

**HOUSE . . . . . No. 4949**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Smitty Pignatelli***

*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 town of Lenox to transfer certain park property in exchange for dedication of conservation land.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Smitty Pignatelli</i>	<i>4th Berkshire</i>	<i>8/3/2020</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>8/10/2020</i>

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By Mr. Pignatelli of Lenox, a petition (accompanied by bill, House, No. 4949) of Smitty Pignatelli and Adam G. Hinds (by vote of the town) that the town of Lenox be authorized to transfer certain property in Kennedy Park in said town in exchange for the dedication of certain conservation land. 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)**  
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An Act authorizing the town of Lenox to transfer certain park property in exchange for dedication of conservation land.

*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 the provisions of any general or special law to the contrary  
2 and pursuant to the provisions of article 97 of the amendments to the Constitution of the  
3 Commonwealth of Massachusetts, the town of Lenox is hereby authorized to transfer to  
4 Aspinwall Acquisition, LLC, or its designee, a parcel of land, currently held for park and other  
5 recreational uses, shown as "Lot 1," containing 1.546 acres, more or less, on a plan of land  
6 entitled "Survey of Land in Lenox, Massachusetts Prepared for John Fontaine," dated February  
7 26, 2019, recorded with the Berkshire middle registry of deeds in plat   , #   , being a portion of  
8 Kennedy Park, described in a deed recorded with the Berkshire middle registry of deeds in book  
9 657, page 188, for consideration paid to the town of Lenox in the amount of twenty-eight  
10 thousand dollars.

11           SECTION 2. In consideration for the transfer of the land as provided in section 1 of this  
12 act, the town of Lenox shall dedicate to park, conservation and open space purposes a parcel of  
13 land, containing 23.28 acres, more or less, as shown on a plan entitled "Plan of Land Prepared  
14 for John G. Paladino and Emily Rechnitz, Hubbard Street & Tucker Street, Lenox MA," dated  
15 October 6, 2010, recorded with the Berkshire middle registry of deeds in plat J, #9, excepting a  
16 parcel of land shown as "Parcel A" on a plan entitled "Plan of Land Prepared for John G.  
17 Paladino and Emily Rechnitz Hubbard Street Lenox, MA," dated May 29, 2020, recorded with  
18 the Berkshire middle registry of deeds in plat R, #11, which parcel shall be subject and dedicated  
19 to the provisions of article 97 of the amendments to the Constitution of the Commonwealth of  
20 Massachusetts; and further, the Town shall also transfer the compensation paid to the town of  
21 Lenox under section 1 of this act to the Lenox conservation commission for conservation and  
22 open space purposes.

23           SECTION 3. This act shall take effect upon passage.