

HOUSE No. 4780

The Commonwealth of Massachusetts

In the Year Two Thousand Ten

An Act AUTHORIZING THE LEASING OF LAND IN GRAFTON TO THE UNITED STATES DEPARTMENT OF LABOR AND AUTHORIZING THE CONVEYANCE OR LEASE OF SURPLUS STATE-OWNED PROPERTIES.

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 40F to 40J, inclusive, of chapter 7 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 lease all or a portion of a certain parcel of land, together with
4 the buildings thereon, and further identified in a U.S. Government Lease For Real Property dated
5 April 19, 1990, Exhibit B, Partial Plan of Land Showing Parcel Leased United States Of America
6 For A Job Corps Center in Grafton and Shrewsbury, dated Oct. 1, 1979, located on the easterly
7 side of Pine Street in the town of Grafton and Green Street in the town of Shrewsbury and
8 formerly part of the Grafton state hospital, for a term, including extensions, not to exceed 20
9 years, to the United States Department of Labor, for rent of \$1 per year. The exact boundaries
10 of the lease premises and any roads or other infrastructure which the Department of Labor, or its
11 agents, may use in accordance with the lease, shall be determined by the commissioner of the
12 division of capital asset management and maintenance in consultation with the United States
13 Department of Labor after the completion of a land survey.

14 SECTION 2. The lease authorized by section 1 shall be on such terms and conditions as
15 the division of capital asset management and maintenance deems appropriate.

16 SECTION 3. The United States Department of Labor shall be responsible for all costs
17 deemed necessary or appropriate by the commissioner of capital asset management and
18 maintenance for the lease authorized by section 1 including, without limitation, the costs for
19 legal work, survey, title, appraisal and the preparation of plans and specifications.

20 SECTION 4. In order to facilitate the reuse of portions of the former Grafton State
21 Hospital which are surplus to the Department's Job Corps program and to the commonwealth, as
22 further identified in section 5, the commissioner of capital asset management and maintenance
23 may, subject to sections 40E to 40J, inclusive, of chapter 7 the General Laws but notwithstanding
24 any other general or special law to the contrary, sell, lease for a term or terms of up to 99 years,
25 including all renewals and extensions, or otherwise grant, convey, or transfer to 1 or more
26 purchasers or lessees an interest in said property identified in section 5, on the terms and
27 conditions that the commissioner considers appropriate, taking into account principles of transit-
28 oriented development and smart growth. The commissioner shall dispose of said property
29 utilizing appropriate competitive processes and procedures. At least 30 days before the date on
30 which bids, proposals, or other offers to purchase or lease the property, or any portion thereof,
31 are due, the commissioner shall place a notice in the central register published by the state
32 secretary under section 20A of chapter 9 of the General Laws stating the availability of the
33 property, the nature of the competitive process and other information that he considers relevant,
34 including the time, place and manner for the submission of bids, proposals and the opening
35 thereof. The grantee or the lessee shall enter into a historical covenant agreement with the

36 Massachusetts historical commission which shall be filed with the registry of deeds and run with
37 the land in perpetuity.

38 SECTION 5. The property subject to section 4 includes, without limitation, the
39 buildings identified as Building No. 14 (Pines C), Building No. 15 (Pines D) and Building No.
40 16 (Pines E) on the plan referenced in section 1 and such other lands as the commissioner deems
41 appropriate. The exact boundaries of the property and any roads or other infrastructure which
42 lessee or purchaser may use in accordance with the lease or deed, be determined by the
43 commissioner of the division of capital asset management and maintenance in consultation with
44 the United States Department of Labor after the completion of a land survey.

45 SECTION 6. In connection with any conveyance or lease pursuant to this act, the
46 commissioner may grant easements or other rights to use roads and infrastructure and to install
47 utilities on adjoining land of the commonwealth, and may retain such easements or other rights
48 for the commonwealth.

49 SECTION 7. The grantee or lessee selected pursuant to section 5 shall be responsible for
50 all costs and expenses including, but not limited to, costs associated with any engineering,
51 surveys, appraisals and deed preparation related to the transfers and conveyances authorized in
52 section 5 as those costs may be determined by the commissioner of capital asset management
53 and maintenance. The grantee or lessee shall acquire said property in its existing condition
54 without any warranty by the commonwealth.