SENATE . . . . . No. 3074

The Commonwealth of Massachusetts

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

SENATE, July 29, 2022.

The committee on Senate Ways and Means, to whom was referred the House Bill authorizing the Massachusetts Water Resources Authority to release easements upon certain real property in the town of Canton (House, No. 4250),- reports, recommending that the same ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3074.

For the committee,
Michael J. Rodrigues

SENATE . . . . . No. 3074

The Commonwealth of Massachusetts

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

SECTION 1. 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 located upon a certain parcel of land in the town of Canton owned or formerly owned by MA Canton Dedham, LLC. The 2 easements authorized to be released by the Massachusetts Water Resources Authority are: (i) parcel 47, containing approximately 9,801 square feet, and shown on a plan of land entitled "Plan of New Neponset Valley Sewer System Easements and Land Takings", prepared by ASEC Corporation and recorded in the Norfolk county registry of deeds in plan book 416, page 647; 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 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 in book 10113, page 22.

SECTION 2. (a) In consideration for the release of the 2 easements authorized in section 1, MA Canton Dedham, LLC shall pay to the Massachusetts Water Resources Authority the difference in the appraised full and fair market value of the 2 easements to be released by the Massachusetts Water Resources Authority and the appraised full and fair market value of the

easement described in subsection (b) granted to the Massachusetts Water Resources Authority by MA Canton Dedham, LLC.

(b) The access easement granted by MA Canton Dedham, LLC to the Massachusetts Water Resources Authority, containing approximately 9,609 square feet, and shown as "Proposed 15' Wide MWRA Access Easement Area" on a plan of land entitled "Easement Survey 777 Dedham Street, Canton, Massachusetts", prepared by DiPrete Engineering and recorded in the Norfolk county registry of deeds in book 697, page 86 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 in book 38654, pages 464 and in book 38654, page 467 shall count toward consideration for the release of the easements authorized in section 1.

(c) The appraisals identified in subsection (a) shall be independent and in accordance with the usual and customary professional appraisal practices by a qualified appraiser commissioned by the Massachusetts Water Resources Authority. MA Canton Dedham, LLC shall be responsible for all costs and expenses incurred by the Massachusetts Water Resources Authority related to the release authorized in section 1 including, but not limited to, costs of any appraisals, recording fees and deed preparation.