

HOUSE No. 5033

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 18, 2022.

The committee on State Administration and Regulatory Oversight to whom was referred the petition (accompanied by bill, House, No. 3222) of David Allen Robertson relative to authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Tewksbury, reports recommending that the accompanying bill (House, No. 5033) ought to pass.

For the committee,

ANTONIO F. D. CABRAL.

HOUSE No. 5033

The Commonwealth of Massachusetts

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

An Act authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Tewksbury.

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 any general or special law to the contrary, the
2 commissioner of capital asset management and maintenance shall convey to the town of
3 Tewksbury, for use as a cemetery, a certain parcel of land identified as parcel 62-19-3 on a plan
4 of land dated September 12, 2012 prepared by Nitsch Engineering, Inc., being approximately
5 11.019 acres of a parcel previously conveyed to the department of public health by deed recorded
6 November 23, 1979 at the Middlesex north registry of deeds at book 2396, page 686. Prior to
7 finalizing the transaction or making the conveyance authorized in this section, the division of
8 capital asset management and maintenance may make minor modifications to the area and plan
9 in order to carry out the purposes of this section. The consideration for the conveyance of the
10 parcel pursuant to this section shall be the fair market value of the parcel as determined by the
11 commissioner of capital asset management and maintenance based upon an independent
12 professional appraisal, taking into consideration the restriction on the use of the parcel set forth
13 in this section. The commissioner of capital asset management and maintenance shall submit the

14 appraisal to the inspector general for his or her review and comment. The inspector general shall
15 review and approve the appraisal, and the review examination of the methodology utilized for
16 the appraisal. The inspector general shall prepare a report of his or her review and file the report
17 with the commissioner of capital asset management and maintenance for submission by said
18 commissioner to the house and senate committees on ways and means and the joint committee
19 on state administration and regulatory oversight. Said commissioner shall submit copies of the
20 appraisals, and the inspector general's review and approval and comments, if any, to the house
21 and senate committees on ways and means and the joint committee on state administration and
22 regulatory oversight at least 15 days prior to the execution of documents effecting the transfers
23 described in section 1.

24 SECTION 2. Notwithstanding any general or special law to the contrary, the
25 commissioner of capital asset management and maintenance, may convey for to the town of
26 Tewksbury, for recreational use, a certain parcel of land identified as parcel 62-19-2 on a plan of
27 land dated September 12, 2012 prepared by Nitsch Engineering, Inc., being approximately .517
28 acres of a parcel previously conveyed to the department of public health by deed recorded
29 November 23, 1979 at the Middlesex north registry of deeds at book 2396, page 686. Prior to
30 finalizing the transaction or making the conveyance authorized in this section, the division of
31 capital asset management and maintenance may make minor modifications to the area and plan
32 in order to carry out the purposes of this section. The consideration for the conveyance of the
33 parcel pursuant to this section shall be the fair market value of the parcel as determined by the
34 commissioner of capital asset management and maintenance based upon an independent
35 professional appraisal, taking into consideration the restriction on the use of the parcel set forth
36 in this section. The commissioner of capital asset management and maintenance shall submit the

37 appraisal to the inspector general for his or her review and comment. The inspector general shall
38 review and approve the appraisal, and the review examination of the methodology utilized for
39 the appraisal. The inspector general shall prepare a report of his or her review and file the report
40 with the commissioner of capital asset management and maintenance for submission by said
41 commissioner to the house and senate committees on ways and means and the joint committee
42 on state administration and regulatory oversight. Said commissioner shall submit copies of the
43 appraisals, and the inspector general's review and approval and comments, if any, to the house
44 and senate committees on ways and means and the joint committee on state administration and
45 regulatory oversight at least 15 days prior to the execution of documents effecting the transfers
46 described in section 2.