

CITY OF NEWTON

IN CITY COUNCIL

August 8, 2022

ORDER OF TAKING

WHEREAS, in the opinion of the City Council of the City of Newton, the public necessity and convenience require the acquisition by eminent domain of the parcel of land, together with improvements thereon, known as and numbered 47 Walnut Place (the "Parcel"); and

WHEREAS, the Parcel consists of approximately 10,040 square feet with buildings thereon, as more particularly described in a deed dated August 17, 1994 and recorded with the Middlesex South Registry of Deeds in Book 24791, Page 142; and

WHEREAS, the City authorized and received an independent professional appraisal of the value of the Parcel.

THEREFORE, by vote of the City Council, acting on behalf of the City of Newton under Chapter 79 of the Massachusetts General Laws, it is hereby

ORDERED: That the Parcel be and hereby is taken in fee, together with all rights, title and interest in the Parcel. So far as is known to the City Council, the owner and mortgagee for the Parcel are as follows:

Record Owner: Giosina Germani and Elena Santosuosso
 Book 24791, Page 142
 Book 24791, Page 144
 Book 24791, Page 146
 In re: the Estate of Marc Germani, Middlesex Probate Court, Docket No.
 MI15P6402EA, Decree and Order on Petition for Formal Adjudication dated
 January 5, 2016

Mortgagee: NONE

ORDERED: That the award of damages in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000.00) is hereby made as a result of this eminent domain taking, to be paid to the persons entitled thereto; and it is further


ORDERED: That in accordance with General Laws Chapter 79, Section 1, the trees upon and structures affixed to said Parcel are hereby included as part of this taking; and it is further


ORDERED: That the Parcel is taken for uses supportive of or incidental to a Senior Center, and/or general municipal purposes; and that custody and management of the Parcel is hereby assigned to the Public Building Department.

Under Suspension of Rules

Readings Waived and Adopted

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


(SGD) CAROL MOORE
City Clerk


(SGD) RUTHANNE FULLER
Mayor

Date: 8/15/2022