FILED ON: 1/26/2022

HOUSE . . . . . No. 4360

Substituted by the House, on motion of Ms. Garlick of Needham, for a bill with the same title (House, No. 4104) [Local Approval Received]. January 26, 2022.

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. 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 may exchange ownership of the property commonly known as Mill Hill park, owned by the town of Nantucket as a public park, for the property commonly known as the Nobadeer playing fields, owned by the Nantucket Islands Land Bank for recreational purposes, all as more particularly described in this act.

SECTION 2. Notwithstanding any general or special law to the contrary, the Nantucket Islands Land Bank may transfer, convey or otherwise dispose of portions of a certain parcel of land situated in the town of Nantucket to the town of Nantucket for recreational purposes, described as follows:

(i) 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, which is a portion of the land described in a deed recorded in the Nantucket registry of deeds in book 565, page 17, being that project area called the Nobadeer farm recreational facility permitted by the division of fisheries and 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

(ii) 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 169tax 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, which is a portion of the land more particularly described in a deed recorded with the Nantucket registry of deeds in book 1697, page 2.

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 section 3.

SECTION 3. Notwithstanding 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 5 parcels acquired for park, conservation and recreation purposes:

(i) Nantucket tax assessor's map 55.4.4, parcel 81, being the fourth parcel described in the deed recorded in Nantucket registry of deeds in book 124, page 403 located at 37 Prospect street;

(ii) Nantucket tax assessor's map 55.4.4, parcel 57, being the first parcel described in the deed recorded in Nantucket registry of deeds in book 124, page 403 and shown as lot D on land court plan number 12559A, located at 39 Prospect street;

(iii) Nantucket tax assessor's map 55, parcel 321, being the third parcel described in the deed recorded in Nantucket registry of deeds in book 124, page 403 and shown as lot C on land court plan number 12559A located at 47 Prospect street;

(iv) Nantucket tax assessor's map 55, parcel 319, being the second parcel described in the deed recorded in Nantucket registry of deeds in book 124, page 403 and shown on land court plan number 13837A located on North Mill street; and

(v) Nantucket tax assessor's map 55, parcel 1, being described in the deed recorded in Nantucket registry of deeds in book 663, page 250 and shown as Lot 15 on the plan recorded in Nantucket registry of deeds plan book 24, page 84 located at 29 Vesper lane.

Any such disposition shall be on such terms and conditions as the select board of the town of Nantucket deems appropriate, which may include the reservation of restrictions and easements and which shall be conditioned upon receipt of the parcel described in the section 2.

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