

HOUSE No. 3163

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:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>2/10/2021</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/8/2021</i>

HOUSE No. 3163

By Ms. Hogan of Stow, a petition (accompanied by bill, House, No. 3163) of Kate Hogan and James B. Eldridge that the commissioner of the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Hudson. State Administration and Regulatory Oversight. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

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:

1 SECTION 1. (a) Notwithstanding sections 32 through 37, inclusive, of chapter 7C of the
2 General Laws or any general or special law to the contrary, the commissioner of capital asset
3 management and maintenance may convey a certain parcel of land taken for armory purposes in
4 the town of Hudson, described in a deed recorded in the Middlesex south registry of deeds in
5 book 3529, page 381, which is known and numbered as 35 Washington street, to the town of
6 Hudson. The parcel contains approximately 1.88 acres. The parcel shall be conveyed by deed
7 without warranties or representations by the commonwealth.

8 (b) The use of the parcel shall be restricted to a performing arts center. The deed or other
9 instrument conveying the parcel to the town of Hudson shall provide that the parcel shall be used
10 solely for the purposes of a performing arts center and shall include a reversionary clause that
11 stipulates that if the parcel ceases at any time to be used for such purpose, title to the parcel shall,

12 at the election of the commonwealth, revert to the commonwealth and the reversionary clause
13 shall be enforceable notwithstanding the time limit set forth in section 7 of chapter 184A of the
14 General Laws.

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

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

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

32 SECTION 2. (a) If the town of Hudson does not complete a purchase of the property
33 pursuant to section 1 within 90 days of the effective date of this act, or by such later date as may

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

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

57 condition. Upon the recording of the deed conveying the parcel to the grantee or the execution of
58 a lease leasing the parcel, the grantee or lessee shall be responsible for all costs, liabilities and
59 expenses for its ownership or lease.