

**HOUSE . . . . . No. 3361**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*John V. Fernandes and Karen E. Spilka*

*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 relative to the taking of property by eminent domain by the Medway Redevelopment Authority.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John V. Fernandes</i>	<i>10th Worcester</i>	<i>4/29/2015</i>
<i>Karen E. Spilka</i>	<i>Second Middlesex and Norfolk</i>	<i>4/29/2015</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>5/1/2015</i>

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By Representative Fernandes of Milford and Senator Spilka, a joint petition (accompanied by bill, House, No. 3361) of John V. Fernandes, Karen E. Spilka and Jeffrey N. Roy relative to the taking of property by eminent domain by the Medway Redevelopment Authority. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
\_\_\_\_\_

An Act relative to the taking of property by eminent domain by the Medway Redevelopment Authority.

*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 the provisions of chapter 79 of the General Laws or  
2 chapter 121B of the General Laws or any other general or special law to the contrary, the  
3 Medway Redevelopment Authority, when acquiring land or any interest therein by eminent  
4 domain otherwise in accordance with said chapters 79 and 121B, shall be subject to the  
5 provisions of this act.

6           SECTION 2. Notwithstanding section 7D of chapter 79 of the General Laws, if the  
7 Medway Redevelopment Authority is unable, upon reasonable investigation, to determine the  
8 name of any person entitled to damages awarded on account of any land, or any interest therein,  
9 which the Authority acquires by eminent domain under section 6 of said chapter 79, the Medway  
10 Redevelopment Authority shall not be required to set aside any funds on account of any damages  
11 awarded to such person; provided that, when the person entitled to such amount or any portion

12 thereof satisfies the Medway Redevelopment Authority of his right to receive it, the Authority  
13 shall, after such notice as it may order, order such amount or portion thereof to be paid to him  
14 forthwith.

15 SECTION 3. Notwithstanding section 7E of chapter 79 of the General Laws, if any  
16 check issued in accordance with section 7B of said chapter 79 remains unclaimed by any person  
17 entitled thereto for a period of 60 days after notice has been provided in accordance with section  
18 7C of said chapter 79, such check shall be withdrawn and the funds retained by the Medway  
19 Redevelopment Authority; provided that, when the person entitled to such amount or any portion  
20 thereof satisfies the Medway Redevelopment Authority of his right to receive it, the Authority  
21 shall, after such notice as it may order, order such amount or portion thereof to be paid to him  
22 forthwith.

23 SECTION 4. The Medway Redevelopment Authority shall be exempt from the  
24 requirements of section 40 of chapter 79 of the General Laws when acquiring land or any interest  
25 therein by eminent domain.

26 SECTION 5. This act shall take effect upon its passage.