

HOUSE No. 1836

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher G. Fallon and Katherine M. Clark

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 city of Malden to convey a sewer easement over a portion of certain park land.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christopher G. Fallon</i>	<i>33rd Middlesex</i>	
<i>Katherine M. Clark</i>	<i>Fifth Middlesex</i>	<i>1/11/2013</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>1/10/2013</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>	<i>2/1/2013</i>

HOUSE No. 1836

By Representative Fallon of Malden and Senator Clark, a joint petition (accompanied by bill, House, No. 1836) of Christopher G. Fallon, Katherine M. Clark and others (with the approval of the mayor and city council) for legislation to authorize the city of Malden to convey a sewer easement over a certain portion of park land. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act authorizing the city of Malden to convey a sewer easement over a portion of certain park land.

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 city of Malden, acting by and through its City Council, is hereby
2 authorized to convey a sewer easement over a portion of a certain parcel of land located in said
3 City to Malway Realty Associates Limited Partnership, a Massachusetts limited partnership, and
4 to Stephen Weiner, as Trustee of Malway Realty Trust under a Declaration of Trust dated March
5 18, 1974, recorded with the Middlesex County South District Registry of Deeds at Book 12613,
6 Page 489, and filed with the Middlesex County South Registry District of the Land Court as
7 Document Number 521352, as amended. The easement is shown as "Easement for Sewer
8 Purposes, Approx. Area =600± S.F." which easement runs over park land which is shown as Lot
9 A on a plan entitled "36 Broadway (Broadway Plaza) & 266 Maplewood Street (Maplewood
10 Park), Easement Plan of Land Located in Malden, Massachusetts (Middlesex County), Prepared
11 for Malden Redevelopment Authority, dated September 21, 2012, prepared by Meridian
12 Associates, 500 Cummings Center, Beverly, Massachusetts 01915, a copy of which is to be
13 attached to an Easement Agreement to be recorded in the Middlesex County South District
14 Registry of Deeds and filed with the Middlesex County South Registry of the Land Court (the
15 "Plan").

16 SECTION 2. In consideration and as a condition of the conveyance authorized in section
17 1, Malway Realty Associates Limited Partnership, a Massachusetts limited partnership and
18 Stephen Weiner, as Trustee of Malway Realty Trust under a Declaration of Trust dated March
19 18, 1974, recorded with the Middlesex County South District Registry of Deeds at Book 12613,

20 Page 489, and filed with the Middlesex County South Registry District of the Land Court as
21 Document Number 521352, as amended, shall convey to the city of Malden an easement to be
22 used for park purposes, the location of which easement is shown as "Easement for Ball Field
23 Purposes, Approx. Area = 31,600 ± S.F." on the Plan.

24 SECTION 3. The transactions authorized pursuant to Section 1 and Section 2 above shall
25 be exempt from the requirements of chapter 30B of the General Laws.

26 SECTION 4. This act shall take effect upon its passage.