

HOUSE No. 4448

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 28, 2024.

The committee on House Ways and Means, to whom was referred the Bill authorizing the city of Lynn to use certain park land for school purposes (House, No. 4127), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4448).

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4448

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the city of Lynn to use certain park land for school purposes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Notwithstanding any general or special law to the contrary, the city of Lynn
2 may use a portion of certain parcels of lands owned by the city of Lynn known as the Magnolia
3 avenue playground utilized by the city for park and playground purposes for the construction,
4 maintenance and use of schools and educational facilities, facilities for athletic, sports and
5 community programs and activities and for general recreational uses. The parcels of lands are
6 further described as follows:

7 (i) A certain parcel of land owned by the city of Lynn by and through a confirmatory
8 order of taking recorded in the Southern Essex registry of deeds in book 41744, page 88, situated
9 in the city of Lynn, shown as “Magnolia Avenue Playground N/F city of Lynn (Park Dept.)
10 parcel ID: 073-103-034” on a plan on file with the city entitled “Pickering Middle School and
11 Magnolia Avenue Playground Lynn, Massachusetts Perimeter Plan of Land”, dated June 27,
12 2023, prepared by Samiotes Consultants, Inc., bounded and described as follows:

13 Beginning at a point on the westerly line of Magnolia avenue, it being the southeastern
14 most corner of the parcel; thence turning and running

15 N 43° 40' 32" W a distance of 627.80 feet to a point; thence turning and running

16 N 77° 36' 16" E a distance of 260.45 feet to a point; thence turning and running

17 S 42° 51' 14" E a distance of 137.47 feet to a point; thence turning and running

18 S 52° 16' 24" E a distance of 48.48 feet to a point; thence turning and running

19 N 29° 13' 26" E a distance of 56.61 feet to a point; thence, turning and running

20 S 46° 35' 26" E a distance of 178.38 feet to a point; thence turning and running

21 S 78° 45' 14" E a distance of 135.30 feet to a point of non-tangency; thence turning
22 and running

23 Southwesterly along a curve to the right having a radius of 443.41 feet, a distance of
24 303.55 feet to a point of tangency; thence turning and running

25 S 56° 33' 16" W a distance of 76.34 feet to the point of beginning.

26 Such parcel containing 154,982 square feet of land, more or less; and

27 (ii) a certain parcel of land situated in the city of Lynn, shown as "N/F City of Lynn (Park
28 Dept.) Cert. 11695 Doc. 34388 parcel ID: 074-103-005" and "N/F City of Lynn (Park Dept.)
29 Cert. 11695 Doc. 34388 parcel ID: 074-103-025" combined on a plan on file with the city
30 entitled "Pickering Middle School and Magnolia Avenue Playground Lynn, Massachusetts

31 Perimeter Plan of Land”, dated June 27, 2023, prepared by Samiotes Consultants, Inc., bounded
32 and described as follows:

33 Beginning at a point on the southwestern most corner of the parcel; thence turning and
34 running

35 N 77° 36’ 16” E a distance of 695.64 feet to a point; thence turning and running

36 S 42° 51’ 14” E a distance of 137.47 feet to a point; thence turning and running

37 S 52° 16’ 24” E a distance of 48.48 feet to a point; thence turning and running

38 N 29° 13’ 26” E a distance of 156.61 feet to a point; thence turning and running

39 N 79° 39’ 44” W a distance of 416.71 feet to a point; thence turning and running

40 S 10° 20’ 16” W a distance of 100.00 feet to a point; thence turning and running

41 N 79° 39’ 44” W a distance of 300.00 feet to a point; thence turning and running

42 N 10° 20’ 16” E a distance of 50.04 feet to a point; thence turning and running

43 N 72° 08’ 54” W a distance of 138.35 feet to a point; thence turning and running

44 S 08° 36’ 16” W a distance 280.60 feet to the point of beginning. Such parcel

45 containing 98,985 square feet of land, more or less.

46 SECTION 2. In consideration for the change of use of the land described in section 1, the
47 city of Lynn shall dedicate 319,485 square feet, more or less, or 7.3344 acres of the land in the
48 city of Lynn, which is presently owned by the city of Lynn, and such lands shall be dedicated for
49 park purposes, which shall be deemed as remediation for the 253,967 square feet, more or less,

50 of land that the public will not have access to at Magnolia avenue playground due to the new
51 purposes for the land set forth in said section 1. The remediation land is further described as
52 follows:

53 A certain parcel of land owned by the city of Lynn and situated in the city of Lynn,
54 depicted as "Lot A" on a plan of land entitled "Compiled Plan of Land in Lynn, Mass." prepared
55 by Hayes Engineering, Inc., dated March 24, 2023, on file with the city of Lynn, and described
56 as follows:

57 Beginning at the southerly corner of the parcel, herein described at a point on the
58 northerly sideline of Parkland avenue; thence running

59 N 38° 23' 40" W a distance of 200.05 feet; thence turning and running

60 N 37° 28' 45" W a distance of 237.56 feet; thence turning and running

61 N 56° 33' 23" E a distance of 250.60 feet; thence turning and running

62 N 33° 55' 37" W a distance of 194.34 feet; thence turning and running

63 N 61° 30' 00" E a distance of 175.00 feet; thence turning and running

64 S 32° 00' 00" E a distance of 435.00 feet; thence turning and running

65 N 39° 00' 00" E a distance of 325.00 feet; thence turning and running

66 N 81° 30' 00" E a distance of 381.42 feet to a point on the northerly sideline of Parkland
67 avenue; thence turning and running Southwesterly along the northerly sideline of Parkland
68 avenue on a curve turning to the right with an arc length of 543.80 feet, with a radius of 1434.72
69 feet; thence running

70 S 55° 40' 10" W along the northerly sideline of Parkland avenue a distance of 504.90 feet
71 to the point of beginning. Such parcel containing an area of 319,485 square feet, more or less, or
72 7.3344 acres.

73 SECTION 3. If the land transferred pursuant to section 1 ceases to be used for the
74 purposes described in said section 1, the land shall revert to the city of Lynn park commission for
75 public park purposes.

76 SECTION 4. The change in use of the portions of park lands as set forth in section 1 shall
77 be contingent upon suitable replacement park lands, as set forth in section 2, being provided, as
78 approved by the city of Lynn park commission and the secretary of energy and environmental
79 affairs.

80 SECTION 5. This act shall take effect upon its passage.