HOUSE . . . . . No. 4250

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, November 15, 2021.

The committee on Ways and Means, to whom was referred the Bill authorizing the Massachusetts Water Resources Authority to release easements upon certain real property in the town of Canton (House, No. 915), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4250).

For the committee,

AARON MICHLEWITZ.

FILED ON: 11/15/2021

HOUSE . . . . . No. 4250

The Commonwealth of Massachusetts

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

An Act authorizing the Massachusetts Water Resources Authority to release easements upon certain real property in the town of Canton.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the release of easements upon certain real property in the town of Canton, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. (a) Notwithstanding any general or special law to the contrary, but subject to subsection (d) of section 9 of chapter 372 of the acts of 1984, the Massachusetts Water Resources Authority may release 2 easements, described in subsection (b) and located upon a certain parcel of land in the town of Canton owned or formerly owned by MA Canton Dedham, LLC.

(b) The 2 easements authorized to be released by the Massachusetts Water Resources Authority pursuant to subsection (a) are shown as: (i) parcel 47, containing approximately 9,801 square feet, on a plan entitled, “Plan of New Neponset Valley Sewer System Easements and Land Takings” prepared by ASEC Corporation and recorded as sheet J of 18 of plan number 647 of book 416 in the Norfolk county registry of deeds on September 23, 1993; and (ii) parcel 73, containing approximately 2,674 square feet, on said plan on said sheet J of 18. The 2 parcels

were taken by the Massachusetts Water Resources Authority on September 22, 1993 pursuant to an order of taking recorded in the Norfolk county land court as document number 669464 and recorded in the Norfolk county registry of deeds at book 10113, page 22.

SECTION 2. (a) The access easement granted by MA Canton Dedham, LLC to the Massachusetts Water Resources Authority containing approximately 9,609 square feet, shown as "Proposed 15' Wide MWRA Access Easement Area" on a plan entitled, "Easement Survey 777 Dedham Street, Canton, Massachusetts", prepared by DiPrete Engineering and recorded in the Norfolk county registry of deeds at book 697, page 86, on November 24, 2020 and recorded in the Norfolk county land court as document number 1,433,669 and document number 1,447,035 and in the Norfolk county registry of deeds at book 38654, pages 464 and 467 shall be deemed consideration for the release of the easements described in section 1.

(b) MA Canton Dedham, LLC shall pay the Massachusetts Water Resources Authority the full and fair market value of the appraised difference in the value of the easements to be released by the Massachusetts Water Resources Authority pursuant to section 1 and the value of the easement to be granted to the Massachusetts Water Resources Authority by MA Canton Dedham, LLC pursuant to subsection (a) and for the cost of any appraisal prepared for the Massachusetts Water Resources Authority for this transaction.