

# HOUSE . . . . . No. 2807

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## The Commonwealth of Massachusetts

PRESENTED BY:

***Linda Dorcena Forry***

*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 a certain parcel of land in the city of Boston to the Church of the Nazarene Friends of the Humbles and the Greater Boston Nazarene Compassionate Center.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Linda Dorcena Forry</i>	<i>12th Suffolk</i>	<i>1/18/2013</i>

# HOUSE . . . . . No. 2807

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By Ms. Forry of Boston, a petition (accompanied by bill, House, No. 2807) of Linda Dorcena Forry for legislation to authorize the Commissioner of Capital Asset Management and Maintenance to convey certain land in the city of Boston to the Church of the Nazarene Friends of the Humbles and the Greater Boston Nazarene Compassionate Center. State Administration and Regulatory Oversight.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act authorizing the conveyance of a certain parcel of land in the city of Boston to the Church of the Nazarene Friends of the Humbles and the Greater Boston Nazarene Compassionate Center.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to forthwith to authorize the reuse of certain surplus property, 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 sections 32 through 38, inclusive, of chapter 7C of the  
2 General Laws or any other general or special law to the contrary, the commissioner of capital  
3 asset management and maintenance, in consultation with the commissioner of conservation and  
4 recreation, may lease, for a term not to exceed ten years, which may be renewed and extended  
5 for two additional consecutive ten year terms, a certain parcel of state-owned reservation land in  
6 the city of Boston to the Church of the Nazarene Friends of the Humbles and the Greater Boston  
7 Nazarene Compassionate Center. The lease shall be subject to such terms and conditions as the  
8 commissioner of capital asset management and maintenance, in consultation with the  
9 commissioner of conservation and recreation, may prescribe, to ensure that environmental  
10 impacts associated with the use of the parcel are addressed.

11           The parcel is located to the rear of 130 River street and shown as an area of land on a  
12 plan of land, captioned "Commonwealth of Massachusetts, Metropolitan District Commission,  
13 Parks Division, Neponset River Reservation, Boston (Dorchester District), Plan of Land to be  
14 Conveyed to V.F.W. Lower Mills Memorial Post No. 8699 Inc., June 1969, Benjamin W. Fink,

Director of Engineering” and numbered 45852 –V.T. bounded and described as follows:  
northeasterly by “Parcel A” as shown on said plan, 247.69± feet; easterly by land now or  
formerly of John F. Ego, 74± feet; southerly by land of the Commonwealth of Massachusetts  
shown as “Metropolitan Sewer Easement” on said plan, 249± feet; and westerly by land now or  
formerly of John Conness, 75.92± feet The exact boundaries of the parcel to be leased shall be  
determined by the commissioner of capital asset management and maintenance, in consultation  
with the commissioner of conservation and recreation, after completion of a survey in the  
discretion of the commissioner.

SECTION 2. The parcel is currently held for open space and passive recreation  
associated with the Neponset River Reservation under the care and control of the department of  
conservation and recreation. The lease shall contain a restriction that the parcel shall only be  
used for parking purposes associated with the Church of the Nazarene Friends of the Humble  
and the Greater Boston Nazarene Compassionate Center. The department of conservation and  
recreation may terminate the lease as to all or a portion of the parcel in the event the department  
determines that all or a portion of the land is needed for any public construction project  
associated with the commonwealth’s sewer line easement operated by the massachusetts water  
resources authority located within the parcel described in section 1 or any public access to or  
bank improvements along the Neponset river. No parking shall be allowed on the  
Commonwealth’s sewer line easement. The consideration for the conveyance shall be the full  
and fair market value as determined by the commissioner of capital asset management and  
maintenance, in consultation with the department of conservation and recreation, pursuant to an  
independent professional appraisal. The amount paid as consideration shall be deposited into the  
department of conservation and recreation’s Urban Parks Trust Fund, established by section 34  
of chapter 92 of the General Laws, and used to ensure a no-net-loss of lands protected for  
conservation and recreation purposes or mitigate impacts upon parkland.

SECTION 3. If for any reason the property leased as described in section 1 ceases to be  
used solely for the purposes described in section 1, the commissioner of capital asset  
management and maintenance, in consultation with the commissioner of department of  
conservation and recreation, may terminate the lease. If the lease is terminated, the property shall  
revert to the commonwealth under the care and control of the department of conservation and  
recreation.

SECTION 4. Notwithstanding any general or special law to the contrary, the inspector  
general shall review and approve the appraisal required pursuant to section 2. The inspector  
general shall prepare a report of such review of the methodology utilized for the appraisal and  
shall file the report with the commissioner of capital asset management and maintenance, the  
house and senate committees on ways and means and the joint committee on state administration  
and regulatory oversight. The commissioner of capital asset management and maintenance shall,  
30 days before the execution of any conveyance authorized by this act or any subsequent  
amendment thereto, submit the proposed conveyance or amendment and a report thereon to the

54 inspector general for review and comment. The inspector general shall issue such review and  
55 comment within 15 days of receipt of the proposed conveyance or amendment. The  
56 commissioner shall submit the proposed conveyance or amendment, and the reports and the  
57 comments of the inspector general, if any, to the house and senate committees on ways and  
58 means and the joint committee on state administration and regulatory oversight at least 15 days  
59 before execution of the conveyance.

60         SECTION 5. Notwithstanding any general or special law to the contrary, Church of the  
61 Nazarene Friends of the Humbles and the Greater Boston Nazarene Compassionate Center and  
62 shall be responsible for all costs and expenses including, but not limited to, costs associated with  
63 any engineering, surveys, appraisals and lease preparation related to the conveyance authorized  
64 in this act as such costs may be determined by the commissioner of capital asset management  
65 and maintenance.