

CITY OF SOMERVILLE

IN THE CITY COUNCIL: \_\_\_\_\_

ORDER OF TAKING

WHEREAS, the City Council of the City of Somerville, acting on behalf and in the name of the City of Somerville, hereby declare that the public necessity and convenience require the property described below and any and all property rights therein, to be taken by Eminent Domain for a public purpose.

WHEREAS, on February 10, 2014, Joseph A. Curtatone, Mayor of the City of Somerville entered onto the property and made an open, peaceable and unopposed entry thereon in exercise of the City's right of reverter for condition broken; and

WHEREAS, although the time for exercise of such reverter had lapsed under G.L. c. 184A, §7, such entry and reversioning of title in the City was acknowledged and assented to by the Owner; and

WHEREAS, the City now desires, by this Order of Taking, to clear the title of any perceived defect;

NOW THEREFORE, BE IT ORDERED that the City of Somerville, acting

pursuant to the applicable provisions of Massachusetts General Laws, Chapter 79, as amended, and any and every power and authority to it, granted or implied, hereby takes for itself in FEE SIMPLE by eminent domain for municipal purposes, the following property,

together with any and all easements and appurtenant rights, including trees, buildings, and other structures standing upon or affixed thereto and including the interests of the owner, if any, in all public and private streets, highways, and public and private ways within or adjacent to the property taken. Excepting from the rights herein taken are any and all easements for wires, pipes, conduits, poles and other appurtenances for the conveyance of water, sewerage, gas, oil, steam, electricity and telephone communication and other utilities now lawfully in or upon the property taken.

PROPERTY: A parcel of land now numbered 31 Tufts Street, Somerville, Middlesex County, MA 02143, which is a portion of a parcel of land formerly numbered 163 Glen Street, Somerville, containing 13,225 s.f., more or less, as shown on City of Somerville Assessors' Map 93-A-13.

OWNER: The presumed owner is American Legion East Somerville Post 388, Inc. a charitable organization.

AWARD OF DAMAGES: \$0

TITLE REFERENCE: Certificate of Entry dated February 18, 2014, recorded with the Middlesex South Registry of Deeds in Book 63755, Page 89. See also Deed dated February 21, 1974, recorded with the Middlesex South District Registry of Deeds in Book 12593, Page 286.

AND FURTHER ORDERED that the City shall cause this Order of Taking to be recorded with the Middlesex South Registry of Deeds in Cambridge, MA, and shall notify the Treasurer and Collector of Taxes in the City of Somerville of the taking in accordance with M.G.L. c. 79, §7F.

---

Matthew McLaughlin, President

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

On this \_\_\_\_ day of \_\_\_\_\_, 2020, before me, the undersigned Notary Public, personally appeared the above-named Matthew McLaughlin, as President of the City of Somerville City Council, and proved to me by my own knowledge of the identity of the signatory to be the person whose name is signed above, and acknowledged the foregoing to be signed by her voluntarily in such capacity for its stated purpose.

---

Notary Public  
My Commission Expire