

HOUSE No. 4635

The Commonwealth of Massachusetts

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

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Salem 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 Sections 33 to 37, inclusive, of Chapter 7C of the General
2 Laws, Section 20 of Chapter 304 of the Acts of 2008 or any other general or special law to the
3 contrary including Chapter 462 of the Acts of 2016, the commissioner of capital asset
4 management and maintenance may, upon the approval of the Salem Redevelopment Authority,
5 convey a certain parcel of state-owned land, with the buildings thereon, located in the City of
6 Salem to the Salem Redevelopment Authority on terms that may be determined by the
7 commissioner. The parcel and buildings are located at 32 and 34 Federal Street and the buildings
8 are the Essex Superior Courthouse and the County Commissioners Building. The exact
9 boundaries of the parcels shall be determined by the commissioner of capital asset management
10 and maintenance after completion of a survey. Upon conveyance of the property described in this
11 section, the Salem Redevelopment Authority (the “SRA”) in its issuance of a request for
12 proposals and the selection of a qualified developer to redevelop the buildings shall consider, if
13 compatible with such redevelopment, the creation of a condominium or leasehold estate, or other

14 real estate holding interest for transfer or lease to the Commonwealth under the care, custody and
15 control of the Secretary of the Commonwealth upon terms and conditions to be established by
16 SRA and agreed to by the Secretary of the Commonwealth. If it is determined that such creation
17 is not feasible or such terms and conditions are not agreed to, as determined by SRA and
18 Commissioner, the SRA may proceed with disposal of the buildings for redevelopment without
19 such transfer or lease.

20 SECTION 2. The Commissioner shall establish the value of the property. The
21 commissioner shall place notice in the central register of the conveyance, the amount of the
22 transaction and the calculated value and price received.

23 SECTION 3. Consideration for the conveyance under Section 1 shall be \$1.00, payable at
24 the time of the conveyance. Upon a subsequent conveyance of the property described in Section
25 1 or a portion thereof by the Salem Redevelopment Authority, the Salem Redevelopment
26 Authority shall distribute the gross proceeds of the conveyance, in the following order, to: (i) the
27 Commonwealth to reimburse it for costs incurred by the division of capital asset management
28 and maintenance with respect to the property; (ii) the City of Salem for costs incurred by the City
29 with respect to the property; (iii) the Salem Redevelopment Authority for costs incurred by the
30 Salem Redevelopment Authority, if any, for the transaction including, but not limited to, the
31 costs for legal work, survey, title and the preparation of plans and specifications; and (iv) the
32 Commonwealth and the Salem Redevelopment Authority in equal shares.

33 SECTION 4. The commissioner of capital asset management and maintenance may retain
34 or grant rights of way or easements for access, egress, utilities and drainage across the property
35 described in Section 1 and across other property owned by the Commonwealth that is contiguous

36 to the property described in Section 1 and may accept such rights of way or easements for access,
37 egress, drainage and utilities as the commissioner considers necessary and appropriate the carry
38 out this act.

39 SECTION 5. The Salem Redevelopment Authority shall bear all costs, if any, for the
40 transactions authorized in this act including, but not limited to, all costs for legal work, survey,
41 title and preparation of plans and specifications; provided, however, that any costs and expenses
42 incurred by the Salem Redevelopment Authority to sell the property shall be paid from the gross
43 proceeds of the sale.