

HOUSE No. 4341

The Commonwealth of Massachusetts

PRESENTED BY:

David T. Vieira

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 town of Falmouth to transfer a parcel of land commonly known as the Farley Bog.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>3/22/2018</i>
<i>Dylan Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>3/22/2018</i>
<i>Viriato M. deMacedo</i>	<i>Plymouth and Barnstable</i>	<i>3/22/2018</i>

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By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 4341) of David T. Vieira, Dylan Fernandes and Viriato M. deMacedo (by vote of the town) that the town of Falmouth be authorized to transfer a certain parcel of land in said town to the Falmouth Rod & Gun Club, Inc. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act authorizing the town of Falmouth to transfer a parcel of land commonly known as the Farley Bog.

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 any general or special law to the contrary
2 and pursuant to the provisions of article 97 of the amendments to the Constitution of the
3 Commonwealth of Massachusetts, the town of Falmouth board of selectmen, is hereby
4 authorized to sell a parcel of land, currently held for conservation, known as the “Farley Bog”
5 and adjacent upland parcels located in East Falmouth, Massachusetts, including but not limited
6 to the following parcels of land described as follows: (1) the land commonly referred to as the
7 Farley Bog, Assessor’s Map 20 06 063 000, containing 12.5 acres more or less, lying North of
8 the road formerly known as the Meetinghouse Road in that part of Falmouth known as Waquoit,
9 together with the dike or dam at the South end of said bog; (2) a strip of land fifteen (15) feet in
10 width adjacent to said bog on the South, adjoining said dike and running westerly to the
11 southwest corner of said bog; (3) a strip of land two hundred (200) feet in width, insofar as the

12 ownership of the town of Falmouth extends, on the west side of said bog; (4) a strip of land one
13 hundred (100) feet in width on the north and east sides of said bog insofar as the ownership of
14 the town of Falmouth extends, (5) any right, title or interest which the town may have in and to
15 the stream known as Childs River extending northerly from said Farley Bog to certain bogs lying
16 north of same and called the Garner Bogs; (6) all right, title or interest of the town of Falmouth
17 in and to a strip of land fifty (50) feet in width along each side of said stream; (7) any swamp or
18 bog owned by the town of Falmouth through which said stream runs, and a strip of upland fifty
19 (50) feet in width adjacent to any swamp or bog through which said stream runs, all as further
20 described in and as may be limited as to title within the deed dated April 29, 1981, and recorded
21 with Barnstable County Registry of Deeds in Book 3292, Page 22, to the care, custody,
22 management and control of the Falmouth Rod & Gun Club, Inc., for conservation, habitat
23 improvement, and recreation purposes; and further that a conservation restriction shall be held by
24 the town of Falmouth acting through the Falmouth Conservation Commission preserving the
25 parcels in perpetuity for conservation and recreation uses in accordance with sections 31 to 33,
26 inclusive, of chapter 184 of the general laws.

27 SECTION 2. In consideration for the transfer of the land as provided in section 1 of this
28 act, the town of Falmouth board of selectmen shall transfer the parcel of land described above to
29 the Falmouth Rod & Gun Club, Inc. and said parcels shall be subject and dedicated to the
30 provisions of article 97 of the amendments to the Constitution of the Commonwealth of
31 Massachusetts.

32 SECTION 3. This act shall take effect upon passage.