

HOUSE No. 4759

The Commonwealth of Massachusetts

PRESENTED BY:

John J. Lawn, Jr. and Thomas M. Stanley

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 University of Massachusetts to convey a certain parcel of land and buildings to the city of Waltham.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|--------------------------|-----------------------|------------------|
| <i>John J. Lawn, Jr.</i> | <i>10th Middlesex</i> | <i>5/13/2020</i> |
| <i>Thomas M. Stanley</i> | <i>9th Middlesex</i> | <i>5/13/2020</i> |

HOUSE No. 4759

By Messrs. Lawn of Watertown and Stanley of Waltham, a petition (subject to Joint Rule 12) of John J. Lawn, Jr., and Thomas M. Stanley that the University of Massachusetts be authorized to convey a certain parcel of land and buildings to the city of Waltham. Higher Education.

The Commonwealth of Massachusetts

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

An Act authorizing the University of Massachusetts to convey a certain parcel of land and buildings to the city of Waltham.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the conveyance of certain real property and structures and buildings owned by the commonwealth in the city of Waltham, 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 or any other general or special law to the contrary, the board of trustees of the University
3 of Massachusetts, or any officer designated by the board, may convey to the city of Waltham,
4 with conditions a certain parcel of land in the city of Waltham together with the buildings
5 thereon, now known and numbered as 240 Beaver street, designated as parcels R53003001 and
6 R53003014 by the assessors of the city of Waltham and commonly known as the UMass Field
7 Station. The land is owned by the commonwealth, acting through the trustees of the University
8 of Massachusetts, and is more particularly described in deeds recorded in the Middlesex
9 Southern district registry of deeds in book 4600, page 42 and book 6911, page 201. A portion of

10 the land is currently used for agricultural purposes, and that portion shall continue to be used for
11 agricultural, open space or recreational purposes.

12 SECTION 2. The consideration for the conveyance authorized by this act shall be not
13 less than the fair market value of the property and buildings thereon based upon an independent
14 professional appraisal; provided, however, that the University of Massachusetts and the mayor of
15 the city of Waltham may agree on an offset of the fair market value that reflects the cost of
16 necessary environmental cleanup and current conditions of buildings on the parcel described in
17 section 1. Nothing in this act shall prevent the use of an appraisal conducted in the 3 years
18 before the effective date of this act from being used to determine fair market value.

19 SECTION 3. The University of Massachusetts shall, not less than 15 days prior the
20 conveyance of the property in section 1, submit the appraisal described in section 2 to the
21 inspector general for review and comment. The inspector general shall issue a review and
22 comment not more than 15 days after receipt of the appraisal.

23 SECTION 4. Notwithstanding any general or special law to the contrary, the proceeds of
24 the conveyance shall be deposited in a trust fund established by the board of trustees of the
25 University of Massachusetts pursuant to section 11 of chapter 75 of the General Laws; and
26 provided further, that the proceeds shall be used to benefit the University of Massachusetts
27 Amherst.

28 SECTION 5. The city of Waltham shall pay for all costs of the appraisal described in
29 section 2, survey and deed preparation for the conveyance of the property described in section 1
30 and shall acquire the property and buildings thereon in its as is condition without warranty.

31 SECTION 6. The University of Massachusetts and the mayor of the city of Waltham
32 may effectuate the sale of the parcel described in section 1 on or after the effective date of this
33 act.