

HOUSE No. 4448

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 28, 2024.

The committee on House Ways and Means, to whom was referred the Bill authorizing the city of Lynn to use certain park land for school purposes (House, No.H4127), reports recommending that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 4127).

For the committee,

AARON MICHLEWITZ.

HOUSE No. 4127

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel Cahill

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 city of Lynn to use certain park land for school purposes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>9/26/2023</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>10/18/2023</i>

HOUSE No. 4127

By Representative Cahill of Lynn, a petition (subject to Joint Rule 12) of Daniel Cahill (with the approval of the mayor and city council) that the city of Lynn be authorized to use certain park land in said town for school purposes. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the city of Lynn to use certain park land for school 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. The city of Lynn may use a portion of certain parcels of lands owned by the
2 city of Lynn known as the Magnolia avenue playground utilized by the city for park and
3 playground purposes for the construction, maintenance and use of schools and educational
4 facilities, facilities for athletic, sports and community programs and activities and for general
5 recreational uses. The parcels of lands are further described as follows:

6 A certain parcel of land owned by the city of Lynn by and through a confirmatory order
7 of taking recorded in the Southern Essex registry of deeds in Book 41744, Page 88, situated in
8 the city of Lynn, shown as Magnolia avenue playground n/f City of Lynn (park department)
9 parcel ID: 0-73-103-034 on a plan on file with the city entitled “Pickering middle school and
10 Magnolia avenue playground Lynn, Massachusetts perimeter plan of land” dated June 27, 2023
11 by Samiotes Consultants, Inc., bounded and described as follows:

12 Beginning at a point on the westerly line of Magnolia avenue, it being southeastern most
13 corner of the parcel; thence turning and running

14 N 43° 40' 32" W a distance of 627.80 feet to a point; thence turning and running

15 N 77° 36' 16" E a distance of 260.45 feet to a point; thence turning and running

16 S 42° 51' 14" E a distance of 137.47 feet to a point; thence turning and running

17 S 52° 16' 24" E a distance of 48.48 feet to a point; thence turning and running

18 N 29° 13' 26" E a distance of 56.61 feet to a point; thence, turning and running

19 S 46° 35' 26" E a distance of 178.38 feet to a point; thence turning and running

20 S 78° 45' 14" E a distance of 135.30 feet to a point of non-tangency; thence turning
21 and running

22 Southwesterly along a curve to the right having a radius of 443.41 feet, a distance of
23 303.55 feet to a point of tangency; thence turning and running

24 S 56° 33' 16" W a distance of 76.34 feet to the point of beginning.

25 Such parcel containing ±154,982 square feet of land, more or less;

26 and a certain parcel of land situated in Lynn, shown as n/f City of Lynn (park
27 department) cert. 11695 doc. 34388 (parcel ID: 074-103-005 and parcel ID: 074-103-025
28 combined) on a plan on file with the city entitled "Pickering middle school and Magnolia avenue
29 playground Lynn, Massachusetts perimeter plan of land" dated June 27, 2023 by Samiotes
30 Consultants, Inc., bounded and described as follows:

31 Beginning at a point on the southwestern most corner of the parcel; thence turning and
32 running
33 N 77° 36' 16" E a distance of 695.64 feet to a point; thence turning and running
34 S 42° 51' 14" E a distance of 137.47 feet to a point; thence turning and running
35 S 52° 16' 24" E a distance of 48.48 feet to a point; thence turning and running
36 N 29° 13' 26" E a distance of 156.61 feet to a point; thence turning and running
37 N 79° 39' 44" W a distance of 416.71 feet to a point; thence turning and running
38 S 10° 20' 16" W a distance of 100.00 feet to a point; thence turning and running
39 N 79° 39' 44" W a distance of 300.00 feet to a point; thence turning and running
40 N 10° 20' 16" E a distance of 50.04 feet to a point; thence turning and running
41 N 72° 08' 54" W a distance of 138.35 feet to a point; thence turning and running
42 S 08° 36' 16" W a distance 280.60 feet to the point of beginning. Such parcel
43 containing ±98,985 square feet of land, more or less.

44 SECTION 2. In consideration for the change of use of the land described in section 1,
45 the city of Lynn shall dedicate 319,485 square feet, more or less, or 7.3344 acres of the land of
46 the city of Lynn, which is presently owned by the city of Lynn, and such lands shall be dedicated
47 for park purposes, which shall be deemed as remediation for the 253,967 square feet, more or
48 less, of land that the public will not have access to at Magnolia avenue playground due to the

49 new purposes for the land set forth in said section 1. The remediation land is further described as
50 follows:

51 A certain parcel of land owned by the city of Lynn and situated in the city of Lynn,
52 depicted as "Lot A" on "compiled plan of land" by Hayes Engineering, Inc., dated March 24,
53 2023, described as follows:

54 Beginning at the southerly corner of the parcel herein described at a point on the
55 northerly sideline of Parkland avenue; thence running

56 N 38° 23' 40" W a distance of 200.05 feet; thence turning and running

57 N 37° 28' 45" W a distance of 237.56 feet; thence turning and running

58 N 56° 33' 23" E a distance of 250.60 feet; thence turning and running

59 N 33° 55' 37" W a distance of 194.34 feet; thence turning and running

60 N 61° 30' 00" E a distance of 175.00 feet; thence turning and running

61 S 32° 00' 00" E a distance of 435.00 feet; thence turning and running

62 N 39° 00' 00" E a distance of 325.00 feet; thence turning and running

63 N 81° 30' 00" E a distance of 381.42 feet to a point on the northerly sideline of Parkland
64 avenue; thence turning and running Southwesterly along the northerly sideline of Parkland
65 avenue on a curve turning to the right with an arc length of 543.80 feet, with a radius of 1434.72
66 feet; thence running

67 S 55° 40' 10" W along the northerly sideline of Parkland avenue a distance of 504.90 feet
68 to the point of beginning. Such parcel containing an area of 319,485 square feet, or 7.3344 acres.

69 SECTION 3. If the land transferred pursuant to section 1 ceases to be used for the
70 purposes described in said section 1, the land shall revert to the city of Lynn park commission for
71 public park purposes.

72 SECTION 4. The change in use of said portions of said park lands as set forth in section
73 1 is contingent upon suitable replacement park lands being provided, as approved by the city of
74 Lynn park commission, the secretary of environmental affairs and the National Park Service,
75 where applicable.

76 SECTION 5. This act shall take effect upon its passage.