

**HOUSE . . . . . No. 4846**

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PRESENTED BY:

***Stephen Kulik and Adam G. Hinds***

*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 releasing certain land in the town of Cummington from the operation of an agricultural preservation restriction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Stephen Kulik</i>	<i>1st Franklin</i>	<i>7/26/2018</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>7/26/2018</i>

**HOUSE . . . . . No. 4846**

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By Representative Kulik of Worthington and Senator Hinds, a joint petition (subject to Joint Rule 12) of Stephen Kulik and Adam G. Hinds relative to releasing certain land in the town of Cummington from the operation of an agricultural preservation restriction. Environment, Natural Resources and Agriculture.

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

An Act releasing certain land in the town of Cummington from the operation of an agricultural preservation restriction.

*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. Pursuant to section X of chapter X of the General Laws and  
2 notwithstanding any other general or special law to the contrary, the commissioner of  
3 agricultural resources may release a portion of the agricultural preservation restriction dated May  
4 21, 2018, recorded in Hampshire county registry of deeds at Book 2413, Page 82, said portion  
5 being more particularly described as follows: a certain parcel of land in the town of  
6 Cummington, shown as Parcel A on a plan entitled "Plan of Land in Cummington,  
7 Massachusetts Prepared For Town of Cummington", dated May 21, 2018 prepared by Holmberg  
8 & Howe, Inc., The parcel is more particularly bounded and described according to said plan as  
9 follows:

10           Beginning at a point at a stone wall intersection at the northwest corner of land of the  
11 Town of Cummington known as the Bryant Cemetery said point being N 24°24'21" E 135.73  
12 feet from the southwest corner of the Bryant Cemetery on the northeasterly side of Trow Road;

13 Thence, N 24°24'21" E through land of Russel L. Sears, Jr. & Russell L. Sears, III as Trustees of  
14 the Bryant Farm Realty Trust 138.02 feet to an iron pin to be set at the northwest corner of said  
15 Parcel A; Thence, S 63°30'43" E through said land of Bryant Farm Realty Trust 233.89 feet to an  
16 iron pin to be set at the northeast corner of Parcel A; Thence, S 21°06'06" W through said land  
17 of Bryant Farm Realty Trust 140.73 feet to a point at the stone wall intersection at the northeast  
18 corner of said Bryant Cemetery; Thence, N 62°59'41" W along a stone wall and said Bryant  
19 Cemetery 242.10 feet to the point of beginning. The above described Parcel A contains 33,075  
20 square feet, more or less.

21 SECTION 2. The above-described parcel shall only be used to extend Bryant Cemetery  
22 on the northeasterly side of Trow Road. Construction of Bryant Cemetery shall be supervised by  
23 the department of agricultural resources. If the parcel is sold or transferred to an entity or person  
24 for purposes other than the cemetery or ceases to be used for the cemetery by the current or  
25 future owner the agricultural preservation restriction shall be reimposed on the parcel unless said  
26 restriction has been released or discharged by the commonwealth in its entirety in the interim.

27 SECTION 3. Except as partially released by this act, the above-referenced agricultural  
28 preservation restriction shall remain in full force and effect.

29 SECTION 4. This act shall take effect upon its passage.