

RECEIVED

#373-22

2022 AUG 10 AM 8:54

CITY CLERK
NEWTON, MA, 02459

CITY OF NEWTON

IN CITY COUNCIL

August 8, 2022

ORDERED:

That the Council, finding that the proposed amendment can be made without substantially derogating from the purpose for which the City of Newton was granted certain restrictions in a deed from the Trustees of the "Newton at 128 Realty Trust" to the City of Newton dated May 22, 1969 and recorded with the Middlesex South Registry of Deeds in Book 11669, Page 535, and as amended, the Council hereby agrees to further amend the aforesaid restriction as follows:

PETITION NUMBER: #373-22

PETITIONER: Hartford Properties, LLC

LOCATION: 120 Wells Avenue Section 84, Block 34A, Lot 6
containing approximately 49,999 square feet
of land.

OWNER: WILLOWBEND-ONE TWENTY WELLS AVE LLC

ADDRESS OF OWNER: 130 WILLOWBEND DR
MASHPEE, MA 02649

TO BE USED FOR: Day Care Center

That the restriction adopted by the Board Order #276-68(3) as conveyed to the City of Newton by a Deed recorded with Middlesex South District Registry of Deeds in Book 11699, Page 535 as amended, be further amended for the sole purpose to allow a daycare use at 120 Wells Avenue.

1. The Council finds that granting the specific amendment to the Deed Restriction to allow the building at 120 Wells Ave to be used for a Day Care Center is consistent with the uses permitted in the Deed Restriction and does not diminish the safeguards for which the restriction was implemented.

2. Her Honor the Mayor be and hereby is authorized to execute on behalf of the City such recordable documents as may be usual, customary or necessary to give effect to this Order of the Council.

Under Suspension of Rules

Readings Waived and Approved

21 Yeas 0 Nays 3 Absent (Councilors Bowman, Humphrey and Oliver)



(SGD) CAROL MOORE

City Clerk



(SGD) RUTHANNE FULLER

Mayor

Date: 8/15/2022