HOUSE . . . . . No. 4125

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, September 23, 2021.

The committee on State Administration and Regulatory Oversight to whom was referred the petition (accompanied by bill, House, No. 3870) of Maria Duaime Robinson and Jack Patrick Lewis that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land in the city of Framingham to the Claremont Realty Trust, reports recommending that the accompanying bill (House, No. 4125) ought to pass.

For the committee,

ANTONIO F. D. CABRAL.

FILED ON: 9/22/2021

HOUSE . . . . . No. 4125

The Commonwealth of Massachusetts

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

An Act authorizing the Commonwealth of Massachusetts to convey a certain parcel of land to the Claremont Realty Trust in the city of Framingham.

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 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, in consultation with the department of state police, may convey to the Claremont Realty Trust for vehicle storage a certain parcel of land being approximately 0.17 acres of a parcel, dated November 17, 2010, prepared by Metrowest Engineering, Inc., as described and recorded in a deed and plan recorded with the Middlesex North registry of deeds at book 1321, page 133. The conveyance shall be subject to such additional conditions and restrictions as the commissioner of capital asset management and maintenance, in consultation with the department of state police, may determine.

SECTION 2. An independent appraisal or appraisals of the fair market value and value in use of the parcel described in section 1 shall be prepared in accordance with the usual and customary professional appraisal practices by a qualified appraiser commissioned by the commissioner of capital asset management and maintenance. The commissioner of capital asset

management and maintenance shall submit the appraisals to the inspector general for his or her review and comment. The inspector general shall review and approve the appraisals, and the review shall include an examination of the methodology utilized for the appraisals. The inspector general shall prepare a report of his or her review and file the report with the commissioner of capital asset management and maintenance. After receiving the report, the commissioner of capital asset management and maintenance shall submit copies of the report to the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight at least 15 days prior to the execution of documents affecting the transfer described in section 1.

SECTION 3. Consideration for the grants of the parcel or interests described in section 1 shall be (i) full and fair market value or the value in proposed use, whichever is greater, as determined by the commissioner of capital asset management and maintenance pursuant to section 2; or (ii) the transfer to the division of capital asset management and maintenance, an interest in land or funding for the acquisition of land or an interest therein equal to or greater than the value of the highest appraised values as determined under section 2 or any combination of land, an interest in land or funding that is acceptable to the division of capital asset management and maintenance. If the Claremont Realty Trust proposes to convey land or an interest in land to the commonwealth, the commissioner of capital asset management and maintenance shall include the land or interest in land within the appraisal assignment under section 2. The land or interest in land must be acceptable to the department of state police; and any land or interest in land, whether conveyed by the Claremont Realty Trust or acquired by the department of state police, shall be permanently held and managed for purposes designated by the department of state police. Should the value of the land or interests in land being conveyed to the

commonwealth exceed the appraised values determined in section 2, the commonwealth shall have no obligation to pay the difference to the Claremont Realty Trust. Any monetary payments made to the commonwealth as a result of the conveyance authorized by this act shall be deposited into the General Fund established in section 2 of chapter 29 General Laws.

SECTION 4. The Claremont Realty Trust shall assume all costs associated with engineering, surveys, appraisals, deed preparation and other expenses deemed necessary by the commissioner of capital asset management and maintenance to execute the conveyances authorized by this act.

SECTION 5. No instrument executed pursuant to this act shall be valid unless it provides that the area conveyed shall be used solely for the purposes described in section 1. The instrument authorized in section 1. The instrument authorized in section 1 shall include a reversionary clause that stipulates the property shall revert to the commonwealth and be assigned to the care, custody and control of the department of state police, upon such terms and conditions as the commissioner of capital asset management and maintenance may determine, if the property ceases to be used for the express purposes authorized in this act. If any interest reverts to the commonwealth, any further disposition shall be subject to sections 34 to 37, inclusive, of chapter 7C of the General laws and the prior approval of the General Court.