

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

David M. Rogers, (BY REQUEST)

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 amending chapter 213 of the acts of 1870.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

James J. Decoulos

HOUSE No.

By Mr. Rogers of Cambridge (by request), a petition (subject to Joint Rule 7B) of James J. Decoulos relative to lots created under the authority of the incorporation of the town of Gay Head (Aquinnah) in 1870. Municipalities and Regional Government.

The Commonwealth of Massachusetts

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

An Act amending chapter 213 of the acts of 1870.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Lots created under the authority derived from Chapter 213 of the Acts of 1870 shall be
2 deemed to have been granted in fee simple absolute with transferable access rights that run with
3 the land and provide for residential use of the property. Forty-foot wide ways shall be laid out
4 over public lands, including any land held by a land bank, to provide the shortest path to a
5 public way for vehicular access and underground utilities to any lot created by the Act that does
6 not have an express easement. If public lands are not available to provide a necessary easement
7 to any lot created by the Act, new forty-foot wide easements shall be created to the nearest public
8 way, with just compensation paid to the servient owner by the dominant estate.