SENATE . . . . . No. 3005

Senate, July 14, 2022 - Text of the Senate amendment (Senator Lovely) to the House Bill authorizing the town of Danvers to convey and acquire certain property (House, No. 3751).

The Commonwealth of Massachusetts

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

SECTION 1. Notwithstanding subsections (c), (d), (e) and (f) of section 16 of chapter 30B of the General Laws, section 11 of chapter 132A of the General Laws or any other general or special law to the contrary, the board of selectmen of the town of Danvers, may convey to the Danvers Historical Society, 2 parcels of land acquired by the town for conservation purposes by a deed recorded in the Essex southern district registry of deeds in book 5187, page 609. The parcels are located between Ingersoll street and Forest street in the town of Danvers and are identified as Parcel A, containing approximately 127,475 square feet, and Parcel C, containing approximately 42,163 square feet, both as shown on a plan of land entitled “Plan of Land of Danvers Historical Society prepared for the Town of Danvers”, dated June 17, 2018 and prepared by Hancock Survey Associates, Inc., which plan shall be kept on file in the town clerk’s office; provided, however, that the town shall reserve for itself and its successors in interest an easement identified on said plan as Access Easement A within Parcel A to use the gravel roadway located within Access Easement A for all purposes for which streets are commonly used in the town; and provided further, that the deed shall contain a restriction that no building shall be located on Parcel A and Parcel C.

SECTION 2. Notwithstanding subsections (c), (d), (e) and (f) of section 16 of chapter 30B of the General Laws or any other general or special law to the contrary, as consideration for the conveyance authorized in section 1, the board of selectmen of the town of Danvers may acquire 2 parcels of land from The Danvers Historical Society. The parcels are located between Ingersoll street and Forest street in the town and are shown as Parcel B, containing approximately 1,588 square feet, and Parcel D, containing approximately 128,638 square feet, as shown on the plan described in section 1. The conveyance shall include the gravel roadway located within Parcel B as shown on the plan and shall reserve to the Danvers Historical Society and its successors in interest an easement shown as Access Easement D within Parcel D on the plan, for access to Parcel E shown on the plan. The parcels shall be placed under the care and control of the conservation commission of the town of Danvers for conservation and recreation purposes under Article 97 of the Amendments to the Constitution of the Commonwealth.

SECTION 3. The authorization conferred by this act shall be contingent upon the Preservation Restriction Agreement described below being amended to include within its scope Parcel A and Parcel C described in section 1, and to exclude from its scope Parcel B and Parcel D described in section 2. The Preservation Restriction Agreement is entitled “Preservation Restriction Agreement between the Commonwealth of Massachusetts by and through the Massachusetts Historical Commission and the Danvers Historical Society”, dated July 3, 2017, and recorded with the southern Essex district registry of deeds in book 36015, page 155.

SECTION 4. This act shall take effect upon its passage.