

HOUSE No. 3147

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Relative To The Disposition Of Property In The Town Of Westborough..

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 Massachusetts Historical Commission is hereby authorized and directed to release any
3 preservation restriction held by the Commission on the parcel designated as parcel E in section 5
4 of chapter 660 of the acts of 1987 which was conveyed to the town of Westborough prior to the
5 effective date of this act. The property is located on the northern side of route 9, or Turnpike
6 road, and is more commonly known as the “Nathan Fisher House Property”, including any and
7 all improvements.

8 SECTION 2. Notwithstanding any general or special law to the contrary, the DCAM
9 commissioner is hereby authorized and directed to release any restriction on use and any
10 reversionary interest held by the commonwealth in the portion of that certain parcel designated
11 as parcel L in section 12 of chapter 660 of the acts of 1987 which portion was conveyed to the
12 town of Westborough prior to the effective date of this act.

13 SECTION 3. The town of Westborough may dispose of said parcels E and L in a manner
14 consistent with public bidding laws, and, notwithstanding any general or special law to the

contrary, subject to the provisions of section 4 of this act, may use the proceeds of any such disposition in any manner.

SECTION 4. In consideration for the releases set forth in sections 1 and 2 of this act, upon any disposition of said parcels E and L, or either of them, by the town of Westborough, the town shall pay to the commonwealth 50 per cent of the net cash proceeds from the sale, lease or other disposition of said parcel; said payment to the Commonwealth shall include \$22,000 to the Massachusetts Historical Commission as repayment of the Massachusetts Preservation Projects Fund grant received by the town of Westborough from the Massachusetts Historical Commission.

For the purposes of this section, “net cash proceeds” shall mean all payments paid to the town of Westborough as and when paid, less any transaction-related expenses incurred by the town of Westborough for which it is not otherwise reimbursed. The town of Westborough shall be entitled to reimbursement from the gross proceeds for expenses reasonably incurred by the town in connection with the custody, preparation of the parcel for sale, lease or other disposition, and reasonable transaction costs relating to the sale, lease or other disposition of said parcel.

SECTION 5. Sections 5 and 12 of chapter 660 of the acts of 1987 are hereby repealed, provided however, that nothing in this act shall alter, interfere with or otherwise affect the title to, interest in and use of any parcels and easements acquired pursuant to said sections, prior to the effective date of this act except as expressly set forth in sections 1 and 2 of this act.