

HOUSE No. 4221

The Commonwealth of Massachusetts

PRESENTED BY:

Jessica Ann Giannino and Jeffrey Rosario Turco

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 Department of Conservation and Recreation and the Division of Capital Asset Management and Maintenance to transfer an easement in certain property and the fee in certain properties to the city of Revere all for municipal purposes.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|------------------------------|---------------------|-------------------|
| <i>Jessica Ann Giannino</i> | <i>16th Suffolk</i> | <i>10/10/2021</i> |
| <i>Jeffrey Rosario Turco</i> | <i>19th Suffolk</i> | <i>10/10/2021</i> |

HOUSE No. 4221

By Representatives Giannino of Revere and Turco of Winthrop, a petition (subject to Joint Rule 12) of Jessica Ann Giannino and Jeffrey Rosario Turco (with the approval of the mayor and city council) that the commissioner of Capital Asset Management and Maintenance be authorized to transfer an easement in certain property and the fee in certain properties to the city of Revere all for municipal purposes. Environment, Natural Resources and Agriculture. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act authorizing the Department of Conservation and Recreation and the Division of Capital Asset Management and Maintenance to transfer an easement in certain property and the fee in certain properties to the city of Revere all for municipal purposes.

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. Transfers of Easement and Fee Parcels

2 (a) Notwithstanding any general or special law to the contrary, the Department of
3 Conservation and Recreation (hereinafter the “Department”), acting through the Division of
4 Capital Asset Management and Maintenance (hereinafter the “Division”) may convey a utility
5 easement in certain parcels of land owned by the Commonwealth and under the care and control
6 of the Department and currently used for landscape, roadway access and parking purposes, as
7 shown on plans entitled “ELECTRICAL POWER SITE PLAN” prepared by WSP for project
8 “REVERE BEACH KIOSK.” that shall be filed with the Commissioner of the Department, to the
9 City of Revere (hereinafter the “City”).

10 (b) Notwithstanding any general or special law to the contrary, the Department of
11 Conservation and Recreation (hereinafter the “Department”), acting through the Division of
12 Capital Asset Management and Maintenance (hereinafter the “Division”) may convey a certain
13 parcel of land owned by the Commonwealth and under the care and control of the Department
14 and currently used for landscape, roadway access and parking purposes, as shown as Lot A on a
15 plan entitled “Approval Not Required (ANR) Plan Located in Revere, Massachusetts (Suffolk
16 County)” prepared for Winter Street Architects by Brennan Consulting, dated June 8, 2021,
17 which plan shall be filed with the Commissioner of the Department, in fee, by deed and or
18 confirmatory deed, to the City of Revere (hereinafter the “City”) for the purpose of construction
19 of municipal fire safety facilities and other structures and facilities related thereto.

20 (c) Notwithstanding any general or special law to the contrary, the Department and
21 the Division may convey certain parcels of land owned by the Commonwealth and under the
22 care and control of the Department and currently used for landscape, roadway access and parking
23 purposes, as shown as “Lot B” on a plan entitled “Revere Beach Parkway” prepared for the City
24 of Revere by Beals and Thomas, Inc, dated May 18, 2005, which plan shall be filed with the
25 Commissioner of the Department, in fee, by deed to the City for the purpose of construction of
26 municipal fire safety facilities and other structures and facilities related thereto.

27 (d) The Commissioner of the Department or her designee may execute and record any
28 instruments necessary on behalf of the Department to effectuate this section upon the delivery of
29 a deed or deeds to certain lands owned by the City in satisfaction of the City’s obligations under
30 the “No Net Loss” policy of the Commonwealth with respect to lands subject to Article 97 of the
31 Massachusetts Constitution.

32 SECTION 3. If the easement conveyed pursuant to Section 1(a) ceases to be used for the
33 purposes described in said section 1(a), the easement shall revert to the Department.

34 SECTION 4. No funds shall be paid to the DCR in consideration for any interest
35 transferred or conveyed by this act. No funds shall be paid by the City to the Commonwealth for
36 any interest transferred or conveyed by this act.

37 SECTION 5. This act shall take effect upon its passage.