

**CITY OF BOSTON
IN CITY COUNCIL**

**AN ORDER APPROVING THE CITY OF BOSTON'S ACCEPTANCE OF
RESTRICTIVE COVENANT RESTRICTING THE USE OF THE HUNTINGTON
THEATRE TO CULTURAL USES.**

ORDERED: That the City Council approves of the Mayor, acting on behalf of the City of Boston, to sign a declaration of restrictive covenants for 264 Huntington Avenue through which the City of Boston obtains the right to enforce a use restriction that requires the owner of the property to continue to use it for theatrical, cultural, live performance, educational, and ancillary activities.

I HEREBY CERTIFY THAT
THE FOREGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.
BY Eugene L. O'Flaherty
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CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
MARTIN J. WALSH

February 5, 2018

TO THE CITY COUNCIL:

Dear Councilors:

I hereby transmit for your approval an Order approving the City of Boston to accept the right to enforce a use restriction to ensure that the Huntington Theatre continues to be used as a theatre or similar cultural use. Accepting this enforcement right will not cost the City anything, and will support the quality of life in Boston by ensuring the preservation of this important historic and cultural resource.

The Huntington Theatre and adjoining buildings are owned by QMG Huntington, a developer that is redeveloping two adjoining buildings into a single building adjacent to the Huntington Theatre. The new building will contain retail space, up to 426 residential units, and a new accessible entrance lobby serving the adjacent Huntington Theatre. QMG Huntington will give the Huntington Theatre Company a 100-year lease to use the new lobby as an accessible entrance to the theatre. QMG Huntington will also gift the Huntington Theatre itself to the Huntington Theatre Company, Inc., a nonprofit theatre company that has occupied the theatre since 1982. This entire development program was approved as a G. L. c. 121A Project by the BPDA on December 14, 2017.

In order to ensure that the theater remains dedicated to its intended cultural and theatrical use, QMG Huntington will impose a use restriction on the building, requiring it to be used as a theatre and performance center that permits dramatic, musical, and other live performances and educational activities, along with accessory activities. This restriction will be binding on the Huntington Theatre Company, and any successor. QMG Huntington will impose this restriction for its own benefit and for the City's, creating an important mechanism for the public – not just the abutter – to protect the cultural use of the theater.

I urge your Honorable Body to adopt this Order as soon as possible so that QMG Huntington may proceed with its gift to the Huntington Theatre Company and that the City may have the right to ensure that this space remains a cultural resource for our community.

Sincerely,

Martin J. Walsh
Mayor of Boston