

HOUSE No. 2589

The Commonwealth of Massachusetts

PRESENTED BY:

Louis L. Kafka

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 CONVEYANCE OF CERTAIN STATE LAND IN THE TOWN OF SHARON.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>1/21/2011</i>
<i>James E. Timilty</i>		<i>1/25/2011</i>

HOUSE No. 2589

By Mr. Kafka of Stoughton, a petition (accompanied by bill, House, No. 2589) of Louis L. Kafka and James Timilty relative to authorizing the conveyance of certain state land in the town of Sharon. State Administration and Regulatory Oversight.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4357 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act AUTHORIZING THE CONVEYANCE OF CERTAIN STATE LAND IN THE TOWN OF SHARON.

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. The commissioner of capital asset management and maintenance may, in
2 consultation with the commissioner of conservation and recreation, notwithstanding the
3 provisions of sections 40E to 40J, inclusive, of chapter 7 of the General Laws, for the
4 consideration set forth in section 2, convey to Edward A. Welch and Nancy R. Welch, certain
5 parcels of land in the town of Sharon. Said parcels are shown as Lot A, consisting of 18,000
6 square feet more or less, and Lot B, consisting of 18,000 square feet more or less, as shown on a
7 plan of land entitled "Plan of land in the town of Sharon, MA, Norfolk County," dated December
8 18, 2008, prepared by Edward A. Welch, PLS.

9 SECTION 2. As consideration for the conveyance of the parcels of land described in
10 section 1, Edward A. Welch and Nancy R. Welch shall convey to the commissioner of capital

11 asset management and maintenance for the commissioner of conservation and recreation a
12 certain parcel of land on Mountain Street in the town of Sharon consisting of 40,584 square feet
13 more or less and shown as Lot 6 on the plan of land described in section 1 of this act, or such
14 other real property as the commissioner in consultation with the commissioner of conservation
15 and recreation may deem appropriate. Said commissioner shall also receive such additional
16 consideration established to be the difference between the full and fair market value of the
17 parcels of land described in section 1 to be conveyed and the full and fair market value of the
18 parcel described herein to be received. Under no circumstances shall the commonwealth be
19 obligated to pay any additional consideration to the grantees Edward A. Welch and Nancy R.
20 Welch. The full and fair market value of both properties shall be determined by said
21 commissioner on the basis of independent appraisals commissioned by said commissioner.

22 The inspector general shall review and approve said appraisals including the
23 methodology utilized for said appraisals. Said commissioner shall, 30 days prior to the
24 conveyance authorized by this act submit said appraisals and a report thereon to said inspector
25 general. Said inspector general shall prepare a report of his review and approval of said appraisal
26 and file said report with the commissioner, and copies of the same shall be filed with the house
27 and senate committees on ways and means and with the chairmen of the joint committee on state
28 administration and regulatory oversight at least 15 days prior to said execution.

29 SECTION 3. At the option of the commissioner of capital asset management, in
30 consultation with the commissioner of conservation and recreation, any additional consideration
31 to be paid by Edward A. Welch and Nancy R. Welch to the commonwealth for the conveyance
32 authorized by this act shall be deposited into the General Fund.

33 SECTION 4. Edward A. Welch and Nancy R. Welch shall be responsible for any and all
34 costs that the commissioner of capital asset management may deem necessary in connection with
35 the conveyances provided for in sections 1 and 2 of this act, including, but not limited to, the
36 costs of all appraisals, surveys, deed and other document preparation, recording or filing fees and
37 any other expenses incurred in connection with the conveyances.