HOUSE . . . . . No. 3999

The Commonwealth of Massachusetts

In the Year Two Thousand Twelve

An Act discontinuing that portion of Gravelly Brook Road lying in the town of Topsfield as a county highway, and authorizing and directing the Division of Capital Asset Management to convey and grant all right, title, and interest in said discontinued portion to abutters.

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

SECTION 1. Notwithstanding the provisions of chapter 282 of the general laws, the portion of Gravelly Brook Road in the town of Topsfield described in section 3 of this act is hereby discontinued as a county highway, and the commissioner of the Division of Capital Asset Management, hereinafter referred to as the commissioner, is directed to file in the office of the Topsfield Town Clerk notice of such discontinuance.

SECTION 2. Notwithstanding the provisions of sections 40E through 40H of chapter 7 of the general laws, or section 16 of chapter thirty B of the general laws, or of any other general or special law to the contrary, the aforesaid commissioner is hereby authorized, empowered and directed to grant to each abutter of said portion of Gravelly Brook Road, respectively, by recordable deed, all the Commonwealth's right, title, and interest to the land described in section 3 of this act, such that each abutter shall receive a deed conveying the Commonwealth's interest in that portion of Gravelly Brook Road bounded by the center line of the Road, the abutter's present, shared boundary line with the Road, and the extensions to the center line of the Road of the abutter's side boundary lines from the point where they intersect with said shared boundary line, to be held for all lawful purposes without restriction.

SECTION 3. The portion of Gravelly Brook Road to be discontinued, and the parcel of land to be conveyed to the abutters of said Road, is all that portion of said road lying in the town of Topsfield and described in Layout Plan Number 1052, voted on December 19, 1854, by the Essex County Commissioners, having approximately 6.12 acres.

SECTION 4. The consideration for such parcel shall be the full and fair market value of the parcel, determined by the commissioner of capital asset management and maintenance based upon an independent professional appraisal. The inspector general shall review and approve the

appraisal, and the review shall include a review of the methodology used for the appraisal. The inspector general shall have 30 days after receipt of the appraisal and a report by the commissioner to undertake such review and approval. The inspector general shall submit a report on this review and approval of the appraisal to the commissioner. At least 15 days before conveying the parcel, the commissioner shall submit a copy of said inspector general's report to the chairs of the house and senate committees on ways and means and the chairs of the Senate and House Committees on Bonding, Capital Expenditures & State Assets.

SECTION 5. The grantee of the parcel, or any portions thereof, shall be responsible for all costs and expenses of the transaction authorized by this act as determined by the commissioner of capital asset management and maintenance, including but not limited to the costs of any survey, appraisal, and other expenses relating to the conveyance of the parcel, and shall be responsible for all costs, liabilities and expenses of any nature and kind for its ownership.

SECTION 6. This act shall take effect upon its passage.