

**HOUSE . . . . . No. 4277**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Bud L. Williams***

*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 city of Springfield to convert the use of park land at DeBerry Park for a new DeBerry and Homer Street Elementary School and to replace it with additional park land in the city of Springfield.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>12/18/2019</i>

**HOUSE . . . . . No. 4277**

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By Mr. Williams of Springfield, a petition (accompanied by bill, House, No. 4277) of Bud L. Williams (with the approval of the mayor and city council) that the city of Springfield be authorized to convert the use of park land at DeBerry Park for a new DeBerry and Homer Street elementary school and to replace it with additional park land in said city. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
\_\_\_\_\_

An Act authorizing the city of Springfield to convert the use of park land at DeBerry Park for a new DeBerry and Homer Street Elementary School and to replace it with additional park land in the city of Springfield.

*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 city of  
2   Springfield, acting by and through its city council, with the approval of is mayor, may convert  
3   and transfer the care, custody and control of a certain parcel of park land currently held by the  
4   board of park commissioners, to the school committee for the siting and construction of a new  
5   DeBerry/Homer Street Elementary school building, without any restrictions imposed of such  
6   parcel by Article 97 of the amendments to the Constitution. The parcel of land known as  
7   DeBerry Park, bordered by Monroe street, Eastern avenue, and Union street, consists of 2.8461  
8   acres more or less, is shown on a plan of land entitled "DeBerry Elementary School Park Parcel,  
9   Exhibit Plan of Land in Springfield", dated 10/17/19.

10                   SECTION 2. (a) In exchange for the conversion and transfer of the parcel of land  
11 described in section 1, and to ensure a no-net-loss of land protected for park purposes, the city of  
12 Springfield, by its city council, with the approval of the mayor, shall acquire by purchase or  
13 eminent domain a parcel of privately owned land, hereinafter referred to as Parcel A, and shall  
14 transfer custody and control of 2 parcels of city land, hereinafter referred to as Parcels B and C,  
15 and dedicate parcels A, B and C for public park purposes under the care, custody and control of  
16 the board of park commissioners, under Article 97 of the amendments to the Constitution, which  
17 parcels of land are identified and shown on a plan entitled "King Street and Wilbraham Avenue".

18                   (b) The parcels to be dedicated for the replacement park land are: Parcel A, land  
19 owned by Springfield College totaling approximately 1.27 acres, less approximately 0.03 acres  
20 (Parcel D) to be used for roadway purposes; Parcel B, land owned by the city of Springfield  
21 totaling approximately 1.65 acres, less approximately 0.03 acres (Parcel E) to be used for  
22 roadway purposes; and Parcel C, a portion of Wilbraham avenue owned by the city of  
23 Springfield, totaling 0.56 acres, to be discontinued as a city street and combined with the 2 other  
24 parcels to form the replacement park parcel totaling approximately 3.43 acres.

25                   SECTION 3. This act shall take effect upon its passage.