

CITY OF NEWTON

IN CITY COUNCIL

March 7, 2016

ORDER OF TAKING
FOR SCHOOL PURPOSES
23 PARKVIEW AVENUE

WHEREAS, in the opinion of the City Council the public necessity and convenience require the acquisition by eminent domain of the parcel of land, together with improvements thereon, known as 23 Parkview Avenue ("the Parcel"); and

WHEREAS, the Parcel consists of approximately 4,300 square feet with buildings thereon, as described in a deed dated August 29, 2002 and recorded on August 30, 2002, with Middlesex County Registry of Deeds, at Book 36268 Page 454; and

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

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

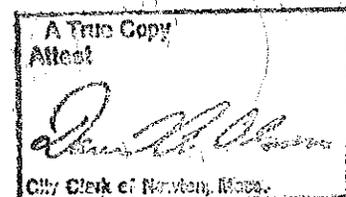
ORDERED: That the Parcel be and hereby is taken in fee, together with all rights, title and interest in the Parcel. So far as is known to the Council, the owner and mortgagee for the Parcel are as follows:

Record Owner: Alan Potter and Daphne Potter
Bk 36268 Pg 454

Mortgagee: MSA Mortgage, LLC
Bk 59461 Pg 560

In accordance with General Laws Chapter 79, it is further

ORDERED: That the award of damages in the amount of one million dollars (\$1,000,000.00) is hereby made as a result of this eminent domain taking, to be paid to the persons entitled thereto; and it is further

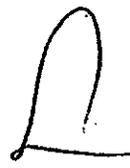


ORDERED: That in accordance with General Laws Chapter 79 Section 1, the trees upon and structures affixed to said Parcel are hereby included as part of this taking; and it is further

ORDERED: That the Parcel is taken for school use; and that custody and management of the Parcel is hereby assigned to the Newton Public Schools.

Under Suspension of Rules
Readings Waived and Approved
21 yeas 0 nays 3 absent (Councilors Laredo, Lipof, and Sangiolo)


(SGD) DAVID A. OLSON
City Clerk


(SGD) SETTI D. WARREN
Mayor

Date: 3/9/2014


A True Copy
Attest

City Clerk of Newton, Mass.