

By Mr. Donnelly of Boston (by request), petition of Edward Masterman and another that provision be made that certain licenses for the purpose of placing and maintaining fill over certain tidewaters be irrevocable. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT PROVIDING THAT CERTAIN LICENSES FOR THE PURPOSE OF PLACING AND MAINTAINING FILL OVER CERTAIN TIDEWATERS BE IRREVOCABLE.

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. Any provision of general or special law to the
2 contrary notwithstanding all licenses and authority heretofore or
3 hereafter granted to fill so much of the area in Boston being de-
4 scribed as:—

5 *Parcel 1*

6 A parcel of land and flats with any and all buildings and other
7 structures thereon situated in Boston, Suffolk County,
8 Massachusetts, now known as and numbered 470 Atlantic Avenue
9 and shown on a plan entitled "Plan of Land in Boston, Mass."
10 dated July 22, 1925 by Aspinwall & Lincoln, Civil Engineers,
11 recorded with Suffolk Deeds, Book 4715, Page 348, bounded and
12 described as follows:

13 Northwesterly by said Atlantic Avenue, one hundred thirty and
14 85/100 (130.85) feet;

15 Northeasterly by land now or formerly of the City of Boston,
16 two hundred twenty-three and 98/100 (223.98) feet;

17 Southeasterly by Boston Harbor by the Harbor Line shown on
18 said plan, one hundred fifty-one and 98/100 (151.98) feet; and

19 Southwesterly by land formerly of Boston Edison Company by

20 the five lines shown on said plan, measuring respectively eighty-
21 four and $62/100$ (84.62) feet, sixty-one and $80/100$ (61.80) feet,
22 eighty (80) feet, forty-six and $50/100$ (46.50) feet, and twenty-six
23 and $44/100$ (26.44) feet.

24 Containing according to said plan 35,576 square feet of land.

25 Together with the benefit of all licenses, acts of the Legislature,
26 and other authority heretofore granted.

27 Together with all rights and estate in Boston Harbor beyond
28 said Harbor Line, including the right to fill or to extend any wharf
29 or other structure upon said premises.; and

30 *Parcel 2*

31 A certain strip of land approximately two (2) feet in width,
32 situated on the Southeasterly side of Atlantic Avenue in said
33 Boston and shown on a plan entitled "Plan of Land in Boston —
34 Mass." by William S. Crocker, Inc. dated 9/13/62, Page 497
35 bounded and described as follows:

36 Northwesternly by said Atlantic Avenue, two and $2/100$ (2.02)
37 feet;

38 Northeasterly by land marked "Sheraton Building Corpora-
39 tion" on said plan, two hundred ninety-nine and $36/100$ (299.36)
40 feet;

41 Southeasterly by Boston Harbor (Fort Point Channel) by the
42 Harbor Line, two and $16/100$ (2.16) feet; and

43 Southwesterly by land now or formerly of Boston Edison
44 Company three hundred and $47/100$ (300.47) feet.

45 Containing 600 square feet of land more or less.

46 Together with the benefit of all licenses, acts of the Legislature
47 and other authority heretofore granted.

48 Together with all rights and estate in Boston Harbor beyond
49 said Harbor Line, including the right to fill or to extend any wharf
50 or other structure upon said premises; and also

51 *Parcel 3*

52 A parcel of land on the southeasterly side of Atlantic Avenue,
53 Boston, containing twenty-two thousand five hundred and forty-
54 eight (22,548) square feet, more or less, and bounded and described
55 as follows:

56 Northwesternly by the southeasterly sideline of Atlantic Avenue,
57 one hundred three and $93/100$ (103.93) feet;

58 Northeasterly by land now or formerly of Alfred Hook, James J.
59 Hook, and Edward Hook, one hundred seventy-two and $32/100$
60 (172.32) feet;

61 Southeasterly by Boston Harbor on the Harbor Line shown on
62 plan hereinafter mentioned, one hundred thirty and $23/100$
63 (130.23) feet;

64 Southwesterly by land now or formerly of the Sheraton Building
65 Corporation, two hundred twenty-three and $98/100$ (223.98) feet;
66 being the parcel of land shown on plan marked "City of Boston,
67 Atlantic Avenue, Boston Proper, May 29, 1914, F.O. Whitney,
68 Chief Engineer, Street Laying-Out Department," and now on file
69 in the office of the Commissioner of Public Works of the City of
70 Boston.

71 Together with the benefit of all licenses, acts of the Legislature,
72 and other authority heretofore granted, shall be deemed
73 irrevocable and any license hereafter issued by the department of
74 public works or any successor authority to fill or maintain existing
75 fill or land within said area shall be deemed irrevocable.

1 SECTION 2. In the event of a taking of any land referred to in
2 this act by the commonwealth or any of its political subdivisions
3 within ten years after the effective date of this act, the damages
4 recoverable by reason of such taking shall in no case exceed the
5 actual costs of acquisition of such land by the owner from whom
6 such taking is made together with the cost to such owner of any
7 buildings or improvements thereon, with interest at four per cent
8 annually from the date of such acquisition, on the date such other
9 cost was incurred, as the case may be.

