

SENATE No. 3158

The Commonwealth of Massachusetts

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

SENATE, December 22, 2022.

The committee on Senate Ways and Means to whom was referred the Senate Bill relative to real property in Lowell (Senate, No. 3138), - reports, recommending that the same ought to pass with an amendment substituting a new draft entitled "An Act directing the commissioner of capital asset management and maintenance to convey certain parcels of land in the city of Lowell to the University of Massachusetts Building Authority" (Senate, No. 3158).

For the committee,
Michael J. Rodrigues

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An Act directing the commissioner of capital asset management and maintenance to convey certain parcels of land in the city of Lowell to the University of Massachusetts Building Authority.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to require forthwith the commissioner of capital asset management and maintenance to convey certain parcels of land in the city of Lowell to the University of Massachusetts Building Authority, 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:

1 SECTION 1. Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General
2 Laws or any other general or special law to the contrary, the commissioner of capital asset
3 management and maintenance shall convey to the University of Massachusetts Building
4 Authority the parcels of land located at: (i) 99 Perkins street, identified as Parcel 5 on a plan of
5 land entitled “Approval Not Required (‘ANR’) Plan Lawrence Mills Redevelopment Lowell,
6 Massachusetts”, dated August 14, 2003, parcels 1, 3 & 5 revised January 28, 2004, and recorded
7 in the Middlesex northern district registry of deeds in plan book 214, plan 104; and (ii) 720
8 Suffolk street, identified as Lot 720B on a plan of land entitled “Approval Not Required (‘ANR’)

9 Plan Perkins Street, Lowell, Massachusetts”, dated January 6, 2005 and recorded in the
10 Middlesex northern district registry of deeds in plan book 218, plan 57.

11 SECTION 2. (a) The University of Massachusetts Building Authority shall be responsible
12 for all costs and expenses of the conveyance authorized in section 1 as determined by the
13 commissioner of capital asset management and maintenance including, but not limited to, the
14 costs associated with any engineering, appraisals, surveys and deed preparation related to the
15 conveyance. Any independent appraisal of the fair market value and value in proposed use of the
16 parcels described in section 1 shall be prepared in accordance with the usual and customary
17 professional appraisal practices by a qualified appraiser commissioned by the commissioner. The
18 commissioner shall submit all appraisals to the inspector general for review and comment. The
19 inspector general shall review and approve the appraisals and examine the methodology utilized
20 for the appraisals. The inspector general shall prepare a report of the review and file the report
21 with the commissioner of capital asset management and maintenance for submission by the
22 commissioner to the senate and house committees on ways and means and the joint committee
23 on state administration and regulatory oversight not less than 15 days before the execution of any
24 documents effecting the conveyance authorized in said section 1.

25 (b) Consideration for the conveyance of the parcels pursuant to section 1 shall be the
26 greater of: (i) the full and fair market value; or (ii) the value in proposed use.

27 SECTION 3. Upon acquisition of the parcels by the University of Massachusetts
28 Building Authority pursuant to section 1, the authority may convey, lease, transfer or otherwise
29 dispose of said parcels; provided, however, that the net proceeds of any such conveyance, lease,
30 transfer or other disposition of: (i) 99 Perkins street and 720 Suffolk street, after deduction of the

31 costs and expenses therefor, which shall include, but not be limited to, the costs associated with
32 any engineering, appraisals, surveys and deed preparation related to the transaction, if any; or (ii)
33 99 Perkins street, 720 Suffolk street or both, combined with the sale, lease, transfer or other
34 disposition of other parcels at the University of Massachusetts at Lowell, after deduction of a
35 proportionate share of the costs therefor, which shall include, but not limited to, the costs
36 associated with any engineering, appraisals, surveys and deed preparation related to the
37 transactions, allocable to 99 Perkins street, 720 Summer street or both, as applicable, shall be
38 disbursed by the authority for deferred maintenance or capital projects at the University of
39 Massachusetts at Lowell as directed by the board of trustees of the University of Massachusetts.