

SENATE No. 2961

Senate, November 23, 2020 -- Text of the Senate amendment (Senator DiDomenico) to the House Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Chelsea (House, No. 4891)

The Commonwealth of Massachusetts

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

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 passive recreational purposes certain parcels of land located on the east and south
4 side of Eastern avenue adjacent to the Chelsea river that are currently under the control of the
5 department of conservation and recreation. The parcels are more particularly described on the
6 city of Chelsea’s fiscal year 2019 assessors’ map 15 as: (i) lot 4, containing approximately
7 36,625 square feet; (ii) lot 5, containing approximately 5,602 square feet; and (iii) the area
8 depicted as the “Chelsea street bridge”, containing approximately 8,000 square feet. The exact
9 boundaries of the parcels shall be determined by the commissioner of capital asset management
10 and maintenance, in consultation with the city of Chelsea, after completion of a survey.

11 SECTION 2. The consideration for the conveyance authorized in section 1 shall be an
12 amount equal to the full and fair market value, restricted to passive recreational purposes, as
13 determined by an independent appraisal. The commissioner of capital asset management and
14 maintenance shall submit the appraisal to the inspector general for review and comment. The
15 inspector general shall review and approve the appraisal and the review shall include an

16 examination of the methodology utilized for the appraisal. The inspector general shall prepare a
17 report of the review and file the report with the commissioner of capital asset management and
18 maintenance. The commissioner of capital asset management and maintenance shall submit
19 copies of the appraisal, and the inspector general's report, approval and comments, if any, to the
20 house and senate committees on ways and means and the joint committee on state administration
21 and regulatory oversight at least 15 days prior to the execution of any documents effecting the
22 transfer described in said section 1. A deed conveying the parcels shall contain a restriction
23 providing that the parcels shall be used for passive recreational purposes, subject to all applicable
24 laws and regulations. The parcels shall be conveyed by deed without warranties or
25 representations by the commonwealth, subject to existing easements held by the Massachusetts
26 Water Resources Authority.

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

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