

By Mr. White, a petition (accompanied by bill, Senate, No. 1555) of W. Paul White for legislation relative to the exchange of certain land by the trustees of the Higher Education Coordinating Council and Wentworth Institute of Technology. State Administration.

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Ninety-Five.

AN ACT RELATIVE TO THE EXCHANGE OF CERTAIN LAND BY THE TRUSTEES OF HIGHER EDUCATION COORDINATING COUNCIL AND WENTWORTH INSTITUTE OF TECHNOLOGY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Notwithstanding the provisions of sections forty E  
2 to forty J, inclusive, of chapter seven of the General Laws, and in  
3 consideration of the conveyance and/or lease described in section  
4 two, the commissioner of the division of capital planning and  
5 operations is hereby authorized to convey to Wentworth Institute  
6 of Technology a certain parcel of land located in the City of  
7 Boston and the improvements thereon, together with such other  
8 monetary and other consideration as said commissioner and The  
9 Trustees of Massachusetts College of Art deem appropriate. The  
10 Trustees of the Higher Education Coordinating Council, as suc-  
11 cessor to the Board of Trustees of State Colleges, on behalf of the  
12 commonwealth, is currently the record owner of such land, which  
13 is more particularly described as follows: A certain parcel of  
14 unregistered land situated on the southerly side of Huntington  
15 Avenue in the City of Boston, in the County of Suffolk, Common-  
16 wealth of Massachusetts, bounded and described as follows:—

17 Beginning at the intersection of the southerly line of  
18 Huntington Avenue with the easterly line of Vancouver Street,  
19 said point of beginning being the westerly most point of the lot to  
20 be described herein; thence

21 N 61°-36'20" E by the southerly line of said Huntington Avenue  
22 a distance of Fifty-one and Forty-four Hundredths feet (51.44') to  
23 a point; thence

24 S 28°-23'-40" E by land of now or formerly Wentworth Institute  
25 a distance of One Hundred Nine and Thirty Hundredths feet  
26 (109.30) to a point; thence

27 S 72°-47'-08" W by land of now or formerly Wentworth Insti-  
28 tute a distance of Eight and Fifty-six Hundredths feet (8.56') to a  
29 point of curvature; thence

30 Southwesterly and curving to the left along the arc or a curve  
31 having a radius of One Hundred Twenty and No Hundredths feet  
32 (120.00') and a length of Forty-five and Fifty-two Hundredths feet  
33 (45.52') to a point of curvature; thence

34 Southwesterly and curving to the left along the arc or a curve  
35 having a radius of One Hundred Twenty-five and No Hundredths  
36 feet (125.00') and a length of Fifty-one and Eighty-two Hun-  
37 dredths feet (51.82') to a point of curvature; thence

38 Southeasterly and curving to the left along the arc of a curve  
39 having a radius of One Hundred Thirty and No Hundredths feet  
40 (130.00') and a length of Sixty-eight and Eighty-six Hundredths  
41 Feet (68.86') to a point of curvature; thence

42 Southeasterly and curving to the left along the arc of a curve  
43 having a radius of Seventy-five and No Hundredths feet (75.00')  
44 and a length of Sixty-three and Fifty Hundredths feet (63.50') to a  
45 point of non-tangency. The previous four (4) courses being by  
46 land of now or formerly Wentworth Institute; thence

47 N 84°-41'-35" W by said Lot "A" a distance of One Hundred  
48 Seventy-one and Sixty-three Hundredths feet (171.63') to a point;  
49 thence

50 N 24°-54'-23" E by the easterly line of said Vancouver Street a  
51 distance of Two Hundred Sixty-eight and Nine Hundredths feet  
52 (268.09') to the point of beginning.

53 The above described parcel of land in this section one contains  
54 an area of 27,007 square feet, more or less, and is more particu-  
55 larly shown as Lot "B" on a plan entitled "Subdivision Plan of  
56 Land in Boston, Massachusetts" prepared for the Commonwealth  
57 of Massachusetts Division of Capital Planning and Operations,  
58 Scale 1 inch = 30 feet, dated December 2, 1992, prepared by  
59 Allen & Major Associates, Inc., 400 West Cummings Park,  
60 Suite 5050, Woburn, Massachusetts 01801 and comprises a  
61 portion of the land transferred to The Trustees of the Higher  
62 Education Coordinating Council, as successor to the Board

63 of Trustees of State Colleges, pursuant to Ch. 836 of the Acts  
64 of 1974.

65 Said Lot "B" being subject to a sewer easement as shown in the  
66 aforementioned plan.

1 SECTION 2. Said commissioner shall not effect the con-  
2 veyance set forth in section one unless Wentworth Institute of  
3 Technology, at the discretion of said commissioner and the  
4 Trustees of Massachusetts College of Art and upon terms and con-  
5 ditions (including, but not limited to, purchase options, rights of  
6 first refusal and the like) satisfactory to said commissioner and the  
7 Trustees of Massachusetts College of Art, conveys to the com-  
8 monwealth or such agency, board or entity as said commissioner  
9 and the Trustees of Massachusetts College of Art designate, by  
10 deed satisfactory to said commissioner and the Trustees of Massa-  
11 chusetts College of Art, or leases to the commonwealth or such  
12 agency, board or entity as said commissioner and the Trustees of  
13 Massachusetts College of Art designate, by lease agreement satis-  
14 factory to said commissioner and the Trustees of Massachusetts  
15 College of Art, a certain parcel of land (or so much thereof as said  
16 commissioner and the Trustees of Massachusetts College of Art  
17 deem appropriate) located in the City of Boston and the improve-  
18 ments thereon. Wentworth Institute of Technology is currently the  
19 record owner of said land, which is more particularly described as  
20 follows: A certain parcel of land located on the southerly side of  
21 Huntington Avenue, in Boston, Suffolk County, Massachusetts,  
22 bounded and described as follows:

23 Beginning at the intersection of the westerly sideline of  
24 Vancouver Street and the northerly sideline of Ward Street; thence  
25 running N 72°-34'-38" W, a distance of 283.12 feet along the  
26 northerly sideline of Ward Street; thence

27 turning and running

28 N 61°-36'-23" E, a distance of 75.66 feet by land now or  
29 formerly of 634 Huntington Avenue Trust; thence

30 turning and running

31 N 28°-23'-37" W, a distance of 66.61 feet by land now or  
32 formerly of 634 Huntington Avenue Trust to a point on the  
33 southerly sideline of Huntington Avenue; thence

34 turning and running northeasterly by a curve to the left having a  
35 radius of 9,512.00 feet a distance of 102.64 feet along said side-  
36 line of Huntington Avenue to a point of tangency; thence

37 running N 61°-36'-23" E, a distance of 188.15 feet along said  
38 sideline of Huntington Avenue to a point of curvature; thence

39 running northeasterly by a curve to the left having a radius of  
40 1842.00 feet a distance of 44.95 feet along said sideline of Hunt-  
41 ington Avenue; thence

42 turning and running S 18°-05'-20" W., a distance of 113.94 feet  
43 by land now or formerly of Wentworth Institute of Technology;

44 thence turning and running S 67° 23' 15" E, a distance of 74.84  
45 feet by land now or formerly of Wentworth Institute of Tech-  
46 nology, to a point on the westerly sideline of Vancouver Street;  
47 thence

48 turning and running S 24°-55'-09" W. a distance of 222.64 feet  
49 by Vancouver Street to the point of beginning.

50 The above described parcel of land in this section two contains  
51 an area of 62,421 square feet (1.433 acres) and is comprised of  
52 five parcels of land described in the following deeds and certifi-  
53 cate of title:

54 Parcel 1 Area = 6,307 s.f . Book 8046, Page 322

55 Parcel 2 Area = 3,036 s.f . Book 10313, Page 221

56 Parcel 3 Area = 4,357 s.f. Cert. of Title 95587

57 Parcel 4 Area = 7,994 s.f . Book 8719, Page 324

58 Parcel 5 Area = 40,727 s.f. Book 8089, Page 668

59 Said parcel of land in this section two being conveyed subject  
60 to the following easements, or leased subject to the following  
61 reservations, for the benefit of the land described in section one,  
62 Wentworth Institute of Technology and its successors and assigns,  
63 and all other land now or hereafter owned by Wentworth Institute  
64 of Technology and its successors and assigns located in the City  
65 of Boston:

66 the right to pass and repass over the land conveyed by Went-  
67 worth Institute of Technology herein, from Ward Street to any  
68 building now or hereafter located on the land shown as parcel F  
69 on a plan entitled "Easement Plan, Wentworth Institute, Boston,  
70 MA," dated May 2, 1994, by Harry R. Feldman, Inc., Land Sur-  
71 veyors, and recorded herewith, the exact location of such crossing  
72 to be reasonably designated from time to time by said commis-

73 sioner and the Trustees of Massachusetts College of Art, for the  
74 purpose of having Wentworth Institute of Technology's  
75 employees, agents, vendors, contractors and suppliers deliver,  
76 pick up, transport, convey, load and unload materials, supplies and  
77 other such items to and from any such building;

78 B. the right to pass and repass over, dig, use equipment, install  
79 utility lines, construct temporary scaffolding, and otherwise to  
80 take all action on or under the land conveyed by Wentworth Insti-  
81 tute of Technology herein necessary to maintain, repair, alter,  
82 reconstruct, restore, service and improve any building now or  
83 hereafter located on the land shown as parcel F on the plan refer-  
84 enced in Section 2A above, the exact location and dimensions of  
85 such easement or reservation being described as follows:

86 A certain strip of land located on the south side of Huntington  
87 Avenue and the northwest side of Vancouver Street in Boston,  
88 MA, bounded and described as follows:

89 Beginning at a point on the northwest side of Vancouver Street  
90 said point being the southeast corner of parcel F shown on said  
91 plan; thence

92 running S 24°-55'-09" W. a distance of 20.02 feet along the  
93 northwest sideline of Vancouver Street; thence

94 turning and running N 67°-23'-15" W, a distance of 92.52 feet;

95 thence turning and running N 18°-05'-20"E, a distance  
96 of 109.95 feet to a point on the southerly sideline of Huntington  
97 Avenue; thence

98 turning and running northeasterly by a curve to the left of a  
99 radius of 1842.00 feet a distance of 29.55 feet by said sideline of  
100 Huntington Avenue;

101 thence turning and running S 18°05'-20"-W, a distance  
102 of 113.94 feet by the westerly lot line of parcel F; thence

103 turning and running S 67°-23'-15" E, a distance of 74.84 feet by  
104 the southerly lot line of parcel F to the point beginning.

105 Said strip of land contains an area of 3904 square feet and is  
106 shown as a 20 foot wide Maintenance Easement on said plan; and

107 C. the right to pass and repass over the land conveyed by  
108 Wentworth Institute of Technology herein, from Huntington  
109 Avenue to any building now or hereafter located on the land  
110 shown as parcel F on the plan referenced in Section 2.A above, for  
111 the purpose of providing access by foot and/or non-motorized

112 vehicle to and from any such building to Huntington Avenue and  
113 to change the landscaping, including, without limitation, the  
114 installation of minor improvements such as steps, within such  
115 easement or reservation area, the exact location and dimensions of  
116 such easement or reservation being described as follows:

117 A triangular shaped strip of land located on the south side of  
118 Huntington Avenue about 150 feet west of Vancouver Street in  
119 Boston, MA, bounded and described as follows:

120 Beginning at a point on the westerly lot line of parcel F shown  
121 on said plan, said point being an angle point in the southerly side-  
122 line of Huntington Avenue; thence

123 running S 18°-05'-20" W. a distance of 75.64 feet along the  
124 westerly lot line of parcel F;

125 thence turning and running N 28°-08'-23" W. a distance of  
126 51.54 feet to a point on the southerly sideline of Huntington  
127 Avenue;

128 thence turning and running N 61°-36'-23" E, a distance of 10.05  
129 feet along said sideline of Huntington Avenue to a point of curva-  
130 ture;

131 thence running northeasterly by a curve to the left of a radius  
132 of 1842.00 feet, a distance of 44.95 feet by said sideline of  
133 Huntington Avenue to the point of beginning.

134 Said strip of land contains an area of 1401 square feet and is  
135 shown as an Access Easement on said plan.

1 SECTION 3. This act shall take effect upon its passage.



