SENATE DOCKET, NO. 703 FILED ON: 1/17/2013

SENATE . . . . . No. 1531

The Commonwealth of Massachusetts

PRESENTED BY:

Stanley C. Rosenberg

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying:

An Act authorizing the commissioner of capital asset management and maintenance to grant easements over certain parcels of land to the town of Amherst.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Stanley C. Rosenberg	*Hampshire, Franklin and Worcester*
Ellen Story	*3rd Hampshire*

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By Mr. Rosenberg, a petition (accompanied by bill, Senate, No. 1531) of Stanley C. Rosenberg and Ellen Story for legislation to authorizing the commissioner of capital asset management and maintenance to grant easements over certain parcels of land to the town of Amherst. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

An Act authorizing the commissioner of capital asset management and maintenance to grant easements over certain parcels of land to the town of Amherst.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to grant easements over certain parcels of land to the town of Amherst, 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:

SECTION 1. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any other general or special law or rule or regulation to the contrary, the commissioner of capital asset management and maintenance, in consultation with the University of Massachusetts at Amherst, may grant to the town of Amherst, and the town of Amherst may acquire, a permanent sewer easement on a portion of land located in the town of Amherst and described in a deed recorded with the Hampshire Registry of Deeds in book 1600, page 720, a confirmatory permanent public way and utility easement on a parcel of land known as Olympia Drive, and a permanent water and sewer easement on a parcel of land known as Authority Way, all as described on a plan of land entitled "Roadway Acceptance Plan Olympia Drive and Authority Way, Amherst, MA" dated August 23, 2012, prepared by Doucet & Associates, Inc.

SECTION 2. In consideration for the grant of easements, the town of Amherst shall, upon acceptance of Olympia Drive as a public way, repair and maintain said public way in the same manner in which other public ways are maintained in the town of Amherst, including, but not limited to, roadway resurfacing, substrate and pavement repair, cleanup and snow removal.

SECTION 3. The town of Amherst shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys and document

17 preparation related to the grant of easements authorized in section 1 of this act as such costs may
18 be determined by the commissioner.