

**City of Waltham Massachusetts
Community Preservation Act
Historic, Open Space and Recreation
Funding Application WCPA-1**



APPLICANT INFORMATION

Name of Applicant ⁽¹⁾ American Legion Post 156

Name of Co-Applicant, if applicable ⁽¹⁾ _____

Contact Name Keith Weeks

Mailing Address 215 Waverly Oaks Road
Waltham, MA 02452

Daytime Phone (i.e. of Proposal Applicant) 781-647-0156

PROJECT BASICS

Address of Project (or Assessor's Parcel ID) R 054 003 0003

215 Waverly Oaks Road, Waltham, MA 02452

CPA Category (check all that apply):

☐ Open space

☒ Historic preservation

☐ Open space recreation

☐ Community Housing (You must also complete Application WCPA-2)

CPA Funding Requested \$ 29,318.00

Total Cost of Proposed Project \$ 32,575.00

PROJECT DESCRIPTION

Attach answers to the following questions. Applications will be returned as incomplete if all requested information is not provided. Include supporting materials as necessary.

GOALS: What are the goals of the proposed project?

COMMUNITY NEED: Why is this project needed? Does it address needs identified in existing City plans?

COMMUNITY SUPPORT: What is the nature and level of support for this project? Include letters of support and any petitions.

TIMELINE: What is the schedule for project implantation? Include a timeline for all critical items for their

completion.

CREDENTIALS: How will the experiences of the Applicant(s) contribute to the success of this project?

Success Factors: How will the success of this project be measured? Be specific.

BUDGET: What is the total budget for this project? How will the CPA funds portion be spent? All items of expenditure must be clearly identified and justified. Detail the hard and soft costs. Identify contingencies.

OTHER FUNDING: What additional funding sources are available, committed, or under consideration? Include commitment letters if available. Identify all sources of other funding which have been sought for this project and the status of the requests.

MAINTENANCE: If ongoing maintenance is required for your project, how will it be funded? (Note that CPA Funds may not be used for maintenance, but maintenance is an important consideration for all projects.)

ADDITIONAL INFORMATION

Provide the following additional information, *as applicable*.

DOCUMENTATION: Provide written documentation that you have control over the site, such as Purchase and Sale Agreement, option, or deed.

CONSTRUCTION OR REHABILITATION: ⁽²⁾ For projects with construction or rehabilitation, provide floor plans, elevations including the existing and proposed site plan(s), and any additional drawings or photographs which visually describe the project.

ZONING: Provide evidence that the project is in compliance with the current City Zoning Ordinance as Amended, as well as all other laws and regulations. If zoning relief is required, note the parts of the proposal not in compliance with the Zoning Ordinance, and when an application will be made to the Zoning Board of Appeals.

CITY APPROVALS: Provide evidence that the appropriate City Boards and Commissions approve of the project (Waltham Historical Commission for Historic, Conservation Commission for Open Space, Park & Recreation Board for Recreation, and Waltham Housing Authority for Community Housing). As an example, a project in a City park would require that the Park & Recreation Board accept the project.

HAZARDOUS MATERIALS: Provide evidence that the proposed site is free of hazardous materials or that there is a plan for remediation in place.

PROFESSIONAL STANDARDS: Provide evidence that appropriate professional standards will be followed if construction, restoration, or rehabilitation is proposed.

LEVERAGED ADDITIONAL BENEFITS: Provide information indicating how this project can be used to achieve additional community benefits.

Notes:

(1) City Property: If the proposal is located on City-owned land, either the Applicant or Co-Applicant must be the City Board, Commission or Department that has custody of the land.

(2) Appraisals: If the requested funds are for a real estate acquisition, an independent appraisal will be required which the Applicant will be required to fund. No funding decisions will be made without an independent appraisal. Additional appraisals may be required for final approval.

FOR COMMUNITY PRESERVATION COMMITTEE USE ONLYApplication received on 5-31-2023Application received by Julie TooleDate Project presented to CPC for Submission Acceptance Process 6-6-2023Was Project accepted for Consideration? YesIf accepted for Consideration, Project Public Hearing date 6-13-2023

Following meeting Date for decision to recommend for funding _____

Was project recommended for funding to the City Council? _____

Was project funded by the City Council? _____

If project funded by the City Council, for how much? _____

Date funding Contract signed with applicant _____

APPLICATION SUBMISSION REQUIREMENTS

Proposals for Community Preservation Act funding must be submitted using the City of Waltham's Application forms WCPA-1 and WCPA-2.

If the proposal is exclusively a community housing project, applicants must submit WCPA-2. If the proposal combines community housing with any other funding category, both WCPA-2 and the WCPA-1 must be submitted. Otherwise applicants can submit just WCPA-1.

All information requested on the application forms must be included with the proposal at the time of submission or it will not be accepted for consideration. Applications may not include any handwritten information.

Applications and all supporting documentation must be submitted as hardcopy with eleven (11) copies (including one unbound for reproduction) to the official mailing address as specified in Article VI. If an Application is recommended for funding by the CPC, then an additional 17 copies must be provided for use by the City Council.

Applicants are encouraged to include any maps, diagrams, and/or photographs pertaining to the project. Letters of support for the project from community organizations or other sources may also be submitted.

Applicants will also submit an electronic version of each and every document submitted in their application if available, either on CD or USB flash drive, preferably in Portable Document Format (PDF) or other commonly used file formats (eg. .doc, .docx, .xls, .xlsx, .jpeg).

Applicants should include actual quotes for project costs whenever possible. If not available, estimates may be used, provided the basis of the estimate is fully explained.

Applicants should pursue matching or supplemental funds from state, federal and/or private sources when available.

Applicants should detail who will be responsible for project implementation and management. Their relevant experience should be included in the narrative. Please be sure that project management costs have been included in the overall project budget.

PROJECT DESCRIPTION

The project is to make the current handicap ramp comply with handicap regulations.

GOALS

To make the handicap ramp legal and to allow the American Legion to continue to serve Veterans and the Waltham Community.

COMMUNITY NEED

The American Legion function hall and building are used by Veterans and by various individuals and groups in the City.

COMMUNITY SUPPORT

The Waltham Disability Services Commission has been working with American Legion Post 156 to make the ramp legal. Councillor John McLaughlin appeared before the Disability Services Commission in support.

TIMELINE

As soon as funding is available, the project will be started.

CREDENTIALS

John T. Haffey is a well-known contractor in the City of Waltham.

BUDGET

The total cost of the project is \$32,575.00. J.T. Haffey is donating 10% of the cost of the proposal.

OTHER FUNDING

J.T. Haffey 10% of the proposal.

MAINTENANCE

American Legion Post 156.

DOCUMENTATION

Attachments from J.T. Haffey, estimate and plan

City map and building card

Cornelia Warren Deed to the City of Waltham.

Deed by the City of Waltham to Post 156 of the American Legion

The American Legion Post 156 was chartered back in 1919, and has been an integral member of the Waltham community for over a century.

Post 156 has a long standing partnership with many of the civic organizations here in Waltham and have worked hard to support the missions of these organizations. There is great work being accomplished by these civic organizations but they lack the brick and mortar physical location to bring members together; this is where Post 156 comes in. We provide the Lions Club, Rotary Club and Womens Club a space for their regular meetings, at no cost, recognizing that this in-kind donation supports them in accomplishing their goals. Everyone benefits, especially the Waltham community.

Post 156 understands the importance of investing in the city's youth and has long supported Waltham Youth Sports Programs such as baseball and hockey, sponsoring numerous teams over the years.

Post 156 has partnered with the Department of Developmental Services, the state agency that supports individuals with intellectual and developmental disabilities, to provide space for functions for the 140 individuals receiving residential care in the Metro Region. Many of these individuals were former residents of the Fernald Center and have called Waltham home for decades. These individuals have enjoyed talent shows and luncheons at the Post and staff have been able to gather for important trainings at the Post.

The Post and its members have been staunch supporters of organizations that raise money for important causes. Examples include:

- the Chaisson Family Foundation has an Annual Fundraiser to support individuals and families battling addiction issues.
- The Waltham Firefighters held a Raffle night to raise funds to provide scholarships.
- "Give, Love, Live" which raised funds for Dana Farber Cancer Institute and the Jimmy Fund

In 1948, Dorothy Slamin Hill of Waltham Massachusetts formulated the Waltham American Legion Band to support patriotism in America. The band is a mainstay in local parades and supports itself through paid performances and fund raisers. For over 75 years the band has been donating money to educational causes and local scholarships for young people interested in music. Members of the band volunteer their time and donate their services to support the efforts. The Post serves as the home for the band, where they practice and rehearse.

The Womens Auxiliary while originally organized to assist The American Legion, has achieved its own unique identity while working side-by-side with the veterans who belong to The American Legion. Like the Legion, the Auxiliary's interests have broadened to encompass the entire community. They have proudly sponsored local events such as The Moving Wall, a replica of the Vietnam Memorial, here in Waltham.

With the closing of the Waltham Elks Club, the number of civic organizations that provide function halls and meeting space in Waltham are dwindling. Post 156 is committed to the American Legion's mission to enhance the well-being of America's veterans, their families, our military, and our communities by our devotion to mutual helpfulness. By providing safe, accessible access for all members of the community through a renovated access ramp, Post 156 can continue to be that strong community partner that residents and organizations have come to rely on.

To all concerned,

I met and discussed what has to be done to correct the current access ram to meet The 521 CMR Access Board Code and have sent American Legion Post 156 a proposal. In an effort to help defray the cost JT Haffet Builders will donate 10% of the cost of the Proposal.

In discussing the plans we propose Mr. Bower is agreeable to what we plan to build. We will draw up the plans once it is decided that this is the way That Post 156 Okays.

Please just keep us in The Loop. Thank You JT.

Sincerely,

J.T. Haffey

Off: 508-620-9168

Fax: 508-620-8845

johnh@jthaffey.com

On Mon, May 15, 2023 at 2:02 PM John Haffey <johnh@jthaffey.com> wrote:

American Legion Post 156
215 Waverly Oaks Rd
Waltham, Ma. 02454

Dear Sirs,

After a request to check out the condition and Legality of the ADA Access ramp on the North Elevation of the Existing ADA Access Ramp we have come up with the following Information using a Laser Level for Accuracy. Instead of a Tape Measure

1. As for meeting Rise over Run of 1" Rise for every Foot in Length the Upper 75 % of The existing Ramp meets Code according to 521 CMR 24
2. The lower 20 Feet of ramp from the last Level Platform has a Run of 20 Feet dropping 28 inches thus this section does not meet the 521 CMR 24 Code set forth by The Architectural Access Board Section 24, General
3. We propose to remove the last 20 foot section of the ramp and rebuild it to meet Code. Space is tight and we will have to install the newly built Section of 20 Feet down to the Asphalt Sidewalk. Then we will Build a 5 foot X 4 Foot Level Landing across the asphalt sidewalk with material matching the existing Ramp. This landing will be raised 7 inches or one step. We will then bring the ramp to grade by continuing the ramp down to Grade from the level platform South towards the Front door with the New Section of ramp coming off the new Section of Platform for ADA Radius for turning Wheel Chair Clearance

We will install all new decking to match, all new Rails and Balustrades to match and top Rail Cap to Match original design

We will install all new Cement footings according to Code

On the Warren St side of the new platform we will have to have the Able Body Guests walk up the Cement Stairs from the Sidewalk and up onto the Platform. From there they can walk up the Section of The Ramp and enter the Building or walk down the new ramp to gain access to The Front Door

The Wheelchair Bound or Disabled Guests can access the Building by going up the new Lower Ramp That was Built and proceed up the repaired existing Ramp that will meet 521 CMR ADA Rules and regulation from The Architectural Access Board

4. We will also have to remove all the existing Handicap Handrails that are not to Code and replace New PVC RDI White Handrails for Wheelchair Clients at 19 inches and 34 Inches Height Continuous on either side of the Ramp to meet ADA Code. The Rails will extend past the end of the Ramp 16 inches and Loop together
5. We will clean up and remove all debris on a Daily basis and remove it from the site when the job is complete.

6. Per The Building Dept. We will install a new doorbell system at the Base of the ADA Access Ramp and front door on Waverly Oaks Rd . The door bell will ring in the Lower Left Lounge area and in the Commander's Office

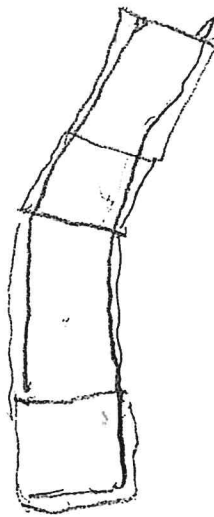
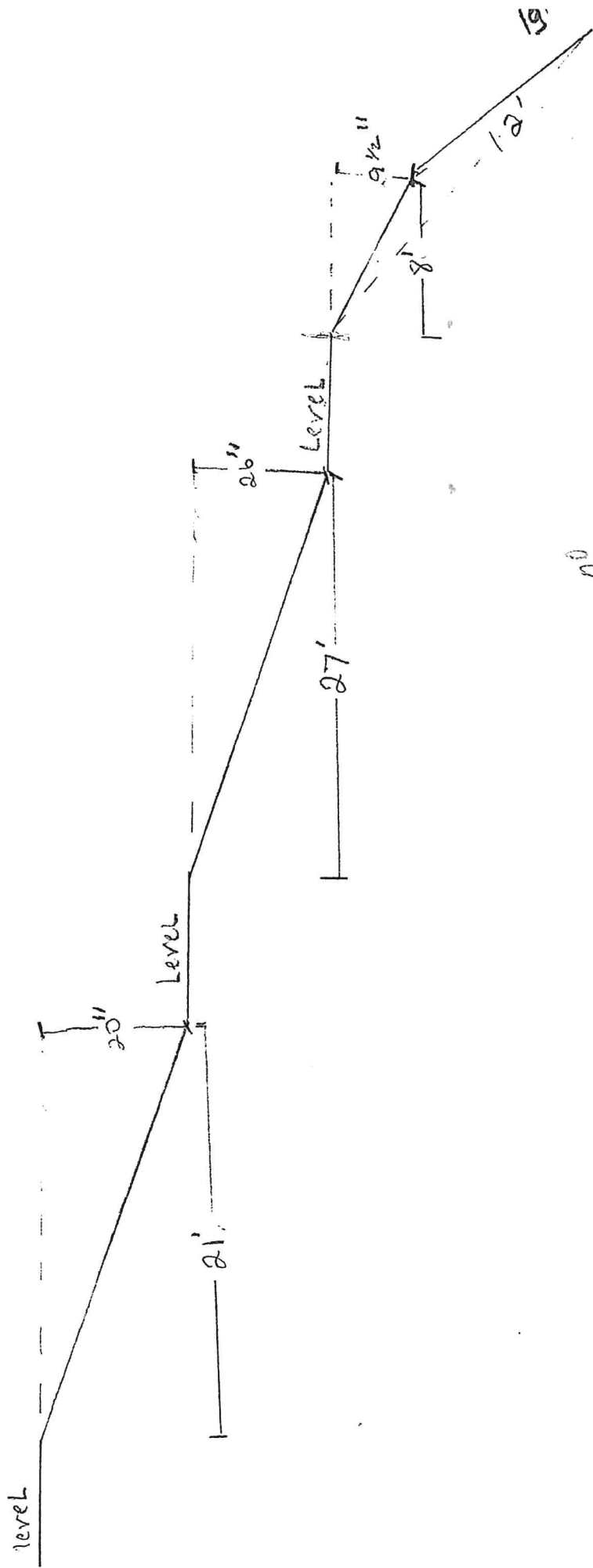
Total Price Labor \$ 22,032.00 Material \$ 10,500.00 Grand Total \$ 32,575.00

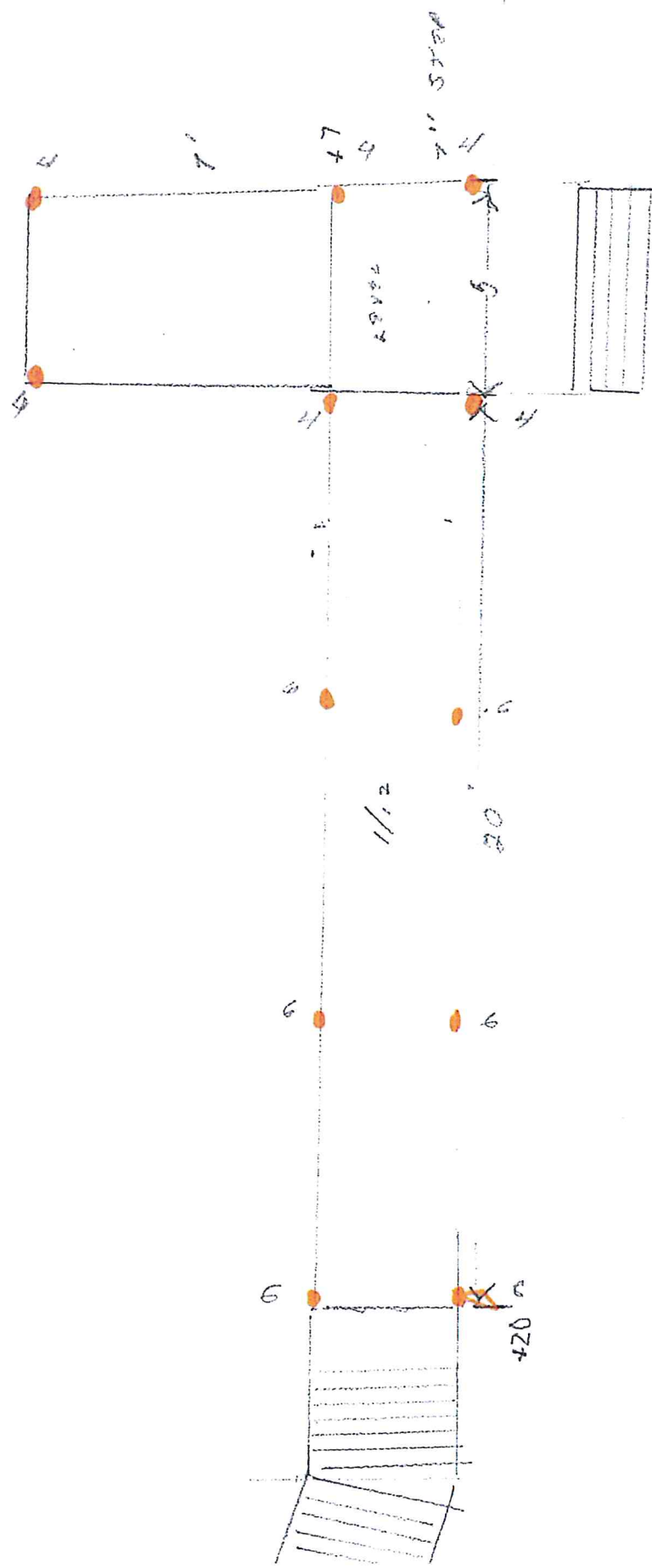
* Please Call 1-508-620-9168 if there are any questions

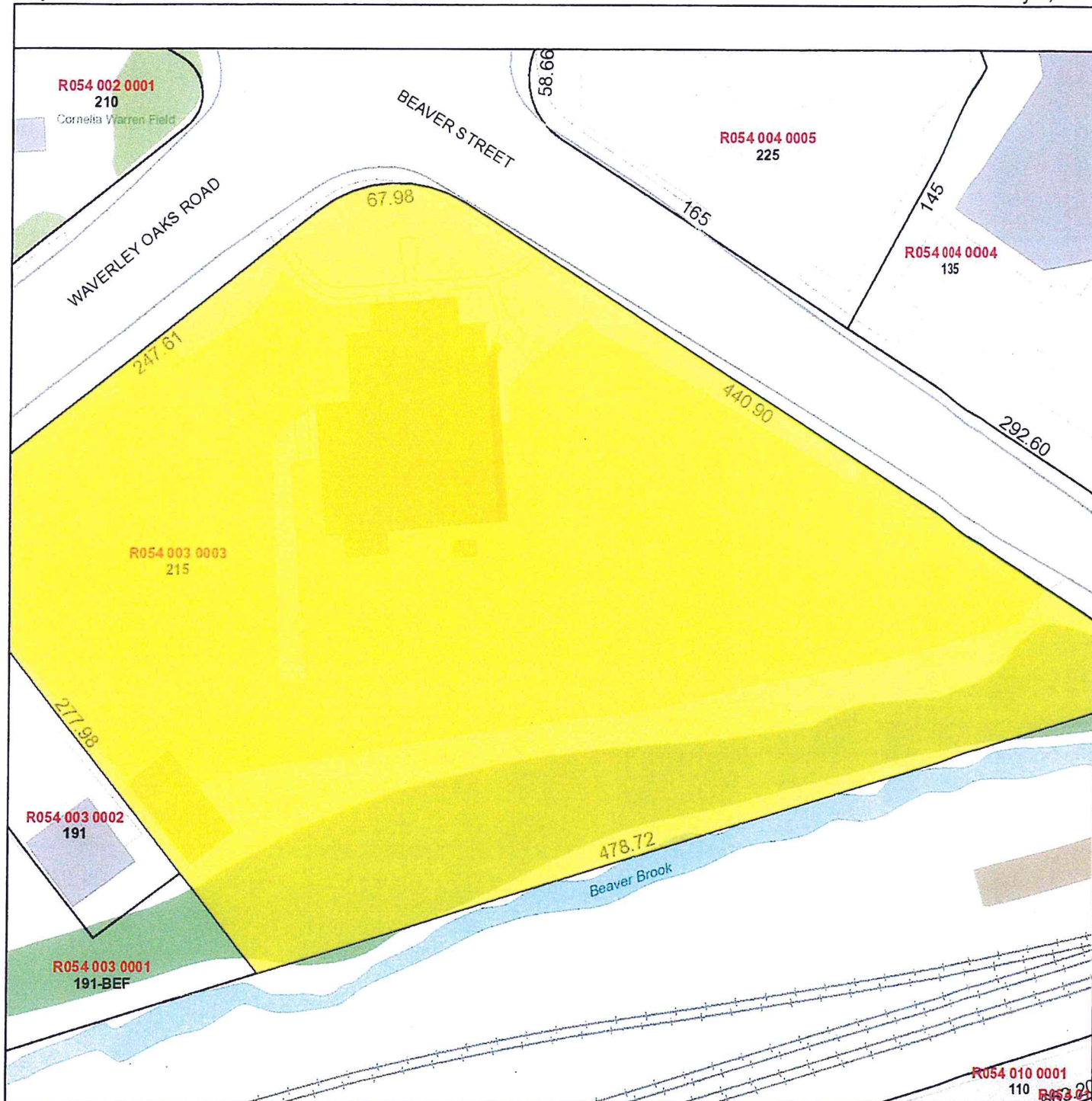
Sincerely,

J.T. Haffey
Off: 508-620-9168
Fax: 508-620-8845
johnh@jthaffey.com

American Legion - Walburn







This map is for reference and planning purposes only. It is prepared for the inventory of real property within the City of Waltham and is compiled from tax maps, recorded deeds and plats. Users of this tax map are hereby notified that the aforementioned public primary information sources should be consulted for the verification of the information contained on this map. The City of Waltham and its mapping contractors assume no legal responsibility for the information contained herein.

- Sub Parc
- Rail Lines
- City Boundary
- Swimming Pools

- Parcels
- Buildings
- Building Footprints
- Deck

- Private Walkways
- Sidewalks



Unofficial Property Record Card - Waltham, MA

General Property Data

Parcel ID	R054 003 0003	Account Number	158830
Prior Parcel ID	--		
Property Owner	AMERICAN LEGION INC. WALTHAM POST #156	Property Location	215 WAVERLEY OAKS RD
Mailing Address	215 WAVERLEY OAKS ROAD	Property Use	VETERANS ORG
		Most Recent Sale Date	10/2/1979
City	WALTHAM	Legal Reference	13802-370-372
Mailing State	MA	Grantor	
Zip	02452-6210	Sale Price	0
ParcelZoning		Land Area	2.909 acres

Current Property Assessment

Card 1 Value	Building Value	295,500	Xtra Features Value	3,900	Land Value	3,741,300	Total Value	4,040,700
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Building Description

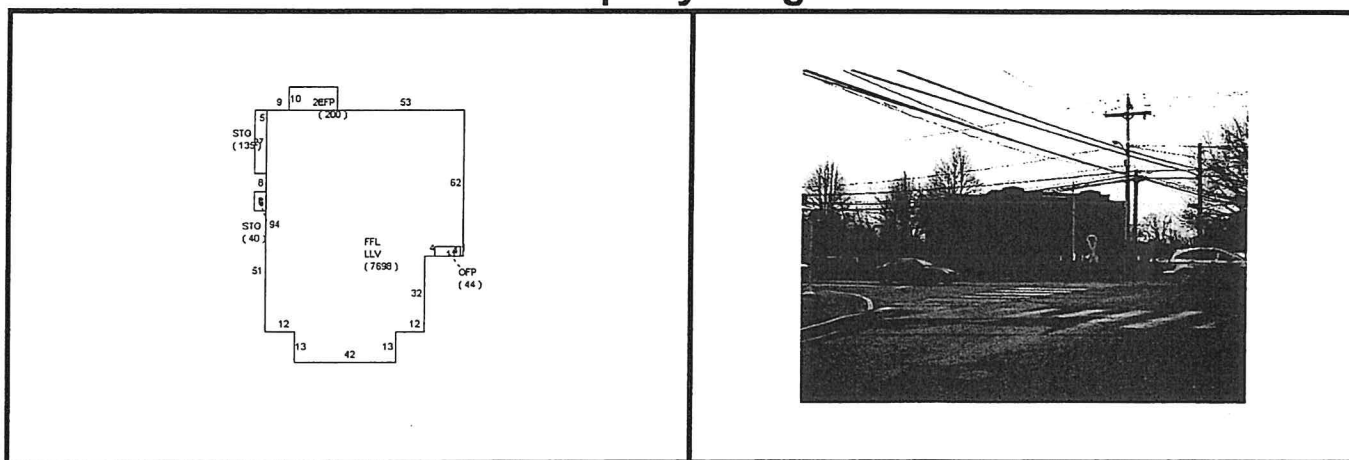
Building Style	LODGE	Foundation Type	CONC BLK	Flooring Type	CARPET
# of Living Units	1	Frame Type	TYPICAL	Basement Floor	LINO/VINYL
Year Built	1978	Roof Structure	FLAT	Heating Type	FORCED H/A
Building Grade	AVERAGE-	Roof Cover	TAR + GRAVEL	Heating Fuel	GAS
Building Condition	Average	Siding	BRICK	Air Conditioning	100%
Finished Area (SF)	15011.1001	Interior Walls	PLYWOOD PANL	# of Bsmt Garages	0
Number Rooms	0	# of Bedrooms	0	# of Full Baths	0
# of 3/4 Baths	0	# of 1/2 Baths	6	# of Other Fixtures	8

Legal Description

Narrative Description of Property

This property contains 2.909 acres of land mainly classified as VETERANS ORG with a(n) LODGE style building, built about 1978 , having BRICK exterior and TAR + GRAVEL roof cover, with 1 unit(s), 0 room(s), 0 bedroom(s), 0 bath(s), 6 half bath(s).

Property Images



Disclaimer: This information is believed to be correct but is subject to change and is not warranted.



American Legion Post 156

215 Waverley Oaks Rd Waltham MA 02452

Citizens of Waltham, Hereby Support the Efforts of The Waltham American Legion Post 156, in the effort of Renovations to the existing Handicap Ramp, to Provide a Safe and Accessible Access for All Members of the Community, and Hereby Support any and all efforts that the Community Preservation Act May be able to provide.

Edwin Holstan

Bernice Deveau

Danah W. L. G.

Pam Feely

Mary Caramanna

Aminda Welsh

Richard Grant

Tim Piatt

Eileen Williams

D. R. L.

C. Braceland

Richard Santen
Mary Caramanna

Kelly O.
Doreen Bailey

Colette Cusumano

John Ford

Lori Ford

Mike Whelan

Bob Burke

Glenn Gelineau

Angela

Blair J. Russell

Dave L. L.



American Legion Post 156

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[Signature]
Keith McFarlane

Robert McNamee
T Blake

J Chemelli
[Signature]

Dan O'Brien

Abra Bishop

Kathleen Sibley

Karl Mass

Georgette Faulkner

[Signature]

Mary A Chemelli

Coff Koff

Maureen M. Fleming

Thomas O'Shaughnessy

Bob Webb

Paul J. Chou

Red Glum

Geten McNamee

Col. R. King

James J. Byrne

Timothy King

[Signature]
[Signature]

Mollie Gier

Kathleen Harvey

Shea Craig

Bonnie Raines

Fred Trede

Donald Ferguson

Joseph McDonough



American Legion Post 156

215 Waverley Oaks Rd Waltham MA 02452

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Jim Dolaher
Ph Bulger
John Lehman
D. [unclear]

Tom Santolucito
Patrick Donohy
DICK YERARDI

John Hogan
Jeff [unclear]
[unclear]

Domènica Cosco
Teresa Cosco
K. Vasken Bahigian

Frank Devereau
Sheld Filz
Jim LeBlanc
Paul Colodan
Erm [unclear]

Vincent Cairra
Nancy W. Gamber
P. Gould Christ
[unclear]

Paul H.
Lana Muller
George Muller
Eliane Muller
[unclear]

Samuel Minerva
Dino Flori
Joe Gerri
[unclear]



American Legion Post 156

215 Waverley Oaks Rd Waltham MA 02452

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Joseph E. Keough
Patricia Lundy
Ago Vasilopoulos
Ken Bailey
Ann D. Choult
Jim Mulcahy
John B. Real
Eric T. Arne
Paul A. 2
Charlie Krupinski
Linda McDonald
Mina Tso
Ann Ahagan

James Celn
Scott
Ken Casper
Bill
Maish
Chris
Kathy Hill
James Timmins
Bill Butler
Melissa Stepanian
David Benoit
Bob Vaughan
Yu H. Kim
Matt Bower 29

thousand nine hundred and twelve. Charles A. Hopkins read Walter A. Hopkins read. Trustees of Hopkins Trust. Signed and sealed in the presence of William N. Kenyon to both. Commonwealth of Massachusetts, Suffolk ss. May 2. 1912. Then personally appeared the above named Charles A. Hopkins and Walter A. Hopkins and acknowledged the foregoing instrument to be their free act and deed as trustees of Hopkins Trust as aforesaid before me. William N. Kenyon. Notary Public (Notarial Seal)

Middlesex ss. May 2. 1912. 1h. 20m. P.M. Rec'd & Recorded.

Know all men by these Presents That I, Cornelia Warren, of Waltham, in the County of Middlesex and Commonwealth of Massachusetts, in consideration of one (1) dollar and other valuable considerations, paid by the City of Waltham, a municipal corporation existing under the laws of said Commonwealth, the receipt whereof is hereby acknowledged, do hereby remise, release and forever quitclaim unto the said City of Waltham, a certain parcel of land situated in said Waltham, bounded and described as follows; northwesterly by Waverley Oaks Road three hundred (300) feet; northeasterly by Beaver street by two lines, ninety-four and $46/100$ (94.46) feet and fifty and $75/100$ (50.75) feet, respectively; southeasterly by other land of the grantor one hundred and forty and $92/100$ (140.92) feet, both ends of said boundary line being marked by stone bounds; southeasterly, more southerly, by other land of the grantor two hundred and eighteen and $35/100$ (218.35) feet, both ends of said boundary line being marked by stone bounds; southwesterly by other land of the grantor one hundred and eighty (180) feet, both ends of said boundary line being marked by stone bounds; together with a right to use a strip five (5) feet wide on the adjoining land of the grantor along the first mentioned southeasterly boundary for a distance of eighty (80) feet from Beaver street as a private way in common with the grantor and persons claiming under her, and subject to and reserving to the grantor and her heirs and assigns and persons claiming under her the right to use a strip of land five (5) feet wide on the granted premises adjoining the first mentioned southeasterly boundary for a distance of eighty (80) feet from Beaver street as a private way in common with the grantee and persons claiming under it. The premises are shown on a Plan of Land in Waltham, by Bertram Brewer,

Warren
to
City of Waltham

See plan at end of this book.

City Engineer, dated Dec. 1911. For title of the grantor see deeds of Fiske Warren and Edward P. Warren, dated April 22, 1892 and January 13, 1897, respectively, and recorded with Middlesex South District Deeds, book 2111, page 86, and book 2531, page 412, respectively. The premises are conveyed upon the express condition that the grantee will assume and pay any betterment assessment that may at any time hereafter be levied on any land now owned by the grantor for or on account of the construction of a sewer in Beaver street from the end of the existing sewer in said street to or towards the railroad crossing at Clemenatis Brook. Subject also to taxes for 1912, which the grantee assumes and agrees to pay. To have and to hold the granted premises, with all the privileges and appurtenances thereto belonging to the said City of Waltham and its successors and assigns, to their own use and behoof forever, for use for school purposes. And I do hereby, for myself, and my heirs, executors and administrators, covenant with the said grantee and its successors and assigns that the granted premises are free from all incumbrances made by me, except as aforesaid, and that I will and my heirs, executors and administrators, shall warrant and defend the same to the said grantee and its successors and assigns forever against the lawful claims and demands of all persons claiming by through or under me, except as aforesaid, but against none other. In witness whereof I, the said Cornelia Warren being unmarried, hereunto set my hand and seal this twenty sixth day of April, in the year one thousand nine hundred and twelve. Cornelia Warren seal. Signed, sealed and delivered in presence of Thirteen written words and figures 1912 first interlined William H. Dunbar, Commonwealth of Massachusetts, Suffolk ss. April 26th 1912. Then personally appeared the above-named Cornelia Warren and acknowledged the foregoing instrument to be her free act and deed before me. William H. Dunbar Justice of the Peace.

Middlesex ss. May 2, 1912. 1 h. 35 m. P.M. Rec'd & Recorded.

Fraser et al
to
Winchester
Co-op. Bk.

To now all men by these Presents,
That I, Catherine J. Fraser, wife of James D. Fraser, of Winchester in the County of Middlesex and Commonwealth of Massachusetts, in consideration of five thousand (5000) dollars, dollars paid by the Winchester Co-operative Bank, a corporation duly established by law in Winchester, in the County of Middlesex and Com

11-2-79 W 1121 161RE-110

BK 13802 PG 370

aw 11 —

QUITCLAIM DEED

THE CITY OF WALTHAM, a municipal corporation duly established under the laws of the Commonwealth of Massachusetts, and having its usual place of business at Waltham, Middlesex County, Massachusetts, for One Dollar and other valuable consideration paid, grants to WALTHAM POST #156, THE AMERICAN LEGION INC. of 210 Waverly Oaks Road, Waltham, Middlesex County, Massachusetts, with Quitclaim covenants, the land with the buildings thereon located at Waltham, Middlesex County, Massachusetts, more particularly bounded and described as follows:

Beginning at a point of tangency in the southwesterly line of Beaver Street as laid out by City Council Order No. 23278, approved September 12, 1972; thence running south 57°-32'-45" east 440.90 feet along the southwesterly line of said Beaver Street to an angle point; thence running south 60°-29'-30" east 1.34 feet along the southwesterly line of said Beaver Street to a corner; thence turning and running south 73°-17'-17" west 478.72 feet along the northerly line of the Boston and Maine Corporation to a corner; thence turning and running north 38°-21'-35" west 277.98 feet along other land of the City of Waltham and land of Loreto Antonellis and Ann M. Antonellis, H & ux, to a point on the southeasterly line of Waverly Oaks Road, laid out by the City of Waltham as Quince Street in June 1903, renamed Waverly Oaks Road by Board of Aldermen Order No. 5333, approved December 21, 1903; thence turning and running north 51°-38'-25" east 247.61 feet along the southeasterly line of said Waverly Oaks Road to a point of curvature; thence running in a general northeasterly and southeasterly direction by a curve to the right with a radius of 55.00 feet 67.98 feet along the southerly line of said Beaver Street to the point of beginning.

The above described parcel contains 126,710 square feet, in shown on a plan entitled "Plan of Land at 215 Waverly Oaks Road, Waltham, Mass., Scale: 1 inch = 40 feet, July 1977" and signed by Edward F. Delaney, City Engineer, and is subject to the following described 20 foot water, sewer and drainage easement to be reserved by the City of Waltham for the Waverly Oaks Trunk Sewer. Beginning at a on the southwesterly line of said Beaver Street, said point being distant south 57°-32'-45" east 411.38 feet from the above mentioned point of tangency; thence running south 57°-32'-45" east 29.52 feet along the southwesterly line of said Beaver Street and across the northeasterly terminus of the parcel being described to an angle point; thence running south 60°-29'-30" east 1.34 feet along the southwesterly line of said Beaver Street and across the northwesterly terminus of the parcel being described to a corner; thence turning and running south 81°-35'-19" west 133.23 feet to an angle; thence running south 73°-17'-17" west 354.94 feet to a corner; thence turning and running north 38°-21'-35" west 21.52 feet across the southwesterly terminus of the parcel being described to a corner; thence turning and running north 73°-17'-17" east 364.39 feet to an an angle; thence running north 81°-55'-19" east 111.24 feet to the point of beginning. The above described easement is of a uniform width of 20.00 feet, contains 9,637 square feet and is shown on the above described plan.

For title of the Grantor, see Book 3688, page 503.

In accepting this conveyance, the grantee agrees to the following conditions:

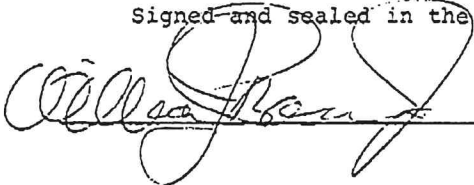
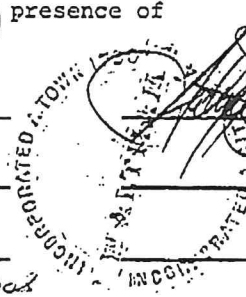
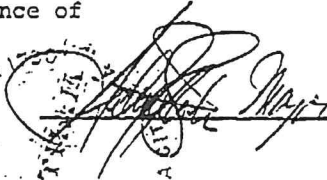
1. The premises shall in no way be used for business or commercial use. This provision is not intended nor shall it be interpreted as restricting the grantee from such revenue producing activities as are customary and consistent in the usual conduct of an American Legion Post. These activities shall include, but shall not be limited to, the conduct of beano games, card parties, renting of portions of premises for purposes of weddings, testimonials and the like.
2. Excepting as provided in sec. 1 as heretofore set forth, the premises shall be occupied only by the grantee for uses consistent with its activities as an American Legion Post.
3. The premises shall be maintained in good and proper order.
4. The Grantee shall not, for a period of more than 90 days, be in default of any term or provision as contained in the first mortgage, hereinafter mentioned and to be given to the BayBank/Newton-Waltham Trust Company.

Fee to the premises shall vest within the Grantee herein so long as there is no breach of any of the foregoing conditions. In the event of a breach title shall revert to the grantor City. In such instance, the grantee shall give to the grantor a good and sufficient quitclaim deed.

The grantor and the grantee agree that the grantor's reversionary interest herein shall be subject to, without assuming and agreeing to pay said mortgage, a first mortgage to the BayBank/Newton-Waltham Trust Company in an amount not to exceed \$325,000.00 for a term not to exceed 20 years, said mortgage to be recorded herewith. Said mortgage shall in no way be amended or altered or any of its terms be waived without the express written consent of the grantor City of Waltham.

In Witness whereof, the said CITY OF WALTHAM has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Arthur J. Clark its Mayor hereto duly authorized this 25th day of SEPTEMBER in the year one thousand nine hundred and seventy-nine.

Signed and sealed in the presence of

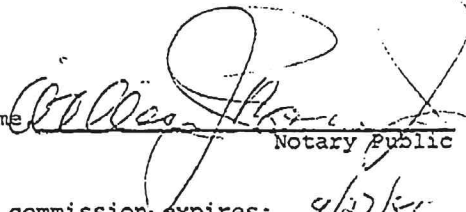
THE COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS:

SEPT. 25, 1979

Then personally appeared the above named Arthur J. Clark, Mayor of the City of Waltham, and acknowledged the foregoing instrument to be his free act and deed.

Before me


Notary Public

My commission expires: 9/27/85