

HOUSE No. 3627

The Commonwealth of Massachusetts

PRESENTED BY:

Kevin G. Honan and Michael J. Moran

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 Boston to acquire temporary easements over certain parcels of land in the town of Brookline.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>6/17/2015</i>
<i>Michael J. Moran</i>	<i>18th Suffolk</i>	<i>6/18/2015</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	<i>6/18/2015</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>	<i>6/18/2015</i>
<i>Cynthia S. Creem</i>	<i>First Middlesex and Norfolk</i>	<i>6/18/2015</i>

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By Messrs. Honan of Boston and Moran of Boston, a petition (subject to Joint Rule 12) of Kevin G. Honan, Michael J. Moran and others relative to the Commonwealth Avenue Improvement Project. Transportation.

The Commonwealth of Massachusetts

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

An Act authorizing the city of Boston to acquire temporary easements over certain parcels of land in the town of Brookline.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the completion of the Commonwealth Avenue Improvement Project, 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 any general or special law to the contrary, for the purpose
2 of reconstructing portions of Commonwealth avenue as part of the Commonwealth Avenue
3 Improvement Project, the city of Boston may take by eminent domain under chapter 79 of the
4 General Laws or acquire by purchase or otherwise, temporary easements for construction
5 purposes in and across the following parcels of land located in the town of Brookline that may be
6 necessary for those purposes: town of Brookline assessors’ parcel numbers: 027-36-37, 354
7 square feet, more or less; 028-01-00, 519 square feet, more or less; 028-01-01, 380 square feet,
8 more or less; 028-01-03, 811 square feet, more or less; 019-10-00, 183 square feet, more or less;
9 018-02-00, 130 square feet, more or less; 017-04-00; 530 square feet, more or less; 017-01-00;

10 1299 square feet, more or less; 017-02-00, 549 square feet, more or less; 055-17-21, 256 square
11 feet, more or less; 056-08-00, 20 square feet, more or less; 056-09-00, 7 square feet, more or
12 less; 056-12-00, 34 square feet, more or less; 027-35-00, 250 square feet, more or less; 019-05-
13 12, 440 square feet, more or less; 019-07-00, 28 square feet, more or less; 019-08-09, 162 square
14 feet, more or less; 019-01-00, 52 square feet, more or less; 018-03-00, 151 square feet, more or
15 less; 017-03-00, 727 square feet, more or less; 018-04-05, 203 square feet, more or less; and
16 designer easements designated parcel number TE-11 at 912-914 Commonwealth avenue in the
17 town of Brookline, 84 square feet, more or less; designated parcel number TE-10 at 922-928
18 Commonwealth avenue in the town of Brookline, 156 square feet, more or less; designated
19 parcel TE-14 at 880-888 Commonwealth avenue in the town of Brookline, 617 square feet, more
20 or less; provided, however, that the city of Boston, with prior notice to the members of the
21 General Court in whose district the land lies and the Town of Brookline, may take such other
22 property in the town of Brookline for the purpose of temporary easements as designated in the
23 plan entitled "Massachusetts Department of Transportation Highway Division Commonwealth
24 Avenue Phase 2A, in the City of Boston in Suffolk County, and in the Town of Brookline in
25 Norfolk County, Preliminary Right-of-Way Plans," and drawn by BETA Group, Inc., which is
26 on file in the office of the city of Boston transportation department.

27 SECTION 2. This act shall expire on October 1, 2020.