

MEMORANDUM

NOVEMBER 14, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
DAVID CARLSON, SENIOR ARCHITECT

SUBJECT: 560 COMMERCIAL STREET, NORTH END

SUMMARY: This Memorandum requests that the Director be authorized to issue a Certificate of Completion pursuant to the Land Disposition Agreement by and between the Boston Redevelopment Authority and 500 Commercial Street Realty Trust dated October 6, 1997, as amended, for the construction of a 3-unit residential building located at 560 Commercial Street in the North End.

On August 15, 2000, the Boston Redevelopment Authority (the "Authority") adopted a Final Designation Resolution approving 500 Commercial Street Realty Trust as Redeveloper of Assessor Parcels 03-01941-000, 03-01942-000, 03-01944-000, and 03-01945-000 as a funeral home and a residential apartment. After the Final Designation, 500 Commercial Street Realty Trust acquired Assessor Parcel 03-01943-000, which was then included in the development site. On October 6, 1997, the Authority entered into a Land Disposition Agreement ("LDA"). Subsequently, construction commenced on the project, but, prior to completion, the Redeveloper sought to sell their interest in a portion of the development site consisting of Assessor Parcels 03-01941-000 and 03-01942-000 to Affiliated Family Funeral Services, Inc. On June 25, 1998, the Authority authorized the transfer of such property and entered into an amendment to the Land Disposition Agreement regarding the sale and transfer of such parcels.

In November, 2000, 500 Commercial Street Realty Trust requested authorization from the Authority to sell another portion of the development site consisting of Assessor Parcels 03-01944-000 and 03-01945-000 and the adjacent driveway to Joseph D'Anna to construct a three (3) unit residential building thereon. On June 25, 2001 the Authority and 562 Commercial Street LLC entered into a Second Amendment to the LDA allowing the construction of three (3) residential units and a driveway on Assessor Parcels 03-01944-000 and 03-01945-000. By Deed dated May 31, 2001, 500 Commercial Street Realty Trust transferred said property to 562 Commercial Street LLC.

The three (3) residential units have been completed and there is a request for a Certificate of Completion pursuant to Section 304 of the LDA, as amended, to certify that the improvements have been completed in accordance with the approved Final Working Drawings and Specifications. On November 4, 2013, the BRA inspected the three (3) unit residential building and determined that the building has been substantially completed in accordance the provisions of the LDA, as amended, Ground Lease and the approved Final Working Drawings and Specifications. Based on the foregoing, it is recommended that the BRA issue a Certificate of Completion for the three (3) unit residential building located at 560 Commercial Street.

RECOMMENDATION

It is, therefore, recommended that the BRA authorize the Director to issue a Certificate of Completion certifying the successful completion of the three (3) unit residential building on the property known as 560 Commercial Street (formerly Assessor Parcels 03-01944-000 and 03-01945-00). Such Certificate of Completion shall be provided in recordable form as required by the Suffolk County Registry of Deeds.

An appropriate vote follows:

VOTED: That the Director be, and hereby is, authorized to execute and deliver a Certificate of Completion in accordance with the provisions of the Land Disposition Agreement by and between the Boston Redevelopment Authority and 500 Commercial Street Realty Trust dated October 6, 1997 and recorded with the Suffolk Registry of Deeds in Book 21860, Page 246, as amended by Amendment No. 1 to Land Disposition Agreement by and between the Boston Redevelopment Authority and Affiliated Family Funeral Service, Inc. dated June 30, 1998 and recorded with the Suffolk Registry of Deeds in Book 22667, Page 57 and filed with the Suffolk Registry District of the Land Court as Document No. 569151, and Second Amendment to Land Disposition by and between the Boston Redevelopment Authority and 562 Commercial Street LLC dated June 25, 2001 and recorded with the Suffolk Registry of Deeds in Book 26586, Page 91 (together, the "LDA") that the construction of the three (3) unit residential building on the property known as 560 Commercial Street, Boston, Massachusetts (formerly known as Assessor Parcels 03-01944-000 and 03-01945-000) has been completed in compliance with the terms and conditions of the LDA.