

HOUSE No. 3792

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer E. Benson

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 commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Acton in exchange for other real property.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>	<i>6/11/2015</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>6/11/2015</i>

HOUSE No. 3792

By Ms. Benson of Lunenburg, a petition (subject to Joint Rule 12) of Jennifer E. Benson and James B. Eldridge that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land to the town of Acton for general municipal purposes. State Administration and Regulatory Oversight.

The Commonwealth of Massachusetts

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

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Acton in exchange for other real property.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the exchange of certain land in the town of Acton, 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, the
2 commissioner of capital asset management and maintenance, in consultation with the director of
3 the division of fisheries and wildlife, may transfer and convey to the town of Acton for general
4 municipal purposes certain land previously appraised at a fair market value of \$235,000
5 comprised of: (1) a certain parcel described in a deed recorded with the Middlesex south registry
6 of deeds in book 8181, page 354 and identified on a plan entitled “Plan of Land in Acton to be
7 Conveyed by Sven S. Hagen to the Commonwealth of Massachusetts, Surveyed by F. Bowers,
8 September 16, 1953,” on file with the division of capital asset management and maintenance;
9 and (2) a certain parcel described in a deed recorded with the Middlesex south registry of deeds

10 in book 10928, page 156 and identified on a plan entitled “Plan of Land in Acton, Mass. owned
11 by Sven S. Hagen, Scale 1”=50’ December 14, 1963, Fred X. Hanack, L.S.-C.E”, on file with
12 said division.

13 SECTION 2. In consideration for and as a condition of the conveyance authorized in
14 section 1, the town of Acton shall: (1) pay \$ 193,000, which shall be deposited into the wildland
15 acquisition account within the Inland Fisheries and Game Fund established pursuant to section
16 2A of chapter 131 of the General Laws; and (2) convey to the division of fisheries and wildlife a
17 certain parcel of land previously appraised at a fair market value of \$42,000, which consists of
18 approximately 6 acres of woodland used as general municipal land by the town of Acton
19 described in a deed recorded with the Middlesex south registry of deeds in book 42294, page
20 359, as follows:

21 Beginning at the southeast corner of the premises by land now or formerly of Luther
22 Conant and land now or formerly of David Bearnard; thence north on said land now or formerly
23 of David Bearnard about sixty (60) rods to stake and stones in the wall; thence westerly on land
24 now or formerly of Horace Tuttle about sixteen (16) rods to a stake and stones; thence southerly
25 on land now or formerly of Burgess about sixty (60) rods to a stake and stones; thence easterly
26 on said land now or formerly of Luther Conant about sixteen (16) rods to the bound first
27 mentioned above.

28 SECTION 3. Notwithstanding any general or special law to the contrary, the inspector
29 general shall review and approve the appraisals described in this act. The inspector general may
30 prepare a report of his review of the methodology utilized for the appraisal and may file the
31 report with the commissioner of capital asset management and maintenance. Within 15 days after

32 receiving the inspector general's report but no later than 15 days before the execution of any
33 agreement or document under this act, the commissioner may submit the report to the house and
34 senate committees on ways and means and the joint committee on state administration and
35 regulatory oversight.

36 SECTION 4. Costs and expenses associated with the transaction authorized by this act
37 shall be borne by the town of Acton.