



Deval L. Patrick, Governor
 Timothy P. Murray, Lt. Governor
 Richard A. Davey, Secretary & CEO
 Frank DePaola, Administrator

2012 MAY 14 A 11:47



May 10, 2012

CITY CLERK'S OFFICE
 SOMERVILLE, MA

Massachusetts Department of Transportation
 Highway Division
 Right of Way Bureau
 10 Park Plaza, (Rm. 6160)
 Boston, MA 02116-3973

City Clerk
 City Hall
 Somerville, MA 02143

Re: Somerville
Layout No.: 8276 Alteration and Order of Taking
Dated: April 25, 2012
Prcl(s): 99-1-C, 99-2-C, 99-4-C, 99-5-C, 99-TFB-2, 99-TE-1 etc.

Dear Sir/Madam:

Acting under the provisions of Section 5 of Chapter 81 of the General Laws, on April 25, 2012 the Massachusetts Department of Transportation altered the location of a section of State highway in the City of Somerville.

A copy of a certified plan and a certificate that the Massachusetts Highway Division has laid out and taken charge of said State highway in accordance with said plan, are sent to you herewith for filing in your office according to the statute cited above.

Please sign the enclosed form of receipt and return to the above address as soon as possible. Thank you for your cooperation. If you have any questions regarding this matter please contact the Right of Way Bureau at (617) 973-7900.

Sincerely,

Andrea S. Jackson
 Acting Director
 Right of Way Bureau

ASJ/dd
 Enclosures

The Commonwealth of Massachusetts

LAYOUT No:

8276

Alteration and Order of Taking

City of Somerville

Date May 10, 2012

*I HEREBY CERTIFY that the following document and plan have been
this day filed in the office of the City Clerk :*

*A certified copy of a plan and location bearing thereon a certificate (order of taking)
dated April 25, 2012 , purporting to be signed by the Massachusetts
Department of Transportation, or a majority of the members thereof, attesting
that said Massachusetts Highway Division has altered the location
of the State highway in the City of Somerville , and has laid out and
taken charge of, as a State highway, said was altered in the City of
Somerville , as shown on said plan*

Attest

City Clerk

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

---000000000---

**Somerville
Layout No 8276
and Order of Taking**

WHEREAS, that portion of the existing location of Cross Street, over the right of way of the Massachusetts Bay Transportation Authority (MBTA), in the City of Somerville, County of Middlesex, became State highway under the provisions of Chapter 634 of the Acts of 1971 and as amended; and

WHEREAS, it now appears advisable to make certain changes in the location of said State highway.

NOW, THEREFORE, acting under the provisions of Chapter 6C and Chapter 81 of the General Laws as appearing in the Official Edition thereof, and acts in amendment thereof and in addition thereto, the Massachusetts Department of Transportation adjudges that the public necessity and convenience require that said Department should alter the location of said State highway and should lay out and take charge of said State highway as altered, as hereinafter described.

The alteration consists of establishing a location for said State highway and is more fully described as follows:

The Main baseline for this alteration begins at a point within the existing roadway of

Cross Street as shown on the plan, hereinafter referred to as station 10+00.00, said point being at N 2964577.5505, E 766843.2142 and extends thence N $21^{\circ}03'49''$ E 323.43 feet; thence northerly by a curve to the right of 2,000.00 feet radius 197.47 feet; thence N $26^{\circ}43'15''$ E 79.10 feet to a point of ending thereof at N 2965130.4974, E 767074.9699 as shown on the plan hereinafter referred to as station 16+00.00.

The Chester Avenue baseline begins at a point shown on the plan hereinafter referred to as station 0+00.000 at N 2964738.8416, E 766905.3340, said station being identical with station 11+72.84 of the Main baseline as hereinbefore described and extends thence N $35^{\circ}10'55''$ W 130.00 feet to the point of ending thereof at N 2964845.0940, E 766830.4312, shown on the plan hereinafter referred to as station 1+30.00.

The Tufts Street baseline begins at a point shown on the plan hereinafter referred to as station 0+00.000 at N 2964994.8115, E 767008.1229, and said station being identical with station 14+48.73 of the Main baseline as hereinbefore described and extends thence S $34^{\circ}12'50''$ E 100.00 feet to the point of ending thereof at N 2964912.1170, E 767064.3512, shown on the plan hereinafter referred to as station 1+00.00.

The stations hereinafter referred to, are points on the baselines of locations hereinbefore described. The coordinate system used is the Massachusetts Coordinates System North American Datum of 1983 (NAD 83).

The location of the State highway as hereby altered and laid out, begins at a point on the westerly sideline of the existing City layout of Cross Street, at N 2964777.0530, E 766895.5401, said point bearing N $35^{\circ}36'24''$ W and being 27.37 feet distant from station

11+89.94 of the Main baseline as hereinbefore described and extends thence, following said City sideline of Cross Street S 21°37'17" W 8.62 feet to a point on the northeasterly sideline of Chester Avenue, at N 2964769.0423, E 766892.3650; thence, following said Chester Avenue sideline N 35°10'55" W 11.95 feet to a point at N 2964778.8097, E 766885.4795; thence, leaving said Chester Avenue sideline N 21°36'48" E 126.38 feet to a point on the northeasterly railroad sideline of Massachusetts Bay Transportation Authority, at N 2964896.3070, E 766932.0313; thence, following said railroad sideline S 36°34'15" E 11.79 feet to a point again on the westerly sideline of the existing City layout of Cross Street at N 2964886.8394, E 766939.0551; thence, following said sideline of the existing City layout of said Cross Street N 21°37'17" E 2.70 feet to a point at N 2964889.3486, E 766940.0497, said point bearing N 35°04'16" W and 26.13 feet distant from station 13+11.21 of said baseline; thence, crossing said Cross Street S 35°04'16" E 53.93 feet to a point on the easterly sideline of the existing City layout of Cross Street at N 2964845.2089, E 766971.0384, said point bearing S 35°04'16" E and 27.80 feet distant from said station 13+11.21; thence, following said sideline of the existing City layout of Cross Street S 21°28'57" W 1.04 feet to a point again on said northeasterly railroad sideline, at N 2964844.2413, E 766970.6576; thence, following said railroad sideline S 36°34'15" E 11.78 feet to a point at N 2964834.7766, E 766977.6793; thence, leaving said railroad sideline S 21°28'57" W 115.49 feet to a point on the southwesterly railroad sideline of said Massachusetts Bay Transportation Authority, at N 2964727.3075, E 766935.3842; thence, following said railroad sideline N 36°34'15" W 11.78 feet to a point again on the easterly sideline of the existing City layout of Cross Street at N 2964736.7722, E

766928.3626; thence, following said sideline S $21^{\circ}28'57''$ W 3.85 feet to a point at N 2964733.1880, E 766926.9520; said point bearing S $35^{\circ}36'24''$ E and being 26.58 feet distant from station 11+89.94 of said baseline; thence, leaving said sideline and crossing said Cross Street N $35^{\circ}36'24''$ W 53.95 feet to the point of beginning.

The location line of the State highway altered and laid out as hereinbefore described is to be further defined by bounds set thereon at angle points, and at the point of beginning thereof, where feasible.

In connection with the alteration of the State highway hereinbefore described, it is necessary to alter and lay out three sections of highway in behalf of the City of Somerville, and said sections of highway are hereby so laid out in behalf of said City under the provisions of Chapter 6C and Chapter 81 Section 7A of the General Laws and are more fully described as follows:

SECTION 1

Section 1 of the highway hereby altered and laid out in behalf of the City of Somerville establishes a location for the widening of a portion of the existing City layout of Alston Street on the southwesterly side thereof at its junction with Cross Street and is bounded by the westerly sideline of the existing City layout of said Alston Street and by the easterly sideline of the existing City layout of Cross Street and by the line described as follows:

Beginning at a point on the easterly sideline of said existing City layout of Cross Street, at N 2964619.2986, E 766882.4122, said point bearing N $82^{\circ}27'06''$ E and being 24.58 feet distant from station 10+41.28 of the Main baseline as hereinbefore described

and extends thence, leaving said sideline southeasterly by a curve to the right of 4.50 feet radius 9.61 feet to the point of ending thereof, on the westerly sideline of said existing City layout of Alston Street at N 2964620.3347, E 766890.2306, said point bearing N 82⁰27'06" E and being 32.46 feet distant from said station 10+41.28 of said baseline.

SECTION 2

Section 2 of the highway hereby altered and laid out in behalf of the City of Somerville establishes a location for the widening of a portion of the existing City layout of Tufts Street on the westerly side thereof at its junction with Cross Street and by the westerly sideline of the existing City layout of said Tufts Street and by the easterly sideline of the existing City layout of Cross Street and by the line described as follows:

Beginning at a point on the easterly sideline of the existing City layout of Cross Street at N 2964923.1702, E 767002.1836, said point bearing S 68⁰18'06" E and being 23.33 feet distant from station 13+79.92 of the Main baseline hereinbefore described and extends thence, leaving said sideline S 68⁰18'06" E 1.76 feet to a point at N 2964922.5185, E 767003.8231; thence, southeasterly by a curve to the right of 19.99 feet radius 28.35 feet to a point at N 2964923.8475, E 767029.8240; thence N 55⁰47'45" E 2.50 feet to the point of ending thereof, on the westerly sideline of the existing City layout of Tufts Street at N 2964925.2517, E 767031.8900, said point bearing S 55⁰47'45" W and being 19.46 feet distant from station 0+70.89 of the Tufts Street baseline hereinbefore described.

SECTION 3

Section 3 of the highway hereby altered and laid out in behalf of the City of Somerville establishes a location for the widening of a portion of the existing City layout of Chester Avenue on the westerly side thereof at its junction with Cross Street and is

bounded by the westerly sideline of the existing City layout of said Chester Avenue and by the westerly sideline of the existing City layout of Cross Street and by the line described as follows:

Beginning at a point on the westerly sideline of said existing City layout of Cross Street at N 2964736.5675, E 766879.7336, said point bearing N $68^{\circ}56'05''$ W and being 23.07 feet distant from station 11+61.52 of the Main baseline hereinbefore described and extends thence, leaving said sideline N $20^{\circ}12'29''$ E 7.80 feet to a point at N 2964743.8936, E 766882.4320; thence, northwesterly by a curve to the left of 5.00 feet radius 4.83 feet to a point at N 2964748.4980 E 766881.8265; thence, N $35^{\circ}06'34''$ W 48.67 feet to a point at N 2964788.3108, E 766853.8359; thence N $35^{\circ}41'11''$ W 50.90 feet to a point at N 2964829.6527, E 766824.1437; thence, N $54^{\circ}23'32''$ E 0.84 feet to the point of ending thereof, on the westerly sideline of the existing City layout of Chester Avenue at N 2964830.1399, E 766824.8241, said point bearing S $54^{\circ}23'32''$ W 13.20 feet distant from station 1+21.11 of said Chester Avenue baseline hereinbefore described.

The location lines of the sections of City way altered and laid out as hereinbefore described are to be further defined by bounds set thereon at angle points, points of curvature, and at the points of beginning and ending thereof, where feasible.

For the purpose of laying out, constructing and maintaining said sections of City way hereinbefore described, the Massachusetts Department of Transportation, on behalf of the City of Somerville, does hereby take in fee simple, under the provisions of Chapter 79 of the General Laws and of all other general or special laws thereto enabling, Parcels 99-1-C, 99-2-C, 99-4-C to 99-6-C, inclusive, shown on the plan hereafter referred to, including all trees and structures located thereon (not however including poles, towers, lines, cable and

other appurtenances for the conveyance of electricity, cable television telephone communication or any other utilities), situated in the City of Somerville, County of Middlesex, excepting from the rights herein taken, all easements for wires, pipes, conduits, poles and other appurtenances for the conveyance of water, sewage, gas, oil and electricity, cable television and telephone communication, or any other utilities now lawfully in or upon said premises hereby taken and all lawful rights of the public to use those parts of the public way or ways in the City of Somerville which are included in the foregoing description.

An easement is hereby taken in the parcel of land shown on the plan hereinafter referenced to as Parcel 99-TFB-2 is for the purpose of constructing a temporary foot bridge and consist of the right to enter upon said land at any time during the effective period of said easement to construct thereon and to maintain and use of said foot bridge. Said easement is temporary in nature and is to be in effect only for a period of five years from the date of recording of this instrument.

Easements are hereby taken in the parcels of land, shown on the plan hereinafter referred to as Parcels 99-TE-1 to 99-TE-3, inclusive, Parcel 99-TE-7 and Parcels 99-TE-9 to 99-TE-14, inclusive, for the purpose of effecting the necessary construction within said parcels, and consist the right to enter upon said land at any time during the effective period of the easements to construct slopes of excavation and/or embankment driveways and/or walkways, and to perform any other necessary incidental construction. Said easements are temporary in nature and are to be in effect only until five years from the date of recording this instrument.

The State highway hereby altered and laid out and the sections of City Way altered and laid out and the aforesaid takings are shown on a plan signed by the Chief Engineer and

signed by the Massachusetts Department of Transportation, Highway Division and on file in its office, said plan being entitled:

“MASSACHUSETTS DEPARTMENT OF TRANSPORTATION

PLAN OF ROAD IN THE CITY OF

SOMERVILLE

MIDDLESEX COUNTY

ALTERED AND LAID OUT AS A STATE HIGHWAY

BY THE MASSACHUSETTS DEPARTMENT OF

TRANSPORTATION, HIGHWAY DIVISION

APRIL 25, 2012

SCALE: 20 FEET TO THE INCH”,

an original of which is to be recorded with this “Order of Layout and Taking” in the Registry of Deeds for Middlesex County, Southern District, at Cambridge.

For damages sustained by the following owners in their property by reason of the aforesaid takings, and in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are made. The Department reserves the right to amend the awards at any time prior to the payment thereof for good cause shown.

<u>PARCEL NO.</u>	<u>SUPPOSED OWNER</u>	<u>AREA</u>	<u>BOOK</u>	<u>PAGE</u>
99-1-C	Jose F. da Rosa & Maria C. da Rosa	15 S.F.	15882	31
99-2-C	The Sanctuary Condominium Trust	348 S.F.	31639	147
99-4-C	Broadway Investments, Inc.	27 S.F.	26388	213

99-5-C	Mohamad I Shaikh & Hajrabibi Shaikh	14 S.F.	26775	272
99-6-C	John G. Mobilia & Barbara J. Mobilia	14 S.F.	13045	155
99-TFB-2	Peter Sampson III with Life Estate in Carmelia Correia	735 S.F.	56729 57676	22 315
99-TE-1	Broadway Investments, Inc.	125 S.F.	26388	213
99-TE-2	Cross Condominium Trust	275 S.F.	37868	610
99-TE-3	Broadway Investments, Inc.	3,385 S.F.	26388	213
99-TE-7	The Sanctuary Condominium Trust	768 S.F.	31639	147
99-TE-9	Peter Sampson III with Life Estate in Carmelia Correia	37 S.F.	56729 57676	22 315
99-TE-10	Owners Unknown	665 S.F.	---	---
99-TE-11	April 30 th LLC	27 S.F.	34498	485
99-TE-12	Community Resources For Justice, Inc.	130 S.F.	44031	344
99-TE-13	Maria A. Martin	124 S.F.	39183	242
99-TE-14	Melchiorre Pino & Rosaria S. Pino	125 S.F.	13671	59

The names of the owners herein given, although supposed to be correct, are such only as matters of opinion and belief.

It is therefore

DECLARED: That said way as altered, as described herein and as described and shown on said plan, be and the same is hereby laid out and taken charge of by the Commonwealth; that the Secretary to the Massachusetts Department of Transportation be

and hereby is instructed to file in the office of the County Commissioners of the County, or their successors, if any, and in the office of the City Clerk of the City in which said way is located, certified copies of said plan and copies of this certificate, signed by the Highway Administrator, attesting that said Department has laid out and taken charge of said way, as altered, in accordance with said plan, together with a copy of this adjudication.

It is also,

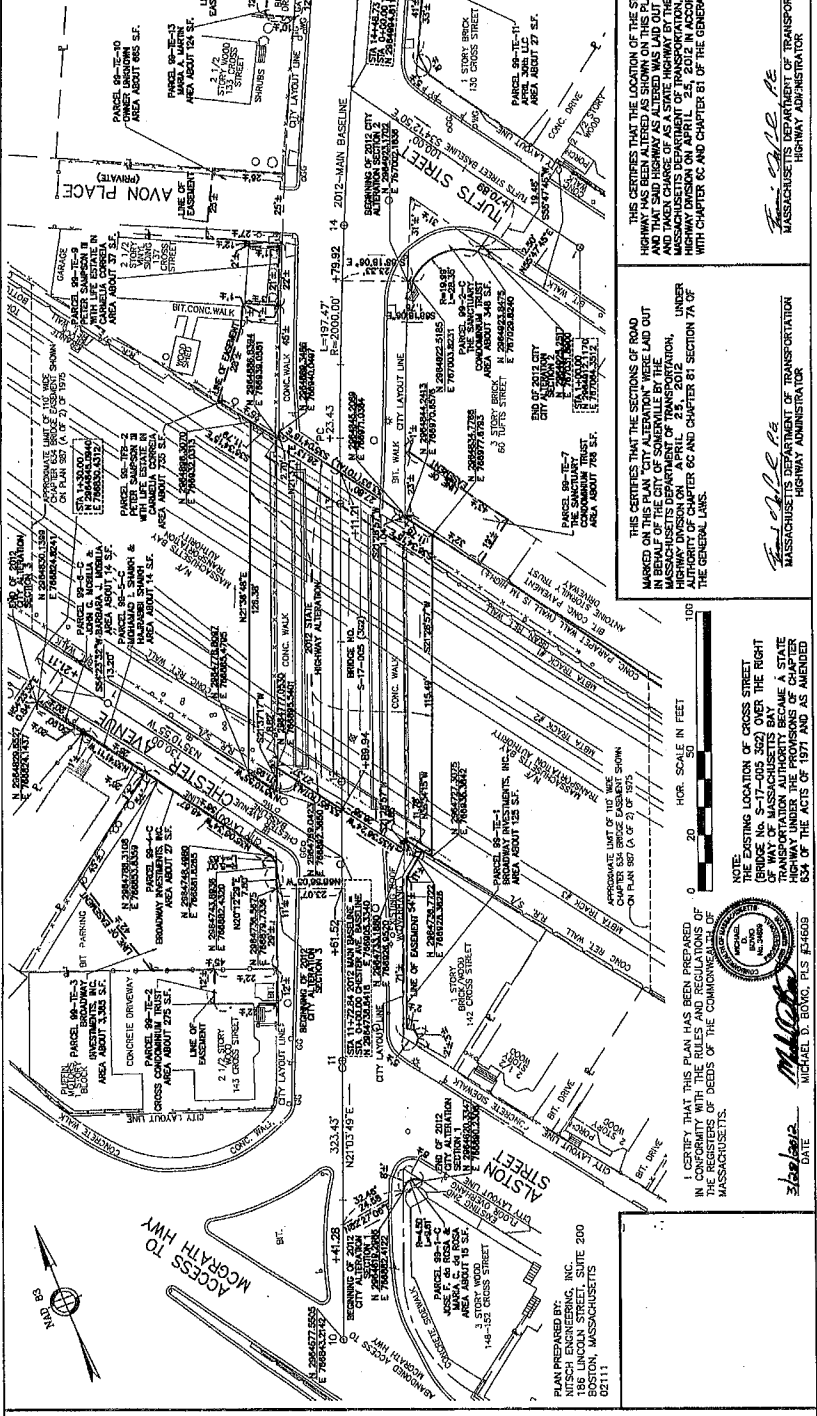
DECLARED: That the Secretary to the Massachusetts Department of Transportation, be and hereby is instructed to file in the office of the County Commissioners of said County, or their successors, if any, and in the office of the City Clerk of the City in which said way is located, certified copies of said plan and of this certificate, signed by the Highway Administrator, attesting that said Department has laid out said sections of City way in accordance with said plan.

Dated at Boston this twenty fifth day of April, 2012



FRANCIS A. DEPAOLA
MASSACHUSETTS DEPARTMENT OF
TRANSPORTATION
HIGHWAY ADMINISTRATOR

SOMERVILLE-2012 ALTERATION-ONE SHEET
PROJECT FILE NO. 602219
BRIDGE NO. S-17-005 (3C2)
LAYOUT NO. 8276



PLAN PREPARED BY:
 NITSCHE ENGINEERING, INC.
 100 MAIN STREET, SUITE 200
 BOSTON, MASSACHUSETTS
 02111

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
 PLAN OF ROAD IN THE CITY OF
SOMERVILLE
 MIDDLESEX COUNTY
 ALTERED AND Laid OUT AS A STATE HIGHWAY
 BY THE MASSACHUSETTS DEPARTMENT OF
 TRANSPORTATION, HIGHWAY DIVISION
 APRIL 25, 2012
 SCALE: 20 FEET TO THE INCH
 Chief Engineer

THIS CERTIFIES THAT THE LOCATION OF ROAD
 MARKED ON THIS PLAN CITY ALTERATION WERE Laid OUT
 AND TAKEN CHARGE OF AS A STATE HIGHWAY BY THE
 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION,
 HIGHWAY DIVISION ON APRIL 25, 2012
 UNDER
 THE PROVISIONS OF CHAPTER 81A OF THE
 GENERAL LAWS
 WITH CHAPTER 80 AND CHAPTER 81 OF THE GENERAL LAWS.

THIS CERTIFIES THAT THE LOCATION OF THE STATE
 HIGHWAY MARKED ON THIS PLAN WERE Laid OUT
 AND TAKEN CHARGE OF AS A STATE HIGHWAY BY THE
 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION,
 HIGHWAY DIVISION ON APRIL 25, 2012
 UNDER
 THE PROVISIONS OF CHAPTER 81A OF THE
 GENERAL LAWS
 WITH CHAPTER 80 AND CHAPTER 81 OF THE GENERAL LAWS.

NOTE:
 THE EXISTING LOCATION OF CROSS STREET
 (BRIDGE NO. S-17-005 3C2) OVER THE RIGHT
 OF WAY OF STATE HIGHWAY 1A BECAME A STATE
 HIGHWAY UNDER THE PROVISIONS OF CHAPTER
 81A OF THE ACTS OF 1971 AND AS AMENDED

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED
 IN CONFORMITY WITH THE RULES AND REGULATIONS OF
 THE REGISTERED PROFESSIONAL ENGINEERS OF
 MASSACHUSETTS.

Michael D. Bowe, P.E. #4808
 DATE: 4/25/12



HOR. SCALE IN FEET

MASSDOT

John Long

From: John Long
Sent: Monday, May 14, 2012 11:31 AM
To: Robert King; Pierre Belizaire; Stanley Koty; Allison McCabe; Christine Morin; Steven MacEachern
Subject: FW: SOMERVILLE LAYOUT 8276 ALTERATION AND ORDER OF TAKING DATED APRIL 15, 2012 PARCELS 99-1-C, 99-2-C, 99-4-C, 99-5-C, 99-TFB-2, 99-TE-1 etc.
Attachments: Somerville Layout 8276 City Inst.pdf; Somerville Layout 8276 City Plan.pdf
Importance: High

I'm forwarding to you this Alteration of Location and Order of Taking, received from MA DOT.

I've replied to the sender with my contact info.

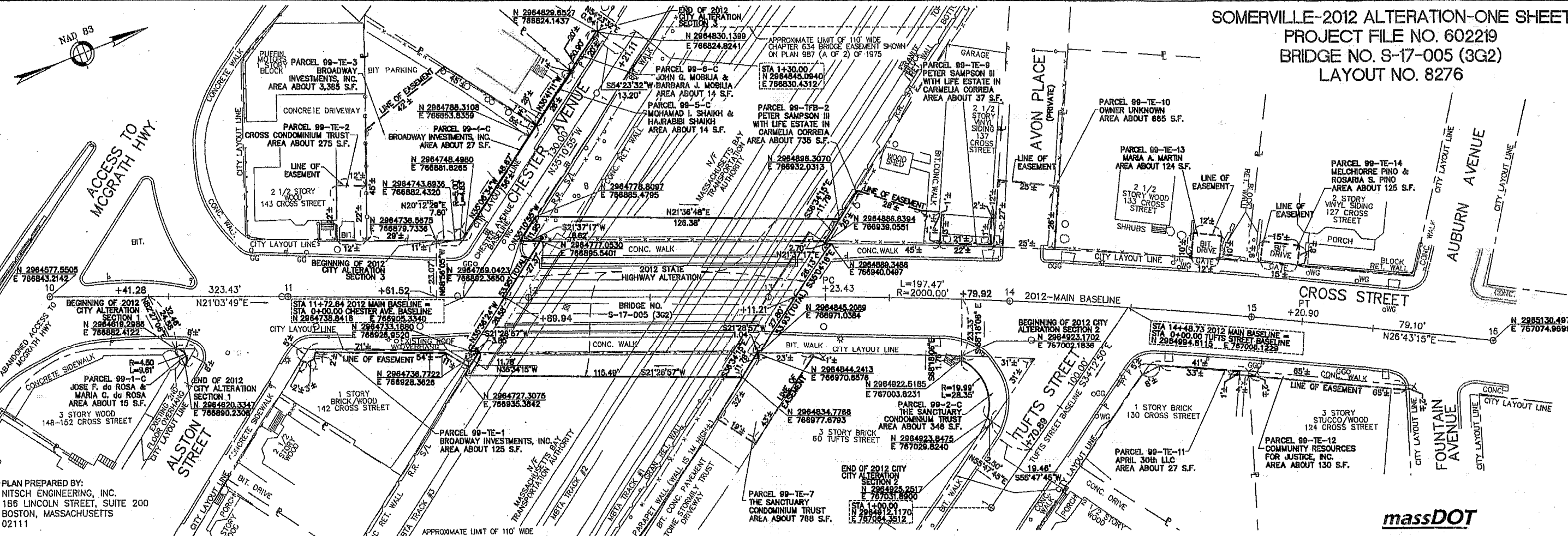
-John

From: Dooley, Dale (DOT) [<mailto:dale.dooley@state.ma.us>]
Sent: Monday, May 14, 2012 10:44 AM
To: John Long
Subject: SOMERVILLE LAYOUT 8276 ALTERATION AND ORDER OF TAKING DATED APRIL 15, 2012 PARCELS 99-1-C, 99-2-C, 99-4-C, 99-5-C, 99-TFB-2, 99-TE-1 etc.
Importance: High

I do not find a listing on line for the name of the City Clerk for my contact list. Could someone provide it for me. Thanks.

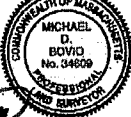
Dale Dooley, WPO1
MassDot - Highway Division
10 Park Plaza (Rm. 6160)
Boston, MA 02116-3973
Tel. #617-973-8217
Fax. #617-973-8036

SOMERVILLE-2012 ALTERATION-ONE SHEET
 PROJECT FILE NO. 602219
 BRIDGE NO. S-17-005 (3G2)
 LAYOUT NO. 8276

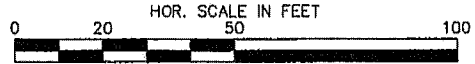


PLAN PREPARED BY:
 NITSCH ENGINEERING, INC.
 186 LINCOLN STREET, SUITE 200
 BOSTON, MASSACHUSETTS
 02111

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED
 IN CONFORMITY WITH THE RULES AND REGULATIONS OF
 THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF
 MASSACHUSETTS.



3/28/2012
 DATE
 MICHAEL D. BOVIO, PLS #34609



NOTE:
 THE EXISTING LOCATION OF CROSS STREET
 (BRIDGE NO. S-17-005 3G2) OVER THE RIGHT OF
 WAY OF MASSACHUSETTS BAY
 TRANSPORTATION AUTHORITY BECAME A STATE
 HIGHWAY UNDER THE PROVISIONS OF CHAPTER
 634 OF THE ACTS OF 1971 AND AS AMENDED

THIS CERTIFIES THAT THE SECTIONS OF ROAD
 MARKED ON THIS PLAN "CITY ALTERATION" WERE LAID OUT
 IN BEHALF OF THE CITY OF SOMERVILLE BY THE
 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION,
 HIGHWAY DIVISION ON APRIL 25, 2012 UNDER
 AUTHORITY OF CHAPTER 6C AND CHAPTER 81 SECTION 7A OF
 THE GENERAL LAWS.

Thomas J. G. P.E.
 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
 HIGHWAY ADMINISTRATOR

THIS CERTIFIES THAT THE LOCATION OF THE STATE
 HIGHWAY HAS BEEN ALTERED AS SHOWN ON THIS PLAN
 AND THAT SAID HIGHWAY AS ALTERED WAS LAID OUT
 AND TAKEN CHARGE OF AS A STATE HIGHWAY BY THE
 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION,
 HIGHWAY DIVISION ON APRIL 25, 2012 IN ACCORDANCE
 WITH CHAPTER 6C AND CHAPTER 81 OF THE GENERAL LAWS.

Thomas J. G. P.E.
 MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
 HIGHWAY ADMINISTRATOR

MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
 PLAN OF ROAD IN THE CITY OF
SOMERVILLE
 MIDDLESEX COUNTY
 ALTERED AND LAID OUT AS A STATE HIGHWAY
 BY THE MASSACHUSETTS DEPARTMENT OF
 TRANSPORTATION, HIGHWAY DIVISION
 APRIL 25, 2012
 SCALE: 20 FEET TO THE INCH

Thomas J. G. P.E.
 CHIEF ENGINEER
 LAYOUT NO. 8276

