

HOUSE No. 4474

The Commonwealth of Massachusetts

PRESENTED BY:

Kimberly N. Ferguson and Jonathan D. Zlotnik

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 conveyance of easements by the city of Fitchburg to the town of Westminster.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>12/8/2021</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>	<i>12/8/2021</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>2/17/2022</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>2/17/2022</i>

HOUSE No. 4474

By Representatives Ferguson of Holden and Zlotnik of Gardner, a petition (subject to Joint Rule 12) of Kimberly N. Ferguson and Jonathan D. Zlotnik that the city of Fitchburg be authorized to transfer portions of certain parcels of land to the town of Westminster for permanent and temporary easements. 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 the conveyance of easements by the city of Fitchburg to the town of Westminster.

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. Notwithstanding the provisions of any general or special law to the contrary
2 and pursuant to the provisions of Article 97 of the amendments to the Constitution of the
3 Commonwealth of Massachusetts, the city of Fitchburg is authorized to transfer the care, custody
4 and control of the portion of the parcels of land described in section 2, located in the town of
5 Westminster, from the board of water commissioners or any other board having custody thereof
6 for water supply, water supply protection, conservation and other purposes to said water
7 commissioners or other board for said purpose and to the mayor for the purpose of granting to
8 the town of Westminster permanent and temporary easements in and to said portions for the
9 Worcester Road (Route 140) reconstruction project.

10 SECTION 2. The parcels of land owned by the city of Fitchburg are identified by the
11 assessor's as parcels 186-1 and 120-39, or however the same may be identified, and described in

12 deeds recorded with the Worcester registry of deeds in book 55, page 318; book 211, page 439;
13 book 259, page 317; book 334, page 601; book 363, page 115; book 376, page 425, or however
14 the same may have been acquired. The permanent roadway, drainage, utility and related
15 easements, containing 2,000 square feet, more or less, in the aggregate, and the temporary
16 construction easements, containing 13,000 square feet, more or less, in the aggregate, are
17 approximately shown on plans entitled “Massachusetts Department of Transportation Highway
18 Division Plan and Profile of Route 140 (Worcester Road)”, as the same may be amended.

19 SECTION 3. In consideration of the rights conveyed by the city of Fitchburg to the
20 town of Westminster described in section 2, the town of Westminster shall convey to the city of
21 Fitchburg the parcel of land located off Dawley road in said Westminster, identified as assessor’s
22 parcel 123-9, containing 27,878 square feet, and acquired by the town by instrument recorded in
23 book 9460, page 187.

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