeiros Oliveira**
died on April 11, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that Alda O. Rebelo of Revere in the County of Suffolk be appointed administratrix of said estate without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on June 16, 1995.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirtieth day of May in the year of our Lord one thousand nine hundred and ninety five.

Donna M. Lambert
Register of Probate Court

(C)June8
#35568

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 93P0943E
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Philip Cohen** late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of Shawmut Bank, N.A. as Executor (the fiduciary) of said estate under the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 27th day of June, 1995, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 27th day of May, 1995.

Donna M. Lambert
Register

(C)June8
#35558

LEGAL NOTICE
U-HAUL COMPANY
SELF-STORAGE FACILITY SALE

Self-Storage Facility Operator's Sale for nonpayment of storage charges pursuant to the power of sale contained in M.G.L., Chapter 105-A, Section 4, General Charges, and for the satisfaction of the Facility Operator's Lien. The following property will be sold at Public Auction at 11:00 A.M., Wednesday, June 14, 1995, on the premises of Central Square Moving & Storage Center, 844 Main Street, Cambridge, MA; All household furniture, trunks, books, tools, clothes, appliances, antiques, bric-a-brac miscellany held for the accounts of: **Paula Ward,** Rm. 135; **Donna Youngblood,** Rm. 242; **Charles Gatewood,** Rm. 303; **Mike Kelvin,** Rm. 389; **Stanley Benford,** Rm. 447; **Emoro Efetie,** Rm. 520. Sale per order of U-Haul Company of Boston, Inc. Tel. (617) 354-0500. Terms: Cash. Sale subject to cancellation and postponements. Wm. F. Moon & Co., Auctioneers, North Attleboro, MA 02760. Lic. #151.

(C)June8
#35628

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 95P2113EP
Estate of **George H. Barker**
Date of Death February 18, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that John P. Bowen of Belmont in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 17, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty sixth day of April in the year of our Lord one thousand nine hundred and ninety five.

Donna M. Lambert
Register of Probate

(C)June8
#35561

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY COURT DEPARTMENT
PROBATE OF WILL WITHOUT SURETIES
Middlesex Division Docket No. 86P4079EP
Estate of **Helen A. Sherman**
Date of Death May 15, 1995
late of **Cambridge**
in the County of Middlesex
NOTICE

A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Maureen Gavan Thompson of Chelmsford in the County of Middlesex be appointed executrix without giving surety on her bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on June 30, 1995.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the thirtieth day of May in the year of our Lord one thousand nine hundred and ninety five.

Donna M. Lambert
Register of Probate

(C)June8
#35563

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Middlesex Division Docket No. 95A0295A1
CITATION
M.G.L. c. 210, § 6

In the Matter of **Isaac Hillson Schwartz Rogers,** minor

To Any Unknown, unnamed alleged father Of parts unknown and/or persons interested in a petition for the adoption of said child and to the Department of Social Services of said Commonwealth.

A petition has been presented to said court by Tracey L. Rogers & Jane T. Schwartz praying for leave to adopt said child.

IF YOU DESIRE TO OBJECT THERETO YOU OR YOUR ATTORNEY MUST FILE A WRITTEN APPEARANCE IN SAID COURT AT Middlesex Probate Court, 208 Cambridge St., Cambridge, MA 02141 before TEN O'CLOCK in the forenoon (10:00 A.M.) on August 2, 1995.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court.

Date May 19, 1995.

Donna M. Lambert
Register of Probate

(C)June8,15,22
#35562

COMMONWEALTH OF MASSACHUSETTS
Middlesex, ss. Probate Court No. 93P0943E
NOTICE OF FIDUCIARY'S ACCOUNT

To all persons interested in the estate of **Philip Cohen** late of Cambridge, in said County, deceased.

You are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of Shawmut Bank, N.A. as Executor (the fiduciary) of said estate under the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 27th day of June, 1995, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 5.

WITNESS, SHEILA E. McGOVERN, Esquire, First Judge of said Court, this 24th day of May, 1995.

Donna M. Lambert
Register

(C)June8
#35558

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LETTERS

State helps with prevention, treatment of osteoporosis

Massachusetts is fortunate to have the first state-funded program in the nation designed to educate people about osteoporosis, a silent and deadly disease that affects over 25 million Americans.

Osteoporosis is a condition in which the bones become fragile and weakened, leading to an increased susceptibility to fractures of the hip, spine and wrist. One out of every two women over 50, and one-third of all men over 75 will be affected by osteoporosis. Fortunately, bone loss, along with painful and expensive fractures, can be prevented, and the Massachusetts Department of Public Health is letting people know how.

For two years, the state osteoporosis program has sponsored public forums, developed educational materials for distribution, set up partnerships for prevention. Additionally, May 14 -20, was declared Osteoporosis Awareness Week with highlighted by seminars and other events across the state.

The Older Women's League commends the vision and dedication of the Massachusetts Legislature, and the commitment of Cambridge's Sen. Thomas F. Birmingham in particular, for funding this valuable program. Osteoporosis and associated fractures cost our nation at least $50 billion in medical costs each year, and with the population aging, this figure will surely rise. It's good to see our legislators investing in a program aimed at preventing needless pain and suffering and saving valuable health care dollars.

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C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council 6/15 1995

FD

Unfinished Business # 19

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Mr. Francis H. Duehay
✓		AV		Mr. Anthony Galluccio
		✓		Mr. Jonathan S. Myers
✓				Mrs. Sheila T. Russell
✓				Mr. Michael A. Sullivan
✓		AV		Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Kenneth E. Reeves
8	0	1	0	

City of Cambridge

ORDINANCE NO. 1166
Final publication number 2685
First publication in the Chronicle on
June 5, 1995
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred and Ninety-Five

AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge.

That Chapter 2.78 of the Municipal Code of the City of Cambridge entitled **"Historical Buildings & Land Marks."**

In City Council June 19, 1995

Passed to be ordained as amended by a yea and nay vote: -
Yeas 8; Nays 0; Absent 1.

ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40 Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provisions that said ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST: D. Margaret Drury, City Clerk

1. Amend the first sentence of §2.78.010 as follows:

> The Cambridge Historical Commission established under the Historic Districts Act, General Laws Chapter 40C, with all the powers and duties of an historic district commission, shall consist of seven members to be appointed by the City Manager with the approval of the Council, including one member from two nominees submitted by the Cambridge Historical Society, one member from two nominees submitted by the Chapter of the American Institute of Architects covering Cambridge . . .

Restores language from the previous codification and makes §2.78 conform to the requirements of M.G.L. Ch. 40C.

2. Amend the first line of §2.78.020.A as follows:

> A. To conduct a survey of Cambridge buildings . .

Restores prior language from Ordinance no. 727, final publication no. 1526, first publication September 27, 1962, and clarifies the meaning of this provision.

3. Delete §2.78.050.A and substitute the following:

> **A. There is hereby established under the provisions of the Historic Districts Act an Old Cambridge Historic District consisting of the areas heretofore known as the Cambridge Common Historic District, the Longfellow Historic District, the Lowell Historic District, and the Fayerweather-Lee Historic District and the other areas bounded as shown on the map entitled "Old Cambridge Historic District Map 1976" attached to and made a part of this ordinance.**

Restores language and the map from Ordinance no. 869, final publication no. 1885, first published July 1, 1976. The codified ordinance mistakenly kept the provisions adopted in 1962, omitted the map, and did not recognize the enlarged historic district adopted in 1976.

4. Add the map of the Old Cambridge Historic District referred to in the revised §2.78.050.A.

This map was mistakenly omitted from the revised ordinance.

5. Add the map of the Fort Washington Historic District referred to in §2.78.050.B.

This map was mistakenly omitted from the revised ordinance.

6. Amend §2.78.080.A as follows:

> A. "Application" means an application for a permit for the demolition of a building, which application contains the information referred to in § 2.78.100 of this article.

The codified ordinance referred to the wrong section.

7. Amend the title of §2.78.150 as follows:

> 2.78.150 Definitions for Article ~~II~~ III.

Corrects a typographical error.

8. Amend the third sentence of §2.78.160.B as follows:

> The members of the **Neighborhood Conservation District Commission** shall be appointed by the City Manager . . .

Clarifies the original language.

9. Amend the title of §2.78.180 as follows:

> 2.78.180 Designation procedures

The current title, adopted on codification, is both ungrammatical and misleading, since this section also deals with neighborhood conservation districts

10. Amend §2.78.180.G by deleting the next to last word and inserting the word "Middlesex".

Corrects a typographical error.

11. Amend the title of §2.78.210.B as follows:

> 2.78.210 Certificates of Appropriateness, Nonapplicability, or Hardship

Restores original wording.

12. Amend the eighth line of §2.78.210.B as follows:

> . . . may reasonably determine, together with . .

Restores original wording.

13. Amend the fourteenth line of §2.78.240 as follows:

> . . . nation of the Historical Commission, or if action . .

Restores original wording.

14. Amend §2.78.010 to allow the required nominees to be appointed as alternates. The revised section would read in part as follows:

> The Cambridge Historical Commission established under the Historic Districts Act, General Laws Chapter 40C, with all the powers and duties of an historic district commission, shall consist of seven members and three alternate members to be appointed by the City Manager with the approval of the Council, including one member from two nominees submitted by the Cambridge Historical Society, one member from two nominees submitted by the Chapter of the American Institute of Architects covering Cambridge, one member or alternate from two nominees submitted by the Boston Society of Landscape Architects, and one member from two nominees of the Board of Realtors covering Cambridge. One or more of the members so appointed shall be a resident of an historic district established in the City pursuant to the Historic Districts Act, and at least one member or alternate shall be a lawyer.
>
> The members and alternate members shall serve for terms of three years and until their successors are appointed and qualified. If within thirty days after submission of a written request for nominees to any of the above-named organizations no such nominations have been submitted, the City Manager may make such appointment without nomination by such organization.
>
> To the extent a person meets more than one of the foregoing specific membership requirements, then each such specific membership requirement so met shall be satisfied by such person's appointment (whether as member or alternate) to the Commission. . . . .

In an effort to ensure diversity, the present ordinance requires that six specific categories of members be represented on the Commission; state law requires only four such categories be represented. This requirement has the paradoxical effect of limiting diversity by allowing only

one "at-large" member. Presently, all alternates are appointed at large. This amendment would increase the diversity of views among the voting membership to the extent provided by state law.

15. Amend the first sentence of §2.78.090.C as follows:

> C. If the Commission staff shall make an initial determination that the building which is the subject of the application is or may be a significant building, the members of the Commission and the Building Commissioner shall be so advised, and no demolition permit or building permit for new construction or alterations as defined in Ch. 40C §6 shall at that time be issued pending review of the initial determination by the Commission pursuant to subsection D of this section.

Amend the first sentence of §2.78.090.E as follows:

> E. Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved significant building, it shall so advise the person who submitted the application and the Building Commissioner, and no demolition permit or building permit for new construction or alterations on the premises shall be issued until six months after the date of such determination by the Commission except as may be provided for in Subsection 2.78.090.I.

Add a new subsection to §2.78.090:

> I. During the six-month delay of demolition, no application for a building permit for new construction or alterations on the premises of a preferably preserved significant building shall be granted until reviewed by the Commission as though the property were designated as a landmark under Article III of Chapter 2.78. Until the expiration of the six-month delay period, the Commission shall review all construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a preferably preserved significant building.

At present, the owner of a preferably preserved significant building cannot be prevented from destroying the architectural significance of the building after the initial determination of significance and during the six-month delay period. These amendments would allow the Commission to review potentially destructive alterations for the period of the delay.

1. Amend §2.78.110 as follows:

A. In the event that a Board of Survey is convened to consider the condition of a building over fifty years old, the Executive Director of the Cambridge Historical Commission shall be notified to accompany the Board during its inspection. The Commissioner of Inspectional Services shall pursue all reasonable courses of action to prevent emergency demolition of such a building which the Executive Director makes an initial determination is or may be a significant building, including but not limited to requiring the owner to secure it against further danger to the public.

B. Nothing in this Ordinance shall prevent the construction, reconstruction, alteration, or demolition of any feature which the Commissioner of Inspectional Services shall certify is required for public safety because of an unsafe or dangerous condition.

16. Insert the following definition in §2.78.150:

> H. "Gross Floor Area" means the floor area so defined in Article 2.000 of the Zoning Ordinance of the City of Cambridge.

This amendment clarifies the potential ambiguity raised by the order establishing the Mid Cambridge Neighborhood Conservation District, which authorizes review of certain additions to existing floor area.

17. Amend the fourth sentence of §2.78.180.D as follows:

> No later than forty-five days after the transmittal of a report to the Commission pertaining to the proposed designation, the Commission shall hold a public hearing.

Amending the window for action on a designation proposal clarifies and streamlines designation procedures by tracking the deadlines for other Commission actions.

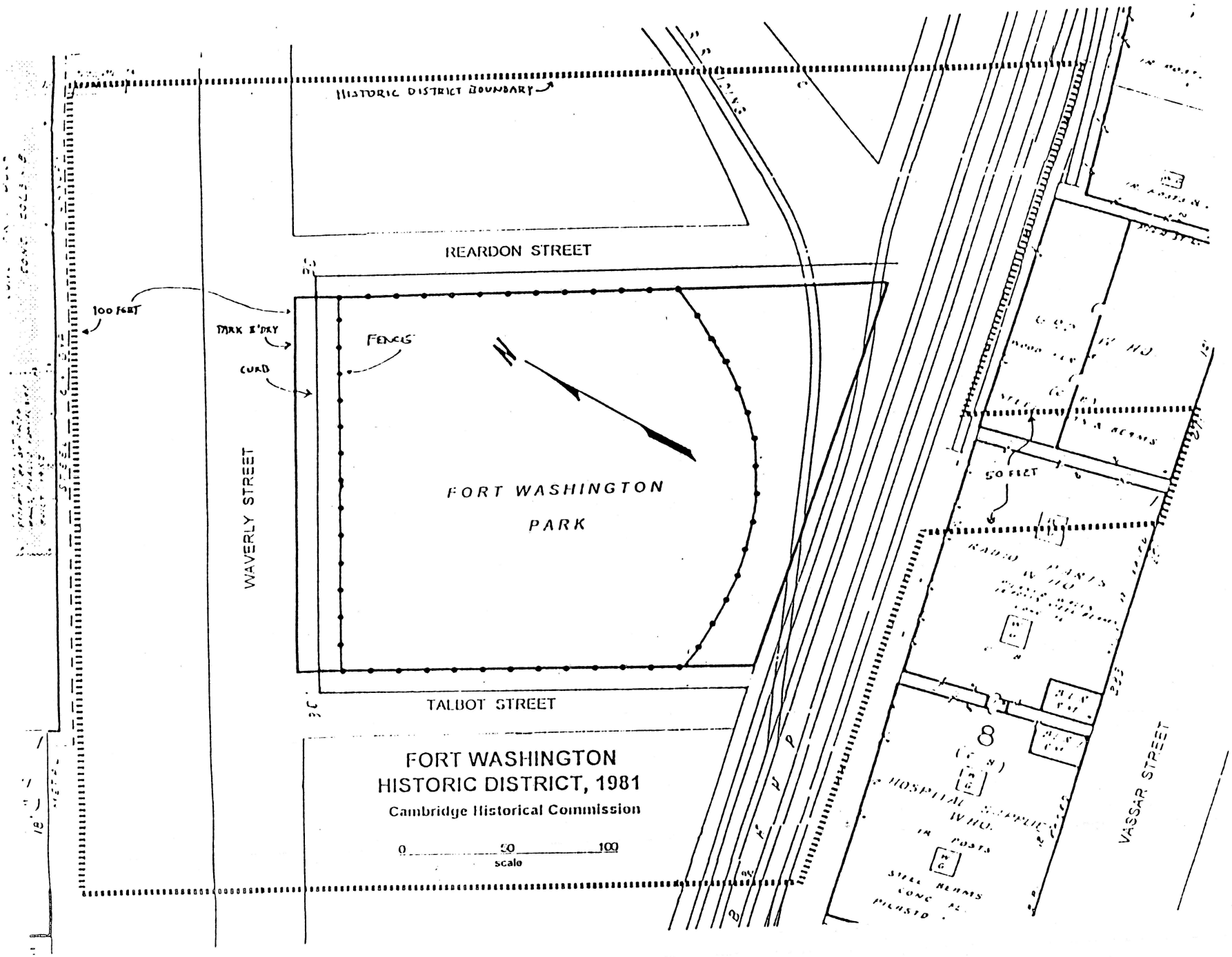
18. Amend §2.78.180 by adding a new subsection as follows:

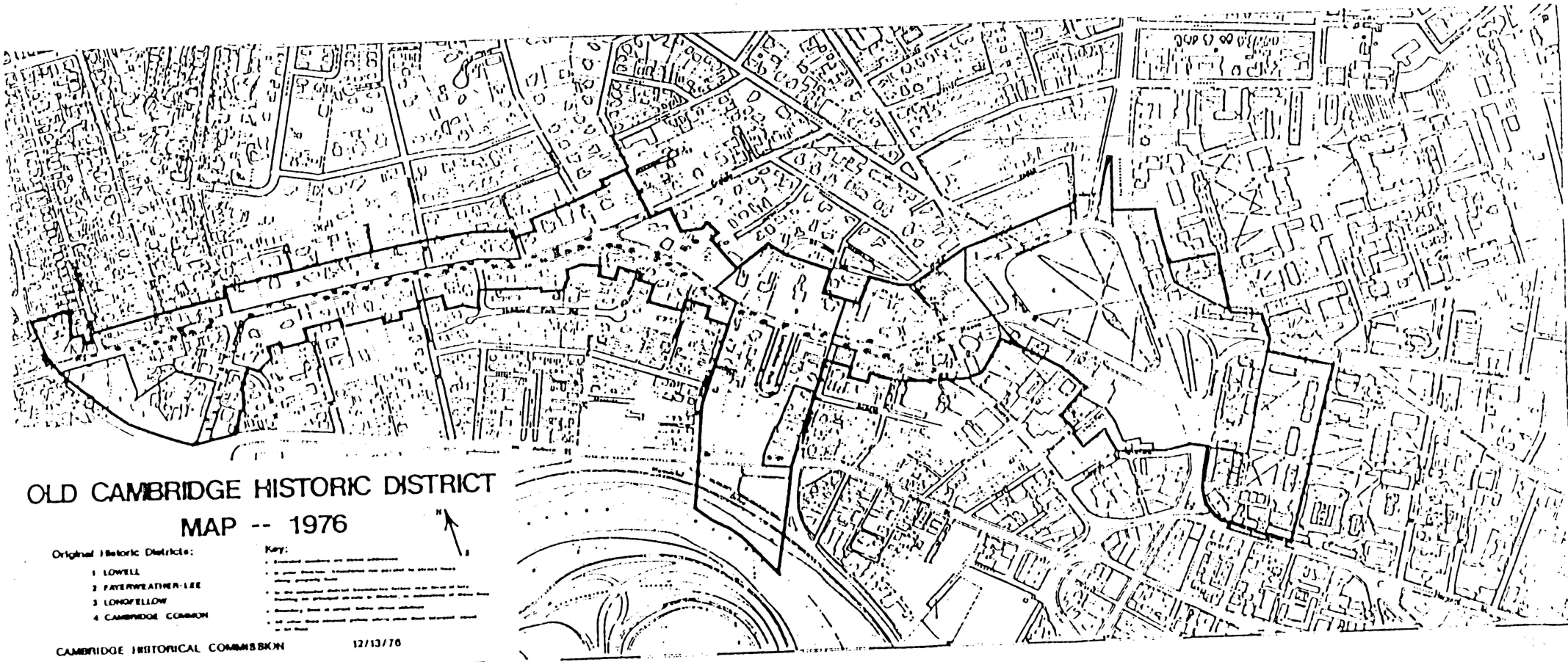
> I. Following acceptance of a designation petition by the Historical Commission, no application for a building permit for new construction or alterations on the premises of a property being considered for designation shall be granted until reviewed by the Commission as though the property were designated as a landmark or a neighborhood conservation district under Article III. Beginning with the acceptance of a designation petition and until (a) the Historical Commission makes a negative recommendation on a proposed designation, (b) the City Council determines not to enact the proposed designation, or (c) one year has elapsed, whichever is less, the Commission shall review all proposed construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a proposed landmark or within a proposed neighborhood conservation district.

The owner of a property being considered for landmark designation or inclusion in a neighborhood conservation district cannot now be prevented from destroying the significant features of the building. This amendment would establish a time limit for designation studies and would allow the Commission to review potentially destructive alterations within that period.

Passed to a second reading at the City Council meeting held on June 5, 1995 and on or after June 19, 1995 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk


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PARK
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FORT WASHINGTON
HISTORIC DISTRICT, 1981
Cambridge Historical Commission
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50
100
scale


OLD CAMBRIDGE HISTORIC DISTRICT
MAP -- 1976
Original Historic Districts:
1 LOWELL
2 FAYERWEATHER-LEE
3 LONGFELLOW
4 CAMBRIDGE COMMON
Key:
CAMBRIDGE HISTORICAL COMMISSION
12/13/76

C. C. 106

City of Cambridge

ORDINANCE NO. 1166
Final publication number 2685
First publication in the Chronicle on
June 5, 1995
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred and Ninety-Five

AN ORDINANCE

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Yeas 8; Nays 0; Absent 1.

ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provisions that said ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST: D. Margaret Drury, City Clerk

1. Amend the first sentence of §2.78.010 as follows:

> The Cambridge Historical Commission established under the Historic Districts Act, General Laws Chapter 40C, with all the powers and duties of an historic district commission, shall consist of seven members to be appointed by the City Manager with the approval of the Council, including one member from two nominees submitted by the Cambridge Historical Society, one member from two nominees submitted by the Chapter of the American Institute of Architects covering Cambridge . . .

Restores language from the previous codification and makes §2.78 conform to the requirements of M.G.L. Ch. 40C.

2. Amend the first line of §2.78.020.A as follows:

> A. To conduct a survey of Cambridge buildings . .

Restores prior language from Ordinance no. 727, final publication no. 1526, first publication September 27, 1962, and clarifies the meaning of this provision.

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> **A. There is hereby established under the provisions of the Historic Districts Act an Old Cambridge Historic District consisting of the areas heretofore known as the Cambridge Common Historic District, the Longfellow Historic District, the Lowell Historic District, and the Fayerweather-Lee Historic District and the other areas bounded as shown on the map entitled "Old Cambridge Historic District Map 1976" attached to and made a part of this ordinance.**

Restores language and the map from Ordinance no. 869, final publication no. 1885, first published July 1, 1976. The codified ordinance mistakenly kept the provisions adopted in 1962, omitted the map, and did not recognize the enlarged historic district adopted in 1976.

4. Add the map of the Old Cambridge Historic District referred to in the revised §2.78.050.A.

This map was mistakenly omitted from the revised ordinance.

5. Add the map of the Fort Washington Historic District referred to in §2.78.050.B.

This map was mistakenly omitted from the revised ordinance.

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The codified ordinance referred to the wrong section.

7. Amend the title of §2.78.150 as follows:

> 2.78.150 Definitions for Article ~~II~~ III.

Corrects a typographical error.

8. Amend the third sentence of §2.78.160.B as follows:

> The members of the **Neighborhood** Conservation District Commission shall be appointed by the City Manager . . .

Clarifies the original language.

9. Amend the title of §2.78.180 as follows:

> 2.78.180 Designation procedures

The current title, adopted on codification, is both ungrammatical and misleading, since this section also deals with neighborhood conservation districts

10. Amend §2.78.180.G by deleting the next to last word and inserting the word "Middlesex".

Corrects a typographical error.

11. Amend the title of §2.78.210.B as follows:

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Restores original wording.

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> . . . may reasonably determine, together with . .

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> The members and alternate members shall serve for terms of three years and until their successors are appointed and qualified. If within thirty days after submission of a written request for nominees to any of the above-named organizations no such nominations have been submitted, the City Manager may make such appointment without nomination by such organization.
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> To the extent a person meets more than one of the foregoing specific membership requirements, then each such specific membership requirement so met shall be satisfied by such person's appointment (whether as member or alternate) to the Commission. . . . .

In an effort to ensure diversity, the present ordinance requires that six specific categories of members be represented on the Commission; state law requires only four such categories be represented. This requirement has the paradoxical effect of limiting diversity by allowing only

one "at-large" member. Presently, all alternates are appointed at large. This amendment would increase the diversity of views among the voting membership to the extent provided by state law.

15. Amend the first sentence of §2.78.090.C as follows:

> C. If the Commission staff shall make an initial determination that the building which is the subject of the application is or may be a significant building, the members of the Commission and the Building Commissioner shall be so advised, and no demolition permit or building permit for new construction or alterations as defined in Ch. 40C §6 shall at that time be issued pending review of the initial determination by the Commission pursuant to subsection D of this section.

Amend the first sentence of §2.78.090.E as follows:

> E. Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved significant building, it shall so advise the person who submitted the application and the Building Commissioner, and no demolition permit or building permit for new construction or alterations on the premises shall be issued until six months after the date of such determination by the Commission except as may be provided for in Subsection 2.78.090.I.

Add a new subsection to §2.78.090:

> I. During the six-month delay of demolition, no application for a building permit for new construction or alterations on the premises of a preferably preserved significant building shall be granted until reviewed by the Commission as though the property were designated as a landmark under Article III of Chapter 2.78. Until the expiration of the six-month delay period, the Commission shall review all construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a preferably preserved significant building.

At present, the owner of a preferably preserved significant building cannot be prevented from destroying the architectural significance of the building after the initial determination of significance and during the six-month delay period. These amendments would allow the Commission to review potentially destructive alterations for the period of the delay.

1. Amend §2.78.110 as follows: 5.

A. In the event that a Board of Survey is convened to consider the condition of a building over fifty years old, the Executive Director of the Cambridge Historical Commission shall be notified to accompany the Board during its inspection. The Commissioner of Inspectional Services shall pursue all reasonable courses of action to prevent emergency demolition of such a building which the Executive Director makes an initial determination is or may be a significant building, including but not limited to requiring the owner to secure it against further danger to the public.

B. Nothing in this Ordinance shall prevent the construction, reconstruction, alteration, or demolition of any feature which the Commissioner of Inspectional Services shall certify is required for public safety because of an unsafe or dangerous condition.

16. Insert the following definition in §2.78.150:

> H. "Gross Floor Area" means the floor area so defined in Article 2.000 of the Zoning Ordinance of the City of Cambridge.

This amendment clarifies the potential ambiguity raised by the order establishing the Mid Cambridge Neighborhood Conservation District, which authorizes review of certain additions to existing floor area.

17. Amend the fourth sentence of §2.78.180.D as follows:

> No later than forty-five days after the transmittal of a report to the Commission pertaining to the proposed designation, the Commission shall hold a public hearing.

Amending the window for action on a designation proposal clarifies and streamlines designation procedures by tracking the deadlines for other Commission actions.

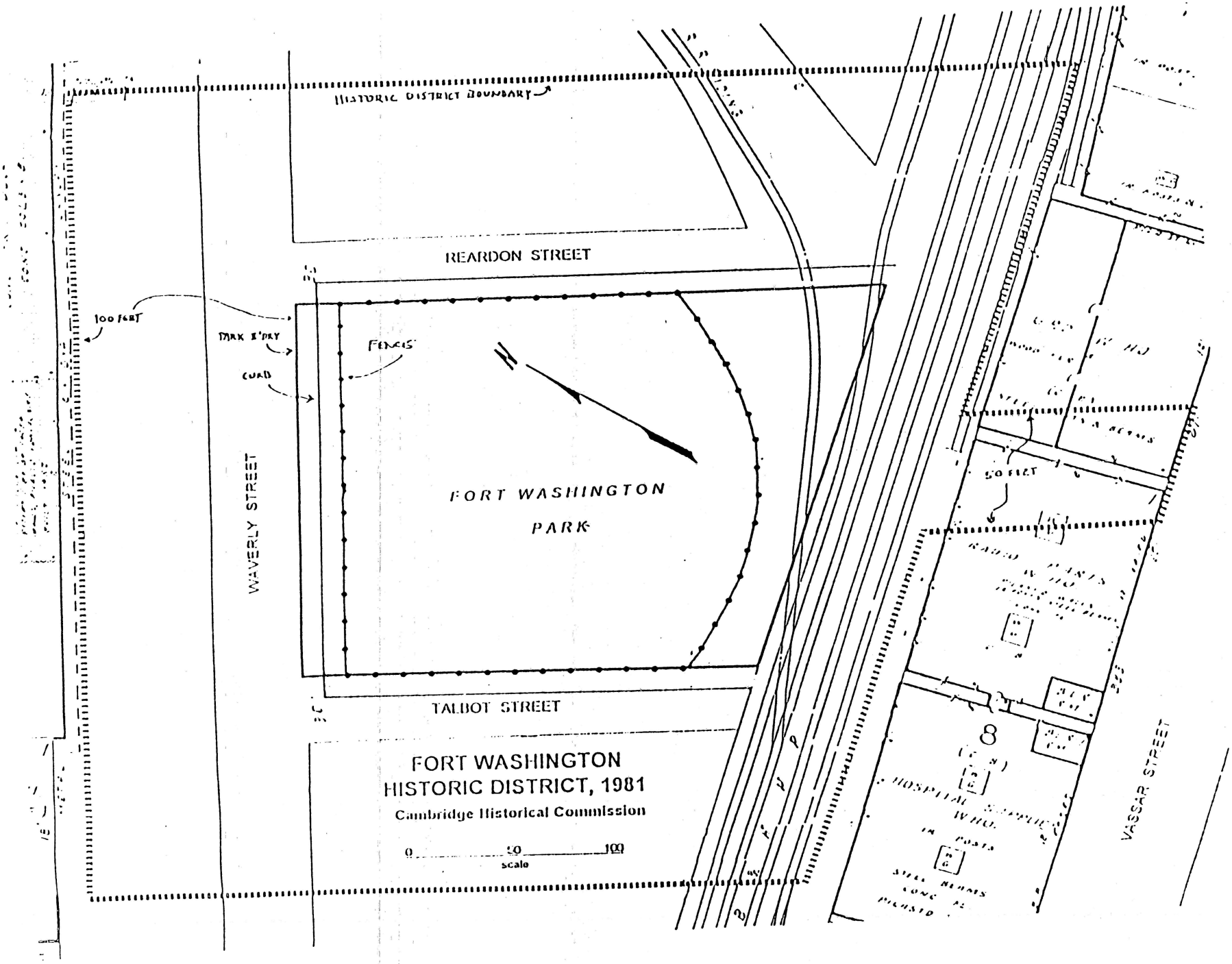
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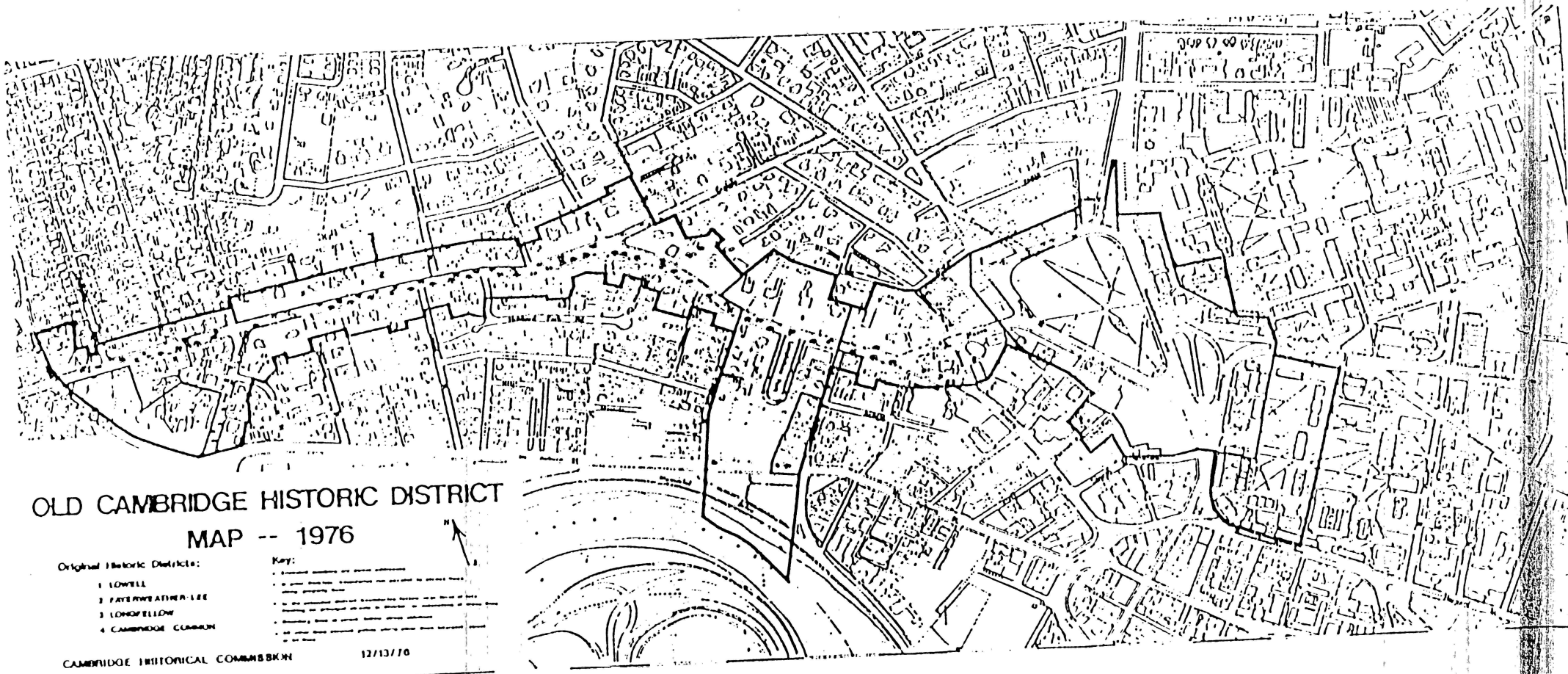
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The owner of a property being considered for landmark designation or inclusion in a neighborhood conservation district cannot now be prevented from destroying the significant features of the building. This amendment would establish a time limit for designation studies and would allow the Commission to review potentially destructive alterations within that period.

Passed to a second reading at the City Council meeting held on June 5, 1995 and on or after June 19, 1995 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk


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OLD CAMBRIDGE HISTORIC DISTRICT
MAP -- 1976
Original Historic Districts:
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Key:
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12/13/76

C. C. 108

City of Cambridge

ORDINANCE NO. 1166
Final publication number 2685
First publication in the Chronicle on
June 5, 1995
CITY OF CAMBRIDGE
In the Year One Thousand,
Nine Hundred and Ninety-Five

AN ORDINANCE

In amendment to the "Municipal Code of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge.

That Chapter 2.78 of the Municipal Code of the City of Cambridge entitled **"Historical Buildings & Land Marks."**

In City Council June 19, 1995

Passed to be ordained as amended by a yea and nay vote: -
Yeas 8; Nays 0; Absent 1.

ATTEST:- D. Margaret Drury, City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provisions that said ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

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16. Insert the following definition in §2.78.150:

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This amendment clarifies the potential ambiguity raised by the order establishing the Mid Cambridge Neighborhood Conservation District, which authorizes review of certain additions to existing floor area.

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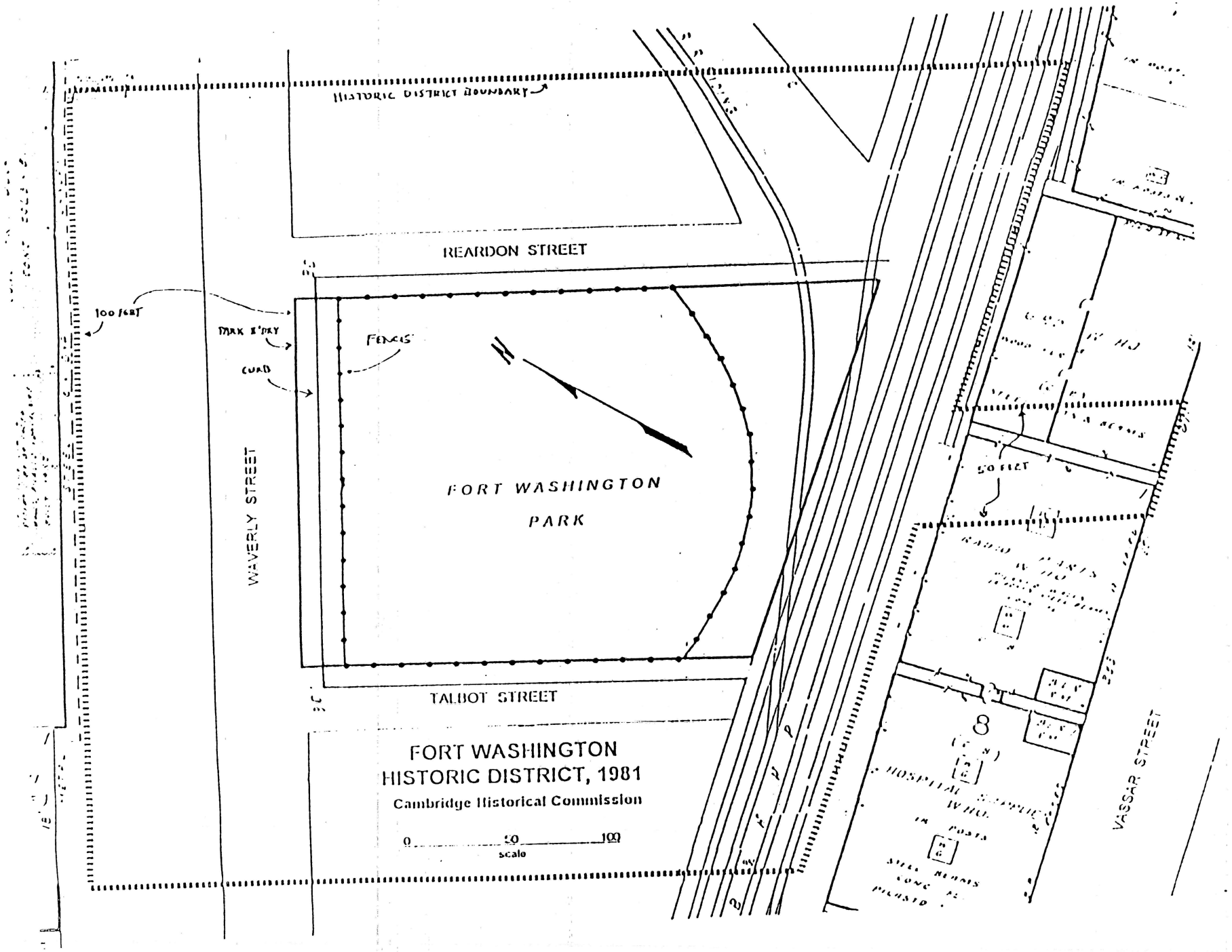
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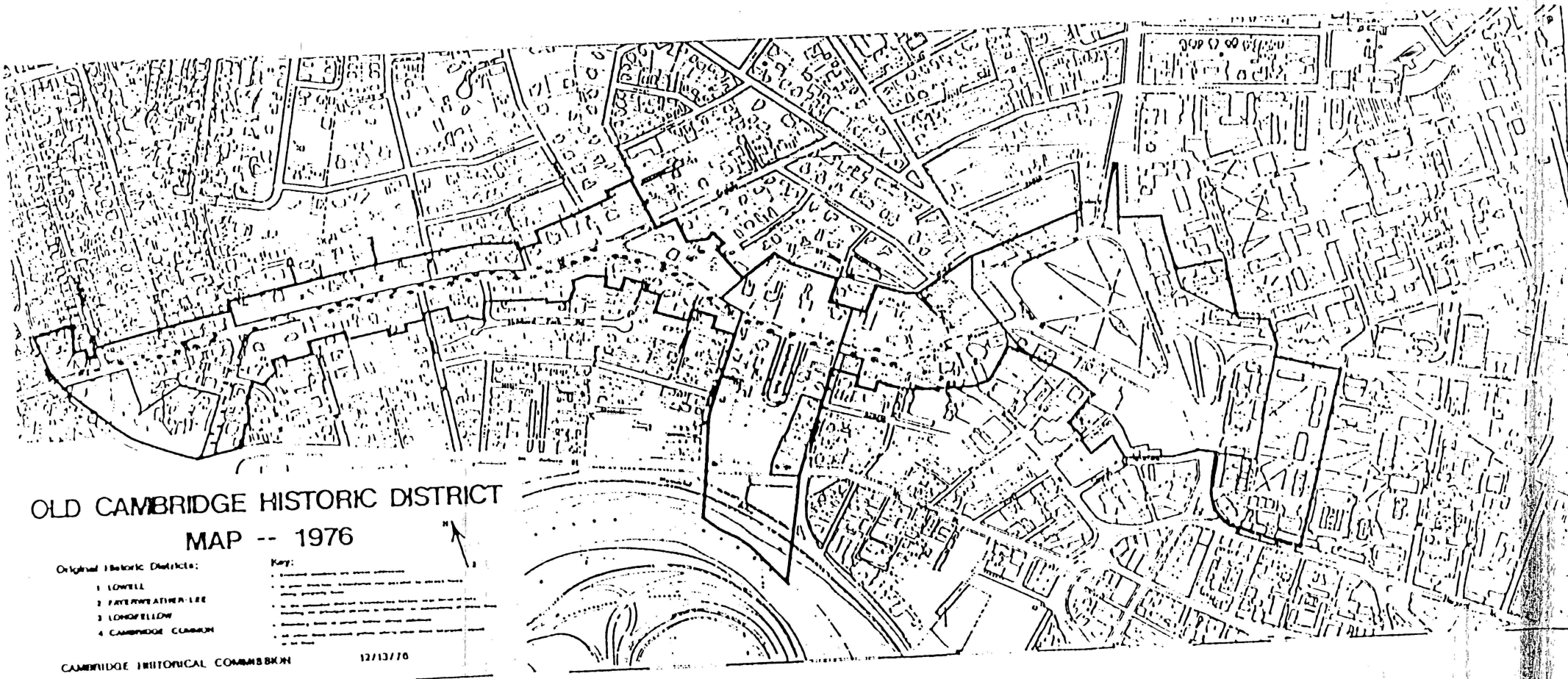
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OLD CAMBRIDGE HISTORIC DISTRICT
MAP -- 1976
Original Historic Districts:
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3 LONGFELLOW
4 CAMBRIDGE COMMON
Key:
CAMBRIDGE HISTORICAL COMMISSION
12/13/76

May 18, 1995

To: Robert W. Healy, City Manager

From: Charles M. Sullivan, Executive Director
Cambridge Historical Commission

Re: Additional Amendment to Ch. 2.78

Section 2.78.110 (Emergency Demolition) has proven inadequate in practice because it does not give the Commissioner of Inspectional Services the authority to address immediate public safety hazards. Therefore, the following additional amendment is proposed:*

1. Amend §2.78.110 as follows:

A. In the event that a Board of Survey is convened to consider the condition of a building over fifty years old, the Executive Director of the Cambridge Historical Commission shall be notified to accompany the Board during its inspection. The ~~Board of Survey~~ **Commissioner of Inspectional Services** shall pursue all reasonable courses of action to prevent emergency demolition of such a building which the Executive Director makes an initial determination is or may be a significant building, including but not limited to requiring the owner to secure it against further danger to the public.

B. Nothing in this Ordinance shall prevent the construction, reconstruction, alteration, or demolition of any feature which the Commissioner of Inspectional Services shall certify is required for public safety because of an unsafe or dangerous condition.

cc: Donald Drisdell, Law Department
Robert Bersani, Inspectional Services Department

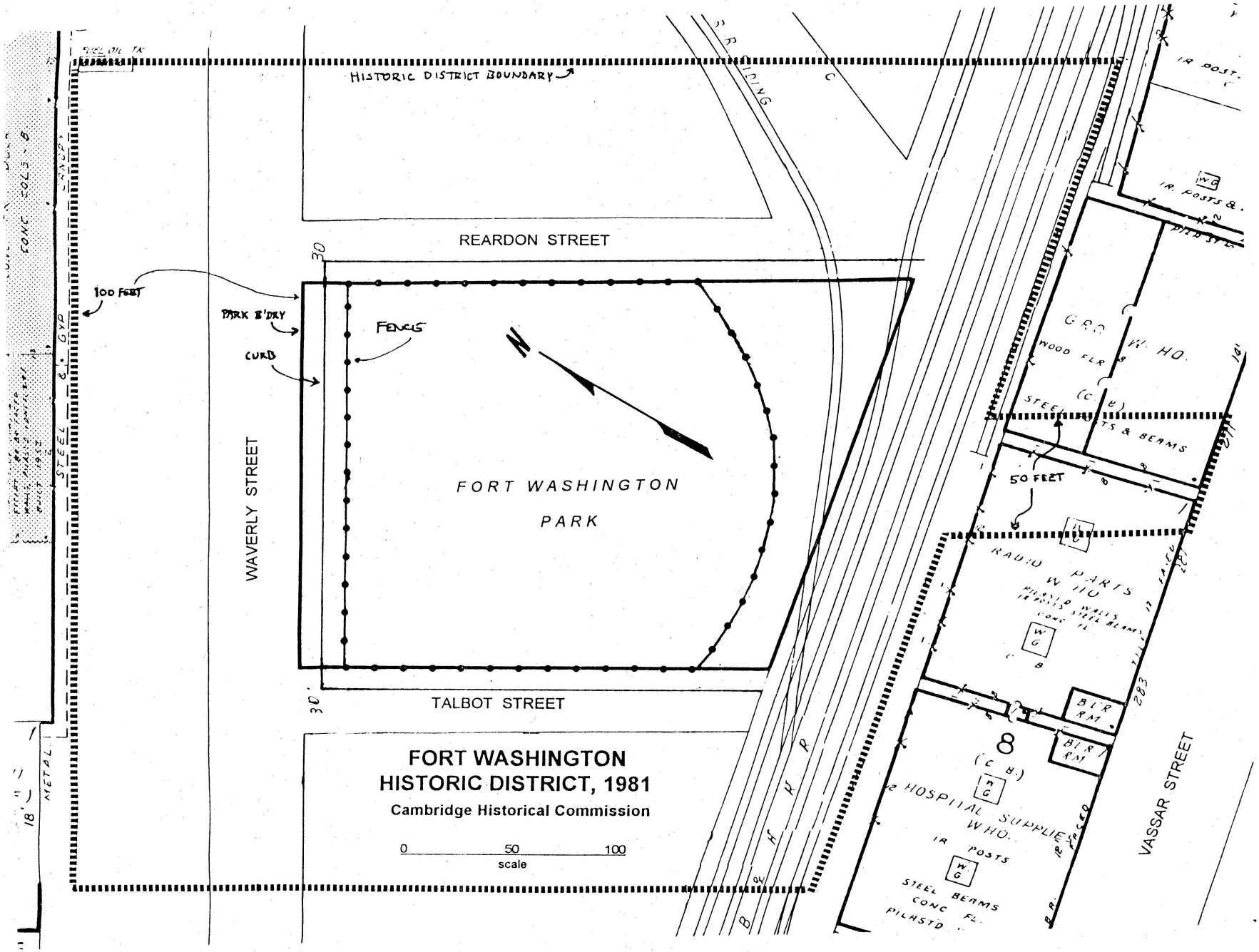
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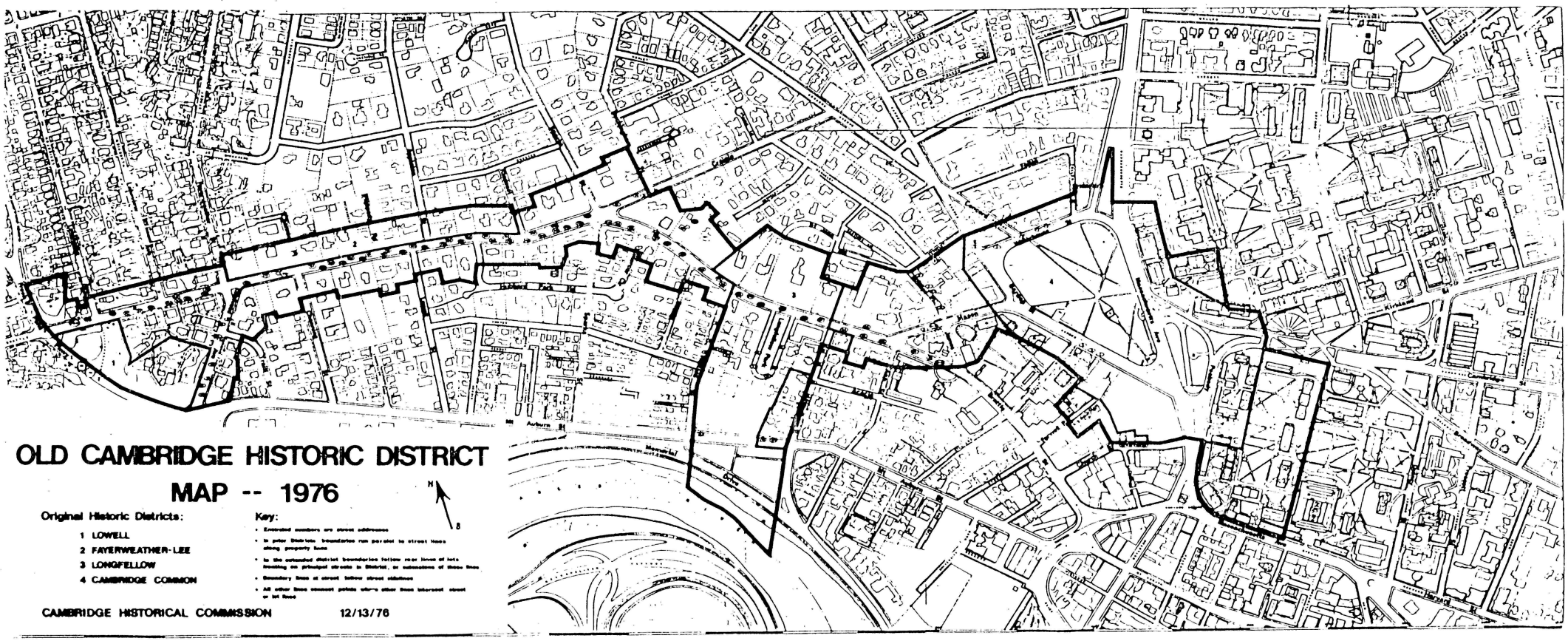
*Additions in **bold face**; deletions struck out

Committee Report #3

Comm. received from John E. Flynn transmitting a report from Vice Mayor Russell , Chair of the Ordinance Committee for a public hearing held on May 18, 1995 for the purpose of discussing proposed amnedments to the Chapter 2.78 of the M,unicipal Code as recommended by the Cambridge Historical Commission.

In CIty COuncil June 5, 1995


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16. Insert the following definition in §2.78.150:

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This amendment clarifies the potential ambiguity raised by the order establishing the Mid Cambridge Neighborhood Conservation District, which authorizes review of certain additions to existing floor area.

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18. Amend §2.78.180 by adding a new subsection as follows:

> **I. Following acceptance of a designation petition by the Historical Commission, no application for a building permit for new construction or alterations on the premises of a property being considered for designation shall be granted until reviewed by the Commission as though the property were designated as a landmark or a neighborhood conservation district under Article III. Beginning with the acceptance of a designation petition and until (a) the Historical Commission makes a negative recommendation on a proposed designation, (b) the City Council determines not to enact the proposed designation, or (c) one year has elapsed, whichever is less, the Commission shall review all proposed construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a proposed landmark or within a proposed neighborhood conservation district.**

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Restores original wording.

Substantive Amendments

14. Amend §2.78.010 to allow the required nominees to be appointed as alternates. The revised section would read in part as follows:

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Technical and Substantive Amendments to Chapter 2.78 of the Cambridge Municipal Code

Technical Corrections*

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> The Cambridge Historical Commission established under the Historic Districts Act, General Laws Chapter 40C, with all the powers and duties of an historic district commission, shall consist of seven members to be appointed by the City Manager with the approval of the Council, **including one member from two nominees submitted by the Cambridge Historical Society,** one member from two nominees submitted by the Chapter of the American Institute of Architects covering Cambridge . . .

Restores language from the previous codification and makes §2.78 conform to the requirements of M.G.L. Ch. 40C.

2. Amend the first line of §2.78.020.A as follows:

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Restores prior language from Ordinance no. 727, final publication no. 1526, first publication September 27, 1962, and clarifies the meaning of this provision.

3. Delete §2.78.050.A and substitute the following:

> **A. There is hereby established under the provisions of the Historic Districts Act an Old Cambridge Historic District consisting of the areas heretofore known as the Cambridge Common Historic District, the Longfellow Historic District, the Lowell Historic District, and the Fayerweather-Lee Historic District and the other areas bounded as shown on the map entitled "Old Cambridge Historic District Map 1976" attached to and made a part of this ordinance.**

Restores language and the map from Ordinance no. 869, final publication no. 1885, first published July 1, 1976. The codified ordinance mistakenly kept the provisions adopted in 1962, omitted the map, and did not recognize the enlarged historic district adopted in 1976.

4. Add the map of the Old Cambridge Historic District referred to in the revised §2.78.050.A.

This map was mistakenly omitted from the revised ordinance.

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> A. "Application" means an application for a permit for the demolition of a building, which application contains the information referred to in ~~§2.78.040~~ **2.78.100** of this article.

The codified ordinance referred to the wrong section.

7. Amend the title of §2.78.150 as follows:

> 2.78.150 Definitions for Article ~~II~~ III.

Corrects a typographical error.

8. Amend the third sentence of §2.78.160.B as follows:

> The members of the ~~Commission~~ **Neighborhood Conservation District Commission** shall be appointed by the City Manager . . .

Clarifies the original language.

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> 2.78.180 Designation ~~of landmark~~ procedures

The current title, adopted on codification, is both ungrammatical and misleading, since this section also deals with neighborhood conservation districts

10. Amend §2.78.180.G by deleting the next to last word and inserting the word "**Middlesex**".

Corrects a typographical error.

11. Amend the title of §2.78.210.B as follows:

> **2.78.210 Certificates of Appropriateness, Nonapplicability, or Hardship**

Restores original wording.

12. Amend the eighth line of §2.78.210.B as follows:

> . . . may reasonably ~~determinate~~ **determine**, together with . .

Restores original wording.

C. C. 106

City of Cambridge

The Ordinance Committee conducted a public hearing on Thursday, May 18, 1995 beginning at 7:55 p.m. in the Sullivan Chamber, second floor, City Hall.

Vice Mayor Sheila T. Russell, Chair of the above-referenced committee, convened the hearing and stated that the purpose of this date's proceedings was to discuss proposed amendments to Chapter 2.78 of the Municipal Code as recommended by the Cambridge Historical Commission. Present at the hearing were: Councillors Kathleen L. Born, Francis H. Duehay, Michael A. Sullivan, Historical Commission Chair William King, Executive Director of the Historical Commission Charles Sullivan, Deputy City Solicitor Donald Drisdell and Deputy City Clerk John E. Flynn.

To begin the discussion, Vice Mayor Russell recognized Mr. King and Mr. Sullivan for their presentation.

At this time, the Committee was briefed on a number of technical and substantive amendments that were outlined in a memorandum dated February 24, 1995 to the City Manager.

Highlighted amendments included:

- Membership;
- Prior language omitted in the recodification of the Municipal Code in 1989;
- Inclusion of maps - Old Cambridge Historical District;
- Determination process; and
- Emergency Demolition.

Upon conclusion of the presentation, Councillor Duehay moved the proposed ordinance to the full City Council without recommendation pending review by the Law Department.

On a voice vote, the motion carried.

The hearing was adjourned at 8:34 p.m.

For the Committee,

Sheila T. Russell

Vice Mayor Sheila T. Russell
Chair

8.

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 20, 1995

To The Honorable, The City Council:

Please find attached proposed amendments to Chapter 2.78 of the Municipal Code as recommended by the Cambridge Historical Commission.

Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

March 6, 1995

RECEIVED
95 MAR -8 PM 12:31
OFFICE OF THE CITY MANAGER

To: Robert W. Healy, City Manager

From: Charles M. Sullivan, Executive Director
Cambridge Historical Commission

Re: Amendments to Ch. 2.78 of the City Code

Attached are the final proposed amendments to Chapter 2.78.

I have reviewed these with Don Drisdell and Bob Bersani and made the corrections that they suggested. The Commission gave them a final review on March 2, and asked me to submit them to you for transmittal to the City Council.

There are two categories of amendments to be considered. The first thirteen are entirely technical, and correct the oversights and omissions made during codification.

The substantive amendments deal with several situations that the Commission feels should be addressed.

Appointments

Number 14 gives the City Manager a little more flexibility in making appointments. Presently, all but one voting member **must** represent a particular nominating group or qualification. By modifying the requirements for representation of landscape architects and lawyers the number of "at large" slots can be increased from one to three. The Commission has delayed seeking a replacement for Charles W. Eliot, who was a landscape architect, until this provision is reviewed by the City Council.

Demolition Review and Historic Designations

Numbers 15 and 17 close a loophole in the demolition review and designation processes by allowing the Commission to review potentially destructive alterations while a property is under delay or being studied for designation. Most modern preservation ordinances include a similar provision.

Other Amendments

Number 16 supplies a needed definition, while number 17 clarifies and streamlines the designation schedule.

I hope that we can submit this package to the City Council for action this spring.

enclosure

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Technical and Substantive Amendments to Chapter 2.78 of the Cambridge Municipal Code

Technical Corrections*

1. Amend the first sentence of §2.78.010 as follows:

> The Cambridge Historical Commission established under the Historic Districts Act, General Laws Chapter 40C, with all the powers and duties of an historic district commission, shall consist of seven members to be appointed by the City Manager with the approval of the Council, **including one member from two nominees submitted by the Cambridge Historical Society,** one member from two nominees submitted by the Chapter of the American Institute of Architects covering Cambridge . . .

Restores language from the previous codification and makes §2.78 conform to the requirements of M.G.L. Ch. 40C.

2. Amend the first line of §2.78.020.A as follows:

> A. To conduct a survey of ~~City~~ **Cambridge** buildings . .

Restores prior language from Ordinance no. 727, final publication no. 1526, first publication September 27, 1962, and clarifies the meaning of this provision.

3. Delete §2.78.050.A and substitute the following:

> **A. There is hereby established under the provisions of the Historic Districts Act an Old Cambridge Historic District consisting of the areas heretofore known as the Cambridge Common Historic District, the Longfellow Historic District, the Lowell Historic District, and the Fayerweather-Lee Historic District and the other areas bounded as shown on the map entitled "Old Cambridge Historic District Map 1976" attached to and made a part of this ordinance.**

Restores language and the map from Ordinance no. 869, final publication no. 1885, first published July 1, 1976. The codified ordinance mistakenly kept the provisions adopted in 1962, omitted the map, and did not recognize the enlarged historic district adopted in 1976.

4. Add the map of the Old Cambridge Historic District referred to in the revised §2.78.050.A.

This map was mistakenly omitted from the revised ordinance.

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* Additions in **bold face**; deletions struck out.

13. Amend the fourteenth line of §2.78.240 as follows:

> . . . nation of the Historical Commission, ~~of~~ **or** if action . .

Restores original wording.

Substantive Amendments

14. Amend §2.78.010 to allow the required nominees to be appointed as alternates. The revised section would read in part as follows:

> The Cambridge Historical Commission established under the Historic Districts Act, General Laws Chapter 40C, with all the powers and duties of an historic district commission, shall consist of seven members **and three alternate members** to be appointed by the City Manager with the approval of the Council, including one member from two nominees submitted by the Cambridge Historical Society, one member from two nominees submitted by the Chapter of the American Institute of Architects covering Cambridge, one member **or alternate** from two nominees submitted by the Boston Society of Landscape Architects, and one member from two nominees of the Board of Realtors covering Cambridge. One or more of the members so appointed shall be a resident of an historic district established in the City pursuant to the Historic Districts Act, and at least one member **or alternate** shall be a lawyer. ~~There shall also be three alternate members also appointed by the Manager with the approval of the Council.~~ The members and alternate members shall serve for terms of three years and until their successors are appointed and qualified. If within thirty days after submission of a written request for nominees to any of the above-named organizations no such nominations have been submitted, the City Manager may make such appointment without nomination by such organization. ~~No alternate member need be a nominee of any of the above named organizations.~~ To the extent a person meets more than one of the foregoing specific membership requirements, then each such specific membership requirement so met shall be satisfied by such person's ~~membership~~ **appointment (whether as member or alternate) to** ~~on~~ the Commission. . . . .

In an effort to ensure diversity, the present ordinance requires that six specific categories of members be represented on the Commission; state law requires only four such categories be represented. This requirement has the paradoxical effect of limiting diversity by allowing only

16. Insert the following definition in §2.78.150:

> **H. "Gross Floor Area" means the floor area so defined in Article 2.000 of the Zoning Ordinance of the City of Cambridge.**

This amendment clarifies the potential ambiguity raised by the order establishing the Mid Cambridge Neighborhood Conservation District, which authorizes review of certain additions to existing floor area.

17. Amend the fourth sentence of §2.78.180.D as follows:

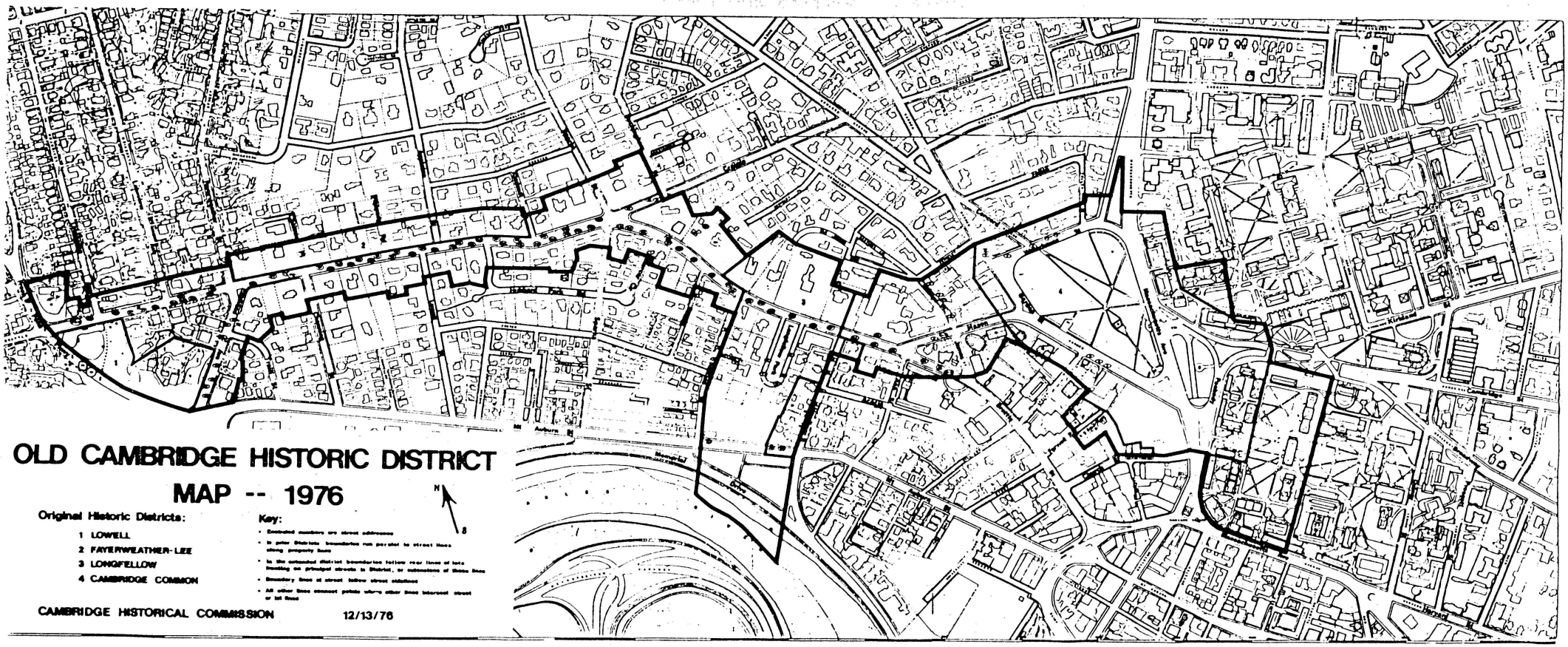
> No ~~less~~ later than forty-five ~~nor more than sixty~~ days after the transmittal of a report to the Commission pertaining to the proposed designation, the Commission shall hold a public hearing.

Amending the window for action on a designation proposal clarifies and streamlines designation procedures by tracking the deadlines for other Commission actions.

18. Amend §2.78.180 by adding a new subsection as follows:

> **I. Following acceptance of a designation petition by the Historical Commission, no application for a building permit for new construction or alterations on the premises of a property being considered for designation shall be granted until reviewed by the Commission as though the property were designated as a landmark or a neighborhood conservation district under Article III. Beginning with the acceptance of a designation petition and until (a) the Historical Commission makes a negative recommendation on a proposed designation, (b) the City Council determines not to enact the proposed designation, or (c) one year has elapsed, whichever is less, the Commission shall review all proposed construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a proposed landmark or within a proposed neighborhood conservation district.**

The owner of a property being considered for landmark designation or inclusion in a neighborhood conservation district cannot now be prevented from destroying the significant features of the building. This amendment would establish a time limit for designation studies and would allow the Commission to review potentially destructive alterations within that period.



OLD CAMBRIDGE HISTORIC DISTRICT

MAP -- 1976

N

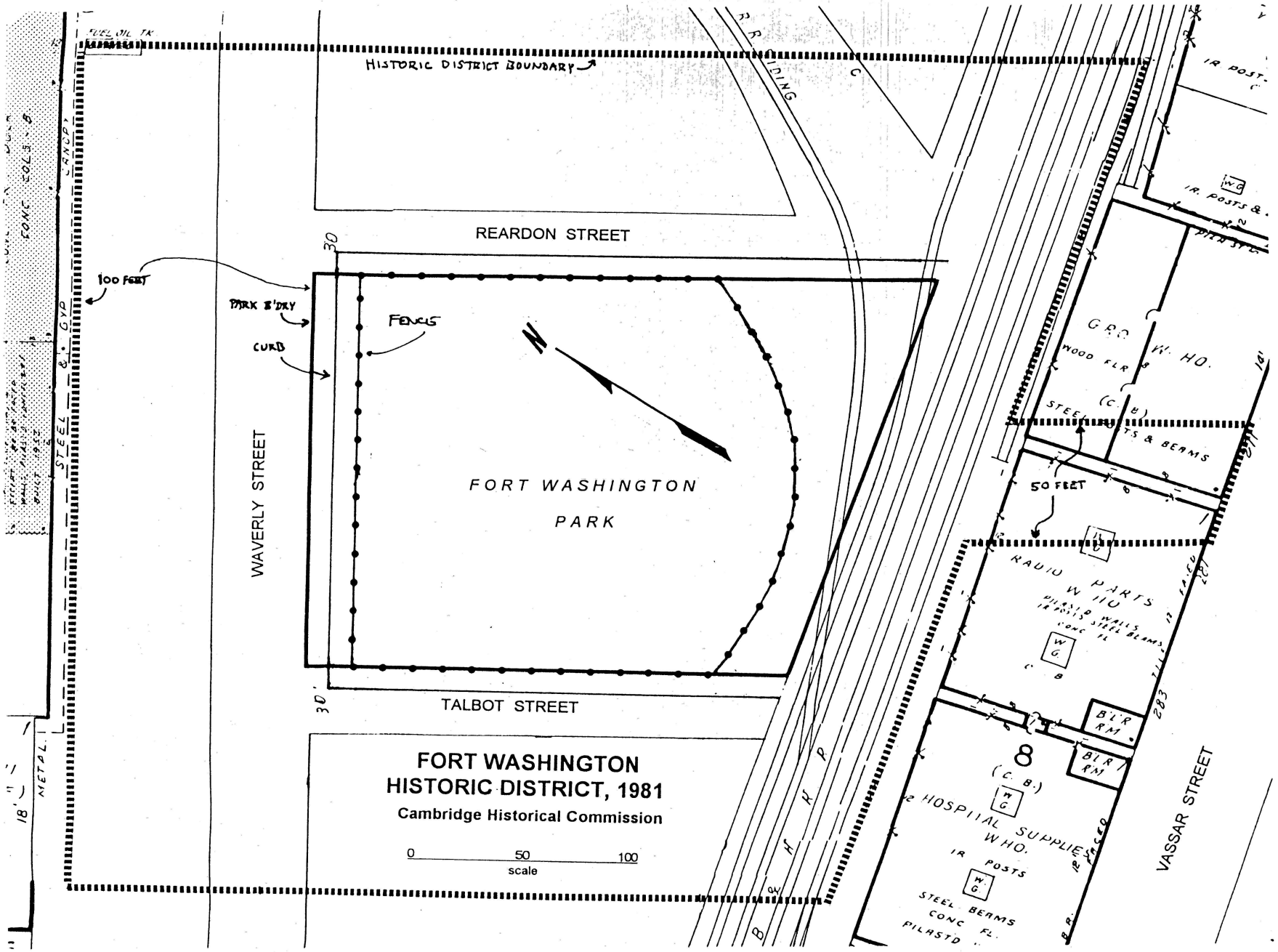
Original Historic Districts:

1 LOWELL
2 FAYERWEATHER-LEE
3 LONGFELLOW
4 CAMBRIDGE COMMON

Key:

- Bracketed numbers are street addresses
- In some districts boundaries run parallel to street lines along property lines
- In the extended district boundaries follow rear lines of lots fronting on principal streets in District, or centerlines of those lines
- Boundary lines at street bodies across waterways
- All other lines represent points where other lines intersect, street or lot lines

CAMBRIDGE HISTORICAL COMMISSION 12/13/76


HISTORIC DISTRICT BOUNDARY
REARDON STREET
30
100 FEET
PARK S'DRY
CURB
FENCE
WAVERLY STREET
FORT WASHINGTON
PARK
TALBOT STREET
30'
FORT WASHINGTON
HISTORIC DISTRICT, 1981
Cambridge Historical Commission
0
50
100
scale
50 FEET
VASSAR STREET
STEEL
METAL
WOOD FLR
(C. B.)
RAILROAD
B & M R R

8.

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 20, 1995

To The Honorable, The City Council:

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Very truly yours,

Robert W. Healy
City Manager

RWH/mev
attachment

FIRST PUBLICATION NO. 2682.

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Five

AN ORDINANCE

In amendment to the "Municipal Codeof the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

That Chapter 2.78 of the "Municipal Code of the City of Cambridge: entitled "Historical Buildings and Landmarks" be and hereby is amended as follows:

1. Amend the first sentence of §2.78.010 as follows:

> The Cambridge Historical Commission established under the Historic Districts Act, General Laws Chapter 40C, with all the powers and duties of an historic district commission, shall consist of seven members to be appointed by the City Manager with the approval of the Council, including one member from two nominees submitted by the Cambridge Historical Society, one member from two nominees submitted by the Chapter of the American Institute of Architects covering Cambridge . . .

Restores language from the previous codification and makes §2.78 conform to the requirements of M.G.L. Ch. 40C.

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> A. To conduct a survey of Cambridge buildings . .

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This map was mistakenly omitted from the revised ordinance.

5. Add the map of the Fort Washington Historic District referred to in §2.78.050.B.

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> A. "Application" means an application for a permit for the demolition of a building, which application contains the information referred to in § 2.78.100 of this article.

The codified ordinance referred to the wrong section.

7. Amend the title of §2.78.150 as follows:

> 2.78.150 Definitions for Article ~~II~~ III.

Corrects a typographical error.

8. Amend the third sentence of §2.78.160.B as follows:

> The members of the **Neighborhood Conservation District Commission** shall be appointed by the City Manager . . .

Clarifies the original language.

9. Amend the title of §2.78.180 as follows:

> 2.78.180 Designation procedures

The current title, adopted on codification, is both ungrammatical and misleading, since this section also deals with neighborhood conservation districts

10. Amend §2.78.180.G by deleting the next to last word and inserting the word "**Middlesex**".

Corrects a typographical error.

11. Amend the title of §2.78.210.B as follows:

> **2.78.210 Certificates of Appropriateness, Nonapplicability, or Hardship**

Restores original wording.

12. Amend the eighth line of §2.78.210.B as follows:

> . . . may reasonably determine, together with . .

Restores original wording.

13. Amend the fourteenth line of §2.78.240 as follows:

> . . . nation of the Historical Commission, or if action . .

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> The members and alternate members shall serve for terms of three years and until their successors are appointed and qualified. If within thirty days after submission of a written request for nominees to any of the above-named organizations no such nominations have been submitted, the City Manager may make such appointment without nomination by such organization.
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> To the extent a person meets more than one of the foregoing specific membership requirements, then each such specific membership requirement so met shall be satisfied by such person's appointment (whether as member or alternate) to the Commission. . . . .

In an effort to ensure diversity, the present ordinance requires that six specific categories of members be represented on the Commission; state law requires only four such categories be represented. This requirement has the paradoxical effect of limiting diversity by allowing only

one "at-large" member. Presently, all alternates are appointed at large. This amendment would increase the diversity of views among the voting membership to the extent provided by state law.

15. Amend the first sentence of §2.78.090.C as follows:

> C. If the Commission staff shall make an initial determination that the building which is the subject of the application is or may be a significant building, the members of the Commission and the Building Commissioner shall be so advised, and no demolition permit or building permit for new construction or alterations as defined in Ch. 40C §6 shall at that time be issued pending review of the initial determination by the Commission pursuant to subsection D of this section.

Amend the first sentence of §2.78.090.E as follows:

> E. Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved significant building, it shall so advise the person who submitted the application and the Building Commissioner, and no demolition permit or building permit for new construction or alterations on the premises shall be issued until six months after the date of such determination by the Commission except as may be provided for in Subsection 2.78.090.I.

Add a new subsection to §2.78.090:

> I. During the six-month delay of demolition, no application for a building permit for new construction or alterations on the premises of a preferably preserved significant building shall be granted until reviewed by the Commission as though the property were designated as a landmark under Article III of Chapter 2.78. Until the expiration of the six-month delay period, the Commission shall review all construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a preferably preserved significant building.

At present, the owner of a preferably preserved significant building cannot be prevented from destroying the architectural significance of the building after the initial determination of significance and during the six-month delay period. These amendments would allow the Commission to review potentially destructive alterations for the period of the delay.

1. Amend §2.78.110 as follows:

A. In the event that a Board of Survey is convened to consider the condition of a building over fifty years old, the Executive Director of the Cambridge Historical Commission shall be notified to accompany the Board during its inspection. The **Commissioner of Inspectional Services** shall pursue all reasonable courses of action to prevent emergency demolition of such a building which the Executive Director makes an initial determination is or may be a significant building, including but not limited to requiring the owner to secure it against further danger to the public.

B. **Nothing in this Ordinance shall prevent the construction, reconstruction, alteration, or demolition of any feature which the Commissioner of Inspectional Services shall certify is required for public safety because of an unsafe or dangerous condition.**

16. Insert the following definition in §2.78.150:

H. "Gross Floor Area" means the floor area so defined in Article 2.000 of the Zoning Ordinance of the City of Cambridge.

This amendment clarifies the potential ambiguity raised by the order establishing the Mid Cambridge Neighborhood Conservation District, which authorizes review of certain additions to existing floor area.

17. Amend the fourth sentence of §2.78.180.D as follows:

No later than forty-five days after the transmittal of a report to the Commission pertaining to the proposed designation, the Commission shall hold a public hearing.

Amending the window for action on a designation proposal clarifies and streamlines designation procedures by tracking the deadlines for other Commission actions.

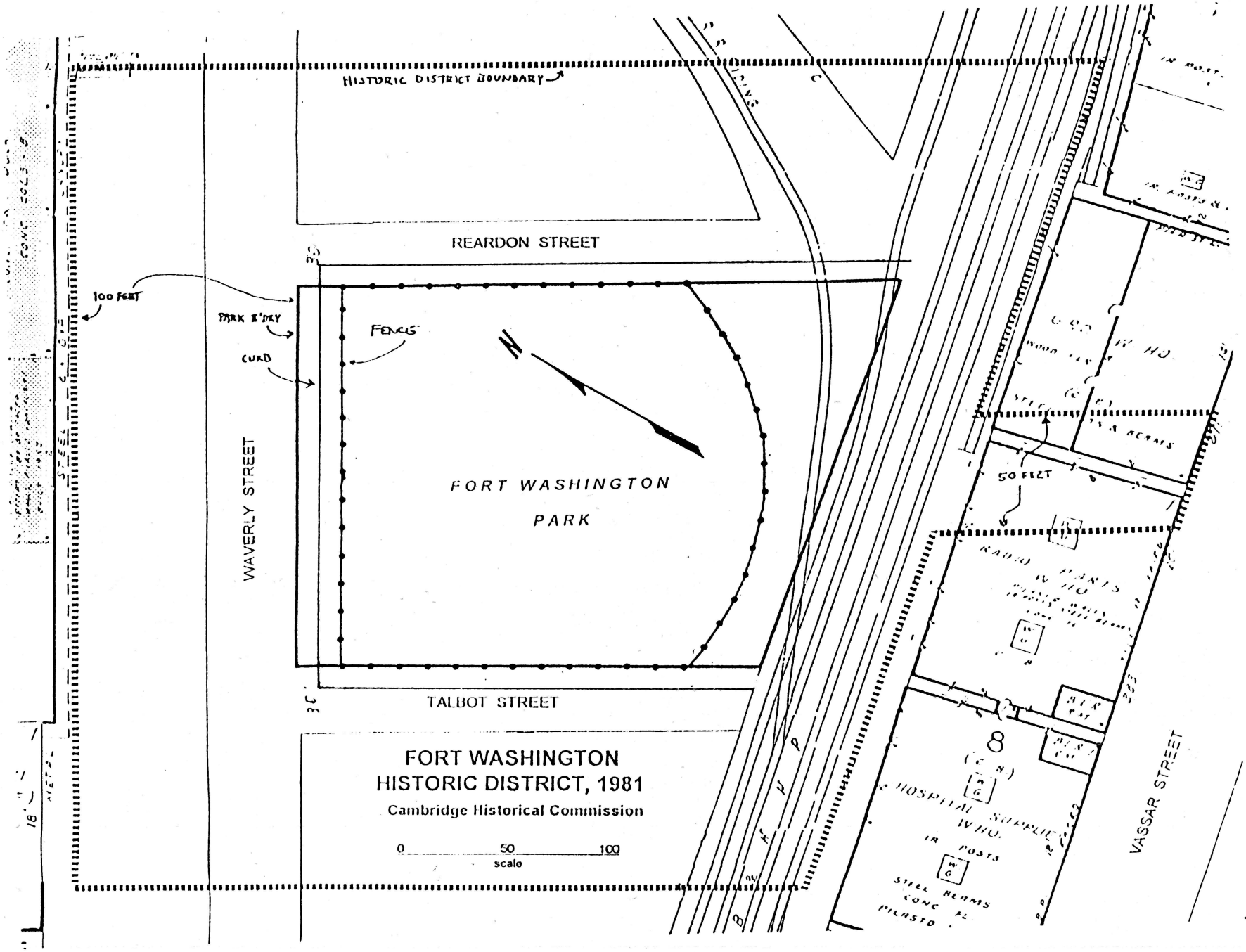
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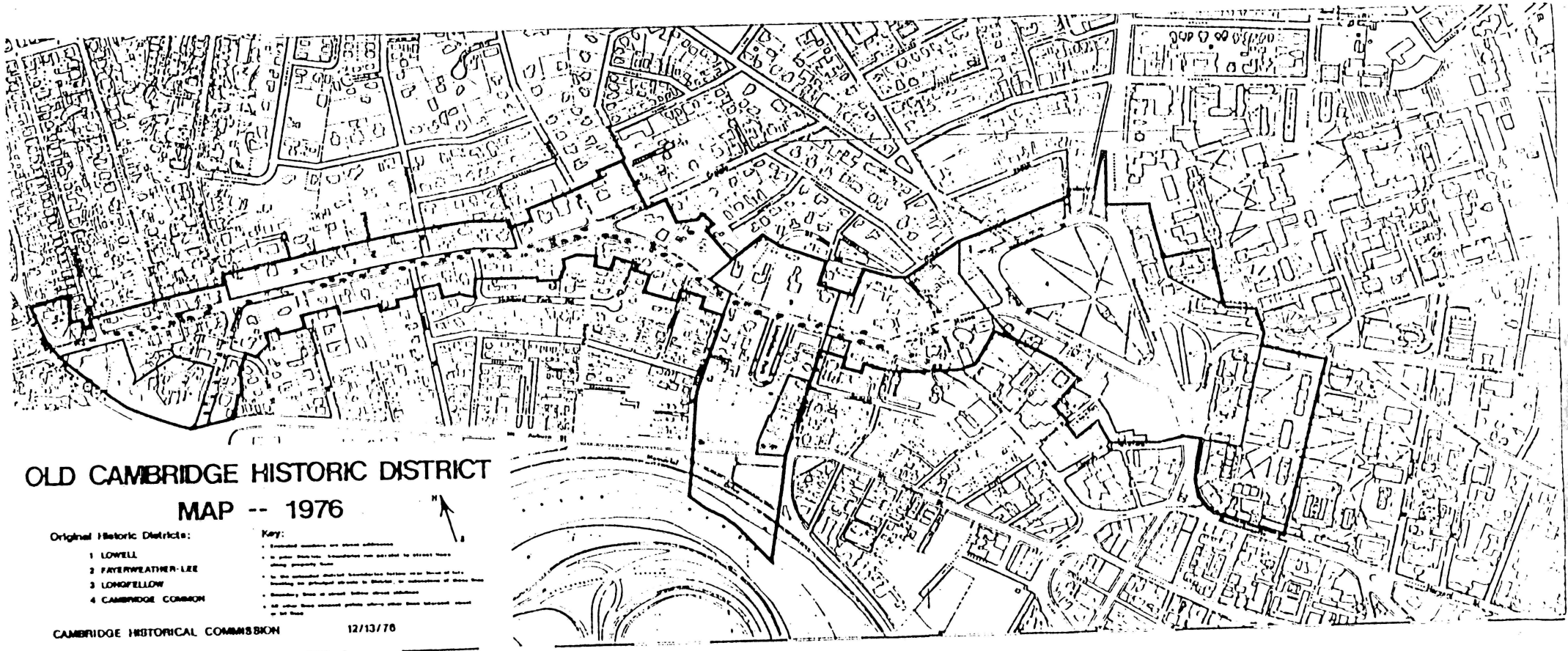
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The owner of a property being considered for landmark designation or inclusion in a neighborhood conservation district cannot now be prevented from destroying the significant features of the building. This amendment would establish a time limit for designation studies and would allow the Commission to review potentially destructive alterations within that period.

Passed to a second reading at the City Council meeting held on June 5, 1995 and on or after June 19, 1995 the question comes on passing to be ordained.

ATTEST:- D. Margaret Drury
City Clerk


HISTORIC DISTRICT BOUNDARY
REARDON STREET
100 FEET
PARK ST'DRY
CURB
FENCE
WAVERLY STREET
FORT WASHINGTON
PARK
TALBOT STREET
50 FEET
VASSAR STREET
FORT WASHINGTON
HISTORIC DISTRICT, 1981
Cambridge Historical Commission
0
50
100
scale


OLD CAMBRIDGE HISTORIC DISTRICT
MAP -- 1976
N
Original Historic Districts:
1 LOWELL
2 FAYERWEATHER-LEE
3 LONGFELLOW
4 CAMBRIDGE COMMON
Key:
CAMBRIDGE HISTORICAL COMMISSION
12/13/76

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> . . . may reasonably determine, together with . .

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> The members and alternate members shall serve for terms of three years and until their successors are appointed and qualified. If within thirty days after submis**sion** of a written request for nominees to any of the above-named organizations no such nominations have been submitted, the City Manager may make such appointment without nomination by such organization.
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> To the extent a person meets more than one of the foregoing specific membership requirements, then each such specific membership requirement so met shall be satisfied by such person's appointment (whether as member or alternate) to the Commission. . . . .

In an effort to ensure diversity, the present ordinance requires that six specific categories of members be represented on the Commission; state law requires only four such categories be represented. This requirement has the paradoxical effect of limiting diversity by allowing only

one "at-large" member. Presently, all alternates are appointed at large. This amendment would increase the diversity of views among the voting membership to the extent provided by state law.

15. Amend the first sentence of §2.78.090.C as follows:

> C. If the Commission staff shall make an initial determination that the building which is the subject of the application is or may be a significant building, the members of the Commission and the Building Commissioner shall be so advised, and no demolition permit **or building permit for new construction or alterations as defined in Ch. 40C §6** shall at that time be issued **pending review of the initial determination by the Commission pursuant to subsection D of this section.**

Amend the first sentence of §2.78.090.E as follows:

> E. Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved significant building, it shall so advise the person who submitted the application and the Building Commissioner, and no demolition permit **or building permit for new construction or alterations on the premises** shall be issued until six months after the date of such determination by the Commission **except as may be provided for in Subsection 2.78.090.I.**

Add a new subsection to §2.78.090:

> **I. During the six-month delay of demolition, no application for a building permit for new construction or alterations on the premises of a preferably preserved significant building shall be granted until reviewed by the Commission as though the property were designated as a landmark under Article III of Chapter 2.78. Until the expiration of the six-month delay period, the Commission shall review all construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a preferably preserved significant building.**

At present, the owner of a preferably preserved significant building cannot be prevented from destroying the architectural significance of the building after the initial determination of significance and during the six-month delay period. These amendments would allow the Commission to review potentially destructive alterations for the period of the delay.

1. Amend §2.78.110 as follows: 5.

A. In the event that a Board of Survey is convened to consider the condition of a building over fifty years old, the Executive Director of the Cambridge Historical Commission shall be notified to accompany the Board during its inspection. The ~~Board of Survey~~ **Commissioner of Inspectional Services** shall pursue all reasonable courses of action to prevent emergency demolition of such a building which the Executive Director makes an initial determination is or may be a significant building, including but not limited to requiring the owner to secure it against further danger to the public.

B. Nothing in this Ordinance shall prevent the construction, reconstruction, alteration, or demolition of any feature which the Commissioner of Inspectional Services shall certify is required for public safety because of an unsafe or dangerous condition.

cc: Donald Drisdell, Law Department
Robert Bersani, Inspectional Services Department

*Additions in **bold face**; deletions struck out

16. Insert the following definition in §2.78.150:

> H. "Gross Floor Area" means the floor area so defined in Article 2.000 of the Zoning Ordinance of the City of Cambridge.

This amendment clarifies the potential ambiguity raised by the order establishing the Mid Cambridge Neighborhood Conservation District, which authorizes review of certain additions to existing floor area.

17. Amend the fourth sentence of §2.78.180.D as follows:

> No ~~less~~ later than forty-five ~~nor more than sixty~~ days after the transmittal of a report to the Commission pertaining to the proposed designation, the Commission shall hold a public hearing.

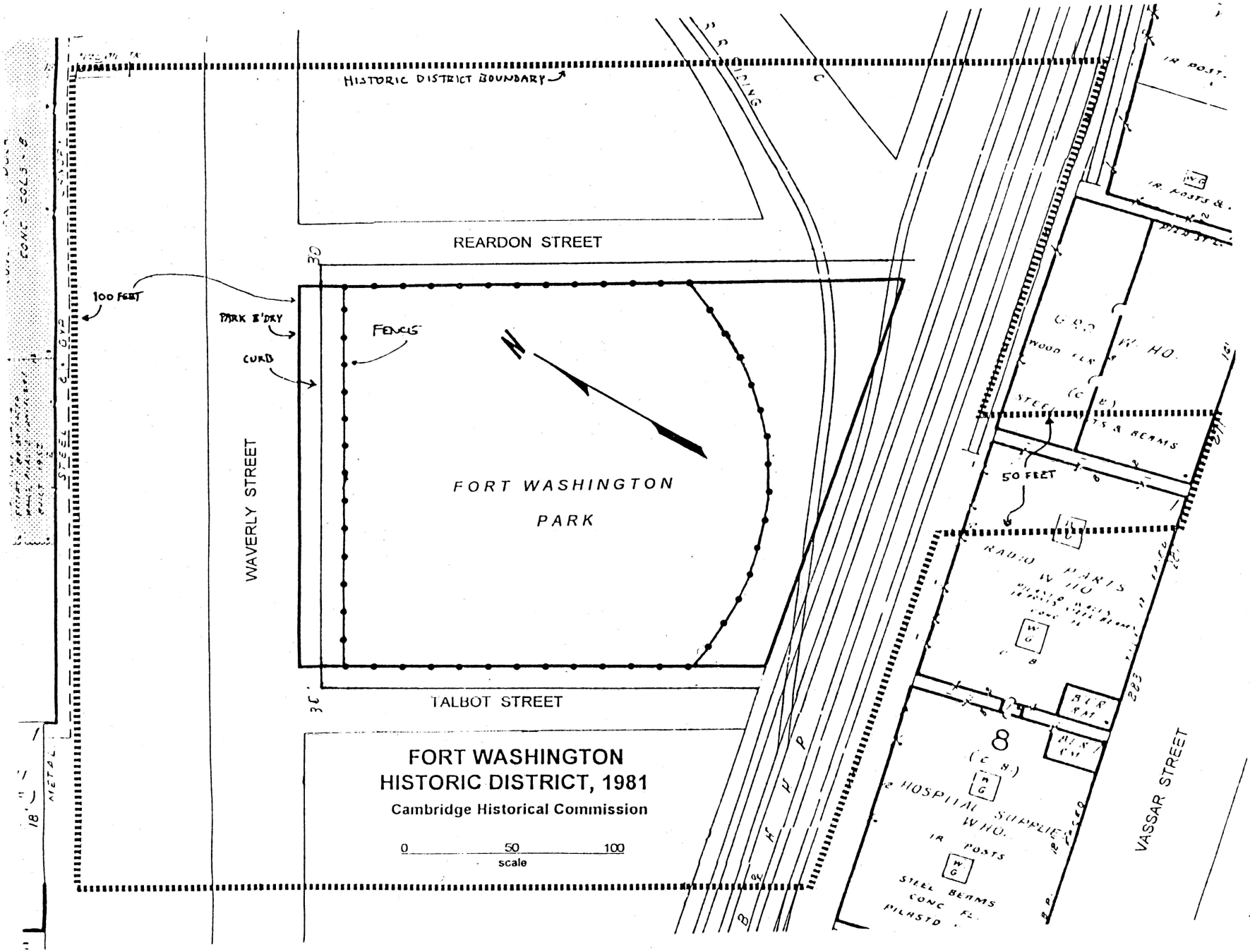
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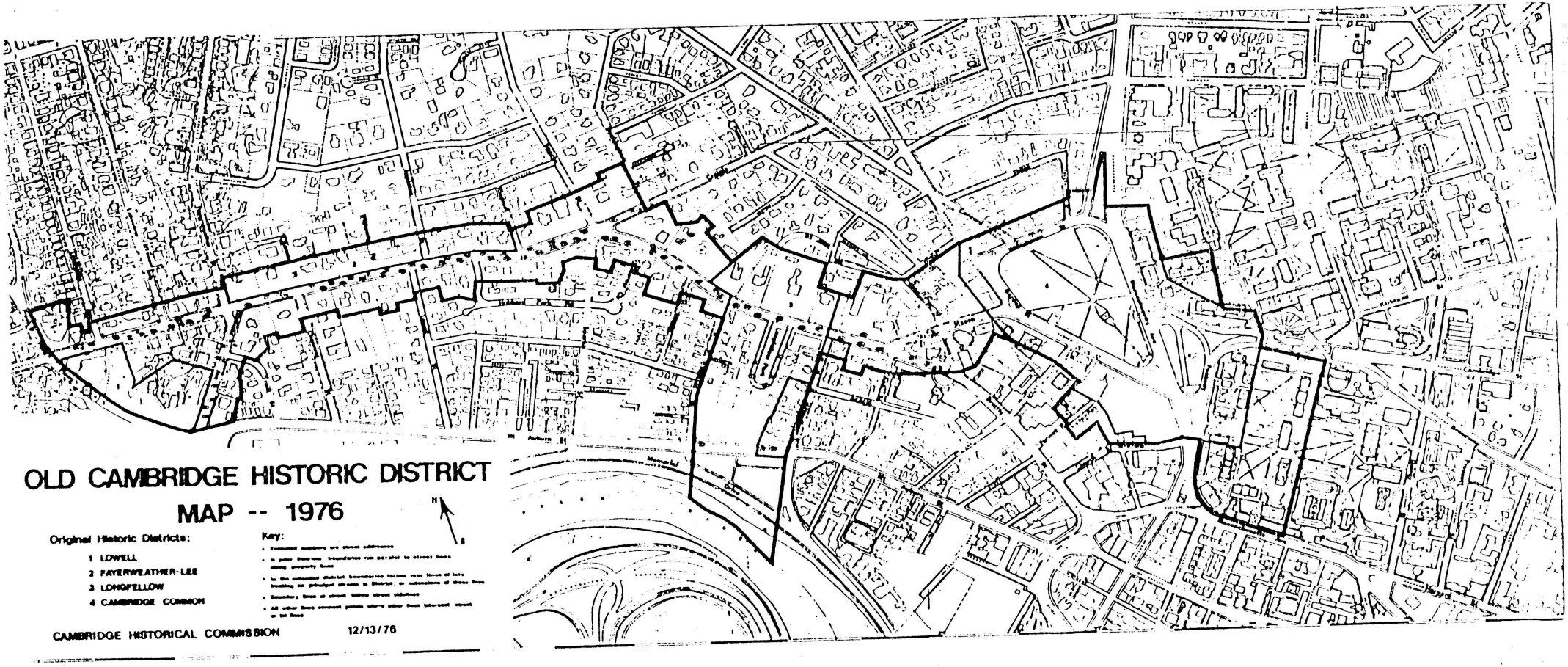
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The owner of a property being considered for landmark designation or inclusion in a neighborhood conservation district cannot now be prevented from destroying the significant features of the building. This amendment would establish a time limit for designation studies and would allow the Commission to review potentially destructive alterations within that period.

Cambridge Historical Commission
February 24, 1995


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CURB
FENCE
WAVERLY STREET
FORT WASHINGTON
PARK
TALBOT STREET
VASSAR STREET
50 FEET
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HISTORIC DISTRICT, 1981
Cambridge Historical Commission
0 50 100
scale



OLD CAMBRIDGE HISTORIC DISTRICT

MAP -- 1976

Original Historic Districts:

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Key:

CAMBRIDGE HISTORICAL COMMISSION 12/13/76

March 6, 1995

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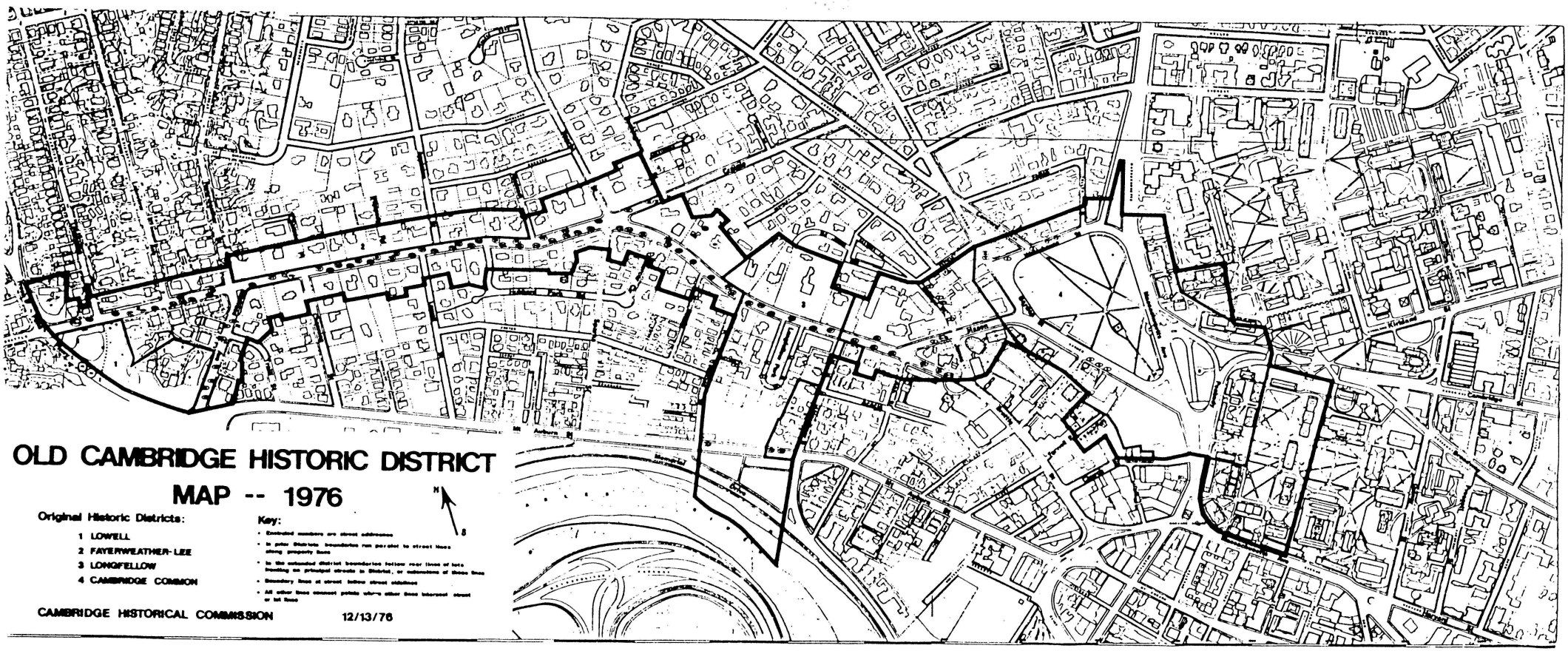
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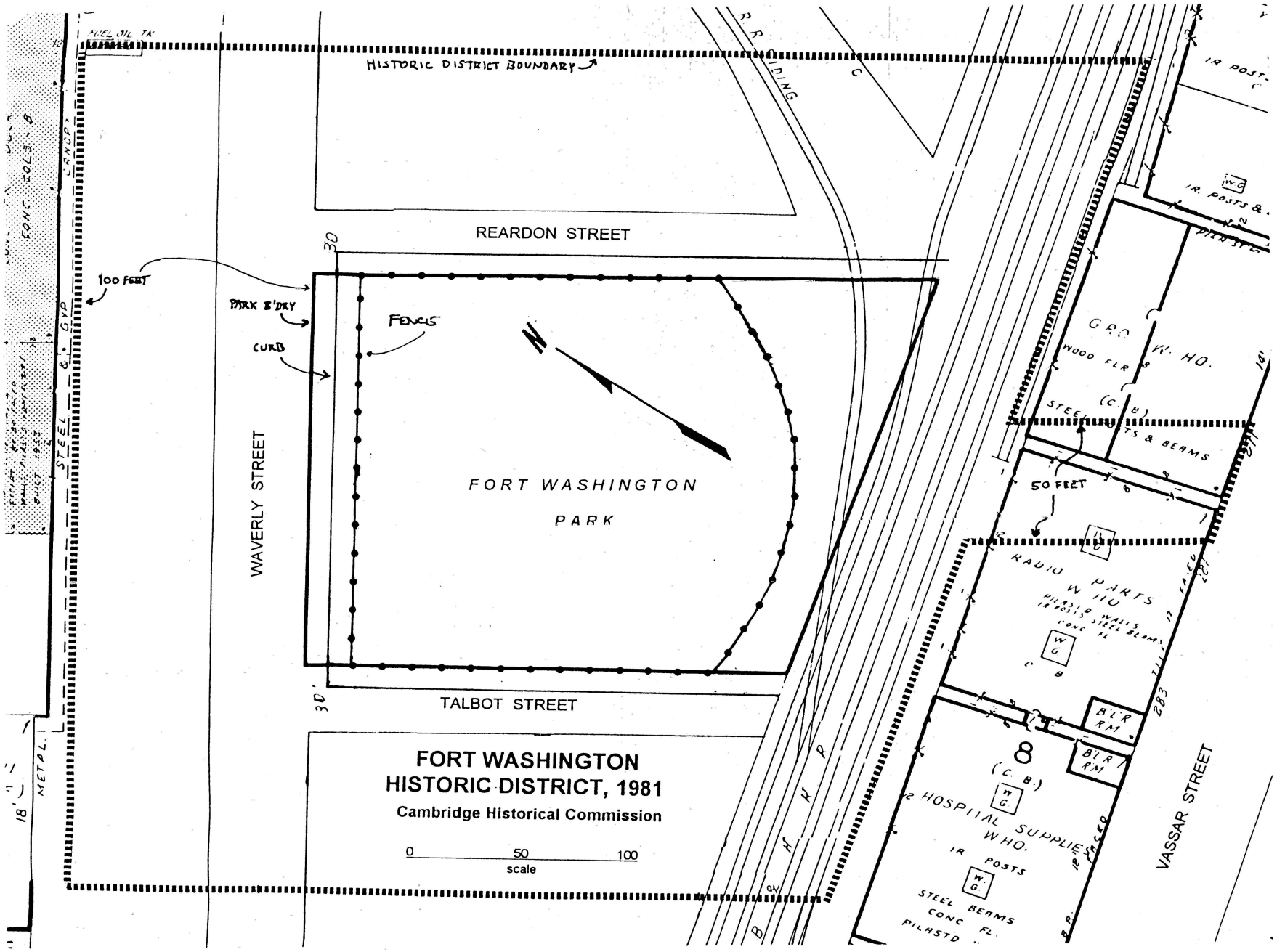
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CITY OF CAMBRIDGE
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TEL. 349-4300
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
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RWH/mev
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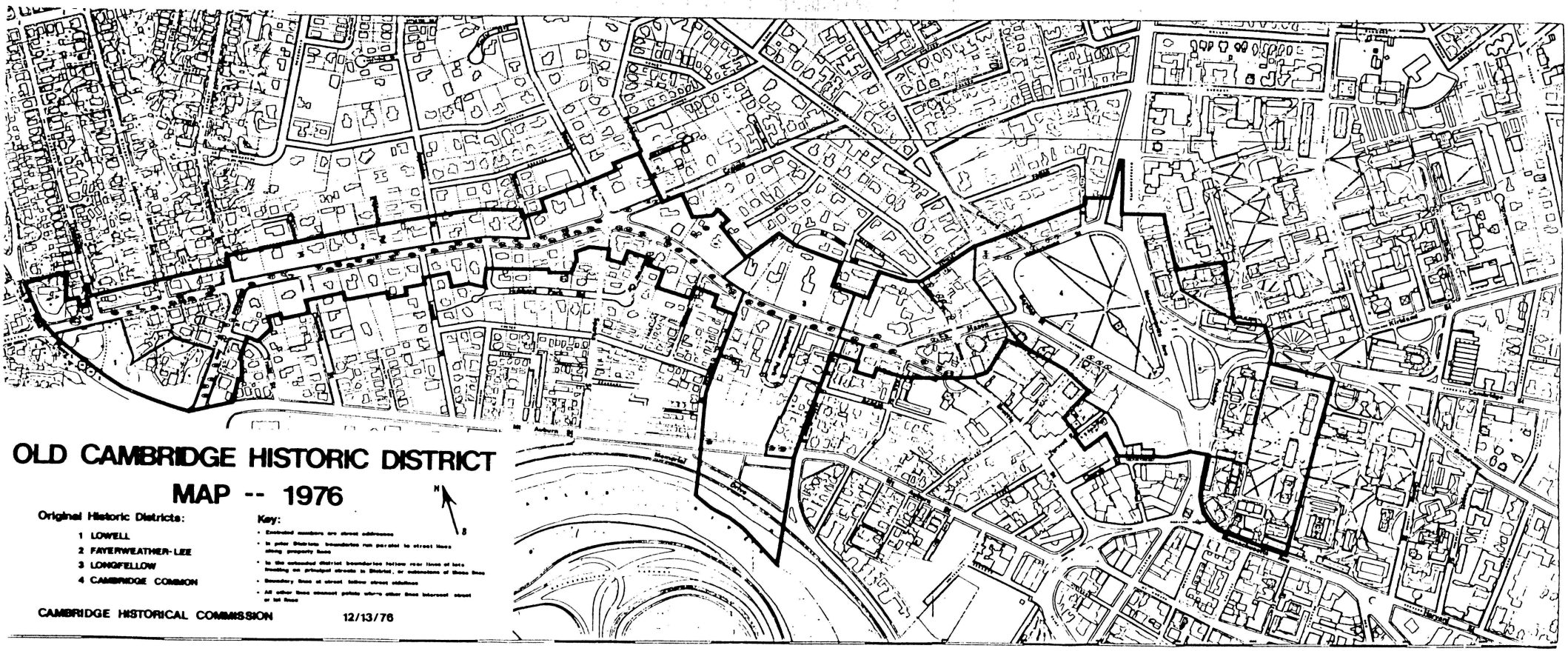
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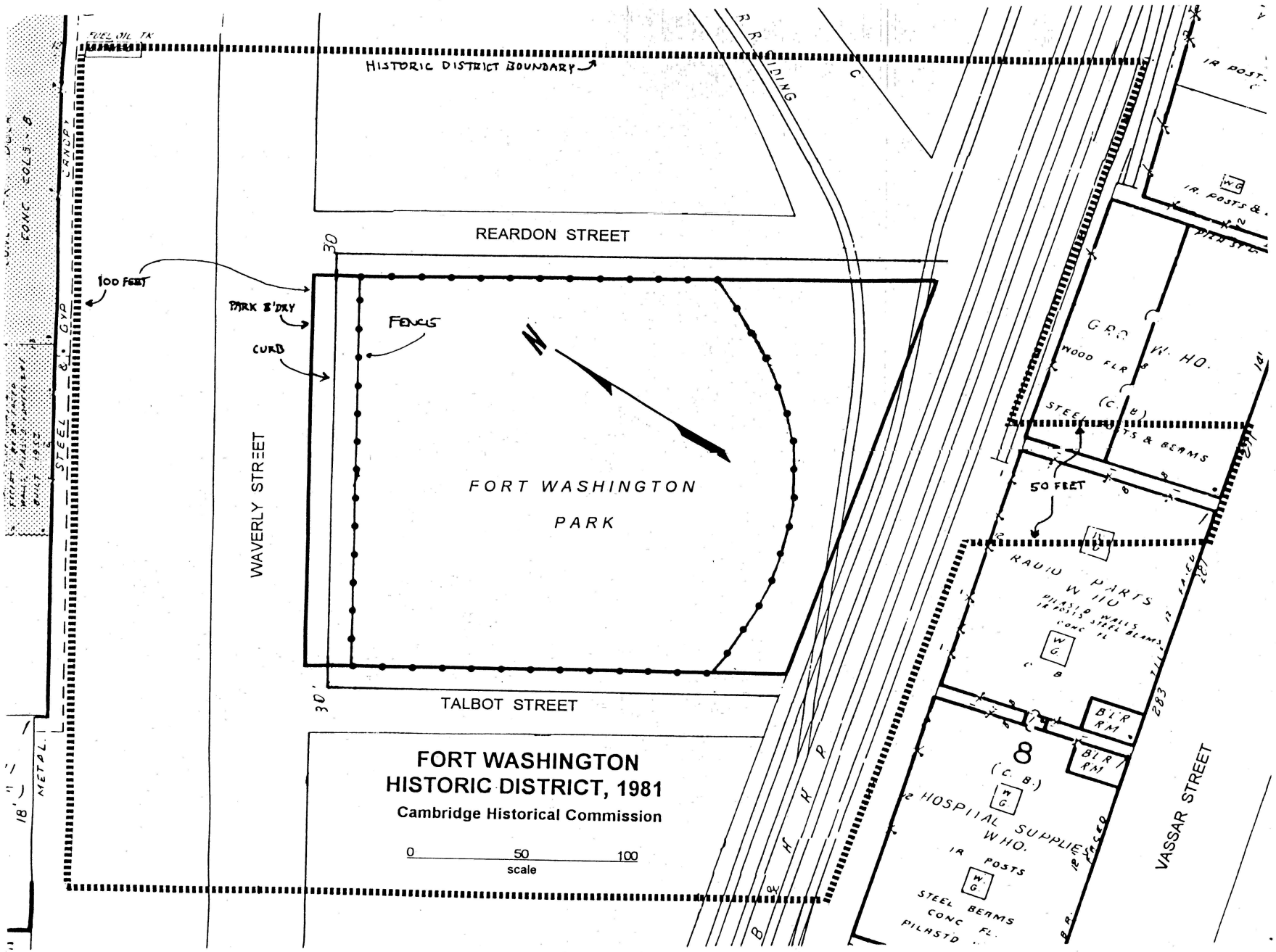
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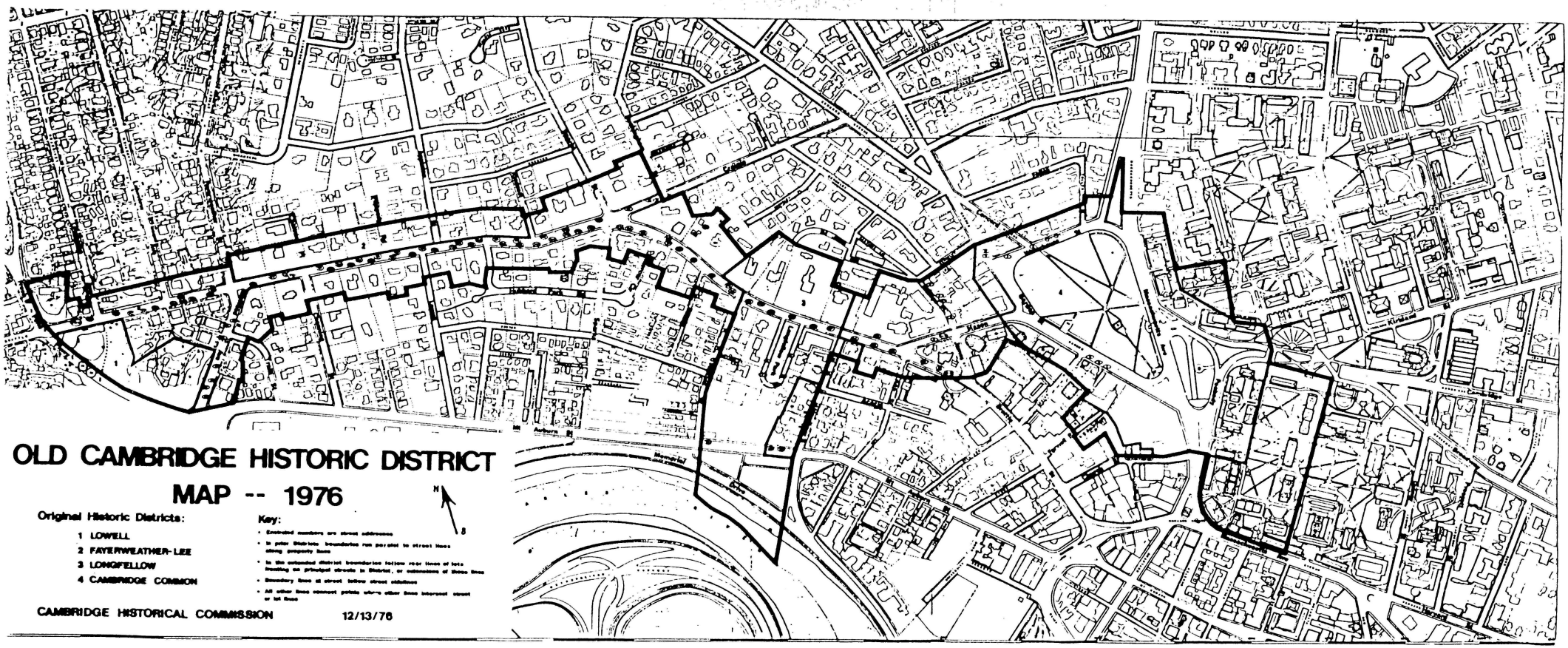
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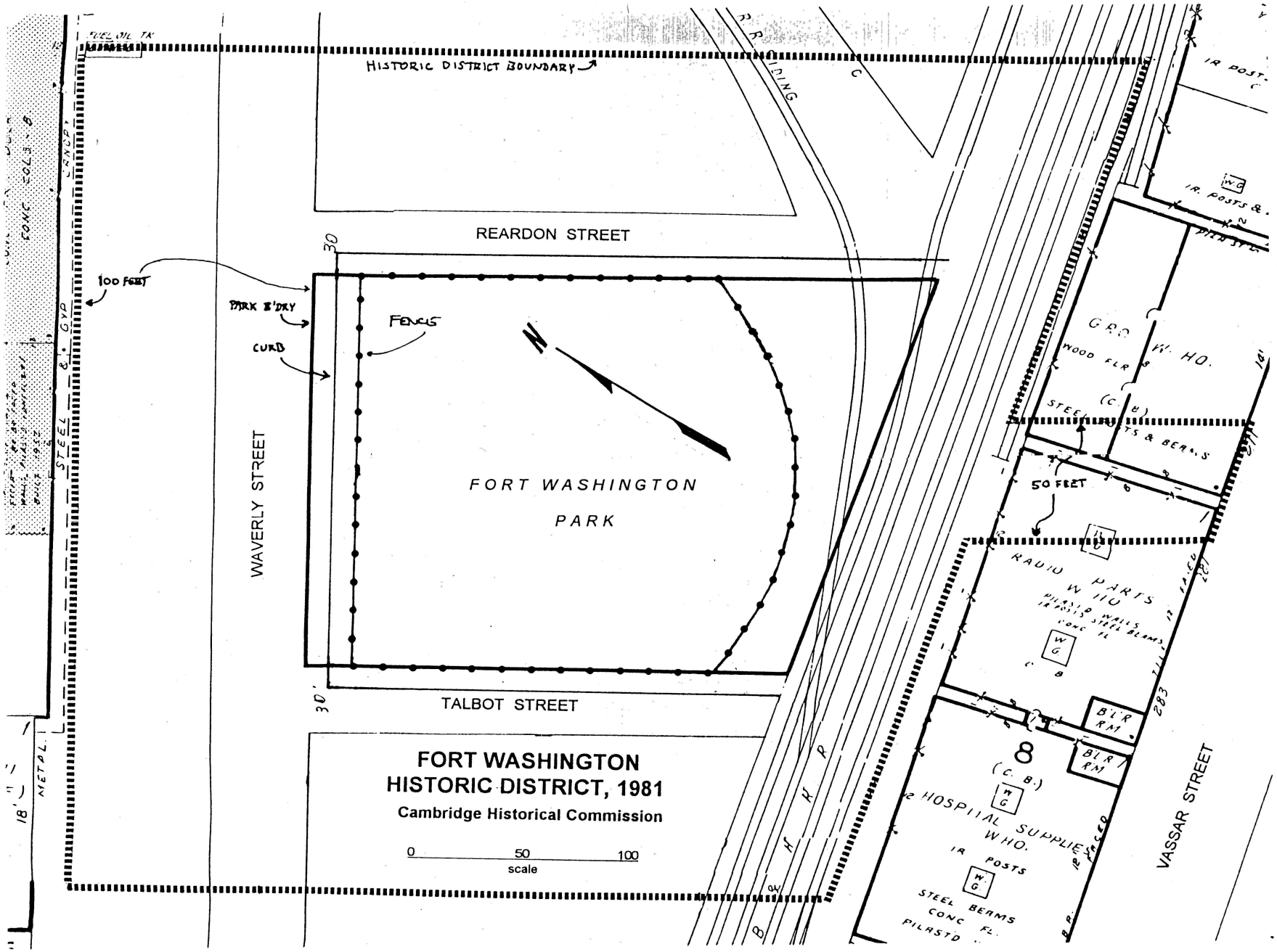
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Original Historic Districts:
1 LOWELL
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4 CAMBRIDGE COMMON
Key:
CAMBRIDGE HISTORICAL COMMISSION
12/13/76



FORT WASHINGTON HISTORIC DISTRICT, 1981

Cambridge Historical Commission

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scale

8.

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
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RWH/mev
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Restores language from the previous codification and makes §2.78 conform to the requirements of M.G.L. Ch. 40C.

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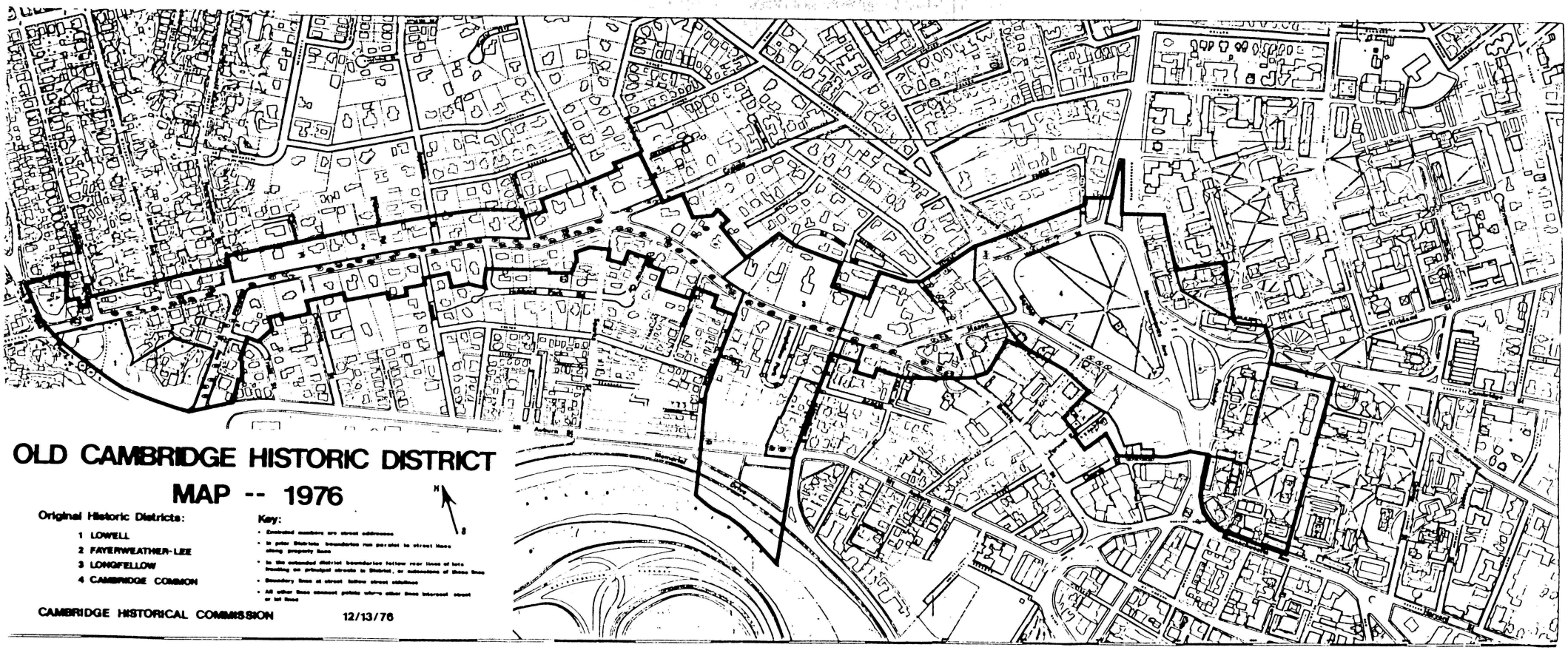
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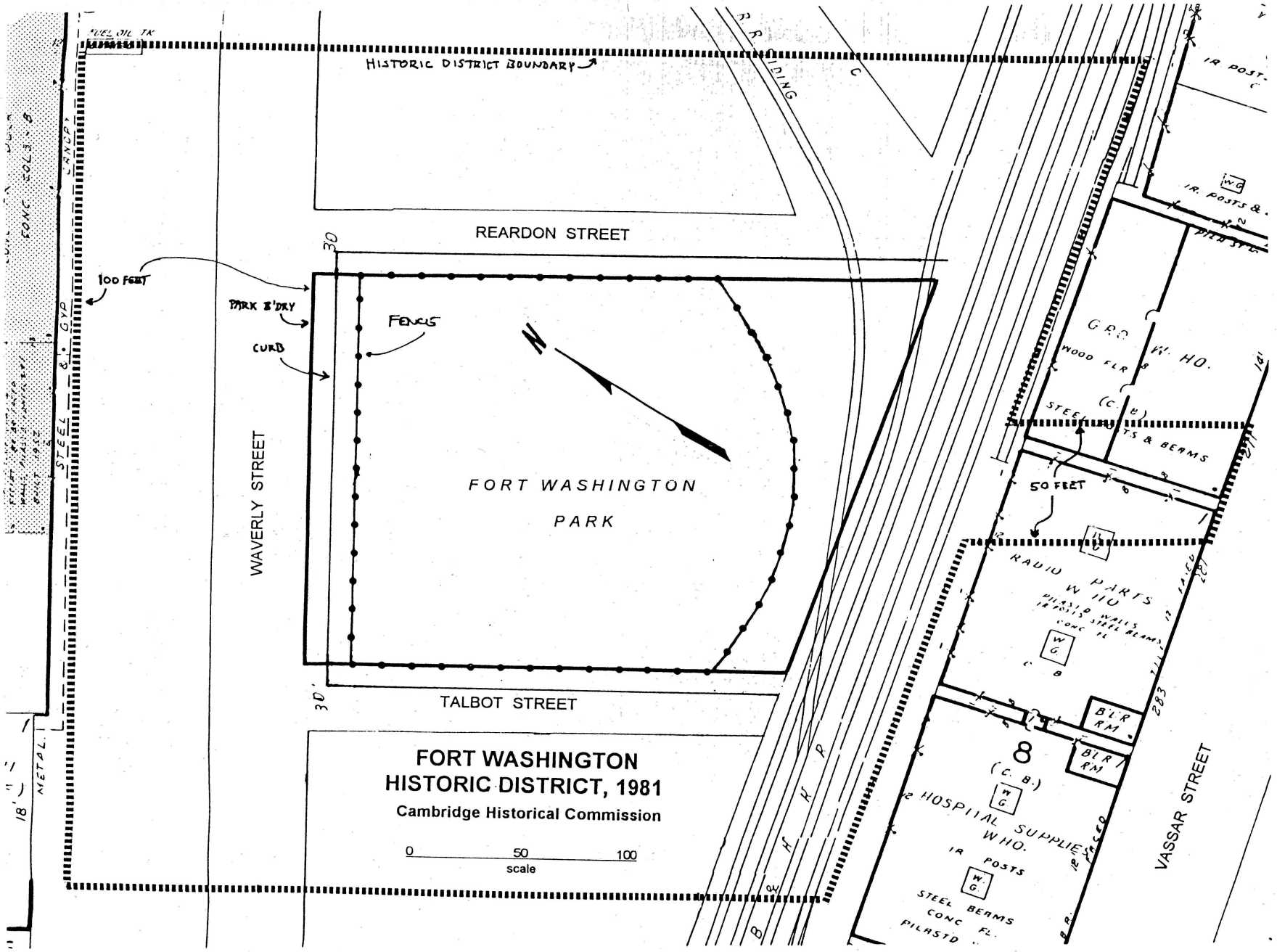
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100 FEET
PARK S'DRY
CURB
FENCE
WAVERLY STREET
FORT WASHINGTON
PARK
TALBOT STREET
30'
FORT WASHINGTON
HISTORIC DISTRICT, 1981
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VASSAR STREET
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8
(C. B.)
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5. Add the map of the Fort Washington Historic District referred to in §2.78.050.E.

This map was mistakenly omitted from the revised ordinance.

6. Amend §2.78.080.A as follows:

> A. "Application" means an application for a permit for the demolition of a building, which application contains the information referred to in ~~§2.78.040~~ **2.78.100** of this article.

The codified ordinance referred to the wrong section.

7. Amend the title of §2.78.150 as follows:

> 2.78.150 Definitions for Article ~~II~~ **III**.

Corrects a typographical error.

8. Amend the third sentence of §2.78.160.B as follows:

> The members of the ~~Commission~~ **Neighborhood Conservation District Commission** shall be appointed by the City Manager . . .

Clarifies the original language.

9. Amend the title of §2.78.130 as follows:

> 2.78.180 Designation ~~of landmark~~ procedures

The current title, adopted on codification, is both ungrammatical and misleading, since this section also deals with neighborhood conservation districts

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Corrects a typographical error.

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> **2.78.210 Certificates of Appropriateness, Nonapplicability, or Hardship**

Restores original wording.

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> . . . may reasonably ~~determinate~~ **determine**, together with . .

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one "at-large" member. Presently, all alternates are appointed at large. This amendment would increase the diversity of views among the voting membership to the extent provided by state law.

15. Amend the first sentence of §2.78.090.C as follows:

> C. If the Commission staff shall make an initial determination that the building which is the subject of the application is or may be a significant building, the members of the Commission and the Building Commissioner shall be so advised, and no demolition permit **or building permit for new construction or alterations as defined in Ch. 40C §6** shall at that time be issued **pending review of the initial determination by the Commission pursuant to subsection D of this section.**

Amend the first sentence of §2.78.090.E as follows:

> E. Upon a determination by the Commission that any building which is the subject of an application is a preferably preserved significant building, it shall so advise the person who submitted the application and the Building Commissioner, and no demolition permit **or building permit for new construction or alterations on the premises** shall be issued until six months after the date of such determination by the Commission **except as may be provided for in Subsection 2.78.090.I.**

Add a new subsection to §2.78.090:

> **I. During the six-month delay of demolition, no application for a building permit for new construction or alterations on the premises of a preferably preserved significant building shall be granted until reviewed by the Commission as though the property were designated as a landmark under Article III of Chapter 2.78. Until the expiration of the six-month delay period, the Commission shall review all construction, demolition, or alteration that affects the exterior architectural features, other than color, of the structures on the premises of a preferably preserved significant building.**

At present, the owner of a preferably preserved significant building cannot be prevented from destroying the architectural significance of the building after the initial determination of significance and during the six-month delay period. These amendments would allow the Commission to review potentially destructive alterations for the period of the delay.

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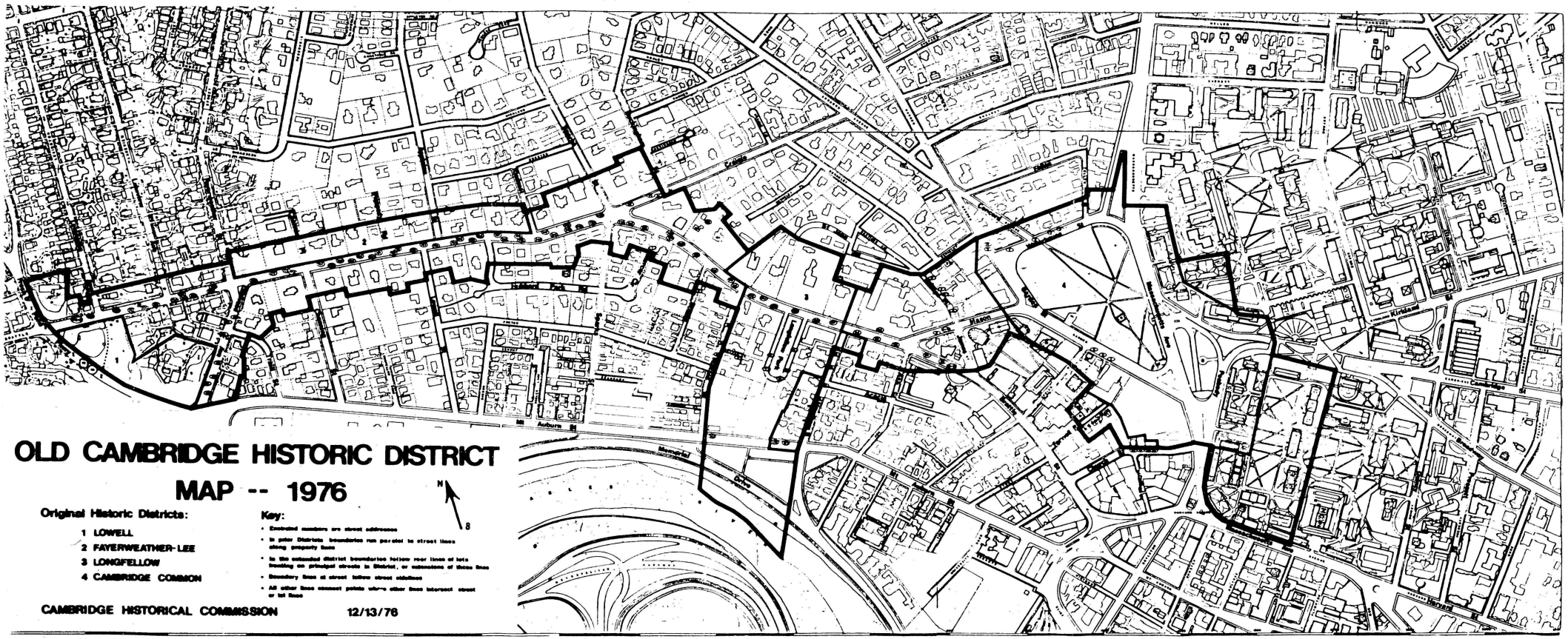
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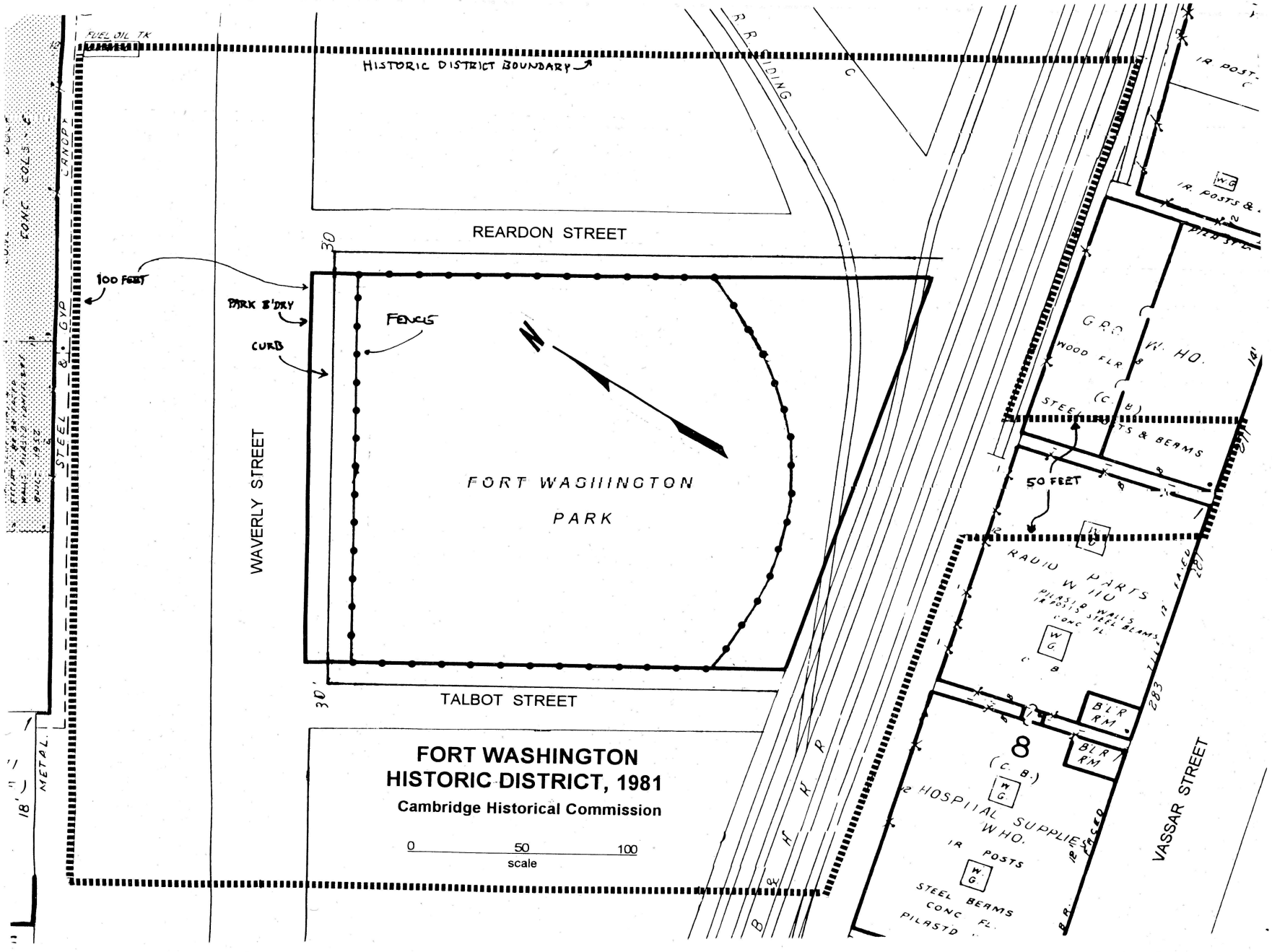
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Key:

- Encircled numbers are street addresses
- In older Districts boundaries run parallel to street lines along property lines
- In the extended district boundaries follow rear lines of lots bounding on privileged streets in District, or extensions of those lines
- Boundary lines at street letters street addition
- All other lines represent points where other lines intersect street or lot lines

CAMBRIDGE HISTORICAL COMMISSION 12/13/76


HISTORIC DISTRICT BOUNDARY
REARDON STREET
WAVERLY STREET
TALBOT STREET
VASSAR STREET
FORT WASHINGTON
PARK
100 Feet
PARK S'DRY
CURB
FENCE
30
30'
50 FEET
FUEL OIL TK
CANOPY
STEEL & GYP
CONC SOLID
METAL
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B & M R.R.
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WOOD FLR
STEEL BEAMS & POSTS
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CoC #3

Consent Agenda # 8

O-20

Proposed amendment to Chapter 2.78 of the Municipal Code as it relates to the Historical Commission.

6/19/95 Passed to be ordained 8-0-1

6/22/95 - Published - Chronicle

In City Council,

March 20, 1995

Charter Right exercised by Councillor Sullivan

3/27/95 - Referred to the Ordinance Committee on motion of Councillor Dunlay

Copy sent to Ord Comm. 3/28/95 dl