HOUSE . . . . . No. 4156

The Commonwealth of Massachusetts

House of Representatives, June 9, 2014.

BILL #: H3851

BILL STATUS: Favorable with Amendment

DISSENTERS:

None

ACCOMPANIED BILLS:

None

For the committee,

BRIAN S. DEMPSEY

HOUSE . . . . . No. 4156

By [SPONSOR PREFIX] [SPONSOR NAME] of [SPONSOR CITY], a petition (accompanied by bill, House, No. 4156) of [PETITIONERS LIST] [BACKING TEXT]. Senate Ways and Means.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act providing for a highway buffer zone in the town of Needham.

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. The department of transportation is hereby authorized to acquire by purchase, eminent domain pursuant to chapter 79 of the General Laws, or otherwise, 2 parcels of land in the town of Needham described in section 2 for the purposes of creating a highway buffer zone. The exact location and boundaries of the parcels to be conveyed shall be determined by the secretary after completion of a survey. Consideration for said conveyance shall be the full and fair market value of said parcel as determined by the commissioner of the division of capital asset management and maintenance pursuant to 1 or more independent professional appraisals.

SECTION 2. The description of the parcels is as follows:

Parcel one is a parcel of land beginning at the point of intersection of the southerly sideline of Hardy Street (an Ancient Town Way) and the westerly sideline of the State Circumferential Route 128 Highway (State Layout 1953) right-of-way;

Thence heading westerly along the said southerly sideline of Hardy Street to the point of intersection of the said southerly sideline of Hardy Street and a line 150 feet from and parallel to the westerly edge of the southbound pavement of Interstate 95/Route 128 as defined on a plan entitled "Massachusetts Department of Transportation, Highway Division, Plan & Profiles of I-95/93 (Route 128) TIP - Bridge V in the Towns of Needham - Wellesley, Norfolk County", prepared by the department of transportation, dated April 13, 2013;

Thence turning and running southerly along the line 150 feet from and parallel to the westerly edge of the southbound pavement as defined on said plan to the point of intersection of said parallel line and the northwesterly side lot line of land N/F Greendale Avenue Worship Center, 754 Greendale Avenue, Assessor's Map 18 Parcel 41 in the town of Needham;

Thence turning and running easterly along said northwesterly side lot line to the point of intersection of said northwesterly side lot line and the westerly sideline of Hardy Street, an Ancient Town Way abandoned in 1988;

Thence turning and running northerly along said westerly sideline of Hardy Street to the point of intersection of said westerly sideline of Hardy Street and the westerly sideline of the State Circumferential Route 128 Highway (State Layout 1953) right-of-way;

Thence turning and running northerly along said westerly sideline of the State Circumferential Route 128 Highway (State Layout 1953) right-of-way to the point of beginning. The above described parcel being a portion of the property known as land N/F Vincent P & Mary D Boris, 692 Greendale Avenue, Assessor's Map 18 Parcel 43.The acquisition authorized by this section shall not include any easements recorded as of July 1, 2013.

Parcel two is a parcel beginning at the point of intersection of the northwesterly side lot line of land N/F Greendale Avenue Worship Center, 754 Greendale Avenue, Assessor's Map 18 Parcel 41 in the town of Needham and a line 150 feet from and parallel to the westerly edge of the southbound pavement of Interstate 95/Route 128 as defined on a plan entitled "Massachusetts Department of Transportation, Highway Division, Plan & Profiles of I-95/93 (Route 128) TIP - Bridge V in the Towns of Needham - Wellesley, Norfolk County", prepared by the department of transportation, dated April 13, 2013;

Thence heading southerly along said parallel line to the point of intersection of said parallel line and the westerly sideline of Hardy Street, an Ancient Town Way abandoned in 1988;

Thence turning and running northerly along said Hardy Street to the point of intersection of the westerly sideline of said Hardy Street and the northwesterly side lot line of land N/F Greendale Avenue Worship Center, 754 Greendale Avenue, Assessor's Map 18 Parcel 41 in the town of Needham; thence turning and running southerly along said northwesterly side lot line to the point of beginning.