

MEMORANDUM

AUGUST 15, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR ECONOMIC
DEVELOPMENT
JANET CARLSON, FIRST ASSISTANT GENERAL COUNSEL

SUBJECT: PARCEL R-1 IN THE NORTH HARVARD URBAN RENEWAL AREA;
CHARLESVIEW APARTMENTS PROJECT - TERMINATION OF LAND
DISPOSITION AGREEMENT AND RELEASE OF RESTRICTIONS IN
DEED

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (the "BRA") authorize the Director to execute a Termination of the Land Disposition Agreement by and between the BRA and Charlesview, Inc. dated November 4, 1969, and a Release of the restrictions in the Deed from the BRA to Charlesview, Inc. dated November 4, 1969, and any other agreements with or restrictions held by the BRA with respect to the Land Disposition Agreement.

BACKGROUND

The North Harvard Urban Renewal Plan Area was established in the mid-1960's in a section of the North Allston neighborhood at the intersection of North Harvard Street and Western Avenue ("Original Charlesview Site") to foster new development to meet the housing needs of the community. Accordingly, the Boston Redevelopment Authority (the "BRA") made the bulk of the urban renewal area available to Charlesview, Inc. (a Massachusetts urban redevelopment corporation organized under M.G. L. c. 121A) that was founded by area faith-based institutions for the purpose of developing mixed-income housing. The resulting development of the 213 unit Charlesview Apartments has provided a valued affordable housing resource for hundreds of families and individuals for four decades.

In late 2006, Charlesview, Inc. reached an agreement with Harvard University ("Harvard") to sell the existing 213 unit housing development site to Harvard pending the availability of a suitable relocation site for replacement housing for the current tenants. In accordance with this agreement, Harvard made a development site available to Charlesview, Inc. located on Western Avenue approximately one half mile

west of the current site. In December of 2009, the BRA approved a proposal by Charlesview, Inc., in partnership with The Community Builders, Inc. for the development of the replacement housing on the Western Avenue development site being provided by Harvard. Construction is now almost complete and the tenants have begun moving into the new development. The relocation is expected to be completed during the next month.

The BRA owns the underlying fee of Hefferan Street and Stadium Way in the Original Charlesview Site. The BRA and Harvard entered into an Agreement dated as of March 16, 2011 setting forth the terms and conditions of the transfer of these streets to Harvard. One of the conditions was the termination and/or release of any restrictions on the Original Charlesview Site that were imposed by the Land Disposition Agreement (defined below), the Deed (defined below), or other agreements with or restrictions held by the BRA with respect to the Land Disposition Agreement.

LAND DISPOSITION AGREEMENT AND DEED

The BRA transferred Parcel R-1 of the North Harvard Urban Renewal Plan Area ("Parcel R-1"), the Original Charlesview Site excluding Hefferan Street and Stadium Way, to Charlesview, Inc. by Deed dated November 4, 1969 and recorded as Document No. 296015 in the Suffolk County Registry District of the Land Court ("Deed"). The Deed placed restrictions on Parcel R-1. In addition, the BRA and Charlesview, Inc. entered into a Land Disposition Agreement dated November 4, 1969 and recorded as Document No. 296018 ("Land Disposition Agreement"). The Land Disposition Agreement also placed restrictions on Parcel R-1. In a few weeks all the tenants of the Charlesview Apartments Project will be moved into the new facility. Harvard will take title to Hefferan Street and Stadium Way from the BRA and will own the remaining portion of the Original Charlesview Site. Subsequently, the Master Lease between Harvard and Charlesview, Inc. will be terminated. Harvard will include the Original Charlesview Site in its new Institutional Master Plan ("IMP"), which will govern Harvard's future development on the site.

RECOMMENDATION

It is, therefore, recommended that the BRA authorize the Director to execute a termination of the Land Disposition Agreement and a release of the restrictions in the Deed.

An appropriate vote follows:

VOTED: That the Director of the Boston Redevelopment Authority ("Authority") be, and hereby is, authorized to execute on behalf of the Authority, a termination of the Land Disposition Agreement by and between the

Authority and Charlesview, Inc. dated November 4, 1969 and recorded as Document No. 296018 ("Land Disposition Agreement"), the release of the restrictions in the Deed from the Authority to Charlesview, Inc. dated November 4, 1969 and recorded as Document No. 296015 in the Suffolk County Registry District of the Land Court, and any other agreements with or restrictions held by the BRA with respect to the Land Disposition Agreement, all in connection with the Parcel R-1 in the North Harvard Urban Renewal Project Area.