

TAKING Lot 2 5/5/80

12-60 PM 324 ZONE**1275

BK 13965 PG 172

12.75

198-80(2)

28

CITY OF NEWTON
IN BOARD OF ALDERMEN

May 5, 1980

WHEREAS: Upon the recommendation of His Honor the Mayor and in the opinion of the Board of Aldermen of the City of Newton, public necessity and convenience require that three certain parcels of real estate be taken in fee, with all trees thereon and with all rights, title and interest to and over the bed of the Charles River adjacent to all said parcels but subject to the MDC easement recorded in the Middlesex South District Deeds at Book 9146, Page 003. The acquisition of all said parcels is for the municipal purposes of park and recreation uses; and

WHEREAS: One parcel is shown as Lot 2 on a plan incorporated herein entitled "CITY OF NEWTON, MASSACHUSETTS, NAHANTON STREET, LAND TAKEN FOR PARK AND RECREATION USE", and dated March 17, 1980 and recorded herewith. Said Lot 2 contains 1,374,763 square feet of land and is more particularly described as follows:

Beginning at a point on the northeasterly line of Nahanton Street distant 349.13 feet southeasterly from the northwesterly tangent point of a curve of 980.04 feet radius which is opposite the intersection of said Nahanton Street and Wells Avenue; thence N 50°-44'-36" W, 591.00 feet; thence N 34°-24'-24" W, 288.47 feet; thence N 76°-25'-32" W, 240.00 feet; thence N 13°-33'-13" W, 8.00 feet; thence N 14°-05'-46" E, 18.43 feet; thence N 00°-14'-34" W, 75.02 feet; thence N 11°-46'-06" E, 196.12 feet; thence N 27°-27'-04" E, 86.77 feet; thence N 21°-48'-05" E, 37.70 feet; thence N 33°-27'-08" W, 629.61 feet to land of the City of Newton, the last nine described lines being by land of the Combined Jewish Philanthropies of Greater Boston, Inc.; thence S 58°-12'-22" W, 1282 feet more or less

513 SEE PLAN IN RECORD BOOK 13965 PAGE 172 514 SEE PLAN IN RECORD BOOK 13965 PAGE 172

by said land of the City of Newton to the shore line of the Charles River; thence running in a southeasterly direction by said shore line of the Charles River to a point on the northwesterly line of Nahanton Street; thence N 73°-15'-59" E, 225 feet more or less to the southwesterly tangent point of a curve of 1039.62 feet radius; thence by said curve to the right of 1039.62 feet radius; 823.27 feet; thence by said curve to the left of 980.04 feet radius, 349.13 feet to the point of beginning, the last three described lines being by said northwesterly, northerly and northeasterly line of Nahanton Street.

WHEREAS: The other two parcels are shown and described as Lots A and C on a plan incorporated herewith entitled "CITY OF NEWTON, MASSACHUSETTS, WILLIAMS STREET, LAND TAKEN FOR PARK AND RECREATION USE", dated March 17, 1980 and recorded herewith. Lot A contains approximately 30,330 square feet and Lot C contains approximately 31,851 square feet. Said Lots A and C are more particularly described as follows:

Lot A
Beginning at a point on the northwesterly line of Williams Street distant 240.43 feet southwesterly from the intersection of the southwesterly line of Butts Street with said northwesterly line of Williams Street; thence S 14°-46'-52" W, 21.56 feet to the northwesterly line of a permanent surface easement along the Charles River taken by the Commonwealth of Massachusetts on January 14, 1958; thence by an extension of said northwesterly line of Williams Street 20 feet more or less to the shore line of the Charles River; thence by said shore line of the Charles River in a southwesterly direction to the southeasterly line of Lot C as shown on a plan filed in the office of the City Engineer of the City of Newton under number 38076; thence N 31°-47'-59" E, 20 feet more to the northeasterly line of said permanent surface easement of the Commonwealth of Massachusetts; thence N 31°-47'-59" E, 208.45 feet to the southwesterly line of a proposed way; thence S 58°-12'-01" E, 64.34 feet; thence S 66°-53'-10" E, 135.13 feet to the point of beginning; the last two described lines being by said proposed way.

Lot C

Beginning at a point on the southwesterly line of a proposed way, distant 199.47 feet northwest of the northwesterly line of Williams Street; thence S 31°-47'-59" W, 208.45 feet to the northeasterly line of a permanent surface easement along the Charles River taken by the Commonwealth of Massachusetts on January 14, 1958; thence S 31°-47'-59" W, 20 feet more or less to the shore line of the Charles River; thence northwesterly by said shore line of the Charles River to a point on the extension of the southeasterly line of a proposed way; thence N 29°-32'-59" E, 20 feet more or less to the northeasterly line of said surface easement; thence continuing N 29°-32'-59" E, 224.61 feet along the southeasterly line of said proposed way to its intersection with the southwesterly line of the first mentioned proposed way; thence S 58°-12'-01" E, 131.08 feet along said southwesterly line of the first mentioned proposed way to the point of beginning.

WHEREAS: The Board of Aldermen has authorized and received two independent appraisals of the values of all of said parcels as well as a subsequent independent analysis of said appraisals; and

WHEREAS: Said acquisitions are consistent with the City's Capital Improvement Program, the Charles River Pathway Plan of 1975, and the Metropolitan Area Planning Council's Regional Recreation and Open Space Plan;

IT IS THEREFORE ORDERED: That Lot 2 be taken in fee together with all rights, title and interest including all the trees thereon and with all rights, title and interest to and over the bed of the Charles River adjacent to said Lot 2 but subject to and with the benefit of all easements of record. The acquisition of Lot 2 is for the municipal purposes of park and recreation uses;

FURTHER ORDERED: That Lots A and C be taken in fee together with all rights, title and interest, including all the trees thereon,

-4-

but subject to the MDC easement recorded in the Middlesex South District Deeds at Book 9146, Page 003, and subject to any easement or rights of way of record that may exist over the proposed way that abuts Lots A and C as shown on the plan referred to above. The acquisition of Lots A and C is for the municipal purposes of park and recreation uses:

FURTHER ORDERED: That upon recommendation of His Honor the Mayor, the following awards are hereby made to the persons, companies, corporations, trustees or other legal entities whose land is being so taken, and the expenditures authorized for such awards under the direction of His Honor the Mayor by the Planning Department for the above takings as follows:

Lot 2
Working Boys Home.....\$265,000

Lot A
Upper Oak Realty Trust, Jack J. Antaramian, Trustee...\$ 21,000

Lot C
Lot C Realty Trust, Jack J. Antaramian, Trustee.....\$ 24,000

FURTHER ORDERED: That \$5,000 be appropriated into Planning Department Account No. 1500-C019 for related acquisition costs and other expenses incurred and to be incurred with reference to the taking of the above described parcels.

FURTHER ORDERED: (1) That Lot 2 be hereby placed in the sole custody of the Newton Recreation Commission for the administration, control and maintenance in accordance with Chapter 631 of the Acts of 1969 and Massachusetts General Laws Chapter 45, Section 14, and (2) that Lots A and C be hereby placed in the sole custody of the Newton Conservation Commission for the administration, control and maintenance in accordance with Massachusetts General Laws Chapter 40, Section 8C, as amended.

-5-

FURTHER ORDERED:

That in accordance with the recommendation of His Honor the Mayor, the sum of Sixty-three thousand dollars (\$63,000) to be taken from Sale of Municipal Property Receipts Reserved, be and is hereby appropriated, granted and expenditure authorized under direction of His Honor the Mayor by the Planning Department for the above taking.

FURTHER ORDERED:

That the City Treasurer be and is hereby authorized to borrow in anticipation of Federal Grants in accordance with Massachusetts General Laws Chapter 44, Section 8G, the sum of Two hundred fifty-two thousand dollars (\$252,000), to accomplish the above taking.

(TO: Code 1500-C019...\$315,000)

Under Suspension of Rules
Readings Waived & Adopted
22 Yeas 2 absent (Ald.
Dietz & McGrath)

Edward G. English
(Sgd) EDWARD G. ENGLISH City Clerk

EXECUTIVE DEPARTMENT

Approved May 7, 1980
Theodore D. Mann
(Sgd) THEODORE D. MANN Mayor

(Sgd) EDWARD L. RICHMOND Chairman
Finance Committee



Book 1972 Page 386: Deed from Thompson Baxter et al. dated May 1, 1890 for approx. 5 acres

1972 356

\$1.00 etc

May 1, 1890

Deed May 6, 1890

Ree May 9, 1890 by Ed. this day conveyed by Thompson

Chas

Deed May 1, 1890

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Deed May 1, 1890 by Ed. this day conveyed by Thompson

Book 1972 Page 387: Deed from Thomas Ranney dated May 1, 1890 for approx. 15 acres.

1972 357

\$1.00 etc

May 1, 1890

Deed May 6, 1890

Deed May 9, 1890

Chas

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Deed from Thomas Ranney continued:

reserving from sd described parcel which I retain as my own & a certain portion thereof in the N. E. ly cor. with the lds thereon & described as fol. to wit: N. ly ly sd. l'd of Indance Goddard's heirs 310 ft E. ly ly sd. At inchester St 200. 70 ft S. ly ly the sept of sd tract of l'd 23.84 07 ft & 1/2 ly the remainder of sd tract 137.93 ft & containing a. of l'd more or less Sec. Par. B'd & described as follows to wit: - N. ly ly the first mentioned parcel 1937 ft, E. ly ly sd. At inchester St 235 ft, S. ly ly l'd this day conveyed to sd Emily of Newton ly the heirs of Geo. Hb. Baxter 1897 ft & 1/2 ly ly the Charles River 140 ft containing 5 a. of l'd more or less being the same premises conveyed to me ly Charlotte Hb. forthwith by deed dated Oct 26/59 rec'd with sd middy. Co. Dist. Deeds B. 8 215 p. 500 Subj. to taxes of the current yr which the Grce is to assume.

Signed & sealed

Thomas Ranney

Frederick A. Sargent

1972 493

\$422.60

490

l'd of Newton: - A certain parcel of l'd

Book 1986 Page 76: Deed from Ellen Doyle dated June 26, 1890 for approx. 5 acres.

Ellen Doyle
ns

690 City of Newton:- A certain tract or par-
 cel of ld situated in the S. by pt of sd
 Newton & ld N. E. by by St in Chester
 1890 at 150 ft; S. E. by by ld of St William
 170.5 ft; S. St. by by Charles River a-
 1890 bout 111 1/2 ft and N. St. by by other
 ld of this line 177 ft. Containing
 5 a. You may title see deed of
 Charlotte B. Spworth dated May
 17/65 rec'd with Middl. So. Dist.
 Deeds L. 947. N. 538. Subj. to the
 Doyle taxes assessed May 1/90

2018 12/8

\$ 1.00 etc
 Nov. 17, 1890

Ack. Nov. 17,

Rel. Dec. 31

Rel.

Beach St
 Court St

Gustav A. Ulmer
ns

889 City of Newton:- A certain parcel of ld.
 situated in that pt of sd Newton
 1890 called Newton Centre. ld. & described
 as follows, viz: Beg. at a point in the
 1890 centre of a hook by ld of one Thovey sd
 point being S. St. by cov. of my estate
 which fronts on Bowen St, & thence
 running E. by in the centre of sd hook
 on sd ld of Thovey about 97 ft to ld
 of one Peck, thence running & running
 W. by on sd Peck's ld to a point 15 ft
 N. of the centre of sd hook, thence

Transcribe deeds for original parcels acquired in 1890

Bk. 1972 pg. 386 dated May 1, 1890; acknowledged May 6, 1890; recorded May 9, 1890

Thompson Baxter & al signed and sealed by Thompson Baxter & Mary R. Baxter Not on 1886 Atlas

City of Newton: A certain tract of ld situated in the S'ly part of sd Newton upon the W'ly side of Winchester Street bd & described as fol to wit: N'ly by ld this day conveyed by Thomas Ranney to the City of Newton 1897 ft, E'ly by sd Winchester St 140 ft, S'ly by ld now or late of Ellen Doyle 1817 ft & W'ly by the Charles River 123 ft containing 5 A. of ld more or less & being the same premises conveyed to the sd George H. Baxter by Charlotte Hefworth by deed dated May 1/60 & reco'd with Middx. Deeds S'ern Dist B. 837 p. 572. Subj to taxes of the current yr. which Gree is to assume

Bk. 1972 pg. 387 dated May 2, 1890; acknowledged May 6, 1890; recorded May 9, 1890

Thomas Ranney; signed and sealed by Thomas Ranney 1886 Atlas shows Ranney with 1 lot, 20 A.

City of Newton: The following described parcels of ld situated in sd Newton in the S'ly part thereof upon the W'ly side of Winchester St bd & described as fol: to wit: 1st Par. Bd N'ly by ld of the heirs of Maurice Goddard 1946 ft. E'ly by sd Winchester St 270 ft, S'ly by the sec. parcel hereinafer described 1937 ft & W'ly by the Charles River 230 ft & being the same premises conveyed to my late wife Emily R. Ranney deceased by James F. G. Baxter by deed dated Jan. 10/61 & rec'd with Middx So. Dist Deeds B. 854 P. 244 excepting & reserving from sd described parcel which I retain as my own ld a certain portion thereof in the N. E'ly cor. Wit the blds thereon ld & described as fol. To wit: N'ly by sd ld of Maurice Goddard's heirs 310 ft. E'ly by sd Winchester St 206.70 ft. S'ly by the rest of sd tract of ld 238.07 ft & N'ly by the remainder of sd tract 137.93 ft & containing 1 A. of ld more or less. Sec. Par. Bd & described as follows to wit: N'ly by the first mentioned parcel 1937 ft, E'ly by sd Winchester St 238 ft, S'ly by ld this day conveyed to sd City of Newton by the heirs of Geo. H. Baxter 1897 ft & W'ly by the Charles River 140 ft containing 5 A of ld more or less being the same premises conveyed to me by Charlotte Hefworth by deed dated Oct. 26/59 sec'd with sd Middx So. Dist Deeds B. 825 p. 500 Subj to taxes of the current yr which the Gree is to assume

Bk. 1986 pg. 76 dated June 26, 1890; acknowledged July 9, 1890; recorded July 14, 1890

Signed & sealed by Ellen her X mark Doyle 1886 Atlas shows Doyle with 1 lot 5 A.

City of Newton: A certain tract or parcel of ld situated in the S'ly pt of sd Newton & bd W.E'ly by Winchester St 150 ft; S.E'ly by ld of Williams 1708 ft; S W'ly by Charles River about 111 ½ ft and N. W'ly by other ld of this Gree 1771 ft. Containing 5 A. for my title see deed of Charlotte Hefworth dated May 17, 65 rec'd with Middx So. Distr Deeds B. 947 P. 538, Subj to the taxes assessed May 1/90

CITY OF NEWTONIN BOARD OF ALDERMEN

June 3, 1968

ORDERED:

That the land of the City of Newton at 525 Winchester Street, hereinafter described, shown on the records of the Assessores as Lot 3, in Section 83, Block 35, and containing 1,095,800 square feet more or less, be and is hereby transferred from the Welfare Department to the Recreation Commission for park and recreation purposes:

Bounded on the east by Winchester Street, on the south by land now or formerly of Working Boy's Home, on the west by the Charles River Country Club, Inc. and land of Jeremiah E. and Alice D. Greene.

This transfer is made on condition that the ten acres of the above parcel of land most immediately adjacent to Winchester St., subject to an easement for access to the remainder of said land, be transferred to the School Department for school and school yard purposes if and when the Mayor and Board of Aldermen of the City of Newton request that such a transfer be made after finding that there is a need for the use of said land for school and school yard purposes.

Under Suspension of Rules
Readings Waived & Approved
19 Yeas 5 Absent
Absent: Ald. Barkin, Dangel, Hicks,
Matthews and Tennant.

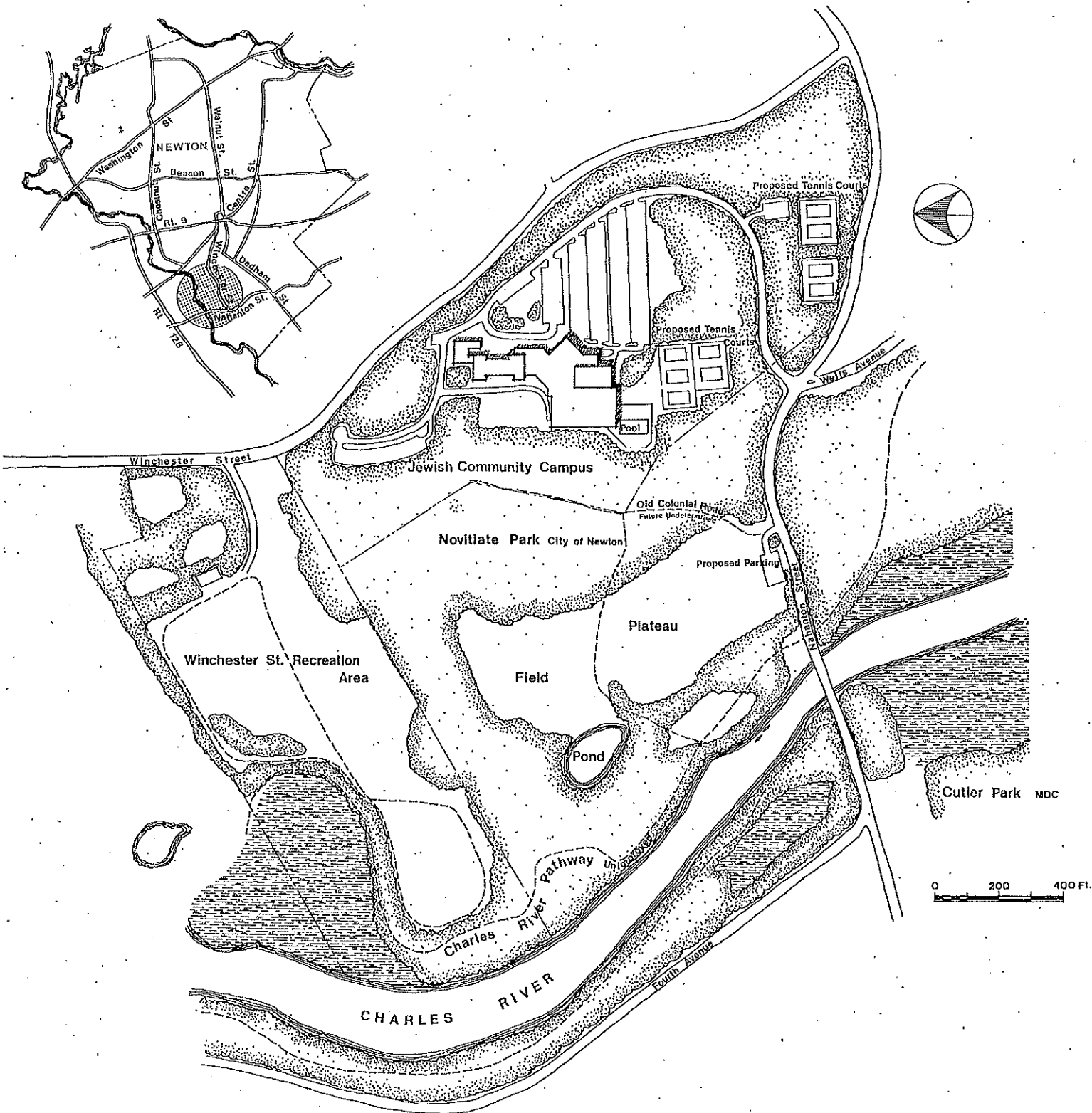
EXECUTIVE DEPARTMENT

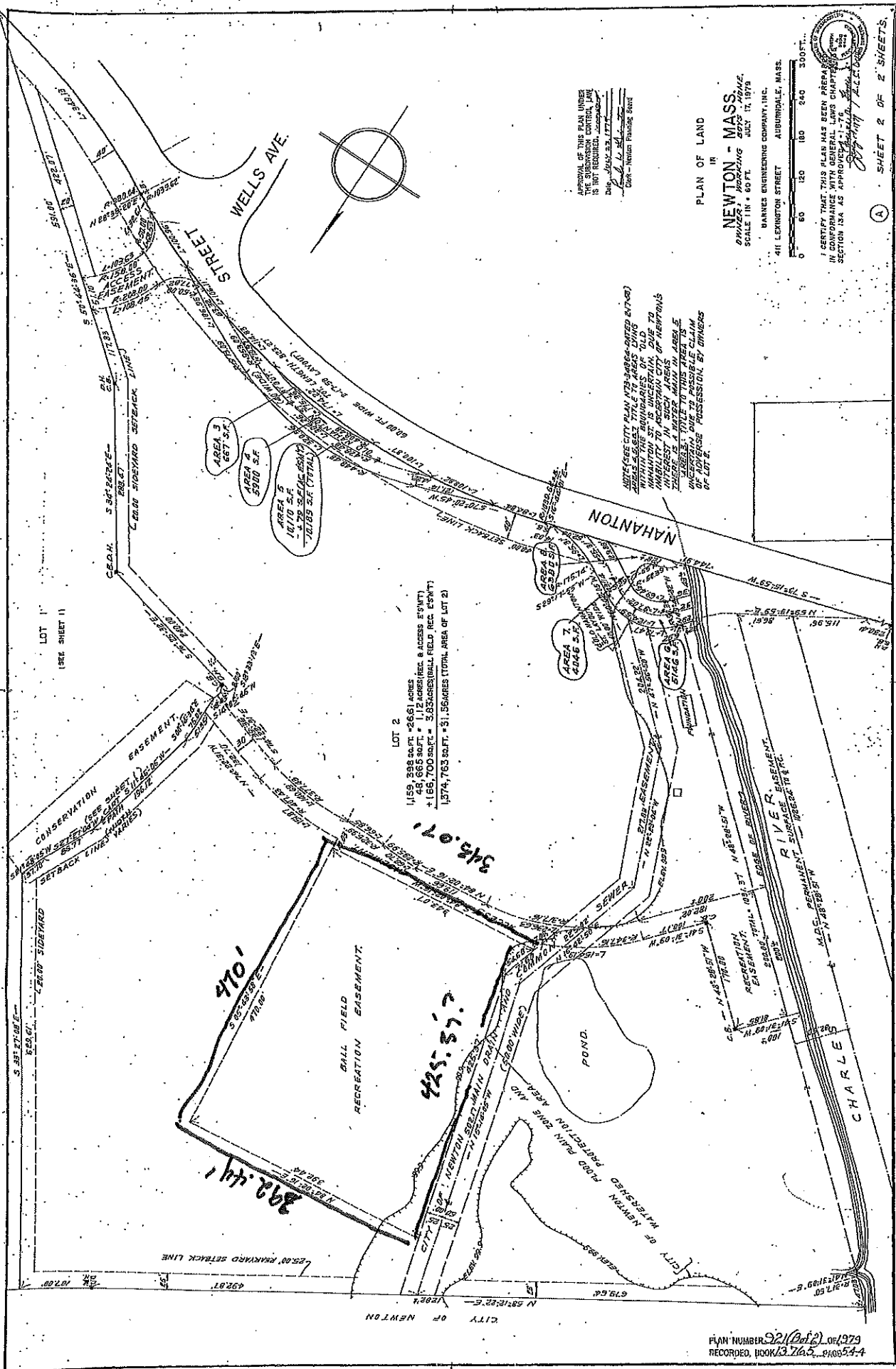
Approved June 5, 1968

(Sgd) JOSEPH H. KARLIN City Clerk (Sgd) MONTE G. BASBAS Mayor

NOVITIATE PARK & WINCHESTER STREET RECREATION AREA

Drawn by Wm. D. Giezantanner for Newton Conservators 9-82





APPROVAL OF THIS PLAN UNDER THE SUBDIVISION CONTROL LAW IS NOT REQUIRED BY THE CITY OF NEWTON.

PLAN OF LAND

IN
NEWTON - MASS.
DRAWN BY: HARRIS
SCALE 1" = 60 FT.
JULY 17, 1979

HARRIS ENGINEERING COMPANY, INC.
441 LEVINGTON STREET
AUBURNDALE, MASS.

0 60 120 180 240 300 FT.

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE GENERAL LAWS CHAPTER 270A, SECTION 13A AS APPROVED BY THE CITY OF NEWTON.

(A) SHEET 2 OF 2 SHEETS

PLAN NUMBER: 921(Pd2) OF 979
RECORDED, BOOK 13765, PAGE 54-4