

HOUSE No. 4186

Substituted by the House, on motion of Mr. Walsh of Peabody, for a bill with the same title (House, No. 3717) [Local Approval Received]. November 15, 2023.

The Commonwealth of Massachusetts

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

An Act authorizing the town of Mashpee to convey certain town owned conservation land to Jacques and Rosalie Fresco.

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 any general or special law to the contrary, the select board
2 and conservation commission of the town of Mashpee may transfer and convey by sale or
3 exchange a portion of the parcel of town owned conservation land, acquired for exclusively
4 public purposes by the town of Mashpee by a deed recorded in the Barnstable county registry of
5 deeds in book 3435, page 86 and subsequently accepted by the conservation commission for
6 conservation purposes by a January 27, 1982 vote of the Mashpee select board, designated on
7 Mashpee Assessors' Map 30 as Block 19-0, located at 0 Santuit lane in Mashpee, Barnstable
8 County, Massachusetts, consisting of 2,940 square feet, more or less, as shown on the Plan of
9 Land titled "Plan of Land Prepared for Estate of Jacques Fresco 3 Santuit Lane, AKA 7 Shields
10 Avenue Mashpee, Massachusetts" dated April 3, 2023 (the "Plan"), on file with the town clerk.
11 In consideration of said transfer, the town may acquire title to a portion of the parcel of land
12 recorded in the Barnstable county registry of deeds in book 2879, page 172, designated on
13 Mashpee Assessors' Map 30 as Block 20-0, located at 3 Santuit lane in Mashpee, Barnstable

14 County, Massachusetts, consisting of 2,940 square feet, more or less, as shown on the Plan, by
15 purchase from or exchange with owners thereof for open space, conservation and passive
16 recreation purposes, consistent with the provisions of section 8C of chapter 40 of the General
17 laws and Article 97 of the Amendments to the Constitution of the Commonwealth of
18 Massachusetts.

19 SECTION 2. No document or instrument conveying any interest in the subject property
20 described in section 1 shall be valid unless such document or instrument provides that the
21 interest in the land designated on Mashpee Assessors' Map 30 as Block 20-0, presently located at
22 3 Santuit Lane, shall, upon transfer to the town of Mashpee, be held and maintained by the town
23 solely for open space, conservation and passive recreation purposes, consistent with the
24 provisions of said section 8C and said Article 97.

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