

CITY OF NEWTONIN CITY COUNCIL

, 2023

ORDER OF TAKING**TEMPORARY EASEMENTS FOR CONSTRUCTION PURPOSES**

WHEREAS, in the opinion of the City Council of the City of Newton, the public necessity and convenience require that the City of Newton acquire temporary easements forthwith for the purposes of performing the work necessary to rehabilitate and reconstruct Commonwealth Avenue and the Carriage Way, it is therefore,

ORDERED: that Temporary Easements be and are hereby taken over through and under, including the rights of ingress and egress, the areas shown as Parcels TE-1, TE-2, TE-3, TE-4, TE-25, TE-6, TE-24, TE-23, TE-8, TE-9, TE-11, TE-12, TE-13, TE-16, TE-17, TE-19, TE-22 (collectively the "Temporary Easement Area"), on a plan of land titled "Easement Plan, Commonwealth Avenue, Newton, Mass, Middlesex County (Middlesex County Registry), Showing Location of Temporary Easements" dated April 7, 2023 and recorded with the Middlesex South Registry of Deeds herewith.

The above described Temporary Easements are taken and to be used for the purpose of allowing the City and its authorized agents, servants, employees and contractors to enter upon the Temporary Easement Area in connection with the reconstruction and rehabilitation of Commonwealth Avenue and the Carriage Way for the purpose of locating, constructing, installing, placing and inspecting improvements thereof, including but not limited to the operation and storage of equipment, and otherwise performing construction work related to the reconstruction and rehabilitation of Commonwealth Avenue and the Carriage Way.

The term of the Temporary Easements shall commence upon the date this Order is recorded with the Middlesex South Registry of Deeds and shall expire upon the earlier of the completion of the City of Newton's reconstruction and rehabilitation project for Commonwealth Avenue and the Carriage Way or three years from the date of recording of this Order. Upon the expiration of these Temporary Easements, all rights of the City under this Temporary Easement shall terminate. The City shall leave the Temporary Easement Area in substantially the same condition that it was at the commencement of these Temporary Easements.

The following are the names of the owners and mortgagees of parcels over which an easement is taken for the purposes described hereinabove so far as known to the Council.

The references to the parcels are as they appear in the records of the Middlesex South District Registry of Deeds.

<u>OWNER/PROPERTY ADDRESS</u>	<u>TITLE REFERENCE</u>	<u>APPROXIMATE EASEMENT AREA</u>	<u>AWARD</u>
CHSP NEWTON LLC 2135 Commonwealth Avenue	Book 55107, Page 408	Parcel TE-1 1,225 sq/ft	\$8,700
The Twenty Three Hundred Trust	Book 12908, Page 562	Parcel TE-2 1,129 sq/ft	\$8,300
Chatham Properties, LLC	Book 30600, Page 5	Parcel TE-3 1,156 sq/ft	\$11,000
Maureen A. Codyer and Paul M. Codyer	Book 54641, Page 429	Parcel TE-4 1,024 sq/ft	\$37,300
Douglas Harrison and Allison Page	Book 77379, Page 166	Parcel TE-25 197 sq/ft	5,400
Mortgagee: Mortgage Electronic Registration Systems, Inc., nominee of Quicken Loans, LLC	Book 77379, Page 172		
Chatham Village Condominium	Book 13819, Page 49	Parcel TE-6 563 sq/ft Parcel TE-24 294 sq/ft	\$3,600
Whynot Properties Trust	Book 12982, Page 158	Parcel TE-23 342 sq/ft	\$14,100
Mortgagees: The Federal Savings Bank	Book 27449, Page 463		
Newton South Cooperative Bank	Book 33718, Page 228 Book 34533, Page 514		
Wellesley Cooperative Bank	Book 51970, Page 487		

Peter H. Goddard and Natasha Fadilla-Goddard	Book 47745, Page 71	Parcel TE-8 1,018 sq/ft	\$30,100
Mortgagees: Newrez LLC d/b/a Shellpoint Mortgage Servicing	Book 79359, Page 545		
US Alliance Federal Credit Union	Book 62082, Page 119		
RBS Citizens	Book 64273, Page 183 Book 68247, Page 297		
2234-2236 Commonwealth Avenue Condominium	Book 50177, Page 131	Parcel TE-9 484 sq/ft	\$25,300
Lyons Park Condominium	Book 16787, Page 282	Parcel TE-11 509 sq/ft	\$13,900
Kruszewski Realty Trust	Book 76525, Page 338	Parcel TE-12 477 sq/ft	\$8,400
Mortgagees: Mortgage Electronic Registration Systems, Inc., nominee of Finance of America Reverse, LLC	Book 75652, Page 412		
USA Housing and Urban Development	Book 75652, Page 412 Book 75652, Page 430		
2202 Commonwealth Avenue, LLC	Book 80918, Page 376	Parcel TE-13 718 sq/ft	\$11,000
Mortgagee: Bluestone Bank	Book 80918, Page 381		
Roman Catholic Archdiocese of Boston	Book 4512, Page 561 Book 5751, Page 449 Book 6498, Page 205	Parcel TE-16 823 sq/ft	\$14,000

2158-2160 Commonwealth Avenue Condominium	Book 66978, Page 416 Book 67076, Page 352	Parcel TE-17 670 sq/ft	\$23,200
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Nicholas Ventouris and Angelina Ventouris	Book 66628, Page 562	Parcel TE-19 142 sq/ft	\$1,400
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Mortgagees:

Brookline Bank	Book 73412, Page 122
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Mortgage Electronic Registration Systems, Inc., nominee of Bluestone Bank	Book 77358, Page 131
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Bruce Kwong and Helen Chan Kwong	Book 35319, Page 363	Parcel TE-22 649 sq/ft	\$13,900
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Mortgagees:

First Federal Bank	Book 61699, Page 140
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Direct Federal Credit Union	Book 63763, Page 165
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The monetary damages which are awarded to the respective owners of the parcels on which the Temporary Easements have been taken for the purposes described herein are set forth above.

There shall be no betterment assessments to the abutters.

The trees upon and the structures affixed to said parcels are not taken.