

**SENATE . . . . . No. 3083**

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**The Commonwealth of Massachusetts**

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

SENATE, July 30, 2022.

The committee on State Administration and Regulatory Oversight, to whom was referred the petition (accompanied by bill, Senate, No. 3067) of Julian Cyr and Dylan A. Fernandes (by vote of the town) for legislation to authorize the town of Nantucket to convey a certain parcel of land situated in the town of Nantucket held for park purposes to the Nantucket Conservation Foundation Inc. for open space, recreational, and conservation purposes, reports the accompanying bill (Senate, No. 3083).

For the committee,  
Marc R. Pacheco

**SENATE . . . . . No. 3083**

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**The Commonwealth of Massachusetts**

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

An Act authorizing the town of Nantucket to convey a certain parcel of land situated in the town of Nantucket held for park purposes to the Nantucket Conservation Foundation Inc. for open space, recreational, and conservation purposes.

*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. Pursuant to Article 97 of the Amendments to the Constitution of the  
2   Commonwealth of Massachusetts and notwithstanding the provisions of any general or special  
3   law to the contrary, the Town of Nantucket may transfer, sell, convey or otherwise dispose of all  
4   or a portion of a certain parcel of land situated in the Town of Nantucket and held by the select  
5   board for park purposes subject to Article 97 to the Nantucket Conservation Foundation, Inc. for  
6   open space, recreational, and conservation purposes, to be on any terms and conditions the Select  
7   Board deem appropriate, which may include the reservation of any easements and restrictions in  
8   regard to the property, described as: Tax Assessor’s Map 45, Parcel 9, 50 Altar Rock Road, and  
9   as shown on a map entitled “2022 Annual Town Meeting Warrant Article 93 Conveyance of  
10   Altar Rock” dated January 2022 and filed with the Office of the Town Clerk.

11           SECTION 2. No instrument conveying, by or on behalf of the Commonwealth, any  
12   interest in the parcel of land described in Section 1 shall be valid unless such instrument: (i)

13 provides that the land shall be used solely for open space, recreational, and conservation  
14 purposes; (ii) if the instrument conveys a fee interest in the parcel of land, includes a clause that  
15 shall require the grantee to convey a conservation restriction over the land in perpetuity as  
16 defined in and subject to sections 31, 32 and 33 of chapter 184; and (iii) includes a clause that  
17 shall state that if the land ceases to be used by the grantee, or its successors or assigns, solely for  
18 open space, recreational, and conservation purposes at any time that said parcel of land shall  
19 revert to the town of Nantucket, which shall dedicate it for park purposes subject to article 97.

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