

By Mr. Valley of Boston, petition of the Boston Redevelopment Authority and Thomas J. Valley for legislation to confirm the taking by eminent domain by the Department of Public Works of Fort Hill Square in the city of Boston. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Two.

AN ACT CONFIRMING THE TAKING BY EMINENT DOMAIN BY THE DEPARTMENT OF PUBLIC WORKS OF FORT HILL SQUARE IN THE CITY OF BOSTON.

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. The general court declares and finds: that pursuant to chapter six hundred eighty-five of the acts of nineteen hundred and fifty and chapter eighty-one of the General Laws, the department of public works, by an Order of Taking dated December 26, 1951, recorded with Suffolk County Registry of Deeds in Book 6748, Page 392, took by eminent domain certain land in the vicinity of High and Oliver Streets in the city of Boston for the purpose of laying out the John F. Fitzgerald Expressway; that included in the land so taken was certain park land known as Fort Hill Square; and that said land taken in the vicinity of High and Oliver Streets in the city of Boston, including said parkland, is described as follows:

13 Beginning at a point on the northerly street line of High Street bearing south 23°23'17" west and 99.08 feet distant from station 15 2+20.93 of base line "E" as such base line "E" is described in said Order of Taking, thence following said line of High Street and in part the June 26, 1951 State Highway location line as described in said Order of Taking southwesterly about 291 feet to the junction of said northerly line of High Street with the northeasterly street line of Batterymarch Street; thence, crossing Batterymarch Street,

21 southwesterly about 51 feet to the junction of its southwesterly
22 street line with the northerly street line of High Street; thence
23 following said line of High Street southwesterly about 122 feet to
24 its junction with the northeasterly street line of Oliver Street;
25 thence, crossing Oliver Street, southerly about 62 feet to the junc-
26 tion of its southwesterly street line with the northerly street line of
27 High Street; thence following said line of High Street southwester-
28 ly about 52 feet; thence crossing High Street southeasterly about 50
29 feet to a point on the southerly street line of High Street bearing
30 south $55^{\circ}02'55''$ west and 103.55 feet distant from station 7+94.26
31 of the aforesaid base line "E"; thence leaving said line of High
32 Street and extending south $40^{\circ}39'38''$ east 42.70 feet to a point
33 bearing south $31^{\circ}53'12''$ west and 108.01 feet distant from said
34 station 7+94.26 of base line "E"; thence north $49^{\circ}08'45''$ east 47.66
35 feet to a point on the southwesterly street line of Oliver Street,
36 bearing south $19^{\circ}08'15''$ west and 64.08 feet distant from said
37 station 7+94.26 of base line "E"; thence following said line of Oliver
38 Street southeasterly about 94 feet; thence crossing Oliver Street
39 and following the southerly street line of High Street, as shown on
40 the plan recorded with the Order of Taking, a total distance of
41 about 336 feet to its junction with the southerly street line of
42 Belcher Lane; thence following said line of Belcher Lane easterly
43 about 108 feet to a point bearing south $85^{\circ}33'21''$ west and 135.75
44 feet distant from station 21+72.55 of the main base line as such
45 main base line is described in said Order of Taking; that pursuant
46 to chapter seven hundred sixty-four of the acts of 1949, the Com-
47 monwealth of Massachusetts, through its Department of Public
48 Works, conveyed to the city of Boston portions of the above
49 described land, including portions of the former Fort Hill Square
50 park, by deeds dated January 31, 1956, and April 16, 1957 recorded
51 with Suffolk County Registry of Deeds in Book 7141, Page 235,
52 and Book 7270, Page 517, the land so conveyed being no longer
53 necessary for highway purposes, and being described as follows:
54 A parcel bounded by a line beginning at a point on the southerly
55 side of the State Highway location laid out on December 26, 1951
56 at the junction of the southerly street line of High Street with the
57 westerly street line of Oliver Street, said point bearing South
58 $19^{\circ}08'15''$ West and being 64.08 feet distant from Station 7+94.26

59 of auxiliary base line "E" of said 1951 State Highway layout, and
60 extending thence, crossing Oliver Street North $74^{\circ}57'29''$ East
61 98.68 feet, to a point bearing North $8^{\circ}53'14''$ West and 22.00 feet
62 distant from Station 9+01.07 of said base line; thence westerly to
63 northwesterly, northerly and northeasterly as shown on a plan
64 entitled, "The Commonwealth of Massachusetts, Plan of Road in
65 the City of Boston, Suffolk County, Altered and laid out as a State
66 Highway of the Department of Public Works" dated March 13,
67 1956, recorded with Suffolk County Registry of Deeds in Book
68 7140, Page 543, by a curve of 46.00 feet radius 108.42 feet; thence
69 North $36^{\circ}09'02''$ East 25.78 feet; thence by a curve to the right of
70 138.00 feet radius 89.39 feet; thence North $73^{\circ}15'48''$ East about
71 123 feet; thence South $16^{\circ}44'12''$ East about 30 feet to a point
72 marking the junction of the southerly street line of Belcher Lane
73 with the easterly street line of High Street; thence for a total of
74 about 336 feet following the street line of High Street by various
75 courses as shown on said plan southerly and westerly to its junction
76 with the easterly street line of Oliver Street and crossing Oliver
77 Street to a point on the westerly street line thereof; thence follow-
78 ing said westerly street line of Oliver Street northerly about 94 feet
79 to the point of beginning; being the premises conveyed by said deed
80 dated January 31, 1956; and

81 A parcel bounded by a line beginning at a point bearing South
82 $7^{\circ}58'26''$ East and 24.28 feet distant from station 5+14.52 of auxil-
83 iary base line "E" of said 1951 State Highway layout, and extend-
84 ing thence South $7^{\circ}58'26''$ East 6.07 feet; thence South $73^{\circ}15'48''$
85 West 85.00 feet; thence by a curve to the left of 138.00 feet radius
86 89.39 feet; thence South $36^{\circ}09'02''$ West 25.78 feet; thence by a
87 curve to the left of 46.00 feet radius 68.24 feet to a point bearing
88 North $41^{\circ}08'53''$ East and 22.00 feet distant from station 8+41.68 of
89 said auxiliary base line "E" thence northwesterly to northerly and
90 northeasterly by a curve of 51.48 feet radius 76.37 feet; thence by
91 another curve to the right of 208.46 feet radius 135.04 feet; thence
92 North $73^{\circ}15'48''$ East 62.64 feet to the point of beginning; being the
93 premises conveyed by said deed dated April 16, 1957; and that
94 pursuant to chapter four hundred seventy-four of the acts of 1946,
95 as amended, to insure in the public interest the free circulation of
96 traffic in the city of Boston, the city of Boston established on the

97 land conveyed to it by said deeds, which land included portions of
98 the former Fort Hill Square park, a public off-street parking
99 facility.

1 SECTION 2. The general court hereby expressly confirms: the
2 taking of the former park land situated at High and Oliver Streets
3 in the City of Boston known as Fort Hill Square by the department
4 of Public Works by said Order of Taking dated December 26, 1951,
5 recorded with Suffolk County Registry of Deeds in Book 6748,
6 Page 392 for the purpose of laying out the John F. Fitzgerald
7 Expressway; the conveyance by the Commonwealth of Massachu-
8 setts, through its Department of Public Works, of portions of the
9 land so taken to the city of Boston by said deeds dated January 31,
10 1956, and April 16, 1957, recorded with Suffolk County Registry of
11 Deeds in Book 7141, Page 235, and Book 7270, Page 517, such land
12 so conveyed being no longer necessary for highway purposes; and
13 the establishment on the land so conveyed of a public off-street
14 parking facility pursuant to chapter four hundred seventy-four of
15 the acts of 1946, as amended.