SENATE No. 2628

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 Gloucester to use certain lands for municipal school purposes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bruce E. Tarr	First Essex and Middlesex
Ann-Margaret Ferrante	5th Essex

SENATE No. 2628

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 2628) of Bruce E. Tarr and Ann-Margaret Ferrante (with approval of the mayor and city council) for legislation to authorize the city of Gloucester to use certain lands for municipal school purposes. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Alassachusetts

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

An Act authorizing the city of Gloucester to use certain lands for municipal school purposes.

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

SECTION 1. Notwithstanding any general or special law to the contrary, the City of
Gloucester is hereby authorized to transfer the care, custody and control of certain municipal
land comprising approximately 2.7 +/- acres, known and numbered as 11 Webster Street, which
includes Mattos Field, and is held by the City pursuant to deeds recorded at Book 2599, Page
151 and Book 2867, Page 34 in the Southern Essex District Registry of Deeds, to the Gloucester
School Committee for municipal school purposes without any restrictions imposed on such use

by Article 97 of the Amendments to the Massachusetts Constitution.

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SECTION 2. To ensure a no-net-loss of lands protected for conservation and recreation purposes, and in consideration for the transfer authorized in Section 1, the School Committee shall transfer the care, custody and control of certain school land comprising approximately 2.8 +/- acres, known and numbered as 8 Davis Street, which includes East Gloucester Elementary School comprised of Lots: 1, 2, 3, 4, 5, A, B, C, D and the lot labeled Portion of Maxwell

Parsons Playground and the layouts of Davis Street Extension and Parsons Street as depicted on the plan that can be found in Plan Book 76, Page 45 in the Southern Essex District Registry of Deeds, to the City Department of Public Works to be used for municipal park and open space purposes with the grant of a deed restriction placing the land under the protection of Article 97 of the Amendments to the Massachusetts Constitution in perpetuity.

SECTION 2A. In addition to the proposed transfer as outlined in Section 2 above, the City Department of Public Works shall upgrade softball field facilities and accommodations at another City open space known and numbered as 6 Green Street and 18A Beckford Street prior to the discontinuance of use of Mattos Field associated with the commencement of school construction.

SECTION 3. The transfer of land in Section 1 shall be contingent upon the transfer of land in Section 2 and the transfer of land in Section 2 shall be contingent upon the recording of a deed restriction on the Section 2 land placing it under the protection of Article 97 of the Amendments to the Massachusetts Constitution to be preserved for municipal park and open space purposes.

SECTION 4. If construction or demolition upon or removal of any structures from the land referred to in Section 1 does not commence within four years from the land transfers referenced above then care, custody and control of the land in Section 1 shall revert to the City Department of Public Works, to be placed under the protection of Article 97 of the Amendments to the Massachusetts Constitution, and care, custody and control of the land in Section 2 shall revert back to the School Committee.

SECTION 5. This act shall take effect upon its passage.