

SENATE No. 1028

The Commonwealth of Massachusetts

PRESENTED BY:

Barry R. Finegold

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 town of Andover to exchange certain parcels of land with the Andover Village Improvement Society.

PETITION OF:

NAME:

Barry R. Finegold

DISTRICT/ADDRESS:

SENATE No. 1028

By Mr. Finegold, petition (accompanied by bill, Senate, No. 1028) of Barry R. Finegold for legislation to authorize the town of Andover to exchange certain parcels of land. Joint Committee on Municipalities and Regional Government. [Local Approval Received]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act authorizing the town of Andover to exchange certain parcels of land with the Andover Village Improvement Society.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize the conveyance and acceptance of interests in real estate, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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 chapters 30B and 41 of the General Laws or any other
2 general or special law to the contrary, the town of Andover may convey to the Andover Village
3 Improvement Society, subject to a permanent conservation restriction as approved by the
4 executive office of energy and environmental affairs, certain parcels of land in said town
5 identified as follows: (i) assessors’ map 207, parcels 57 and 58, containing 2.01 acres, more or
6 less; (ii) assessors’ map 5, parcel 92, containing 0.33 acres, more or less; (iii) map 94, parcel 1A,
7 containing 10.93 acres, more or less, except for a portion of the parcel described as Parcel D in
8 the Order of Taking recorded at the Essex North district registry of deeds in Book 863, page 237
9 containing 0.18 acres as shown on plan 3561, bounded 100 feet by the southerly line of Andover
10 Street, 72 feet by land of Sidney P. White, 100 feet by the Boston & Maine Railroad Right of

11 Way and 82.5 feet by land of James F. and Kathleen Townsend; provided, however, that the
12 town shall retain the right to develop a well on map 94, parcel 1A; and provided further, that the
13 Andover Village Improvement Society shall grant access and utility easements over said parcel
14 1A to develop the well. The total land conveyed to the Andover Village Improvement Society
15 shall be 13.27 acres, more or less.

16 SECTION 2. In consideration for the conveyances authorized in section 1, the Andover
17 Village Improvement Society shall convey to the town of Andover certain parcels of land
18 identified as follows: (1) assessors' map 148, parcels 7, 8, 9, 10A, 11, 11A, 12A and 13, and
19 paper streets contained therein, totaling 16.21 acres, more or less; and (ii) a portion of assessors'
20 map 171, parcel 1, which portion is shown as Parcel A on a plan titled "Plan of Land located in
21 Andover, Massachusetts, prepared for Town of Andover and Camp Dresser & McKee, Inc."
22 dated March 9, 2010 by Richard F. Kamiski and Associates, Inc, containing 5.2 acres, more or
23 less. The total land conveyed to the town shall be 21.41 acres, more or less. The Andover
24 planning board may endorse the plans as "Approval Not Required". Upon a vote of the town
25 meeting, the land acquired by the town under this act shall be transferred to the care, custody and
26 control of the Andover conservation commission.

27 SECTION 3. The conveyances authorized in this act shall be made free and clear of all
28 encumbrances unless otherwise authorized in this act, but may be subject to existing utility
29 easements, restrictions and other easements and rights as may be acceptable to the board of
30 selectmen of the town of Andover and the Andover Village Improvement Society. The
31 conveyances shall be subject to such other terms and conditions as the board of selectmen deems
32 advisable in the interests of the town.

SECTION 3. This act shall take effect upon its passage.