



City of Boston, Massachusetts
Office of the Mayor

MICHELLE WU

May 23, 2022

TO THE CITY COUNCIL

Dear Councilors:

I transmit herewith for your approval an Order authorizing the Parks and Recreation Commission, on behalf of the City of Boston, to acquire by an eminent domain taking two parcels on the western shore of Sprague Pond at 0-4 Lakeside Avenue in Hyde Park as permanently protected parkland to be known as the Sprague Pond Shoreline Reserve, and to use Community Preservation Fund monies appropriated to the Parks and Recreation Department to award damages as determined by the Commission.

In addition, this Order authorizes the Parks and Recreation Commission to grant to the Southwest Boston Community Development Corporation a perpetual conservation restriction in accordance with M.G.L. Chapter 44B, Section 12(a), which requires such a restriction for lands acquired with monies derived by the Community Preservation Act.

These parcels on the western shore of Sprague Pond are undeveloped, contribute to the scenic beauty of and provide access to this Great Pond, provide natural resource protection to the state-designated Fowl Meadow and Ponkapoag Bog Area of Critical Environmental Concern, are within the boundaries of the Camp Miags Civil War-era training camp and hospital, where the Massachusetts 54th and 55th Volunteer Regiments trained, and are within an area considered "archaeologically sensitive for ancient and historic period archaeological resources" by the Massachusetts Historical Commission. This intersection of natural resource protection, historic preservation, and archaeological sensitivity make this a particularly worthy acquisition to Boston's parklands, and provide a public good of profound significance to this City and the Commonwealth that justifies the serious responsibility involved in the taking of private property with just compensation.

I urge your Honorable Body to adopt this Order so that the City may acquire this property expeditiously and expend Community Preservation Fund monies for the purposes for which they are granted.

Sincerely,

Michelle Wu
Mayor of Boston

CITY OF BOSTON
IN CITY COUNCIL

AN ORDER TO AUTHORIZE THE PARKS AND RECREATION COMMISSION TO TAKE BY EMINENT DOMAIN FOR PARK AND COMMUNITY PRESERVATION PURPOSES, AND TO GRANT A CONSERVATION RESTRICTION ON, TWO PARCELS ON SPRAGUE POND IN HYDE PARK.

ORDERED: That the Parks and Recreation Commission, on behalf of the City of Boston, for the community preservation purposes of providing a park, passive recreation, natural, historical, cultural, and archaeological resource conservation, and public access to the Great Pond known as Sprague Pond, be, and hereby is, authorized to take by eminent domain in accordance with G.L. Chapter 79, Chapter 185 of the Acts of 1875, and G.L. Chapter 44 B, Section 5 (e) the fee simple interest, inclusive of trees and structures standing upon and affixed thereto, of two parcels of land at Unnumbered (aka "0") and 4 Lakeside Avenue in the Hyde Park District, consisting of 51,545 square feet more or less (1.18± acres) of open land identified in the records of the Assessing Department as Parcels 1812998000 and 1812999000 respectively, and shown as "Parcel - A" on a survey titled "Plan of Land Taken for Park and Passive Recreation Purposes by the Parks and Recreation Commission, City of Boston, 0-4 Lakeside Avenue, Hyde Park District, Boston, MA" dated May 18, 2022, and prepared by Joyce Consulting Group, PC, Braintree, Massachusetts, , and to enter into all contracts, agreements, or documents and execute any and all instruments as may be necessary to effect said taking. In accordance with G.L. Chapter 44B, Section 5 (e), the Parks and Recreation Commission, on behalf of the City of Boston for the community preservation purposes cited above, using Community Preservation Fund monies appropriated to the Open Space Acquisition Fund of the Parks and Recreation Department by votes of the City Council on March 31, 2021 and April 12, 2022, is hereby authorized to expend said Community Preservation Fund monies for the purpose of paying any damages determined by the Parks and Recreation Commission for which the City of Boston may be liable by reason of this taking for community preservation purposes.

BE IT FURTHER ORDERED: That the Parks and Recreation Commission, on behalf of the City of Boston, be, and hereby is, authorized to grant a perpetual conservation restriction in said parcels of land to the Southwest Boston Community Development Corporation in accordance with G.L. Chapter 44B, Section 12(a) and G.L. Chapter 184, Sections 31 through 33, and to enter into all agreements and documents and to execute any and all instruments as may be necessary to affect said perpetual conservation restriction.

**I HEREBY CERTIFY
THE FORGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.**

BY 
**ADAM CEDERBAUM
CORPORATION COUNSEL**