SENATE DOCKET, NO. 2202 FILED ON: 8/20/2015

SENATE . . . . . No.

The Commonwealth of Massachusetts

PRESENTED BY:

Anthony W. Petruccelli

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 providing for the abandonment of a certain water line easement in Revere and Malden.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Anthony W. Petruccelli	*First Suffolk and Middlesex*

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SENATE . . . . . No.

By Mr. Petruccelli, a petition (accompanied by bill) (subject to Joint Rules 9 and 12) of Anthony W. Petruccelli for legislation to provide for the abandonment of a certain water line easement in Revere and Malden. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act providing for the abandonment of a certain water line easement in Revere and Malden.

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 section 32 to 38, inclusive, of chapter 7C of the General Laws, the commissioner of the division of capital asset management and maintenance, in consultation with the executive director of the Massachusetts Water Resources Authority, may release by deed or other instrument for the benefit of Wesley Squire, LLC, owner of the premises known and numbered as 649-655 Squire Road, Revere, Massachusetts, and 1 Wesley Road, Malden, Massachusetts, its successors or assigns, a certain M.D.C. High Service Water Line Easement in the cities of Revere and Malden, which is recorded with Middlesex South District Registry of Deeds at Book 21729, Page 468, and with Suffolk Registry of Deeds at Book 17237, Page 192, as shown on a plan entitled "Easement Plan off Wesley Street, Revere, Mass." prepared by the BSC Group and dated December 18, 1991, said plan recorded in Middlesex South Registry of Deeds as Plan No. 74 of 1992 in Book 21729, Page 467, and no longer needed for the construction, maintenance or operation of the Massachusetts Water Resource Authority Water System. The exact boundaries of the portion of existing 30' wide M.D.C. High Service

14 Water Line Easement shown as Plan #74 of 1992 in Book 21729, Page 467 in the Middlesex
15 County Registry of Deeds, Southern District, to be released, is described as follows:

16 Beginning at the north corner of the existing building and running S59°-39'-00"W a
17 distance of 28.66' to the Point of Beginning, thence turning and running

18 S30°-19'-59"E a distance of 228.78', thence turning and running

19 S14°-46'-19"W a distance of 42.34', thence turning and running

20 N30°-19-59"W a distance of 258.66', thence turning and running

21 N59°-59'-00"E a distance of 30.00' to Point of Beginning

22 Said easement consisting of 6,096± s.f., according to said plan.

23 Section 2. The abandonment and release of the easement shall be in accordance with the
24 terms and conditions, as the commissioner of the division of capital asset management and
25 maintenance shall prescribe, in consultation with the Massachusetts Water Resource Authority.

26 Section 3. The consideration for the release shall be the before and after market value of
27 the premises known and numbered as 649-655 Squire Road, Revere, Massachusetts, as
28 determined by the commissioner of the division of capital asset management and maintenance
29 pursuant to an independent professional appraisal and the inspector general shall review and
30 approve the appraisal. The inspector general shall prepare a report of his review of the
31 methodology utilized for the appraisal and shall file the report with the commissioner of the
32 division of capital asset management and maintenance within 30 days of receipt of the appraisal
33 report. The commissioner of the division of capital asset management and maintenance shall
34 submit the appraisal report and the comments of the inspector general, if any, to the House and

35 Senate Committees on Ways and Means and the Joint Committee on State Administration and
36 regulatory oversight at least 15 days before execution of the release.

37 Section 4. The owner of land benefiting from the partial release of the easement shall be
38 responsible for any costs for surveys, appraisals, recording and other expenses relating to the
39 release, or for any costs and liabilities of any nature and kind of its development, maintenance or
40 operation.