

# HOUSE . . . . . No. 5147

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## The Commonwealth of Massachusetts

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HOUSE OF REPRESENTATIVES, July 30, 2022.

The committee on Ways and Means, to whom was referred the Senate Bill authorizing the town of Billerica to transfer certain parcels of land (Senate, No. 3062), reports recommending that the same ought to pass with amendments striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5147.

For the committee,

AARON MICHLEWITZ.

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Text of an amendment, recommended by the committee on Ways and Means, to the Senate Bill authorizing the town of Billerica to transfer certain parcels of land (Senate, No. 3062). July 30, 2022.

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## The Commonwealth of Massachusetts

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

By striking out all after the enacting clause and inserting in place thereof the following:—

1 SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General  
2 Laws or any other general or special law to the contrary, the commissioner of capital asset  
3 management and maintenance may amend the conservation restriction described in a deed  
4 recorded in the Middlesex north registry of deeds in book 17119, page 146 to: (i) release the  
5 parcels of land described in section 2; (ii) add the parcel of land described in section 3; and (iii)  
6 convert the conservation restriction to a perpetual term.

7 SECTION 2. Notwithstanding any general or special law to the contrary, the town of  
8 Billerica may transfer the care, custody and control of 2 parcels of land currently held by the  
9 conservation commission of the town of Billerica for conservation purposes to the board of  
10 selectmen of the town of Billerica for general municipal purposes and may accept the release of  
11 the conservation restriction on those parcels from the conservation restriction. The parcels of  
12 land contain 105,863 square feet, more or less, in the aggregate, and are shown as “Area to be  
13 Removed From Conservation Restricted Land” on a plan of land entitled “Property Survey  
14 Conservation Area Land Swaps”, dated January, 2020, prepared by Weston & Sampson, which

15 shall be placed on file with the town of Billerica. The parcels are subject to the conservation  
16 restriction described in the deed referred to in section 1.

17 SECTION 3. As consideration for the transfer of the land pursuant to section 2, the town  
18 of Billerica shall: (i) transfer the care, custody and control of a parcel of land containing 212,000  
19 square feet, more or less, and shown on a plan of land entitled “Area to be Added to  
20 Conservation Restricted”, currently held by the board of selectmen of the town of Billerica for  
21 general municipal purposes, to the conservation commission of the town of Billerica for  
22 conservation and passive recreation purposes in perpetuity pursuant to section 8C of chapter 40  
23 of the General Laws, which parcel shall be subject to Article 97 of the Amendments to the  
24 Constitution of the Commonwealth; and (ii) amend the conservation restriction described in the  
25 deed referred to in section 1 to add the parcel identified in clause (i) to the conservation  
26 restriction and extend the term of the conservation restriction so that it is in perpetuity.

27 SECTION 4. Notwithstanding any general or special law to the contrary, the town of  
28 Billerica shall be responsible for all costs and expenses of any transaction authorized by this act  
29 as determined by the commissioner of capital asset management and maintenance including, but  
30 not limited to, the costs of any engineering, surveys, appraisals, title examinations, recording fees  
31 and deed preparation.