

QUESTION 2 – Terms of acquisition by MWRA or predecessor



CITY OF NEWTON.

IN BOARD OF ALDERMEN.

Sept. 10, 1900.

ORDERED,

That His Honor the Mayor be and is hereby authorized to sell the property on Ward Street, Ward 6, known as the old reservoir, to the Metropolitan Water Board for the sum of \$60,000., in accordance with the terms of their offer therefor dated June 23, 1900, and to sign the necessary papers therefor.

13/175

25366

ORDER, Mayor to sell
old reservoir on Ward St.
to Metropolitan Water Bd
for \$6000.

*Adopted by Mayor &
City Aldermen Sept. 10/1900*

IN BOARD OF ALDERMEN.

Sept. 10th 1900

READ TWICE AND ADOPTED

by 19 Yeas, 2 Absent

J. F. Kingsbury
Clerk

EXECUTIVE DEPARTMENT,

SEP 12 1900

APPROVED:

Edward P. Wilson
Mayor.

Mayor's Records, Vol. Page

Aldermen.	Yea	Nay	A
BRISTON	1		/
BROWN	2		/
CHESLEY	3	/	
DANA	4	/	
FISHER	5	/	
FITZPATRICK	6	/	
HUTCHINSON	7	/	
LOTHROP	8	/	
LOWELL	9	/	
LYMAN	10	/	
MORRIS	11	/	
POND	12	/	
PULSIFER	13	/	
STICKNEY	14	/	
TROWBRIDGE	15	/	
WARDWELL	16	/	
WARREN	17	/	
WEED	18	/	
WEEKS	19	/	
WELDON	20	/	
BAILY	21	/	
Total	19	2	

read, have hereunto set my hand and seal this tenth day of October in the year of our Lord one thousand nine hundred. One word struck out and five interlined before signing, Arthur Lyman Trustee By John H. Storey Attorney, (read) Signed and sealed in presence of H. B. Thompson, Commonwealth of Massachusetts, Suffolk, ss. Boston, October 12, 1900. Then personally appeared the above-named John H. Storey, Attorney for Arthur Lyman and acknowledged the foregoing instrument to be the free act and deed of Arthur Lyman as trustee as aforesaid, before me, Fred W. Wood, Notary Public. (Notarial seals).

Middlesex ss. Oct. 22, 1900. 12 P. 15 m. P. No. 3222. It recorded.

Attest: Edwin O. White

City of Newton
to
Commonwealth of Mass.

Know all Men by these Presents,

That the City of Newton, in consideration of Sixty Thousand Dollars (\$60,000) paid by the Commonwealth of Massachusetts, through the Metropolitan Water Board, established by Chapter 488 of the Acts of the year 1895, the receipt whereof is hereby acknowledged, does hereby give, grant, bargain, sell, and convey unto the Commonwealth of Massachusetts a certain tract of land situate in said Newton, together with the reserves, pits and works thereon and thereon, containing five and nine one-hundredths (5.09) acres, shown on a plan inscribed "Commonwealth of Massachusetts, Metropolitan Water Board, Plan of Naban Hill Waterworks Lot, Newton, Mass.," dated October 3, 1900, to be recorded hereunto, and bounded and described as follows: "Beginning at the point at which the northwesterly line of Abner road meets the northwesterly line of Hand street, the said point being at the southwesterly end of the arc of a circle forty-one and eighty-four one-hundredths (41.84) feet in length and having a radius of twenty-eight (28) feet, forming the southwesterly extremity of said northwesterly line, and from said point of beginning running north 71° 23' 30" west by the northwesterly line of said Hand street four hundred and two and seventy-one (402.71) feet; then northwesterly forty-three and thirteen one-hundredths (43.13) feet by the arc of a circle having a radius of twenty-eight (28) feet and forming the southwesterly extremity of the southeasterly side of a private street adjoining the granted premises on the west and north; then northerly two hundred ninety-three and forty-three one-hundredths (293.43) feet by a line curving to the left and having a radius of six hundred seventy-seven and ninety-six one-hundredths (677.96) feet; then northwesterly forty-four and forty-four one-hundredths (44.44) feet by a line curving to the right and having a radius of forty (40) feet; then easterly two hundred eighty-seven and eighty-seven one-hundredths (287.87) feet by a line curving to the right and having a radius of three hundred fifty (350) feet; then south 71° east two hundred fifty-one and thirty-two one-hundredths (251.32) feet; then

City of Newton v. Commonwealth of Mass. 1900

southeasterly twenty-four and sixty-one one-hundredths (24.61) feet by a line running to the right, having a radius of fifteen (15) feet, the last six courses being by the line of a private street upon the westerly and north-westerly sides of the granted premises; then running south 23° west by the northwesterly line of said Albaret road four hundred twenty-seven and forty-six one-hundredths (427.46) feet to the northeasterly end of the arc of a circle just herein mentioned, near the junction of Albaret road with Ward street; then southwesterly by said one forty-one and eighty-four one-hundredths (41.84) feet to the point of beginning. Said Albaret road is forty (40) feet in width for the greater part of its length near Ward street, and the southeasterly side thereof is for the greater part of its length near Ward street a straight line running through the centre of two stone bounds as shown on said plan, being the greater part of the premises conveyed by Frederick H. Bangert to the City of Newton by deed dated October 4, 1875, and recorded with Middlesex South District Deeds, Book 1369, page 49; together with the right to use for all purposes of a public street in said Newton said Albaret road and the unnamed street shown on said plan on the westerly and north-westerly sides of the granted premises. It is understood and agreed that the covered reservoir situate northeasterly from the granted premises will be allowed by the grantee to overflow into the reservoir upon the granted premises as at present; and that the Metropolitan Water Board will, until such time as the City of Newton obtains a regular supply from the Metropolitan Water Works, furnish water to the City of Newton free from charge in all cases of emergency except a deficiency in the capacity of the sources of supply, and in each year a total quantity of water equal to the contents of the reservoir upon the granted premises. **To have and to hold** the granted premises, to the said Commonwealth of Massachusetts and its assigns, to its and their own use and behoof forever. And the City of Newton hereby covenants with the said Commonwealth and its assigns that it is lawfully seized in fee simple of the granted premises; that they are free from all incumbrances; that it has good right to sell and convey the same as aforesaid; and that it will warrant and defend the same to the said Commonwealth and its assigns forever against the lawful claims and demands of all persons. **In witness whereof** the City of Newton has caused its corporate seal to be hereto affixed and thereunto to be signed, acknowledged, and delivered in its name and behalf by Edward B. Wilson, its Mayor, hereto duly authorized, this twelfth day of October in the year one thousand nine hundred City of Newton by Edward B. Wilson Mayor (Corporate seal). Signed and sealed in presence of Emma E. Rowe, Commonwealth of Massachusetts Middlesex, ss. October 20, 1900. Then personally appeared the above-named

2855
14

City of Newton
Order

Edward W. Wilson, Mayor, and acknowledged the foregoing instrument to be
his free act and deed of the City of Newton. Before me, Isaac F. Kingsbury
Justice of the Peace, (Official seal)

City of Newton.
Ordered, In Board of Aldermen. September 10, 1900
That His Honor, the Mayor do and is hereby authorized to sell the property
on Ward Street, Ward 6, known as the old reservoir, to the Metropolitan Water
Board, for the sum of \$60,000, in accordance with the terms of their
offer therefor dated June 23, 1900, and to sign the necessary papers therefor.
Read twice and Adopted by 19 yeas, 2 absent. I. F. Kingsbury, Clerk.
Executive Department, Sept. 12, 1900. Approved, Edward W. Wilson, Mayor.
A true copy from the records of the Board of Aldermen of the City of
Newton, Attest: Isaac F. Kingsbury, City Clerk.

Middlesex ss. Oct. 22, 1900. 12h. 15m. P. M. Read & recorded.

Attest, Edwin O. Childs.

Hall
to
Patrick.

U.S.
Post Stamp
\$1.50
E. M. W.
10/20/1900

Know all Men by these Presents

that I Edwin M. Hall of Everett, in the County of Middlesex, and Com-
monwealth of Massachusetts in consideration of One Dollar and other
valuable considerations, paid by Lucie S. Patrick, in her own right, wife of
Thomas S. Patrick of said Everett, the receipt whereof is hereby acknowl-
edged, do hereby give, grant, bargain, sell, and convey unto the said
Lucie S. Patrick, a certain parcel of land with the buildings thereon, sit-
uated in said Everett, and being Lot No. 12 on a plan of build-
ing lots in Everett belonging to Major W. Hall, A. F. Longert Surveyor,
June 1, 1899, and recorded with Middlesex South District Deeds, Book
of Plans 116 Plan 30. Bounded as follows, to wit: Northwestly by Wil-
more Street, fifty (50) feet; Northwesterly by Lot No. 11 on said plan sixty
six (66) feet; Southwesterly by Lot No. 19 on said plan fifty (50) feet, and
Southwesterly by Lot No. 13 on said plan sixty six (66) feet. Containing
2277 5 square feet on said plan. The above described premises are
conveyed subject to a mortgage of \$2500.00, Also Sewer assessment, and
liabilities of any. Being the same premises conveyed to me by deed
from Benjamin G. Snowbridge dated July 13, 1900 and recorded at said
registry Book 2843 Page 36. Do have and to hold the granted
premises, with all the privileges and appurtenances thereto belonging, to
the said Lucie S. Patrick and her heirs and assigns, to their own use and
behalf forever. And I hereby for myself, and my heirs, executors, and
administrators, covenant with the grantee and her heirs and as-
signs that I am lawfully seized in fee-simple of the granted prem-
ises; that they are free from all incumbrances, except as afore-
said that I have good right to sell and convey the same as afore-
said, and that I will and my heirs, executors, and administrators

¹¹
Taking No. 070.

WABAN HILL RESERVOIR LOT, LAND IN NEWTON.

Dated March 4, 1900. Recorded March 5, 1901 with Middlesex South
District Deeds, Book 2878, Page 461.

March 4, 1901.

Taking ^{FD} No. 070.Waban Hill Reservoir Lot etc

KNOW ALL MEN BY THESE PRESENTS,
Deed to Comm. dated Oct 12-1900 rec'd Oct 22-1900 Map 13 2853 R Va. Copied Vol 5 of Deeds Page 247

That the Commonwealth of Massachusetts, by Henry H. Sprague, Wil-
 mot R. Evans, and Henry P. Walcott, the Metropolitan Water Board,
 duly constituted and appointed under and according to the provis-
 ions of chapter 488 of the acts of the legislature of the
 Commonwealth of the year 1895, by virtue and in exercise of the
 power and authority of said act and of every other power and
 authority hereto enabling, and in partial execution of said
 powers and authorities, hereby takes in fee for the Metropolitan
 Water Works provided for by said act a certain tract of land
 situate in NEWTON, in the county of Middlesex and Commonwealth
 of Massachusetts, together with the reservoir, pipes and works
 thereon and therein, containing five and nine one-hundredths
 (5.09) acres, shown on a plan inscribed "Commonwealth of
 Massachusetts, Metropolitan Water Board, Plan of Waban Hill
 Reservoir lot, NEWTON, Mass.", dated October 3, 1900, and recorded
 with Middlesex South District Deeds, book of plans 126, plan 36,
 and bounded and described as follows:

Beginning at the point at which the northwesterly line of
 Manet road meets the northeasterly line of Ward street, the said
 point being at the southwesterly end of the arc of a circle
 forty-one and eighty-four one-hundredths (41.84) feet in length
 and having a radius of twenty-eight (28) feet, forming the
 southwesterly extremity of said northwesterly line, and from said
 point of beginning running north 71° 23' 30" west by the north-
 easterly line of said Ward street four hundred and two and
 seventy-one one-hundredths (402.71) feet;

- Then northwesterly forty-six and thirteen one-hundredths
 (46.13) feet by the arc of a circle having a radius of
 twenty-eight (28) feet and forming the southwesterly
 extremity of the southeasterly side of a private street
 adjoining the premises hereby taken on the west and north;
- then northerly two hundred ninety-three and forty-three one-
 hundredths (293.43) feet by a line curving to the left
 and having a radius of six hundred seventy-seven and
 ninety-six one-hundredths (677.96) feet;
- then northeasterly forty-four and forty-four one-hundredths
 (44.44) feet by a line curving to the right and having
 a radius of forty (40) feet;
- then easterly two hundred eighty-seven and eighty-seven
 one-hundredths (287.87) feet by a line curving to the
 right and having a radius of three hundred fifty (350)
 feet;
- then south 71° east two hundred fifty-one and thirty-two
 one-hundredths (251.32) feet;
- then southeasterly twentyfour and sixty-one one-hundredths
 (24.61) feet by a line curving to the right, having a
 radius of fifteen (15) feet, the last six courses
 being by the line of a private street upon the westerly
 and northerly sides of the premises hereby taken;
- then running south 23° west by the northwesterly line of

FD
Taking No. 670

said Manet road four hundred twenty-seven and forty-six one-hundredths (427.46) feet to the northeasterly end of the arc of a circle first herein mentioned, near the junction of Manet road with Ward street;

then southwesterly by said arc forty-one and eighty-four one-hundredths (41.84) feet to the point of beginning.

Said Manet road is forty (40) feet in width for the greater part of its length near Ward street, and the southeasterly side thereof is for the greater part of its length near Ward street a straight line running through the centres of two stone bounds as shown on said plan.

And the Commonwealth hereby further takes the right to use, in common with all other persons so entitled, for all purposes of a public street in said NEWTON, said Manet road and the unnamed street shown on said plan on the westerly and northerly sides of the premises hereby taken.

Being the same premises conveyed by the City of NEWTON to the Commonwealth of Massachusetts by deed dated October 12, 1900, and recorded as aforesaid, book 2853, page 42, and are hereby taken subject as therein mentioned, and especially to the agreement therein contained, that the waters in the covered reservoir situate northeasterly from the premises hereinbefore taken shall be allowed to overflow into the reservoir upon said premises, as at the date of said deed.

The lands, property, rights and easements herein described and hereby taken are deemed by said Board to be necessary for carrying out the powers and duties conferred upon it by said act.

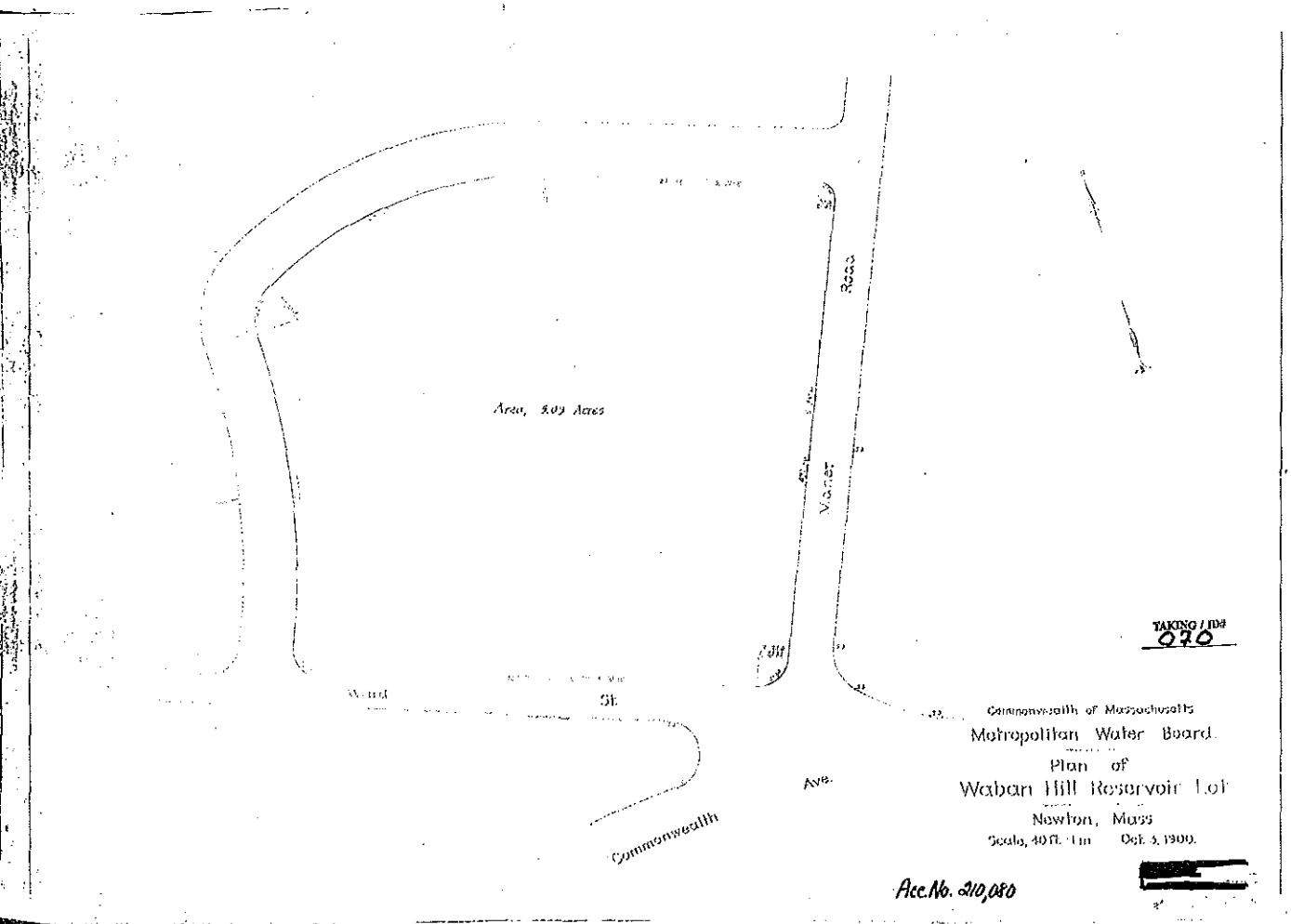
IN WITNESS WHEREOF the said Henry H. Sprague, Wilmot R. Evans, and Henry P. Walcott, the Metropolitan Water Board aforesaid, acting for the Commonwealth, hereto set their hands, this fourth day of March in the year one thousand nine hundred and one.

(Signed) HENRY H. SPRAGUE
WILMOT R. EVANS
HENRY P. WALCOTT

METROPOLITAN WATER BOARD.

Middlesex, ss. March 5, 1901. At 3 o'clock and 12 minutes P. M.
received and Entered with Middlesex So. District Deeds, Book 2878, Page 461

Attest: Thos. Leighton, Jr..
Asst. Register.



TAKING / JDR
 070

Commonwealth of Massachusetts
 Metropolitan Water Board
 Plan of
 Waban Hill Reservoir Lot
 Newton, Mass
 Scale, 40 ft. = 1 in. Oct. 3, 1900.

Acc. No. 210,080

