

# HOUSE . . . . . No. 4891

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, July 27, 2020.

The committee on House Ways and Means to whom was referred the petition (accompanied by bill, House, No. 4409) of Daniel J. Ryan, RoseLee Vincent and Sal N. DiDomenico that the commissioner of Capital Asset Management and Maintenance be authorized to convey certain parcels of land to the city of Chelsea for conservation and passive recreational purposes, reports recommending that the accompanying bill (House, No. 4891) ought to pass.

For the committee,

AARON MICHLEWITZ.

**HOUSE . . . . . No. 4891**

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**The Commonwealth of Massachusetts**

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

An Act authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Chelsea.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the division of capital asset management and maintenance to convey certain parcels of land to the city of Chelsea, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*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 32 to 37, inclusive, of chapter 7C of the General  
2 Laws, the commissioner of capital asset management and maintenance may convey to the city of  
3 Chelsea, for conservation and passive recreational purposes only, certain parcels of land located  
4 on the east and south side of Eastern avenue adjacent to the Chelsea river that are currently under  
5 the control of the department of conservation and recreation. The parcels are more particularly  
6 described on the “Fiscal Year 2019 Assessor’s Map 15” prepared by CGIS Mapping, LLC, and  
7 on file with the city of Chelsea Assessor’s office, as follows: (i) Lot 15-4 containing  
8 approximately 36,625 square feet; (ii) Lot 15-5 containing approximately 5,602 square feet; and  
9 (iii) the former Chelsea street containing approximately 8,000 square feet and depicted as the  
10 “Chelsea street bridge”. The exact boundaries of the parcels shall be determined by the

11 commissioner of capital asset management and maintenance, in consultation with the city of  
12 Chelsea, after completion of a survey.

13 SECTION 2. The consideration for the conveyance authorized in section 1 shall be an  
14 amount equal to the full and fair market value, restricted to conservation and passive recreational  
15 purposes, as determined by an independent appraisal. The commissioner of capital asset  
16 management and maintenance shall submit the appraisal to the inspector general for review and  
17 comment. The inspector general shall review and approve the appraisal and the review shall  
18 include an examination of the methodology utilized for the appraisal. The inspector general shall  
19 prepare a report of the review and file the report with the commissioner of capital asset  
20 management and maintenance. The commissioner of capital asset management and maintenance  
21 shall submit copies of the appraisal, and the inspector general's report, approval and comments,  
22 if any, to the house and senate committees on ways and means and the joint committee on state  
23 administration and regulatory oversight at least 15 days prior to the execution of documents  
24 affecting the transfer described in section 1. A deed conveying the parcels shall contain a  
25 restriction providing that the parcels shall be used solely for conservation and passive  
26 recreational purposes. The parcels shall be conveyed by deed without warranties or  
27 representations by the commonwealth, subject to existing easements held by the Massachusetts  
28 Water Resources Authority.

29 SECTION 3. Notwithstanding any general or special law to the contrary, the city of  
30 Chelsea shall be responsible for all costs and expenses including, but not limited to, costs  
31 associated with any engineering, surveys, appraisals and deed preparation related to any  
32 conveyance pursuant to this act as such costs may be determined by the commissioner of capital  
33 asset management and maintenance.

34           SECTION 4. Notwithstanding any general or special law to the contrary, if the city of  
35 Chelsea uses a parcel conveyed by the commonwealth pursuant to this act for any purpose other  
36 than conservation and passive recreational purposes, title to the property shall, upon written  
37 notice from the division of capital asset management and maintenance, revert back to the  
38 commonwealth.