

HOUSE No. 5159

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, July 31, 2022.

The committee on House Ways and Means to whom was referred the Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel in the Roxbury section of the city of Boston (House, No. 4310), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 5159).

For the committee,

AARON MICHLEWITZ.

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**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 in the Roxbury section of the city of Boston.

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. (a) Notwithstanding sections 33 through 37, inclusive, of chapter 7C of the
2 General Laws or any general or special law to the contrary, the commissioner of capital asset
3 management and maintenance may convey property consisting of a certain parcel of land known
4 as and numbered 167 Centre street in the Roxbury section of the city of Boston, and the building
5 thereon known as the Dudley House, to Historic Boston Incorporated, a Massachusetts not-for-
6 profit corporation, for consideration of \$1. The property contains approximately 0.2777 acres.
7 The exact boundaries of the property may be determined by the commissioner based upon a
8 survey. The property shall be conveyed by deed without warranties or representations by the
9 commonwealth.

10 (b) The commissioner of capital asset management and maintenance shall establish the
11 value of the property for both the highest and best use of the property as currently encumbered
12 and for the purposes described in this section. If the consideration for the parcel conveyed in
13 subsection (a) is less than fair market value, the commissioner shall place notice in the central

14 register of the conveyances, of the amount of the transaction and the difference between the
15 calculated value and price received.

16 (c) Notwithstanding any general or special law to the contrary, Historic Boston
17 Incorporated shall be responsible for all costs and expenses of any transaction authorized by this
18 section as determined by the commissioner of capital asset management and maintenance
19 including, but not limited to, the costs of any engineering, surveys, appraisals, title examinations,
20 recording fees and deed preparation related to the conveyance of the property. Historic Boston
21 Incorporated shall acquire the property thereon in its present condition. Upon the recording of
22 the deed conveying the parcel to Historic Boston Incorporated, Historic Boston Incorporated
23 shall be responsible for all costs, liabilities and expenses for its ownership.

24 SECTION 2. (a) If Historic Boston Incorporated does not complete a purchase of the
25 property pursuant to section 1 by December 31, 2022, or by such later date as may be agreed to
26 by Historic Boston Incorporated and the commissioner of capital asset management and
27 maintenance, then, notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General
28 Laws or any other general or special law to the contrary, the commissioner of capital asset
29 management and maintenance may sell, lease for a term up to 99 years including all renewals
30 and extensions or otherwise grant, convey or transfer to 1 or more purchasers or lessees an
31 interest in the parcel or portions thereof, subject to this act and on such terms and conditions as
32 the commissioner of capital asset management and maintenance considers appropriate. The
33 parcel shall be conveyed by deed without warranties or representations by the commonwealth. In
34 making any such disposition, the commissioner of capital asset management and maintenance
35 shall use appropriate competitive bidding processes and procedures. Not less than 30 days before
36 the date on which bids, proposals or other offers to purchase or lease the parcel or any portion

37 thereof are due, the commissioner of capital asset management and maintenance shall place a
38 notice in the central register published by the state secretary pursuant to section 20A of chapter 9
39 of the General Laws stating the availability of the property, the nature of the competitive bidding
40 process, including the time, place and manner for the submission of bids and proposals and the
41 opening of the bids or proposals and such other information as the commissioner considers
42 relevant.

43 (b) Notwithstanding any general or special law to the contrary, a purchaser or lessee
44 selected pursuant to this section shall be responsible for all costs and expenses of any transaction
45 authorized by this section as determined by the commissioner of capital asset management and
46 maintenance including, but not limited to, the costs of any engineering, surveys, appraisals, title
47 examinations, recording fees and deed preparation related to the conveyance of the property. The
48 grantee or lessee shall acquire the property thereon in its present condition. Upon the recording
49 of the deed conveying the parcel to the grantee or the execution of a lease leasing the parcel, the
50 grantee or lessee shall be responsible for all costs, liabilities and expenses for its ownership or
51 lease.