

HOUSE No. 4522

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 18, 2016.

The committee on State Administration and Regulatory Oversight to whom was referred the petition (accompanied by bill, House, No. 4454) of José F. Tosado and Eric P. Lesser that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land in the city of Springfield, reports recommending that the accompanying bill (House, No. 4522) ought to pass.

For the committee,

PETER V. KOCOT.

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**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act authorizing the division of capital asset management and maintenance to grant to The Association for Community Living, Inc. certain parcels of land in the city of Springfield.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to convey forthwith certain parcels of land, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 sections 32 to 37, inclusive, of chapter 7C of the General
2 Laws or any other general or special law to the contrary, the commissioner of capital asset
3 management and maintenance may, in consultation with the department of developmental
4 services, convey to The Association for Community Living, Inc., a certain parcel of land for the
5 purpose of constructing, maintaining and operating a residential facility for individuals with
6 developmental disabilities. The parcel of land authorized to be conveyed is described as lot 12 in
7 a plan entitled "Subdivision Plan of Land in Springfield" dated February 9, 1996, prepared by
8 Hill Engineers Architects Planners, Surveyors and recorded with the Hampden county registry of
9 deeds as land court plan number 18020-G, and is a portion of the property acquired by the
10 commonwealth by deed in an instrument recorded with the Hampden county registry of deeds as
11 document number 40444 in certificate of title number 13908.

12 SECTION 2. The conveyance of the property described in section 1 shall be for nominal
13 consideration. The commissioner shall establish the value of the property for both the highest
14 and best use of the property as currently encumbered and for the purposes described in section 1.
15 The commissioner shall place notification in the central register of the conveyance, the amount
16 of such transaction and the difference between the calculated value and the price received.

17 In the event that the property is no longer used for the purpose set forth in section 1 then,
18 upon any sale or other conveyance of the property by The Association for Community Living,
19 Inc., 50 percent of the net proceeds from such sale shall be paid to the commonwealth as
20 additional consideration, provided, however, that in the event the property is sold by the holder
21 of a mortgage on the property, no such payment to the commonwealth shall be required.

22 SECTION 3. Notwithstanding any general or special law to the contrary, The
23 Association for Community Living, Inc. shall be responsible for all costs and expenses of the
24 conveyance authorized in section 1 as determined by the commissioner of capital asset
25 management and maintenance, including, without limitation, the costs of any surveys, plans and
26 recording fees.