

SENATE No. 2959

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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 town of Carver to transfer certain real property, including water wells and a pumping station thereon to the Cranberry Village Residents Association, Inc..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Marc R. Pacheco</i>	<i>First Plymouth and Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>

SENATE No. 2959

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2959) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Carver to transfer certain real property, including water wells and a pumping station thereon to the Cranberry Village Residents Association, Inc. 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 town of Carver to transfer certain real property, including water wells and a pumping station thereon to the Cranberry Village Residents Association, Inc..

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 sections fifteen and fifteen A of chapter
2 40 of the General Laws and section sixteen of chapter 30B of the General Laws, or any other
3 applicable law, the town of Carver, acting by its select board, upon the granting of approval by
4 the Department of Environmental Protection as required by the regulations of said department, is
5 hereby authorized and empowered to convey all or any portion of the town's interests in certain
6 real property and the water wells, pumping station, and other water infrastructure located
7 thereon, said property described in a deed recorded with the Plymouth County registry of deeds
8 in book 8929, page 94, to the Cranberry Village Residents Association, Inc., a Massachusetts
9 non-profit association organized under chapter 180 of the General Laws, established for the
10 purpose of owning, operating and maintaining a manufactured housing community, for
11 consideration of \$1.00, and subject to such terms and conditions as the select board deems to be

12 in the best interests of the town, which shall include at least a deed restriction requiring that the
13 property shall be used in perpetuity solely for the purpose of providing potable water to
14 Cranberry Village and such uses as are incidental or related to the use and protection of the
15 property as a potable water supply.

16 SECTION 2. The deed effectuating the conveyance authorized in section 1 shall provide
17 that if the parcel ceases to be used for the purposes set forth in section 1 for more than one (1)
18 continuous year, unless such cessation is caused by an uncontrollable force or natural disaster not
19 within the power of the grantee or its assignee, title to the parcel shall, at the election of the town
20 of Carver select board, revert to the town if the town: (i) provides the grantee or its assignee with
21 written notification and an opportunity to cure; and (ii) records a notice of the reversion in the
22 Plymouth County registry of deeds. In the event of reversion under this section, the parcel shall
23 be held by the town for general municipal purposes.

24 SECTION 3. This act shall take effect upon its passage.