

**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, including but not limited to municipal historic and arts purposes.

WHEREAS, all preliminary requirements prescribed by law having been met as required under Massachusetts General Laws c. 79, §1;

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 a municipal purpose, including but not limited to historic and arts 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 at 191 Highland Avenue, Somerville, Middlesex County, MA 02143 containing .95 acres more or less, as shown on City of Somerville Assessors' Map 42-F-12.

OWNER: The presumed owner is Joseph A. Sater, Trustee of Highland Armory Realty Trust under Declaration of Trust dated November 30, 2004 and recorded with Middlesex South District Registry of Deeds in Book 44202, Page 207.

AWARD OF DAMAGES: \$ 5,000,000

TITLE REFERENCE: Deed dated November 22, 2004, recorded with the Middlesex South District Registry of Deeds in Book 44202, Page 215.

AND FURTHER ORDERED that, in accordance with the provisions of Massachusetts General Laws, Chapter 79, Section 6, as amended, awards are made by the City for damages sustained by the owner or owners of the property and all other persons, including all mortgagees of record, having any and all interest in the property taken and entitled to any damages by reason of the taking hereby made. Such awards shall include taxes legally owed pursuant to M.G.L. c. 79, §12 and any interest accruing between the date of taking and the date of payment. The City reserves the right to amend the awards at any time prior to payment for good cause shown.

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 _____, 2021, 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 Expires: