The Commonwealth of Massachusetts

PRESENTED BY:
Dylan A. Fernandes and Julian Cyr

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 Nantucket land transfers.

PETITION OF:

<table>
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<tr>
<th>NAME</th>
<th>DISTRICT/ADDRESS</th>
<th>DATE ADDED</th>
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<tr>
<td>Dylan A. Fernandes</td>
<td>Barnstable, Dukes and Nantucket</td>
<td>9/2/2021</td>
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<tr>
<td>Julian Cyr</td>
<td>Cape and Islands</td>
<td>9/2/2021</td>
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By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 4104) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the Nantucket Islands Land Bank and the town of Nantucket be authorized to transfer, convey or otherwise dispose to each other portions of certain land in said town. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act authorizing Nantucket land transfers.

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. In order to promote the effective and efficient management of each property for the purposes that it is now used, the Town of Nantucket and the Nantucket Islands Land Bank are hereby authorized to exchange ownership of the property commonly known as “Mill Hill Park”, now owned by the Town of Nantucket as a public park, for the property commonly known as the “Nobadeer Playing Fields,” now owned by the Nantucket Islands Land Bank for recreational purposes, all as more particularly described in the following sections of this Act.

Section 2. Pursuant to Article 97 of the Amendments of the Constitution of the Commonwealth of Massachusetts and notwithstanding the provisions of any general or special law to the contrary, the Nantucket Islands Land Bank may transfer, convey or otherwise dispose of portions of that certain parcel of land situated in the Town of Nantucket to the Town of Nantucket for recreational purposes, described as follows:
a. Approximately 14.8 Acres of Lot 1 on the plan entitled “Plan of Land North Pasture Milestone Road on Nantucket, MA” dated February 5, 1998, recorded with the Nantucket Registry of Deeds in Plan File 52A, being that Project Area called the Nobadeer Farm Recreational Facility permitted by the Division of Fisheries & Wildlife MA Endangered Species Act (G.L. c. 131A) Conservation and Management Permit Conservation Permit No. 008-126.DFW recorded in Nantucket Registry of Deeds Book 1167, Page 213, and also being a portion of Nantucket Tax Assessor’s Map 69, Parcel 1; and

b. A parcel of land comprised of a portion of 2 Milestone Road, shown on Nantucket Tax Assessor’s Map 55, Parcel 65 and a portion of 174 Orange Street, shown on Nantucket Tax Assessor’s Map 55, Parcel 64 from the edge of asphalt road to include the existing bike path as shown on a plan entitled “Conceptual Plan for 174 Orange Street and 2 Milestone Road” containing 7,450 square feet more or less. Any such disposition shall be on such terms and conditions as the Nantucket Islands Land Bank Commission deems appropriate, which may include the reservation of restrictions and easements and which shall be conditioned upon receipt of the parcel described in the following Section 3.

Section 3. Pursuant to Article 97 of the Amendments of the Constitution of the Commonwealth of Massachusetts and notwithstanding the provisions of any general or special law to the contrary, the Town of Nantucket may transfer, convey or otherwise dispose of portions of those certain parcels of land situated in the Town of Nantucket to the Nantucket Islands Land Bank for passive recreational, open space, or public park purposes, described as follows:
Approximately 16.5 Acres of land comprised of five (5) parcels now used as a public park:

a. Nantucket Tax Assessor’s Map 55.4.4, Parcel 81, being the fourth parcel described in the deed recorded in Nantucket Registry of Deeds Book 124, Page 403 (37 Prospect Street);

b. Nantucket Tax Assessor’s Map 55.4.4, Parcel 57, being the first parcel described in the deed recorded in Nantucket Registry of Deeds Book 124, Page 403 and shown as Lot D on Land Court Plan No. 12559A (39 Prospect Street);

c. Nantucket Tax Assessor’s Map 55, Parcel 321, being the third parcel described in the deed recorded in Nantucket Registry of Deeds Book 124, Page 403 and shown as Lot C on Land Court Plan No. 12559A (47 Prospect Street);

d. Nantucket Tax Assessor’s Map 55, Parcel 319, being the second parcel described in the deed recorded in Nantucket Registry of Deeds Book 124, Page 403 and shown on Land Court Plan No. 13837A (North Mill Street); and

e. Nantucket Tax Assessor’s Map 55, Parcel 1, being described in the deed recorded in Nantucket Registry of Deeds Book 663, Page 250 and shown as Lot 15 on the plan recorded in Nantucket Registry of Deeds Plan Book 24, Page 84 (29 Vesper Lane).

Any such disposition shall be on such terms and conditions as the Town of Nantucket Select Board deems appropriate, which may include the reservation of restrictions and easements and which shall be conditioned upon receipt of the parcel described in the foregoing Section 2.

Section 4. This act shall take effect upon its passage.