

**HOUSE . . . . . No. 4892**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Ten**  
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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  
2 General Laws or any other general or special law to the contrary, the commissioner of capital  
3 asset management and maintenance may lease all or a portion of a certain parcel of land, together  
4 with the buildings thereon, and further identified in a U.S. Government Lease For Real Property  
5 dated April 19, 1990, Exhibit B, Partial Plan of Land Showing Parcel Leased United States Of  
6 America For A Job Corps Center in Grafton and Shrewsbury, dated Oct. 1, 1979, located on the  
7 easterly side of Pine Street in the town of Grafton and Green Street in the town of Shrewsbury  
8 and 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 of  
10 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 in  
12 consultation with the United States department of labor after the completion of a land survey.

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

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

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

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

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

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

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