

HOUSE No. 3939

The Commonwealth of Massachusetts

PRESENTED BY:

Chris Walsh

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 and Maintenance to convey certain parcels of land in the town of Framingham.

PETITION OF:

NAME:

Chris Walsh

DISTRICT/ADDRESS:

6th Middlesex

HOUSE No. 3939

By Mr. Walsh of Framingham, a petition (subject to Joint Rule 12) of Chris Walsh for legislation to authorize the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Framingham. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Framingham.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the division of capital asset management and maintenance to sell or lease certain parcels of land in the town of Framingham, 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 38, 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 sell, lease for terms up to 99 years, including all renewals
4 and extensions, or otherwise grant, convey or transfer to one or more purchasers or lessees an
5 interest in the parcels of land known and numbered as 8 Leland street and 364 Irving street, both
6 located in the town of Framingham. The commissioner shall dispose of each parcel, or portion
7 thereof, using appropriate competitive bidding processes and procedures. At least 30 days before
8 the date on which bids, proposals or other offers to purchase or lease a parcel, or any portion
9 thereof, are due, the commissioner shall place a notice in the central register published by the

10 state secretary under section 20A of chapter 9 of the General Laws stating the availability of the
11 parcel, the nature of the competitive bidding process and other information that she considers
12 relevant, including the time, place and manner for the submission of bids and proposals and the
13 opening of the bids or proposals. The exact boundaries of the parcels may be determined by the
14 commissioner of capital asset management and maintenance after completion of a survey.

15 SECTION 2. Notwithstanding any general or special law to the contrary, the grantee or
16 lessee of a parcel, or portion thereof, identified in section 1 shall be responsible for all costs and
17 expenses including, but not limited to, costs associated with any engineering, surveys, historical
18 reviews, appraisals and deed preparation related to the conveyances and transfers authorized in
19 this section as such costs may be determined by the commissioner of capital asset management
20 and maintenance.

21 SECTION 3. The commissioner may retain or grant rights of way or easements for
22 access, egress, utilities and drainage across any of the parcels in this act and across other
23 commonwealth property contiguous to any of the parcels as the commissioner considers
24 necessary and appropriate to carry out this act.

25 SECTION 4. No agreement for the sale, lease, transfer or other disposition of the
26 properties listed in section 1, and no deed executed by or on behalf of the commonwealth, shall
27 be valid unless the agreement or deed contains the following certification, signed by the
28 commissioner: "I, the undersigned commissioner of capital asset management and maintenance,
29 hereby certify under penalties of perjury that I have fully complied with the relevant provisions
30 of chapter ___ of the acts of _____ in connection with the property described in this document."

31 SECTION 5. Each parcel described in section1 shall be conveyed or leased without
32 warranties or representations by the commonwealth.