

HOUSE No. 4344

The Commonwealth of Massachusetts

PRESENTED BY:

Randy Hunt

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 adoption of the accompanying bill:

An Act authorizing the division of capital asset management to transfer care, custody and control of a certain parcel of land in the town of Sandwich in exchange for certain parcels of land in the town of Bourne and Sandwich.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Randy Hunt</i>	<i>5th Barnstable</i>	<i>5/30/2014</i>

HOUSE No. 4344

By Mr. Hunt of Sandwich, a petition (subject to Joint Rule 12) of Randy Hunt that the Division of Capital Asset Management and Maintenance be authorized to transfer certain parcels of land in the towns of Bourne and Sandwich. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

In the Year Two Thousand Fourteen

An Act authorizing the division of capital asset management to transfer care, custody and control of a certain parcel of land in the town of Sandwich in exchange for certain parcels of land in the town of Bourne and Sandwich.

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
2 commissioner of the division of capital asset management and maintenance may transfer from
3 the care, custody and control of the department of conservation and recreation to the care,
4 custody and control of the Massachusetts Department of Transportation, certain surplus land,
5 currently used by the department of conservation and recreation as state forest land, located in
6 the town of Sandwich. The surplus land, which is a portion of land taken by the commonwealth
7 as state forest land recorded in an order of taking dated December 28, 1923 in the Barnstable
8 registry of deeds book 400, page 428, consists of 13.2 acres, more or less, as identified on a plan
9 entitled, "Subdivision Plan of Land in Sandwich, MA", prepared by Massachusetts Department
10 of Transportation, and collectively shown as Lots A and B. The department of conservation and
11 recreation shall retain an easement across the "Dirt Fire Road," as indicated on the plan, for
12 department of conservation and recreation firefighting and other park purposes. The exact
13 boundaries of the lots shall be determined by the commissioner in consultation with the
14 department of conservation and recreation and the Massachusetts Department of Transportation
15 after completion of a survey.

16 SECTION 2. Notwithstanding any other general or special law to the contrary and
17 simultaneous with a transfer made pursuant to section 1, the Massachusetts Department of
18 Transportation, shall transfer from its care, custody, and control, certain surplus land taken by the
19 commonwealth to lay a state highway, as recorded in an order of taking dated September 25,
20 1956 in the Barnstable registry of deeds book 955, page 128, to the care custody and control of

21 the department of conservation and recreation. The surplus land, which is located along the
22 northerly side of Scusset Beach road in the towns of Bourne and Sandwich and consists of 85.1
23 acres, more or less, 12.8 acres of which are for mitigation purposes and the remainder of which
24 shall be used for conservation purposes associated with the Scusset Beach State Reservation, is
25 collectively shown as “Remaining Area” and Parcels 1, 2, 3 and 4 on the “Plan of Land in the
26 Towns of Bourne and Sandwich.” The exact boundaries of the parcels shall be determined by the
27 Massachusetts Department of Transportation in consultation with the department of conservation
28 and recreation and the commissioner of the division of capital asset management and
29 maintenance after completion of a survey.

30 SECTION 3. The Massachusetts Department of Transportation shall be responsible for
31 all costs and expenses of the transfers of the properties authorized by this act, as determined by
32 the commissioner of the division of capital asset management and maintenance, including
33 without limitation, any costs associated with engineering, surveys, appraisals and deed
34 preparation relating to the conveyance of the parcels.

35 SECTION 4. This act shall take effect upon its passage.