The Commonwealth of Massachusetts

PRESENTED BY:

Kate Hogan

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 Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Hudson.

PETITION OF:

<table>
<thead>
<tr>
<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
<th>DATE ADDED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kate Hogan</td>
<td>3rd Middlesex</td>
<td>2/10/2021</td>
</tr>
<tr>
<td>James B. Eldridge</td>
<td>Middlesex and Worcester</td>
<td>3/8/2021</td>
</tr>
</tbody>
</table>
An Act authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Hudson.

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. (a) Notwithstanding sections 32 through 37, inclusive, of chapter 7C of the General Laws or any general or special law to the contrary, the commissioner of capital asset management and maintenance may convey a certain parcel of land taken for armory purposes in the town of Hudson, described in a deed recorded in the Middlesex south registry of deeds in book 3529, page 381, which is known and numbered as 35 Washington street, to the town of Hudson. The parcel contains approximately 1.88 acres. The parcel shall be conveyed by deed without warranties or representations by the commonwealth.

(b) The use of the parcel shall be restricted to a performing arts center. The deed or other instrument conveying the parcel to the town of Hudson shall provide that the parcel shall be used solely for the purposes of a performing arts center and shall include a reversionary clause that stipulates that if the parcel ceases at any time to be used for such purpose, title to the parcel shall,
at the election of the commonwealth, revert to the commonwealth and the reversionary clause shall be enforceable notwithstanding the time limit set forth in section 7 of chapter 184A of the General Laws.

(c) The consideration for the conveyance of the parcel pursuant to this section shall be the fair market value of the parcel as determined by the commissioner of capital asset management and maintenance based upon an independent professional appraisal previously obtained by the commissioner, taking into consideration the restriction on the use of the parcel set forth in subsection (b).

(d) Notwithstanding any general or special law to the contrary, the town of Hudson shall be responsible for all costs and expenses of any transaction authorized by this section as determined by the commissioner of capital asset management and maintenance including, but not limited to, the costs of any engineering, surveys, appraisals, title examinations, recording fees and deed preparation related to the conveyance of the parcel. The town of Hudson shall acquire the property thereon in its present condition. Upon the recording of the deed conveying the parcel to the town of Hudson, the town of Hudson shall be responsible for all costs, liabilities and expenses for its ownership.

(e) Notwithstanding the foregoing or any general or special law to the contrary, but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B of the General Laws, the town of Hudson may lease or sell the parcel or portions thereof to the Hudson Cultural Alliance, Inc., subject to the provisions of this section.

SECTION 2. (a) If the town of Hudson does not complete a purchase of the property pursuant to section 1 within 90 days of the effective date of this act, or by such later date as may
be agreed to by the town of Hudson and the commissioner of capital asset management and
maintenance, then, notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
Laws or any other general or special law to the contrary, the commissioner of capital asset
management and maintenance may sell, lease for a term up to 99 years, including all renewals
and extensions or otherwise grant, convey or transfer to 1 or more purchasers or lessees an
interest in the parcel or portions thereof, subject to this act and on such terms and conditions as
the commissioner of capital asset management and maintenance considers appropriate. The
parcel shall be conveyed by deed without warranties or representations by the commonwealth. In
making any such disposition, the commissioner of capital asset management and maintenance
shall use appropriate competitive bidding processes and procedures. Not less than 30 days before
the date on which bids, proposals or other offers to purchase or lease the parcel or any portion
thereof are due, the commissioner of capital asset management and maintenance shall place a
notice in the central register published by the state secretary pursuant to section 20A of chapter 9
of the General Laws stating the availability of the property, the nature of the competitive bidding
process, including the time, place and manner for the submission of bids and proposals and the
opening of the bids or proposals and such other information as the commissioner considers
relevant.

(b) Notwithstanding any general or special law to the contrary, the grantee or lessee of
the parcel pursuant to this section shall be responsible for all costs and expenses of any
transaction authorized by this section as determined by the commissioner of capital asset
management and maintenance including, but not limited to, the costs of any engineering,
surveys, appraisals, title examinations, recording fees and deed preparation related to the
conveyance of the parcel. The grantee or lessee shall acquire the property thereon in its present
condition. Upon the recording of the deed conveying the parcel to the grantee or the execution of a lease leasing the parcel, the grantee or lessee shall be responsible for all costs, liabilities and expenses for its ownership or lease.